

Democratization in Africa: Challenges and Prospects

Edited by
Gordon Crawford and Gabrielle Lynch



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It is two decades since the 'third wave' of democratization began to roll across sub-Saharan Africa in the early 1990s. This book provides a very timely investigation into the progress and setbacks over that period, the challenges that remain and the prospects for future democratization in Africa. It commences with an overall assessment of the (lack of) progress made from 1990 to 2010, exploring positive developments with reasons for caution. Based on original research, subsequent contributions examine various themes through country case-studies, inclusive of: the routinisation of elections, accompanied by democratic rollback and the rise of hybrid regimes; the tenacity of presidential powers; the dilemmas of power-sharing; ethnic voting and rise of a violent politics of belonging; the role of 'donors' and the ambiguities of 'democracy promotion'.

Overall, the book concludes that steps forward remain greater than reversals and that typically, though not universally, sub-Saharan African countries are more democratic today than in the late 1980s. Nonetheless, the book also calls for more meaningful processes of democratization that aim not only at securing civil and political rights, but also socio-economic rights and the physical security of African citizens.

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Democratization in Africa 1990–2010: an assessment

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Over two decades have passed since the ‘third wave’ of democratization began to roll across sub-Saharan Africa in the early 1990s. The introduction to this collection provides an overall assessment of the (lack of) progress made in democratization processes in Africa from 1990 to 2010. It highlights seven areas of progress and setbacks: increasingly illegitimate, but ongoing military intervention; regular elections and occasional transfers of power, but realities of democratic rollback and hybrid regimes; democratic institutionalization, but ongoing presidentialism and endemic corruption; the institutionalization of political parties, but widespread ethnic voting and the rise of an exclusionary (and often violent) politics of belonging; increasingly dense civil societies, but local realities of incivility, violence and insecurity; new political freedoms and economic growth, but extensive political controls and uneven development; and the donor community’s mixed commitment to, and at times perverse impact on, democracy promotion. We conclude that steps forward remain greater than reversals and that typically, though not universally, sub-Saharan African countries are more democratic today than in the late 1980s. Simultaneously, we call for more meaningful processes of democratization that aim not only at securing civil and political rights, but also socio-economic rights and the physical security of African citizens.

Over two decades have passed since the ‘third wave’ of democratization began to roll across sub-Saharan Africa in the early 1990s, resulting in transitions from one-party or military regimes to multi-party systems. After one decade of political liberalization, early (if cautious) optimism regarding this ‘second independence’ or ‘virtual miracle’¹ had waned. The common conclusion was that, while African regimes are ‘obviously more liberal than their authoritarian predecessors’, they have ‘profound flaws’,² with most discussions falling into the category of ‘democracy with adjectives’.³ Alongside such mixed assessments, the 1990s

also saw the growth of African exceptionalism as some analysts argued, for example, that social democracy, rather than liberal democracy, is the ‘most relevant to the social realities of contemporary Africa. . .[as it would allow for] an activist role for the state and strong commitment to social welfare’,⁴ or that ‘civic institution-building’ should precede democratization if countries want to avoid the rise of ‘warlike nationalism and violent ethnic conflict’.⁵

The following papers in this collection – with the exception of Nic Cheeseman’s paper on power-sharing⁶ – were originally presented at a conference on ‘Democratization in Africa: Retrospective and Future Prospects’ which we convened in Leeds in December 2009. In line with the basic rationale for the conference, this introductory paper assesses the (lack of) progress made in democratization processes from 1990 to 2010, inclusive of advances, shortcomings and reversals, and offers some ideas about ways forward. It does this by exploring and linking positive developments with reasons for caution, and by calling for a more meaningful process of democratization that would provide greater policy choice and place more emphasis on socio-economic rights *and* the physical security of ordinary citizens. The paper highlights seven areas of complexity and contestation, of progress and setbacks, as follows: increasingly illegitimate, but ongoing military intervention; regular elections and occasional transfers of power, but realities of ‘democratic rollback’⁷ and ‘hybrid regimes’;⁸ democratic institutionalization, but ongoing presidentialism and endemic corruption; the institutionalization of political parties and the significance of issue based politics in some contexts, but the widespread logic of ‘reactive ethnic voting’⁹ and rise of an exclusionary (and often violent) ‘politics of belonging’;¹⁰ increasingly dense civil societies, but high levels of ‘incivility’, violence and insecurity; new political freedoms and economic growth, but extensive political controls and uneven development characterized by poverty amidst plenty;¹¹ and the donor community’s mixed commitment to, and perverse impact on, ‘democracy promotion’.

Our conclusion is *neither* that we should be ‘lamenting the demise of democracy’ *nor* that we should be ‘celebrating its universal triumph’,¹² as cogently pointed out by Claude Ake, but that we should recognize differences between *and* within countries, and consider a reality of contradictory trends. For example, even in a ‘success story’ like Ghana, which has passed Samuel Huntington’s ‘two-turnover test’ of democratic consolidation,¹³ various shortcomings remain evident, inclusive of excessive executive and presidential powers over oversight institutions; pervasive corruption among bureaucrats and politicians; the marginalization and under-representation of women in political society; and rising inequalities amidst economic growth and poverty reduction.¹⁴ Similar contradictory trends are apparent in Kenya, even if the balance of the positive and negative aspects is reversed. Since, despite the ongoing legacies of the post-election violence in 2007–2008 and the uncertainties of trials at the International Criminal Court, as well as stark inequalities of wealth and power, Kenyan citizens clearly enjoy greater political freedoms than they did in the 1980s and recently saw the inauguration of a new constitution (see Cheeseman this collection).¹⁵

Given such mixed achievements, this introductory contribution reminds us of how genuine grounds for optimism and hope are simultaneously (and continuously) undermined and endangered by troubling institutional and structural continuities as well as by new political developments, all of which urges us to give greater attention to how a 'right to vote' for a choice of political parties can be translated into the realization of less centralized power, greater material inequality and less human insecurity across the sub-continent. We proceed by exploring these contradictory trends under seven thematic headings.

Increasingly illegitimate but ongoing military intervention

The first three decades of post-independence Africa were notable for the high incidence of military coups and military regimes, and even larger number of unsuccessful military plots and coup attempts.¹⁶ This is significant given that, 'Military rule is by definition authoritarian and is very often corrupt...[while] the historical record shows that military rulers "govern" no better than elected civilians, and often much worse'.¹⁷

Unfortunately, the 'third wave' of democratization has not witnessed the complete withdrawal of the military from African politics. Indeed, between 1990 and 2001, there were 50 attempted coups in sub-Saharan Africa, of which 13 were successful, which represents 'a much lower rate of success in comparison to earlier years, but no significant reduction in the African military's propensity to launch coup attempts'.¹⁸ In the subsequent 10 years, although more infrequent, military intervention has remained a common option, as the following examples indicate. In Guinea Bissau, the introduction of multi-party elections in 1994 was followed by successful coups in 1999 and 2003, while President Vieira was killed by soldiers in 2009. The elected president of the Central African Republic was ousted by a rebel leader in 2003, and in Togo the military installed the late President Gnassingbé Eyadéma's son in power in 2005. Mauritania has also continued to be afflicted by authoritarian rule and military intervention. In 2005, the long-standing autocratic ruler President Ould Taya (in power since a military intervention in 1984) was ousted in a military coup after having won multi-party elections in 1992, 1997 and 2003 (albeit condemned by the opposition as fraudulent), while the country's return to multi-party elections in March 2007 ended with a further coup in August 2008. Guinea also experienced a military takeover in 2008, when Captain Moussa Dadis Camara seized power in a bloodless coup following the death of President Lansana Conte. The political upheavals in Madagascar in 2009 also entailed military involvement, with opposition leader Andry Rajoelina seizing power in March 2009 with military support, deposing President Marc Ravalomanana after a political crisis characterized by anti-government protests. (But see Hinthorne this collection for an alternative interpretation of the political crisis in Madagascar, based on local perceptions of politics and democracy¹⁹). The prolonged political crisis in Niger, following President Tandja's dissolution of the National Assembly in May 2009 and attempts to extend his mandate

through constitutional change, also led to his removal through military intervention in February 2010. Military coups thus remain widespread, especially in West Africa. Moreover, once a military coup has occurred, it can re-establish a pattern of military influence in politics either through subsequent electoral victory of the military leader or installed leader (as in Mauritania, the Central African Republic and Togo) or successive military interventions against elected governments (as in Guinea Bissau).

However, there are also two positive developments – one demonstrated by academic research and the other by African responses. First, Staffan Lindberg and John Clark²⁰ have indicated that the greater the degree of democratization, the less likely military intervention becomes. They identified 34 military interventions between 1990 and 2004 in the 43 sub-Saharan African countries that have introduced some form of political liberalization and democratic procedures.²¹ After categorizing these countries into electoral democracies, liberalizing regimes and electoral authoritarian regimes, they found that ‘democratic regimes are about 7.5 times less likely to be subjected to attempted military interventions than electoral authoritarian regimes and almost 18 times less likely to be victims of actual regime breakdown’.²² Further, as successive elections were held, the incidence of successful interventions dropped significantly, from 83% shortly after the founding election to 11% and 6% after the second and third elections respectively.²³ Their argument is that the enhanced regime legitimacy accrued through political liberalization has simultaneously de-legitimized military intervention and strengthened electoral regimes against coups²⁴ – findings that still hold given that more recent military coups have occurred in authoritarian contexts, such as existed in Mauritania in 2005,²⁵ Guinea in 2008²⁶ and Niger in 2010.²⁷

Secondly, military intervention and rule are increasingly regarded as illegitimate among African citizens²⁸ and, perhaps more significantly, among Africa’s elite. This change has been reflected in the workings of the Organization of African Unity (OAU), now the African Union (AU). In 1999, ‘the OAU took a modest step away from the general norm of recognising whichever regime was in power by banning leaders installed by coups from attending its meetings [although] it refrained from applying this norm retroactively’,²⁹ and in July 2000, the ‘OAU Assembly institutionalized [this] rejection of unconstitutional changes of government’.³⁰ More importantly, the AU’s response to recent coups, with the temporary suspension of Mauritania’s and Niger’s membership in 2008 and 2010 respectively, suggests that this new norm has been ‘internalized – as well as institutionalized’,³¹ although unfortunately, this new norm has not defined ‘fraudulent elections as an unconstitutional change of government’.³²

Regular multi-party elections but ‘democratic rollback’ and ‘hybrid regimes’

Before 1989, only Botswana and Mauritius held regular multi-party elections, but by mid-2003, 44 of the sub-continent’s 48 states had held ‘founding elections’,

while 33 had undertaken a second set of elections, 20 had completed three sets of elections, and seven had held four or more uninterrupted electoral cycles.³³ By 2007, 21 countries had convened a fourth set of legislative elections – with 137 legislative elections in 41 sub-Saharan African countries (excluding Botswana and Mauritius) between 1989 and the end of 2007, and over 120 competitive presidential elections in 39 countries.³⁴ Moreover, in some instances these elections led to a peaceful transfer of power, as occurred, for example, in Zambia and Cape Verde in 1991, Benin in 1991 and 2006, South Africa in 1994, Senegal in 2000, Kenya in 2002, and Ghana in 2000 and 2008. Although it is worth noting that only five of these elections witnessed the unsuccessful candidature of an incumbent president, namely, Zambia, Cape Verde and Benin in 1991, South Africa in 1994, and Senegal in 2000 – meaning that, to our knowledge, after two decades of democratization, only one incumbent president has been ousted through the ballot box since the early founding elections, although incumbents have increasingly stepped down on reaching the end of constitutional term limits (see discussion below). Although, as we write in late 2010, it is yet to be seen whether calls for President Gbagbo of Côte d'Ivoire to stand down will ultimately lead to the removal of one more African president through the ballot box – albeit only after pressure from other African leaders and the international community.

Either way, this 'routinisation of elections'³⁵ represents a significantly different situation to that in previous post-independence decades where elected governments would often not survive to the end of their term due to military intervention, as witnessed in Ghana from the 1960s to the 1980s, or where one-party states saw the long incumbency of presidents and ruling parties as in Kenya, Tanzania, Zambia and Malawi from the 1960s to early 1990s. Indeed, while acknowledging that democratization consists of far more than elections,³⁶ it should also be recognized that 'elections remain fundamental, not only for installing democratic governments, but as a necessary requisite for broader democratic consolidation'.³⁷ More controversially, Staffan Lindberg³⁸ has argued that there is an inherent value in holding elections even if they are not free or fair. Based on an analysis of 232 elections in Africa between 1990 and mid-2003, Lindberg notes that repeated elections 'appear to have a positive impact on human freedom and democratic values',³⁹ as measured by improvements in Freedom House's civil liberties scores. He indicates that as sub-Saharan African countries have undergone consecutive election cycles, the 'majority have become increasingly democratic'⁴⁰ and concludes that, 'The more successive elections, the more democratic a nation becomes.'⁴¹ In attempting to explain why this is so, Lindberg draws attention to the 'causal mechanisms that link elections and civil-liberties improvements',⁴² emphasizing the 'opportunities for political challenges and change' that elections entail, inclusive of 'competition over who can most improve civil liberties and other democratic freedoms'.⁴³ Lindberg's optimistic conclusion is that 'many of Africa's hybrid regimes may in fact be on a slow but steady track to democracy', and that 'Even longstanding ethnic rivalries that constituted major divides in countries like Ghana, Kenya, and

Senegal seem to have over a few electoral cycles lost their potential for generating violent conflict.⁴⁴

Unfortunately, more recent developments in countries such as Kenya, Zimbabwe, Nigeria and Cameroon (discussed by Wale Adebani and Ebenezer Obadare, Cyril Obi, and Ericka Albaugh in this collection⁴⁵) suggest that Lindberg underestimated the ‘overall costs of poorly governed elections’.⁴⁶ Instead, these cases provide clear examples of how even relatively ‘successful’ elections – such as the contest that led to a peaceful transfer of power in Kenya in 2002 – can be followed by ‘democratic rollback’ or ‘democratic recession’,⁴⁷ and how electoral manipulation can require, or prompt, significant levels of violence.

In Kenya, the transfer of power from Daniel arap Moi and the Kenya African National Union (KANU) to Mwai Kibaki and the National Rainbow Coalition (NaRC) in December 2002 was widely (and understandably) regarded as a significant step forward.⁴⁸ However, optimism quickly dissipated,⁴⁹ and the closely contested and hotly disputed election of 2007 prompted a post-election crisis that led to the deaths of over 1000 people and displacement of almost 700,000 in just two months.⁵⁰ Unfortunately, current signs (as outlined in Nic Cheeseman’s contribution to this collection⁵¹) suggest that democratic roll-back remains a local reality. Unfortunately, the optimism that surrounded ‘successful’ elections in other contexts also often quickly dissipated as, for example, Frederick Chiluba (who ousted Zambia’s Kenneth Kaunda in 1991) gained a reputation for corruption,⁵² and Abdoulaye Wade (who ousted Senegal’s Abdou Diouf in 2000) became ‘a veritable caricature of Senghorism’.⁵³

Similarly, in Nigeria, the optimism that surrounded the Senate’s defeat of President Obasanjo’s attempt to stand for a third-term in 2006,⁵⁴ was followed by the 2007 elections that ‘were marred by extraordinary displays of rigging and the intimidation of voters in many areas’,⁵⁵ and which compared ‘unfavourably to [the 2003 elections] in many respects’ with more deaths, fewer people able to vote, and higher levels of intimidation.⁵⁶ Indeed, since the return to multi-party elections in 1999, national elections in 1999, 2003, and 2007 have arguably become ‘successively less fair, less efficient and less credible’⁵⁷ and a ‘do or die affair’ that is divorced from the will of the people (see Adebani and Obadare, and Obi this collection⁵⁸).

In addition to these particular examples, Freedom House ratings – which provided the basis for Lindberg’s optimistic conclusions – have subsequently suggested that there has been a move towards democratic reversal. Thus, whereas the trend in Freedom House’s ratings of political rights and civil liberties had been a positive one for most of the period from 1990, it reversed in 2006, when it was reported that, ‘After several years of steady and, in a few cases, impressive gains for democracy, sub-Saharan Africa suffered more setbacks than gains during the year.’⁵⁹ This decline has continued in subsequent annual reports for 2007 to 2009, with more countries receiving lower ratings in political rights and civil liberties in each successive year, inclusive of some of sub-Saharan Africa’s largest and most influential countries which had previously been perceived as making significant democratic progress, for instance Kenya, Nigeria, Ethiopia and Senegal.⁶⁰

On the one hand, the fact that some countries continue to undergo further democratization, while others have witnessed democratic reversals, reminds us of the importance of not simply lumping African regimes together as ‘imperfect democracies’.⁶¹ On the other hand, the reality across the sub-continent is clearly one of ‘hybrid regimes’, which are neither fully democratic nor classically authoritarian.⁶² Moreover, while some are best described as forms of ‘defective democracy’,⁶³ the majority are more cogently categorized as relatively new forms of ‘electoral’ or ‘competitive authoritarianism’, since they fail to meet the ‘conventional minimum standards for democracy’.⁶⁴ This reality has serious implications. Since, even if one takes the relatively optimistic view that ‘electoral democracies’ can ‘escape their in-between status and make the shift to real liberal democracy’⁶⁵ – as has occurred for example in Ghana⁶⁶ – one is still left with the larger number of hybrids that are classified as authoritarian sub-types where ‘the collapse of one kind of authoritarianism yielded not democracy but a new form of nondemocratic rule’,⁶⁷ which are ‘not themselves democratic, or any longer “in transition” to democracy’.⁶⁸ The fact that this condition ‘could well prevail for decades’⁶⁹ signifies in turn the ‘end of the transition paradigm’.⁷⁰

The prevalence of electoral authoritarianism stems, in large part, from the fact that political elites feel ‘that they cannot avoid going through at least the motions of competitive elections if they want to retain a semblance of legitimacy’,⁷¹ and face ‘unprecedented pressure (international and domestic) to adopt – or at least to mimic – the democratic form’.⁷² These pressures have created ‘virtual democracies’, which possess ‘many of the institutional features of liberal democracy (such as regularly scheduled elections) while their governments systematically stifle opposition behind a mask of legitimacy’,⁷³ with ‘incumbents conced[ing] only those “manageable” reforms which they calculate are necessary to maintain themselves in power’.⁷⁴ More disillusioning still is the scenario where ‘political leaders and groups...win elections, take power, and then manipulate the mechanisms of democracy...[leading to democratic] erosion: the intermittent or gradual weakening of democracy by those elected to lead it’.⁷⁵

Regime hybridity is rendered possible in three principal ways. First, by the extensive ‘menu of manipulation’ or range of tactics from which ‘rulers may choose...to help them carve the democratic heart out of electoral contests’.⁷⁶ Secondly, by the ‘fallacy of electoralism’⁷⁷ and the fact that elections may confer little real institutional or structural change, and can actually be associated with the thinning out of more substantive forms of democracy (see Keating this collection⁷⁸). And thirdly, by an international community that purports to promote democracy, but actually seems more interested in political stability and economic growth than democracy (see the final section of this introduction).

With regards to the first of these three ways, Larry Diamond reminds us that elections are fair when: there is a neutral, competent, and resourceful electoral authority; security forces and the judiciary are impartial in their treatment of candidates and parties; ‘contenders have access to the public media’; ‘electoral districts and rules do not systematically disadvantage the opposition’; there is a

secret ballot and transparent rules for vote counting; and there are ‘clear and impartial procedures for resolving complaints and disputes’.⁷⁹ This list hints at the myriad of ways in which leaders can (and often do) manipulate and subvert the electoral process. Two particularly worrying developments are the readiness (and ease) with which political elites revert to strategies of political violence,⁸⁰ including the sponsorship of ‘informal repression’ or ‘covert violations by third parties’,⁸¹ and the widespread use of ‘informal disenfranchisement’.⁸² As Andreas Schedler notes, while ‘*formal disenfranchisement* is a very tough “sell” in the contemporary world, ‘The real growth end of the business...lies in the realm of *informal disenfranchisement*’, ranging from ‘ethnic cleansing’ to the introduction of universal, but discriminatory ‘registration methods, identification requirements, and voting procedures’,⁸³ which disenfranchises actual (or likely) opposition candidates and supporters. In this vein, citizenship laws have been used to exclude high profile opposition candidates from electoral contests, most notably, Zambia’s former president Kenneth Kaunda in 1996 and Côte d’Ivoire’s former Prime Minister Alassane Outtara in 1995.⁸⁴ While in Kenya, state-sponsored ‘ethnic clashes’ in the early 1990s displaced and effectively disenfranchised potential opposition voters across much of the Rift Valley,⁸⁵ revealing how ‘informal repression’ can serve as a form of ‘informal disenfranchisement’ as well as of political mobilization and intimidation. In turn, Ericka Albaugh’s contribution on Cameroon in this collection⁸⁶ reveals how President Paul Biya’s tactics have gone ‘beyond the regrettably banal fraud in electoral counting’ to the manipulation of electoral boundaries, interference in voter registration, and ‘recognition’ of ethnic ‘minorities in compliance with international and domestic pressures’, which has alienated and largely disenfranchised many ‘Anglo-Bamis’ and enabled Biya to strengthen his control over the political apparatus and further ‘entrench autocracy’.

Thus, while elections are important as ‘the opening moves in a long-drawn-out drama in which different social forces seek to control the state’⁸⁷ – it is a drama that is not necessarily linear or progressive. Elections can enhance competition, open political spaces and enable struggle, but they can also legitimize authoritarian regimes, create new regime types and prompt new political crises and human rights abuses. Such partial progress is due to the fact that ruling elites often embrace multi-party elections as a ‘survival strategy’ and regularly win them by using the advantages of incumbency with little international outrage.⁸⁸ But also because, as Lindsay Whitfield and Raufu Mustapha have argued, elections – although they may provide a means to get rid of discredited leaders – are far less likely to lead to an overall restructuring of political institutions or culture.⁸⁹ In such scenarios, political change consequently becomes a classic case of ‘*plus ça change, plus c’est la même chose* (the more things change, the more they stay the same)’.⁹⁰

The institutionalization of separate powers but ongoing presidentialism and endemic corruption

One key feature of post-independence authoritarian rule in Africa was the personalized rule of ‘big men’⁹¹ who sought to cultivate authority through a logic of

loyalty and deference in exchange for unity, order and development (for example Kenya's Daniel arap Moi⁹²). In the process, Africa's presidents and monarchs cast themselves as loving, but stern, father-figures,⁹³ but in fact oversaw economic decline and state repression and became a 'major manufacturer of inequality' of both wealth and power.⁹⁴ Consequently, the extent to which the rule of 'big men' and associated 'politics of the belly'⁹⁵ has been tempered by democratization – where formal rules within democratic institutions begin to matter more than informal rules and institutions, and where there is a greater degree of separation of powers between the executive, legislature and judiciary – is of central importance to any assessment of democratization's success, and is a key concern of van Cranenburgh's contribution in this collection.⁹⁶ Similarly important are the levels and roles of patronage and clientelism, and the extent to which such informal institutions are regarded by citizens as a source of political legitimacy and authority, or as evidence of limited assistance, bias and corruption.⁹⁷

Recent scholarly literature is divided on the extent to which political liberalization has prompted the strengthening of formal institutions other than the presidency. Daniel Posner and Tom Young have a relatively optimistic view and argue that, 'Across sub-Saharan Africa, formal institutional rules are coming to matter much more than they used to, and have displaced violence as the primary source of constraints on the executive behaviour'.⁹⁸ Their evidence focuses on elections, especially those where there has been a turnover of power, and on an increasing acceptance of presidential term limits and the defeat of attempts by some presidential incumbents to change their constitutions to remove two-term limits. Much weight is placed on the Nigerian Senate's rejection in May 2006 of a bill that would have enabled President Obasanjo to stand for a third-term. Similarly, they highlight how the Malawian parliament did not support President Muluzi's attempt to abolish term limits (although the two-thirds majority required was almost obtained) and how President Chiluba of Zambia retracted attempts at constitutional change in the face of substantial opposition within parliament and his own party.⁹⁹ Consequently, while they recognize that six other presidents did manage to achieve constitutional change to enable their continued rule, most notably presidents Nujoma and Museveni of Namibia and Uganda respectively, the increasing acceptance of presidential term limits and the role of legislatures in resisting constitutional change is posited as evidence of a trend towards 'the increasing institutionalization of political power in Africa' whereby power 'changes hands principally in accord with institutional rules'.¹⁰⁰

Focusing on legislative development, Joel Barkan also puts forward a relatively optimistic, if more tempered, assessment. Based on a six-country study, he reveals how 'the legislature is emerging as a "player" in some countries' and has 'begun to initiate and modify laws to a degree never seen during the era of neopatrimonial rule...[and] sometimes exerts meaningful oversight of the executive'¹⁰¹ – two important functions of legislatures. He concludes by arguing that, although progress remains uneven, 'legislatures in Africa are beginning to matter'.¹⁰² However, this conclusion is countered by Michael Keating's discussion of the

decline of the Ugandan legislature following a move to multi-party politics in 2005 in this collection.¹⁰³

In a slightly less optimistic account, Peter VonDoepp's analysis of judiciaries in Malawi and Zambia highlights the contradictory tendencies of 'third-wave' democracies that 'render both their current status and future prospects open to question',¹⁰⁴ as elements of greater independence combine with an overall trend that remains ambiguous. Thus, he notes how, 'In both countries, judiciaries have displayed a striking tendency to render decisions that have challenged the interests of elected power-holders', and that while 'the courts have also rendered a number of decisions that have supported the aims of governments...the overall pattern of judicial behavior suggests that judiciaries in these countries have neither behaved as government lapdogs nor served as very reliable allies'.¹⁰⁵ This is a conclusion that is supported by the work of others, including Omotola's similar discussion of the role of the judiciary in Nigeria's Fourth Republic.¹⁰⁶

However, while there is an emerging consensus that formal institutions or 'institutional rules are beginning to matter more in Africa', as van Cranenburgh states in her contribution here,¹⁰⁷ Posner and Young's more overtly optimistic assessment has been challenged both directly and indirectly. For example, Richard Joseph argues that Posner and Young have overstated the progress made towards law-based governance and institutions and that 'the struggle to cross the frontier from personal rule to rule-based governance is still far from over in much of Africa'.¹⁰⁸ He cites, unsurprisingly, the counter example of Museveni's successful attempt to extend his presidential term in Uganda, and the violence that followed the 2007 Kenyan election, as 'demonstrat[ing] the continuing significance of personal rule, weak institutions, and electoral systems subject to partisan manipulation'.¹⁰⁹ In turn, van Cranenburgh in a study of 30 sub-Saharan African countries posits that 'big men' continue to rule.¹¹⁰ She highlights the 'high levels of institutional power of presidents', arguing that there is 'very little difference...between democracies and non-democracies', and that 'minimal' electoral democracies actually experience greater presidential power 'on average than non-democracies'.¹¹¹ In her contribution here, van Cranenburgh¹¹² re-emphasizes the power of the executive president and its negative impact on the 'extent and quality of democracy in African countries'. However, this power is perceived as now stemming less from informal institutions and more from the systemic concentration and fusion of power inherent in the 'hybrid' nature of many formal political systems in Africa, referring here to the combination of presidential and parliamentary features which produces extremely powerful presidencies. Her argument is that systemic institutional reforms are needed to achieve greater accountability of the executive presidency. Equally, Whitfield and Mustapha's overall findings from their eleven-country study confirm the 'persistence of presidentialism' and fact that 'the executive branch of government continues to dominate the political system,¹¹³ although with the qualification that 'presidentialism is being slowly restrained in many countries'.¹¹⁴

Similar conclusions can be drawn from Afrobarometer data, which suggests that, ‘People are most likely to judge the extent of democracy in terms of their trust in the incumbent president’,¹¹⁵ as well as from the imbalance of power across the sub-continent between the president’s office and a number of other institutions, notably: the judiciary,¹¹⁶ the election administration,¹¹⁷ anti-corruption tsars and commissions,¹¹⁸ and the security services.¹¹⁹ Finally, our own research and the contributions to this collection (in particular those of Adebawwi and Obadare, Albaugh, Keating, and Obi¹²⁰) also point to the tenacity of presidential power, inclusive of a weak parliament and ‘excessive presidential powers’ in the relative success story of Ghana.¹²¹

Yet, more worrying than the concentration of power *per se* is: (a) the clear perversity of some state institutions, which are not ‘weak’ as such, but have been subverted for corrupt and Machiavellian ends – as exemplified by Kenya’s police force, which (among other things) collects bribes, is under presidential control, and has responded to political challenges with excessive force;¹²² and (b) by the illegitimacy, but tenacity, of corruption and state bias.

To understand the persistency and pervasiveness of corruption, it is insightful to regard neopatrimonialism (in line with its Weberian roots) as a ‘type of authority, not a type of regime’¹²³ in which legitimacy and accountability are directly linked to ‘reciprocities between rulers and their subjects’ or patron-client relations.¹²⁴ Although Botswana is one example where the legitimacy of its democratically elected government is ‘created and reinforced through *both* the rule of law and personal bonds’,¹²⁵ Pitcher et al. recognize that the country is unusual in this regard. In contrast, across much of the rest of the sub-continent – where personalized power and clientelism remain key to the distribution of material benefits and electoral competition has often exacerbated the misappropriation of funds¹²⁶ – such characteristics are a source of criticism and frustration as citizens tend to see, not patronage, but corruption and ‘an informal institution that is clearly corrosive to democracy’.¹²⁷ Anger rises still further when material benefits are believed to be largely limited to a small political and economic elite, and as religiously and/or ethnically biased as in Nigeria¹²⁸ and Kenya¹²⁹ – a fact that can have unfortunate consequences for the nature of political mobilization and support, as discussed in the next section.

The institutionalization of political parties and significance of issue-based politics, but widespread ethnic voting and rise of a violent politics of belonging

There is general agreement in the literature that, while functioning political parties are ‘indispensable’ to democratization,¹³⁰ political parties (and especially opposition parties) are often a ‘weak link’,¹³¹ and perhaps even the ‘weakest link’,¹³² in new democracies. This would seem to be the case in many African democracies where political parties were recently described as ‘often unstable, with parties

appearing and disappearing from one election to another' and as weakly organized 'top-heavy institutions with a weak internal democracy'.¹³³ Opposition parties are identified as particularly problematic, due to their 'numerically weak and fragmented' nature, and the fact that they are incapable of carrying 'out their role of providing a political counterweight to the victorious party and president'.¹³⁴ The answer to such weaknesses is often regarded as the institutionalization of individual parties and party systems.¹³⁵ Given this context, in this section we touch on five commonly-cited problems with Africa's multi-party systems: their fluidity or lack of institutionalization, the dominance of ruling parties, the unrepresentative nature of political parties, the absence of issue-based politics, and patterns of ethnic voting. In turn, this leads us to highlight a not infrequent link between democratization and the manipulation of ethnic identities and the rise of a violent and unstable 'politics of belonging'.

But first, to what extent is party institutionalization and party system institutionalization occurring in sub-Saharan Africa? The example of Ghana provides some positive evidence. Thus, Abdulai and Crawford note how, since 1992, 'a stable period of political party development'¹³⁶ has been aided by inter-party alliances such as the Inter-Party Advisory Committee, formed in 1994, which brings together representatives of all registered political parties in meetings with the Electoral Commission, and in 2004, devised a Code of Conduct to regulate the behaviour of all political parties during and between elections. Similarly, Whitfield notes that Ghana 'survived the closeness and intensity'¹³⁷ of the December 2008 elections partly due to the institutionalization of a *de facto* 'two-party system where voters and political elites are mobilized around two political traditions'.¹³⁸ These two political traditions, the liberal Danquah/Busia tradition and the radical nationalist Nkrumahist tradition, are significant in two ways. First, the two traditions are long-standing and can be traced back to decolonization in the 1950s, yet remain pertinent today as the main ideological basis around which the current two main parties organize.¹³⁹ Secondly, these traditions cut across other social cleavages, notably ethnicity and region, and thus diminish their significance.¹⁴⁰ It is possible, however, that the particular role of these two long-standing political traditions in political party institutionalization renders Ghana an exceptional rather than typical case.

Following Sartori,¹⁴¹ the institutionalization of party systems in Africa has been discussed in the literature in terms of the relative stability and fluidity of party compositions in legislatures, where stabilization is akin to institutionalization. The idea is that, 'parties can only satisfactorily fulfil many of their presumed democratic functions – such as recruitment of future leaders, aggregation of interests and accountability – if the configuration of parties remains relatively stable'.¹⁴² Unfortunately however, Africa has typically been perceived as having a high number of 'fluid' party systems characterized by 'a remarkable number of party changes from one election to the next'¹⁴³ and widespread practice of 'carpet crossing'.¹⁴⁴ A particularly illustrative example is Kenya, where the party line-up has radically changed between every election¹⁴⁵ and where the

now prime minister Raila Odinga has moved from FORD-Kenya, to NDP, KANU, NaRC, and finally ODM between elections in 1992 and 2007.

Yet, the Kenyan case notwithstanding, Staffan Lindberg argues for ‘measured optimism’ regarding the number of ‘party systems in Africa that either are, or are becoming, institutionalized’.¹⁴⁶ On the one hand, he suggests that in Africa’s 21 electoral democracies, the majority (11) have stable party systems, compared with eight that have fluid systems and two that are categorized as ‘de-stabilized’ (having moved away from relatively stable situations).¹⁴⁷ On the other hand, his optimism is tempered by two other findings. One is that 8 out of the 11 stable systems are ‘one-party dominant with well-known problems for democratic accountability and representation’¹⁴⁸ – such that ruling parties in Botswana, Mozambique, Namibia, South Africa and Tanzania are yet to lose an election. The other is that the theoretical expectation of increased institutionalization of party systems occurring over time, through greater experience of democratic elections, is confounded: a large proportion of stable party systems having in fact exhibited stability since multi-party politics was first introduced, while all countries with fluid systems have conducted three, four or five sets of elections.¹⁴⁹

Earlier, Nicholas van de Walle came to similar findings, but without Lindberg’s optimism, in his discussion of a ‘typical emerging party system’ characterized by ‘a dominant party system surrounded by a large number of small, unstable parties’,¹⁵⁰ a form of party system institutionalization that complemented a centralization of power around the president and pervasive clientelism. Such a party system also raises the problem of representation in two respects. One is the observation that many opposition parties constitute ‘little more than small and transient coteries behind aspiring individual politicians’ and that ‘even where they have a wider basis of support, this is likely to be confined to the urban areas’.¹⁵¹ The other aspect is that ‘even in the case of dominant parties, with a stronger organizational presence in the countryside, it is widely argued that the kind of representation that does occur must be understood above all in the context of clientelistic politics’.¹⁵²

The introduction here of clientelism raises the second major set of issues to be examined in the section: whether multi-partyism has led to competing ideologies and issue-based politics or to ethno-regional identity politics? There is a common view that clientelism and a spoils-based politics continues to dominate African politics, with the attendant criticism that there is an absence of issue-based politics and often little to differentiate African political parties in ideological terms.¹⁵³ While there is undoubtedly some truth in this perspective, two instances where issues and ideologies are more central to electoral outcomes are found in Ghana and Zambia. In Ghana, the institutionalization of a *de facto* two-party system around the two political traditions has provided the basis for competitive ideologies, expressed as social democratic versus liberal democratic or left of centre versus right of centre¹⁵⁴ and for rational evaluative judgements by the electorate of past and anticipated performances of the two main political parties. As noted above, such competitive ideologies and issue-based politics in Ghana have cut across other social cleavages and diminished their significance. This supports

the conclusions by Lindberg and Morrison, on the basis of voter surveys in Ghana in 1996 and 2006, that ‘only about one in ten voters is decisively influenced by either clientelism or ethnic and family ties in choosing political representatives, while 85 to 90 percent behave as “mature” democratic citizens’.¹⁵⁵ With regards to Zambia, Cheeseman and Hinfelaar detail how the ‘main parties’ continual repositioning of their electoral platforms [from the general election of 2006 to the presidential election in 2008] reveals that not all African elections take place in an ideological vacuum,¹⁵⁶ and that:

...the ability of controversial opposition leader Michael Sata to mobilize a cross-ethnic support base of the ‘dispossessed’ in urban areas supports Larner and Fraser’s claim that his rise to prominence derives in part from his ‘populist’ stance [2007], and lays bare the limits of the ‘ethnic census’ model of party support.¹⁵⁷

However, across the sub-continent, it is difficult to deny that political parties in Africa rely more commonly on clientelism – or at the least the promise of such assistance – as the basis for mobilizing political support through the disbursal ‘either of positions in the public sector, preferential treatment in bids for licences and so forth, or the distribution of state resources to geographic areas’.¹⁵⁸ Further the centrality of clientelism within multi-party politics remains based on an ‘appeal to tribal, ethnic, and religious constituencies’¹⁵⁹ as ‘often the easiest basis for mobilizing support’.¹⁶⁰ Yet, we dispute that this is simply a legacy of neo-patrimonialism¹⁶¹ or the result of ethnic divisions,¹⁶² and instead assert that this represents an instance of ‘continuity within change’. In this vein, we claim that the persistence of clientelism is linked to the trajectory of Africa’s ‘second independence’ in so far as ‘parties often grew not out of socio-economic cleavages or struggles over the nature of state authority, but out of elites’ urgent need for electoral vehicles which would allow them to compete in the newly devised rules of the political game’,¹⁶³ and to the potential for ‘imagined communities’ to exist as moral and historic communities with associated readings of what is in, or against, group interests.¹⁶⁴ As Adrienne LeBas concludes from her case study of Zimbabwe, while ‘Electoral competition does not necessarily drive political elites to manipulate existing social divisions or utilize exclusionary, ethnonationalist appeals... electoral competition does require elites to forge organizations – political parties – to coordinate action and contest elections’, which is often best done by using ‘confrontational or polarizing tactics [that] draw sharp boundaries between themselves and their opponents’.¹⁶⁵

In this, our conclusions diverge from Matthias Basedau and his colleagues who investigate the link between ethnicity and party preference in this collection,¹⁶⁶ drawing on evidence from four anglophone and four francophone countries in various parts of sub-Saharan Africa. Using a quantitative methodology, their findings are that ethnicity does matter, but that its relevance in explaining party preference understandably varies between countries. In seeking to explain the varying levels of ethnicization of party systems, they explore structural,

institutional and historical factors, and find that ‘specific integrative socio-cultural features, low ethnic polarization and one-party dominance all serve to decrease the politicization of ethnicity’. Looking at the possible effects on democracy, their preliminary conclusions are that ‘ethnicized party systems generally do not appear to threaten democratization’.

Yet, there are clearly instances where the polarization of politics along ethnic lines has threatened democracy and led to democratic erosion and violent conflict. However, this is not – we argue – due to a clear distinction between clientelistic or ethnic rationales and evaluative voting, as drawn by Lindberg and Morrison.¹⁶⁷ Since, in some contexts, communal readings of local history and associated perceptions of state bias, injustice and achievement have rendered ethnic – or other collective identities – *central* to evaluative judgements of past and expected party and government performance, and can act as an important basis for claims for differential treatment. This is clear from Danielle Beswick’s discussion of the Rwandan Batwa in this collection,¹⁶⁸ and also from the relevance of ethnic identities in contemporary Kenya where ordinary people say that ‘performance record and not ethnicity’ determines who they will vote for, but ‘each of the main parties attracts a rather distinct ethnic profile in terms of support’.¹⁶⁹ Since, this apparent paradox disappears when one recognizes how communal narratives of state bias, historical injustice and persecution can, for example, lead some communities to desire, and others to fear, political devolution. In turn, while ethnic identities are not in themselves problematic, or conducive of violence, such ethnically-delineated notions of difference and competition can contribute to a view of politics as a ‘do or die’ affair, especially in the context of evident presidentialism, and a logic of exclusion. However, in contrast to a classic manifestation of patron-client relations, we argue that such ethnically-delineated support has more to do with fear of loss and marginalization (and, to a lesser extent, hopes of future gain) than with patronage already received. In this way, ethnic support often becomes a ‘reactive’ strategy¹⁷⁰ that is fuelled by a rationale of ‘exclusionary ethnicity’ or by a focus on ‘who would not get power and control the state’s resources’.¹⁷¹ Additionally, such support can be driven by a rationale of ‘speculative ethnic loyalty’, in other words support for one of your own as a way to maximize the likelihood of future inclusion and assistance.¹⁷²

This link between democratization and the use of exclusionary ethno-nationalist appeals is most evident in the rise of a ‘politics of belonging’, or discourse of autochthony, across much of sub-Saharan Africa. As political elites and ‘ethnic entrepreneurs’ exploit an almost naturalized sense of belonging, and histories of precarious migrant labour policies where ‘migration was encouraged, but people were somehow to remain attached to the village at the same time’.¹⁷³ In the view of Ceuppens and Geschiere, democratization ‘inevitably turned into red buttons such questions as “who can vote where?”, or, more important, “who can stand candidates where?” – that is, questions of where one belongs’,¹⁷⁴ which politicians such as Cameroon’s Paul Biya can then exploit (see Albaugh this collection¹⁷⁵) and which ordinary people can use as ‘a means to exclude fellow

citizens from access to resources, especially land'.¹⁷⁶ Moreover, democratization has often gone hand in hand with decentralization and a new emphasis on reaching-out to 'local' populations, which can 'trigger fierce debates about belonging, i.e., over who could or could not participate in a project new-style'.¹⁷⁷ In answering these questions, discourses of 'belonging' imply that resources and positions should be enjoyed by 'local' citizens. The corollary, however, is that 'those who are cast as having come from elsewhere – "foreigners", "migrants", "outsiders", "aliens", or "allogenes" – do not enjoy such naturalized claims'.¹⁷⁸ Moreover, in addition to such exclusivity, the 'slipperiness between different scales of meaning'¹⁷⁹ renders the discourse vague, yet paranoid. As a consequence, while the discourse 'seems to promise a primal security', it actually compounds 'basic insecurity' with dangerous, and often violent consequences.¹⁸⁰ This is evidenced, for example, in contests between 'locals' and 'outsiders' in South Africa's cosmopolitan slums;¹⁸¹ in the context of Nigeria's 'federal character principle';¹⁸² in Côte d'Ivoire's civil war;¹⁸³ in the prolonged crisis in the eastern Democratic Republic of Congo;¹⁸⁴ and in Kenya's post-election crisis of 2007–2008.¹⁸⁵

Our argument is not that political parties help to 'deepen and extend' ethnic divisions 'by merely mirroring' them,¹⁸⁶ but that in seeking to mobilize support and to protect and further vested interests, political parties look for issues that resonate and differentiate them from their opponents, while ordinary people – due to communal readings of local pasts, perceptions of social justice, and collective fears – sometimes evaluate performance and expectations through the lens of ethnic identity or are similarly drawn to a more vague 'politics of belonging' as a way to lay claims and exclude others in a context of limited resources. These are local realities that also have important consequences for the nature of civil society and intra- and inter-group relations.

Increasingly dense but sometimes 'uncivil' civil society and local realities of violence and insecurity

As the 'third wave' was rolling over sub-Saharan Africa, Harbeson, Rothchild and Chazan asserted that civil society was the 'missing key to sustained political reform, legitimate states and governments, improved governance, viable state-society and state-economy relations, and prevention of the kind of political decay that undermined new African governments a generation ago'.¹⁸⁷ This statement was clearly overblown and exaggerated, and a rejoinder from Fatton quickly reminded us that Africa's civil society can also be 'uncivil',¹⁸⁸ with Gibson noting that civil society in Africa often includes 'ethnic and religious organizations, organizations dominated by a narrow base of elites, unorganized protest, and neopatrimonial relationships between the state and nearly all organizations'.¹⁸⁹ This section looks initially at positive ways in which civil society organizations have contributed to democratic processes, and then moves on to briefly examine some of the more 'uncivil' aspects. The 'donor' role in 'civil society strengthening' is explored in a subsequent section.

Positively, the increased protection of civil and political rights in many countries has led to the opening up of ‘democratic spaces’, within which civil society and a more independent media has expanded. Ghana is a particularly good example again, one where the more formal and informal aspects of democratization interact, with constitutional provision facilitating the proliferation of civil society organizations (CSOs) that increasingly engage with the government in policy-making processes.¹⁹⁰ A related development has been the expansion of a relatively free and independent media. Thus, from near state monopoly over broadcast media in 1995, Ghana now has more than 135 newspapers, including two state-owned dailies, five TV stations (four privately owned), and approximately 110 FM radio stations, of which only 11 are state-owned.¹⁹¹ In turn, CSOs and the media have contributed to the development of formal democratic processes, as indicated by the key role played in the closely-contested 2008 elections, for instance the organization of national debates and public fora and the formation of a Coalition of Domestic Election Observers (CODEO). This latter organization trained and deployed over 4000 election observers and undertook a parallel vote-tabulation exercise to provide independent verification of official election results.¹⁹² Indeed, the avoidance of violence in the tense and highly-charged 2008 elections was attributed partly by the European Union’s Electoral Observation Mission to the existence of ‘a vibrant, mobilized and well organized civil society in Ghana’ and the key roles played by CSOs in supporting the work of the independent Electoral Commission.¹⁹³

A similar picture emerges in other contexts, such as South Africa, Nigeria and Kenya, where the last two decades have witnessed the emergence of a dense and vibrant civil society and independent media, and much greater political freedoms. However, the mere existence of civil society and an independent media is not equal to pro-democratic pressures, and can clearly have a negative effect when, for example, the independent media is regarded as having an ethnic or regional character as in Nigeria,¹⁹⁴ when new vernacular radio stations helped foster a sense of ethnic difference and competition as occurred in Kenya immediately prior to the 2007 election,¹⁹⁵ or when radio stations and magazines are involved in campaigns of violence as occurred in the run up to the Rwandan genocide.¹⁹⁶ Similarly, civil society organizations can have a negative effect when they become ethnicized and partisan, as in instances in Kenya;¹⁹⁷ when NGOs are corrupt or indeed fraudulent and exist as mere ‘briefcase organizations’¹⁹⁸ and are characterized ‘by external financial dependence and an external orientation’;¹⁹⁹ when NGOs are linked to political elites, such as Angola’s well-endowed Eduardo dos Santos Foundation;²⁰⁰ or, more generally, when they reflect ‘the lopsided balance of class, ethnic and sexual power. . .[and thus] tend inevitably to privilege the privileged and marginalize the marginalized’.²⁰¹ In addition, the political space available to media and civil society discussion often appears more extensive than it actually is, since people may avoid looking at the most politically sensitive issues, or are punished for doing so, as evidenced by Beswick’s analysis of post-genocide Rwanda in this collection and also by Cheeseman’s reference

(this collection) to the suspicious murders of two human rights activists in Kenya in March 2009 following an investigation by the UN Special Rapporteur on extra-judicial killings.²⁰² This is clearly problematic since, for civil society and the media to play a positive role they need to be able to challenge the government and hold it accountable.

Moreover, in other contexts, rapid liberalization and political decentralization has been associated with ‘the rise of violent vigilantism which has spread instability and criminality rather than democracy’.²⁰³ However, as Kate Meagher’s case study of the Nigerian Bakassi Boys reveals,

the problem does not lie in the perversity of African civil impulses, but in the chaos of the formal institutional environment in which African populations are forced to live. What is at issue is not the capacity of African civil society, but the role of the state and the formal institutional context in providing a proper regulatory framework for the maintenance of law and order.²⁰⁴

Certainly, democratization in Africa has been associated not just with election-related violence, but with a more general increase in criminality and physical violence across much of the sub-continent. In part, this can be linked – as Meagher’s analysis of the Bakassi Boys suggests – to what Jenny Pearce (in the context of Latin America) refers to as ‘perverse state formation’ whereby the state ‘actively transmits and reproduces violence, sometimes through its own violent acts, sometimes through complicity with the violent acts of others, and often through criminal negligence in addressing atrocity or ceding space to privileged expressions of violence without deterrent boundaries’.²⁰⁵ However, it can also be linked to the failure of economic and political liberalization to bring the promised benefits of globalization and development²⁰⁶ and consequent use of violence ‘as an instrument of income distribution’,²⁰⁷ which brings us to the question of whether democratization has met popular expectations of political freedom and economic advance.

Precarious political rights and pro-rich economic growth

Popular demands for political liberalization in the late 1980s and early 1990s stemmed from the authoritarian nature of Africa’s one-party and military regimes *and* from a context of prolonged economic crisis and unpopular economic policies. As Bratton and Mattes expressed it, ‘citizen orientations to democracy in Africa are most fully explained with reference to both baskets of goods’²⁰⁸ – namely, political rights and material benefits. To what extent have both been realised? We argue here that performance on the former has been better than the latter, though that itself remains very uneven.

Bratton and Mattes noted that some of Africa’s new democracies ‘have been able to legitimate themselves by delivering political goods’²⁰⁹ and it is clear that most African countries are more open than they were in the 1980s, with greater freedoms of expression and association, an increasingly dense civil society, and

burgeoning independent media. Nevertheless many countries still fail to meet the limited set of criteria for an electoral democracy, perceived as the ‘contemporary minimalist conception of democracy’,²¹⁰ far less the higher bar in terms of the ‘fuller set of civil liberties and freedoms for individuals and minority groups’²¹¹ that is demanded of a liberal democracy.²¹² According to Freedom House, an electoral democracy requires a competitive, multi-party political system, universal adult suffrage, regularly contested elections, open political campaigning, and media access for political parties, whereas a liberal democracy requires a more substantial realization of civil liberties and political rights.²¹³ However, in its most recent *Freedom in the World* report,²¹⁴ only 19 countries in sub-Saharan Africa were regarded as having met the minimal criteria of an electoral democracy, of which nine are also designated as ‘free’ and thereby regarded as fuller, liberal democracies (Cape Verde, Ghana, Benin, Mauritius, Namibia, Sao Tome and Principe, South Africa, Botswana and Mali). That leaves 29 countries in sub-Saharan Africa, which are regarded as not having met the minimal criteria of electoral democracy, despite almost all holding multi-party elections – a picture that is supported in all of the contributions in this collection.

Unfortunately, Africa’s economic performance – especially when cast in terms of human development rather than economic growth – has been even less impressive, with a troubling tendency for pro-rich growth. In this vein, Lewis highlights that many of Africa’s new democracies have significantly improved their growth rates, and have generally achieved greater economic growth than non-democracies, yet such growth ‘has not been accompanied by rising incomes or popular welfare’, leading to ‘a crucial paradox... of growth without prosperity’.²¹⁵ Consequently, ‘in Ghana, Kenya, Nigeria, South Africa, and Tanzania, indicators of public well-being lag far behind strong overall economic performance [and] officials and average citizens alike often note the “disconnect” between macroeconomic indicators and microeconomic performance’.²¹⁶ More specifically, following three decades of neoliberal hegemony and associated reforms ‘what is emerging is often an effectively privatized delivery system that exists side by side with a hollowed out public system that continues to receive public resources (albeit inadequate ones) whether or not it actually produces services’.²¹⁷ Moreover, even in countries that are held up as ‘success stories’, such as Mozambique, progress in poverty reduction may be the result of statistical interpretation given that, in 2004, the Mozambican government and donor agencies opted to use an alternative statistic that relied on a lowering of the poverty line.²¹⁸ In Ghana, another putative success story, official government reports highlight how poverty has declined significantly from 51.7% of the population in 1991–1992 to 28.5% in 2005–2006,²¹⁹ yet rising regional inequalities and persistent and increasing poverty levels in the North, where it was most extreme in the first place, receive little or no emphasis. Yet a closer look at the figures reveal that poverty in the Upper West region has actually increased from 84% in 1998–1999 to 88% in 2005–2006, while the percentage of people living in poverty in the Upper East region in 2005–2006 – 70% – is higher than the 1991–1992

level of 67%.²²⁰ This raises the critical question of how far Ghana's reputed growth and poverty reduction experience can be celebrated when its overall impact has been to make the relatively rich richer, and (some of) the poor poorer.

These are problematic issues given not only the level of poverty and underdevelopment on the sub-continent but also the possibility that economic frustration can feed through into heightened criminality and political violence. Indeed, while a direct connection between poverty, crime and political violence may be difficult to prove, there is often a positive correlation in practice, especially when frustrated economic and political hopes and high levels of inequality are part of local narratives, as was the case, for example, in Kenya's 2007 election,²²¹ as well as in Nigeria²²² and South Africa.²²³ One problem, however, is donors' apparent preference – or at least support – for political stability and economic growth, over more substantive democratic reforms.

Donors and the ambiguities of 'democracy promotion'

Along with local pressures for political reform, donor conditions of structural adjustment and 'good governance' were central to the 'third wave' of democratization in Africa. Indeed, while Bratton and van de Walle believe that international factors 'remained secondary' to local demands²²⁴ this has been questioned by a number of analysts who highlight how the 'internal and external are inextricably linked'.²²⁵ Unfortunately, the contribution that international donors have made to democratic consolidation, rather than to a transition to multi-party politics, is far more tenuous despite an oft-cited commitment to 'democracy promotion'. Criticisms of how international aid has emasculated democracy in Africa are myriad²²⁶ and in this section we focus on a selection of issues to indicate how donor practices often fail to live up to, and even counter, their rhetoric of democracy promotion.

First, it is clear that donor commitment to democracy has been inconsistent and that 'underneath the rhetoric is a long record of a very mixed political reality'²²⁷ where 'presentability [is often] the effective criterion for obtaining the stamp of international approval'.²²⁸ This is evident from donors' acceptance of elections that fall short of minimal standards (see Brown and Obi this collection²²⁹), their clear preference for economic growth and political stability in the context of such 'donor darlings' as Museveni's Uganda (see Keating²³⁰ this collection)²³¹ and Kagame's Rwanda (see Beswick²³² this collection),²³³ and their marked reluctance to 'use their substantial economic assistance to press the government to confront wrongdoing by state elites', as in Uganda for instance.²³⁴

Secondly, economic and political conditionality has limited the scope for policy debate²³⁵ and thus political party differentiation. It has also rendered 'democratic' governments more accountable to the donor community than to local electorates²³⁶ or to parliaments, with the experience of Poverty Reduction Strategy Papers (PRSPs) being 'one in which MPs have been expected to rubber-stamp documents written according to a standard template, despite the cosy discourse of African ownership'.²³⁷

Thirdly, the flow of donor aid has served to prop up electoral authoritarian regimes. Thus, the increased aid flows which attended structural adjustment programmes in the 1990s ‘served to protect and sustain weak governments in the region and actually exacerbated the neopatrimonial tendencies in decision making’,²³⁸ with governments using enhanced resources to ‘tighten their grip on power’.²³⁹ Additionally, donor aid has sometimes contributed to the personalization of power, as evidenced, for example, in Museveni’s Uganda²⁴⁰ and Biya’s Cameroon (see Albaugh this collection²⁴¹).

Fourthly, the donors’ interest in ‘strengthening civil society’ can be seen as having had perverse consequences on both civil society and the state itself, as well as on the democratization of state–society relations. Regarding the state, Mwenda argues in the case of Uganda that it has been effectively weakened as ‘the middle-class know-how and energy that might have gone into democratizing the state have instead been diverted into the work of NGOs that carry out “policy advocacy”, “humanitarian relief”, and bureaucratized human rights activism’.²⁴² Regarding civil society, Hearn notes, with evidence from Ghana, Uganda and South Africa, how donor agencies have concentrated their funding on a small fraction of civil society; that is those professionalized, advocacy organizations that support neo-liberal economic policies, and thus are involved in an interventionist project that seeks to build a consensus around neo-liberalism and to limit state power.²⁴³ Regarding state–society relations, the implications are profoundly undemocratic. Donor agencies have cultivated a narrow set of elite NGOs who lack democratic credentials themselves, yet have the capacity to act as proxies for donors in influencing the policies of elected governments in ways that remain consistent with donors’ own policy choices, that is economic liberalization and private sector development.²⁴⁴

Finally, and in a more recent development, support for governments of national unity as a response to conflict, but also electoral chaos (see Cheeseman this collection²⁴⁵), seems to reflect a burgeoning sense of fatigue with representative democracy and a belief that this ‘winner takes all’ model may be unsuitable for developing nations, in particular, those in Africa.²⁴⁶

Given this array of problems, a number of contributions to this collection call for a change in the practice of donors and donor officials, with enhanced dialogue with local actors being a common theme. Thus, Hinthorne,²⁴⁷ with evidence from Madagascar, questions whether the democratic institutions and values propagated by the international community correlate with local perceptions of politics and democracy. She concludes that ‘long-term prospects for deepening democracy in Africa depend in part on how – and *how well* – external experts strategically engage with the communities they propose to reform’. At present, her evidence suggests that international donors’ assessments of democratic development only bear ‘limited resemblance’ to local people’s own understandings of their political experiences. In a similar vein, van Cranenburgh²⁴⁸ points to a ‘serious flaw’ in current democracy promotion policies, which neglect institutional reforms to tackle presidential power. She suggests that this flaw could be addressed through

a more inclusive policy dialogue between donors and African countries, one that goes beyond the current limited focus on the central political leadership and a narrow selection of civil society actors. Similarly, Stephen Brown calls for ‘a productive dialogue on the possibilities of and strategies for supporting the struggle for democracy in Africa’ through which donor officials would consider ‘how to work more effectively with local actors’.²⁴⁹

Conclusions

In the introduction to this collection, we have endeavoured to provide an assessment of key trends in democratization in Africa over the last two decades. Under different themes, we have explored both positive developments and reasons for caution. As much as advances in democratization, we have identified ‘democratic rollbacks’ and the entrenchment of autocracy, albeit under the guise of electoralism in multi-party contexts. Overall a picture of complexity and of contradictory trends is revealed, one in which it is difficult to establish definite patterns, at least on a sub-continental basis. At a minimum, however, we hope to have alerted readers to the need for greater attention to differences *between* countries and to complexities *within* countries, as well as to the importance of identifying strengths and weakness, achievements and failings, both in countries that seem to be entrenching autocracy and also in those – such as Ghana – where real progress hides important shortcomings. As indicated throughout this introduction, the research papers that make up the rest of this collection contribute in various ways to further exploration of the intricacies of these key themes, often in country case-study settings.

In concluding our overall assessment here, we wish to focus on the democratic gains made and, in considering ways forward, to take a normative stance about the type and form of democracy that is especially appropriate in the African context. First, in a statement that highlighted the democratic progress made since 1990, van de Walle declared in 2002 that a ‘typical sub-Saharan country is measurably more democratic today than it was in the late 1980s’.²⁵⁰ Despite evidence of some reversals since then, notably in the last half of the past decade, we want to argue that the ‘steps forward’ outlined here, despite various qualifications, continue to endorse such a viewpoint almost 10 years later. As noted by Osaghae, in light of the authoritarian nature of regimes in the 1980s, even ‘modest gains...should be regarded as major victories’.²⁵¹ More importantly, local populations do not seem to want to settle for a lesser form of democracy or ‘*démocratie tropicalisée*’.²⁵² Indeed, while ‘African citizens are clearly disappointed by the performance of democracy...their general commitment to democracy as a political regime remains relatively strong’,²⁵³ and their frustrations often appear not to be with ‘democracy’, but with its absence and with local realities of poverty, inequality, insecurity, and violence. As John Githongo noted following Kenya’s post-election crisis of 2007–2008, ‘Kenyans have not lost faith in democracy...[but] they respond poorly to

having an election rigged'.²⁵⁴ Also significant is the extent to which multi-party elections are becoming accepted as the 'only game in town' by Africa's political elite – as reflected in the AU's rejection of military coups and African leaders involvement in negotiation processes following disputed elections in Kenya, Zimbabwe, and as we write, in Côte d'Ivoire. More worrying however, is how minimal this commitment to democratization among local political elites and international donors continues to be, and how swiftly officials adopt quick-fix solutions, such as power-sharing, despite the fact that power-sharing is likely to have very different trajectories in different contexts (see Nic Cheeseman this collection²⁵⁵) and, since, as is evident in many African countries, power-sharing can 'ignore and sideline security concerns of ordinary citizens' and do little to address underlying structural problems.²⁵⁶

Secondly, our suggestion for 'ways forward' is *not* – as Edward Mansfield and Jack Snyder would have it – that one should avoid pushing 'states to democratize before the necessary preconditions [such as relatively competent and impartial state institutions] are in place'.²⁵⁷ As Thomas Carothers has argued, not only are autocrats ill-suited to paving the way for future democratization, but people want to 'attain political empowerment now, not at some indefinite point in the future',²⁵⁸ while 'most African nations are [now] in the process of holding elections, and the international community can hardly advocate a reversal of the liberalization programme'.²⁵⁹ We also do not want to argue for a form of African exceptionalism, as demanded by Richard Dowden's call for 'more inclusive systems'²⁶⁰ in which, for example, electoral support would also determine positions in government, and thus require the institutionalization of power-sharing. Instead, we wish to argue that ordinary citizens – in Africa as elsewhere around the world – want to enjoy political empowerment *and* physical security and socio-economic opportunities. As a consequence, we should not do away with or downplay the significance of democracy, but rather push – or perhaps more appropriately, local citizens should continue to push with less unhelpful outside interferences – for a more meaningful democracy that would cast not only civil and political rights, but also socio-economic rights and the physical security of ordinary citizens as the end goal.

Our assessment on progress is that, at present, much more (if uneven) advance has been made in the areas of political and civic rights, and that, in the instances of relative 'success' – such as in Ghana, but also Senegal and Mauritius – gains have been closely linked to institutional reform²⁶¹ and the institutionalization of key components of liberal democracy from legislatures and judiciaries to political parties and a vibrant civil society. However, far less progress has been made in the areas of socio-economic rights, with few economic reforms that can be classified, for example, as 'pro-poor'. Yet, ultimately, we believe that people's commitment to democracy will be strengthened and the prospects for democratization, in Africa and elsewhere, will be enhanced, if democracy can become a way for people not only to have a say in political affairs but to have a better material life.

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Notes

1. Joseph, 'The Rebirth of Political Freedom'.
2. Herbst, 'Political Liberalization in Africa', 358.
3. Collier and Levitsky, 'Democracy with Adjectives'.
4. Ake, *The Feasibility of Democracy in Africa*, 185.
5. Snyder, *From Voting to Violence*, 41 and 16.
6. Cheeseman, 'The Internal Dynamics of Power-sharing in Africa'.
7. Diamond, 'The Democratic Roll-back'.
8. Diamond, 'Thinking about Hybrid Regimes'.
9. Horowitz, *Ethnic Groups in Conflict*, 323.
10. Geschiere, *The Perils of Belonging*.
11. Ferguson, *Expectations of Modernity*; Smith, 'The Satanic Geographies of Globalization'.
12. Ake, *The Feasibility of Democracy in Africa*, 28.
13. Huntington, *The Third Wave*, 266.
14. Abdulai and Crawford, 'Consolidating Democracy in Ghana'.
15. Cheeseman, 'The Internal Dynamics of Power-sharing in Africa'.
16. McGowan and Johnson, 'African Military Coups D'état and Underdevelopment'.
17. McGowan, 'African Military Coups D'état, 1956–2001', 340.
18. *Ibid.*, 348–9.
19. Hinthorne, 'Democratic Crisis or Crisis of Confidence?'
20. Lindberg and Clark, 'Does Democratization Reduce the Risk of Military Interventions?'
21. This amounted to 55 different political regimes in the 43 countries after accounting for changes in regime type in some countries during this period.
22. Lindberg and Clark, 'Does Democratization Reduce the Risk of Military Interventions?', 86.
23. *Ibid.*, 95–6.
24. *Ibid.*, 86.
25. N'Diaye, 'Mauretania: August 2005'.
26. Arieff, 'Still Standing'.
27. Villalón, 'From Argument to Negotiation'.
28. Bratton, 'Formal Institutions versus Informal Institutions', 101.
29. Møller, 'The African Union as Security Actor', 6.
30. Williams, 'From Non-Intervention to Non-Indifference', 271.
31. *Ibid.*, 274.
32. *Ibid.*, 275.
33. Lindberg, 'The Surprising Significance of African Elections', 140.
34. Rakner and Van de Walle, 'Opposition Weakness in Africa', 108.

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35. Van de Walle, 'Presidentialism and Clientelism', 299.
36. Karl, 'The Hybrid Regimes of Central America'.
37. Bratton, 'Second Elections in Africa', 52.
38. Lindberg, 'The Surprising Significance of African Elections'.
39. Ibid.
40. Ibid., 140.
41. Ibid., 149.
42. Ibid., 146.
43. Ibid., 148.
44. Ibid., 149.
45. Adebawo and Obadare, 'The Abrogation of the Electorate'; Obi, 'Taking Back Our Democracy?'; Albaugh, 'An Autocrat's Toolkit'.
46. Omotola, 'Elections and Democratic Transition in Nigeria', 538, on Nigeria.
47. cf. Diamond, 'The Democratic Roll-back'.
48. Anderson, 'Briefing: Kenya's Elections 2002'.
49. Murunga and Nasong'o, 'Bent on Self-Destruction'.
50. Lynch, 'Durable Solution, Help or Hindrance?'.
51. Cheeseman, 'The Internal Dynamics of Power-sharing in Africa'.
52. Szeftel, 'Eat with Us'.
53. Mbow, 'Senegal', 159.
54. Posner and Young, 'The Institutionalization of Political Power'.
55. Rawlence and Albin-Lackey, 'Briefing: Nigeria's 2007 Elections', 497.
56. Ibid., 504.
57. Joseph, 'Challenges of a "Frontier" Region', 95–6.
58. Adebawo and Obadare, 'The Abrogation of the Electorate'; Obi, 'Taking Back Our Democracy?'.
59. Freedom House, *Freedom in the World 2007*.
60. Freedom House, *Freedom in the World 2010*.
61. Van de Walle, 'Africa's Range of Regimes', 67.
62. Bogaards, 'How to Classify Hybrid Regimes?'; Diamond, 'Thinking about Hybrid Regimes'.
63. Merkel, 'Embedded and Defective Democracies'.
64. Levitsky and Way, 'The Rise of Competitive Authoritarianism', 52.
65. Van de Walle, 'Africa's Range of Regimes', 74.
66. Abdulai and Crawford, 'Consolidating Democracy in Ghana'.
67. Levitsky and Way, 'The Rise of Competitive Authoritarianism', 63.
68. Diamond, 'Thinking about Hybrid Regimes', 23.
69. Herbst, 'Political Liberalization in Africa', 358–9.
70. Carothers, 'The End of the Transition Paradigm'.
71. Bratton, 'Second Elections in Africa', 64–5.
72. Diamond, 'Thinking about Hybrid Regimes', 24.
73. Joseph, 'From Abertura to Closure', 6.
74. Bratton and van de Walle, 'Popular Protest and Political Reform', 421.
75. Huntington, 'Democracy for the Long Haul', 8.
76. Schedler, 'The Menu of Manipulation', 41–2.
77. Karl, 'The Hybrid Regimes of Central America'.
78. Keating, 'Can Democratization Undermine Democracy?'.
79. Diamond, 'Thinking about Hybrid Regimes', 29.
80. Joseph, 'From Abertura to Closure', 4–6.
81. See Kirschke, 'Informal Repression', on Cameroon, Rwanda and Kenya.
82. Schedler, 'The Menu of Manipulation'.
83. Ibid., 44.

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84. Manby, *Struggles for Citizenship in Africa*, 127.
85. Mueller, 'The Political Economy of Kenya's Crisis', 191.
86. Albaugh, 'An Autocrat's Toolkit'.
87. Whitfield and Mustapha, 'Conclusion', 225.
88. Brown, 'Authoritarian Leaders and Multiparty Elections'; and Brown, 'Well, What Can You Expect?'.
89. Whitfield and Mustapha, 'Conclusion', 225.
90. Gibson, 'Of Waves and Ripples', 210; also Cheeseman, 'Kenya Since 2002', on Kenya's NaRC government.
91. Jackson and Rosberg, *Personal Rule in Black Africa*.
92. Moi, *Kenya African Nationalism*.
93. Schatzberg, *Political Legitimacy in Middle Africa*.
94. Bayart, *The State in Africa*, 60.
95. Ibid.
96. Van Cranenburgh, 'Democracy Promotion in Africa'.
97. cf. Pitcher, Moran and Johnston, 'Rethinking Patrimonialism'.
98. Posner and Young, 'The Institutionalization of Political Power', 127.
99. Ibid., 133.
100. Ibid., 129.
101. Barkan, 'Legislatures on the Rise?', 137.
102. Ibid., 137.
103. Keating, 'Can Democratization Undermine Democracy?'.
104. VonDoepp, 'The Problem of Judicial Control'.
105. Ibid., 276.
106. Omotola, 'Elections and Democratic Transition in Nigeria'.
107. Van Cranenburgh, 'Democracy Promotion in Africa'.
108. Joseph, 'Challenges of a "Frontier" Region', 100.
109. Ibid., 100.
110. Van Cranenburgh, "'Big Men" Rule'.
111. Ibid., 952.
112. Van Cranenburgh, 'Democracy Promotion in Africa'.
113. Whitfield and Mustapha, 'Conclusion', 217.
114. Ibid., 219.
115. Bratton, 'Formal Institutions versus Informal Institutions', 107.
116. Mwenda, 'Personalizing Power in Uganda', on Uganda.
117. Omotola, 'Elections and Democratic Transition in Nigeria', on Nigeria.
118. Wrong, *Its Our Turn to Eat*, on Kenya's John Githongo; Tangri and Mwenda, 'Politics, Donors, and the Ineffectiveness of Anti-Corruption Institutions in Uganda', on anti-corruption institutions in Uganda.
119. Hills, 'Police Commissioners, Presidents and the Governance of Security', on the police in Ghana, Kenya, Uganda and Zimbabwe.
120. Adebaniwi and Obadare, 'The Abrogation of the Electorate'; Albaugh, 'An Autocrat's Toolkit'; Keating, 'Can Democratization Undermine Democracy?'; Obi, 'Taking Back Our Democracy?'.
121. Abdulai and Crawford, 'Consolidating Democracy in Ghana', 48.
122. Branch and Cheeseman, 'Democratization, Sequencing, and State Failure'; Hills, 'Police Commissioners, Presidents and the Governance of Security'.
123. Pitcher, Moran and Johnston, 'Rethinking Patrimonialism', 125.
124. Ibid., 150.
125. Ibid., 150 emphasis added.
126. Lindberg, "'It's Our Time to Chop"; Lindberg and Morrison, 'Are African Voters Really Ethnic or Clientelistic?', 122.

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127. Bratton, 'Formal Institutions versus Informal Institutions', 109.
128. Bah, *Breakdown and Reconstitution*.
129. Lynch, 'The Fruits of Perception'; and Lynch, 'Courting the Kalenjin'.
130. Lipset, 'The Indispensability of Political Parties'.
131. Randall and Svåsand, 'Political Parties and Democratic Consolidation', 32.
132. Carothers, *Confronting the Weakest Link*.
133. Rakner and Svåsand, 'In Search for the Impact of International Support', 1250.
134. Rakner and van de Walle, 'Opposition Weakness in Africa', 120.
135. Rakner and Svåsand, 'In Search for the Impact of International Support', 1252; Burnell and Gerrits, 'Promoting Party Politics in Emerging Democracies', 1069.
136. Abdulai and Crawford, 'Consolidating Democracy in Ghana', 38–9.
137. Whitfield, 'Change for a Better Ghana', 621.
138. Ibid.
139. Ibid., 627.
140. Ibid., 623.
141. Sartori, *Parties and Party Systems*.
142. Lindberg, 'Institutionalization of Party Systems?', 215.
143. Rakner and van de Walle, 'Opposition Weakness in Africa', 111.
144. Randall and Svåsand, 'Political Parties and Democratic Consolidation', 34.
145. Wanjohi, 'Sustainability of Political Parties in Kenya'; Wanyama, 'Voting without Institutionalized Political Parties'.
146. Lindberg, 'Institutionalization of Party Systems?', 240.
147. Ibid., 216.
148. Ibid., 240.
149. Ibid., 216.
150. van de Walle, 'Presidentialism and Clientelism', 297.
151. Randall and Svåsand, 'Political Parties and Democratic Consolidation', 32.
152. Ibid., 33.
153. For example see Mueller, 'The Political Economy of Kenya's Crisis'; and Wanyama, 'Voting without Institutionalized Political Parties', on Kenya.
154. Whitfield, 'Change for a Better Ghana', 630; although differences are less pronounced in practice, as international actors such as the World Bank and IMF and Western government 'donors' continue to dominate policy decision-making.
155. Lindberg and Morrison, 'Are African Voters Really Ethnic or Clientelistic?', 96.
156. Cheeseman and Hinfelaar, 'Parties, Platforms, and Political Mobilization', 51.
157. Ibid.
158. Randall and Svåsand, 'Political Parties and Democratic Consolidation', 44.
159. Huntington, 'Democracy For The Long Haul', 6.
160. Manning, 'Assessing African Party Systems', 715.
161. Gibson, 'Of Waves and Ripples', 210.
162. Horowitz, *Ethnic Groups in Conflict*.
163. Manning, 'Assessing African Party Systems', 715.
164. Lynch, *I Say to You*.
165. LeBas, 'Polarization as Craft', 435.
166. Basedau et al., 'Ethnicity and Party Preference in Sub-Saharan Africa'.
167. Lindberg and Morrison, 'Are African Voters Really Ethnic or Clientelistic?'.
168. Beswick, 'Democracy, Identity and the Politics of Exclusion'.
169. *Daily Nation*, 'Ethnicity Will Not Determine Election'.
170. Horowitz, *Ethnic Groups in Conflict*, 323.
171. Mueller, 'The Political Economy of Kenya's Crisis', 201.
172. Lynch, *I Say to You*.

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173. Geschiere and Jackson, 'Autochthony and the Crisis of Citizenship', 4.
174. Ceuppens and Geschiere, 'Autochthony: Local or Global?', 389.
175. Albaugh, 'An Autocrat's Toolkit'.
176. Green, 'Demography, Diversity, and Nativism', 729.
177. Ceuppens and Geschiere, 'Autochthony: Local or Global?', 389.
178. Lynch, *I Say to You*.
179. Jackson, 'Sons of Which Soil?', 95.
180. Geschiere and Jackson, 'Autochthony and the Crisis of Citizenship', 6.
181. Comaroff and Comaroff, 'Naturing the Nation'.
182. Kraxberger, 'Strangers, Indigenes and Settlers'.
183. Bah, 'Democracy and Civil War'; Marshall-Fratani, 'The War of 'Who is Who'.
184. Jackson, 'Sons of Which Soil?'.
185. Lonsdale, 'Soil, Work, Civilization and Citizenship in Kenya'.
186. Horowitz, *Ethnic Groups in Conflict*, 291.
187. Harbeson, Rothchild and Chazan, *Civil Society and the State in Africa*, 1–2.
188. Fatton, 'Africa in the Age of Democratization'.
189. Gibson, 'Of Waves and Ripples', 213.
190. Aseidu, *Poverty Reduction among the Urban Poor in Accra*, 6–7.
191. Abdulai and Crawford, 'Consolidating Democracy in Ghana', 37, citing Freedom House, *Global Press Freedom 2008*, 82.
192. Abdulai and Crawford, 'Consolidating Democracy in Ghana', 37.
193. European Union Election Observation Mission (EU EOM), 'Ghana Final Report', 25.
194. Olukoyun, 'Media Accountability and Democracy in Nigeria', 87.
195. Somerville, 'Kenya: Violence, Hate Speech and Vernacular Radio'.
196. Chalk, 'Hate Radio in Rwanda'.
197. Frederiksen, 'Mungiki, Vernacular Organization and Political Society in Kenya', 1067.
198. Mercer, 'Performing Partnership', 745–55, on Tanzania.
199. Hearn, 'African NGOs', 103.
200. Messiant, 'The Eduardo Dos Santos Foundation'.
201. Fatton, 'Africa in the Age of Democratization', 72.
202. Beswick, 'Democracy, Identity and the Politics of Exclusion'; Cheeseman, 'The Internal Dynamics of Power-sharing in Africa'.
203. Meagher, 'Hijacking Civil Society', 92.
204. *Ibid.*, 112.
205. Pearce, 'Perverse State Formation', 295.
206. Ferguson, *Expectations of Modernity*; and Ferguson, *Global Shadows*.
207. Comaroff and Comaroff, 'Occult Economies and the Violence of Abstraction', 289.
208. Bratton and Mattes, 'Support for Democracy in Africa', 449.
209. *Ibid.*
210. Diamond, 'Is the Third Wave Over?', 21.
211. Burnell, 'New Challenges to Democratization', 2.
212. Also see Diamond, 'Is the Third Wave Over?', 23, for an elaboration of nine key elements of liberal democracy.
213. Freedom House, *Freedom in the World 2010*, methodology section.
214. Freedom House, *Freedom in the World 2010*.
215. Lewis, 'Growth Without Prosperity in Africa', 97.
216. *Ibid.*
217. van de Walle, 'Presidentialism and Clientelism', quoted in Nugent, 'States and Social Contracts in Africa', 13.
218. Hanlon and Cunguara, 'Poverty is Not Being Reduced in Mozambique'.

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219. Government of Ghana, *Patterns and Trends of Poverty in Ghana*.
220. Ibid.
221. Lynch, *I Say to You*.
222. Smith, 'The Baskassi Boys'.
223. Comaroff and Comaroff, 'Occult Economies and the Violence of Abstraction'.
224. Bratton and van de Walle, *Democratic Experiments in Africa*, 221.
225. Abrahamsen, 'The Victory of Popular Forces or Passive Revolution?', 143.
226. For example see Abrahamsen, *Disciplining Democracy*; Brown, 'Authoritarian Leaders and Multiparty Elections in Africa'; and Albaugh, 'An Autocrat's Toolkit'; and Keating, 'Can Democratization Undermine Democracy?', this collection.
227. Carothers, 'The "Sequencing" Fallacy', 21.
228. Joseph, 'Africa, 1990–1997', 11.
229. Brown, 'Well, What Can You Expect?'; Obi, 'Taking Back Our Democracy?'.
230. Keating, 'Can Democratization Undermine Democracy?'.
231. See also Mwenda, 'Personalizing Power in Uganda'.
232. Beswick, 'Democracy, Identity and the Politics of Exclusion'.
233. See also Beswick, *Aid and Statehood in Post-Genocide Uganda*.
234. Tangri and Mwenda, 'Politics, Donors, and the Ineffectiveness of Anti-Corruption Institutions in Uganda', 101.
235. Nugent, 'States and Social Contracts in Africa', 12.
236. Abrahamsen, *Disciplining Democracy*.
237. Nugent, 'States and Social Contracts in Africa', 12.
238. van de Walle, *African Economies*, 189.
239. Joseph, 'Africa, 1990–1997', 12.
240. Mwenda, 'Personalizing Power in Uganda'.
241. Albaugh, 'An Autocrat's Toolkit'.
242. Mwenda, 'Personalizing Power in Uganda', 34.
243. Hearn, 'The 'Uses and Abuses' of Civil Society in Africa'.
244. Crawford and Abdulai, 'Liberal Democracy Promotion and Civil Society Strengthening in Ghana'.
245. Cheeseman, 'The Internal Dynamics of Power-sharing in Africa'.
246. Dowden, *Africa: Altered States, Ordinary Miracles*.
247. Hinthorne, 'Democratic Crisis or Crisis of Confidence?'.
248. van Cranenburgh, 'Democracy Promotion in Africa'.
249. Brown, 'Well, What Can You Expect?'.
250. van de Walle, 'Africa's Range of Regimes', 67.
251. Osaghae, 'Democratization in Sub-Saharan Africa', 23.
252. Joseph, 'Africa, 1990–1997', 12.
253. Lewis, 'Growth Without Prosperity in Africa', 107.
254. *The Independent*, 'Why the Conscience of Kenya Came Home'.
255. Cheeseman, 'The Internal Dynamics of Power-sharing in Africa'.
256. Mehler, 'Peace and Power-Sharing in Africa', 453.
257. Mansfield and Snyder, 'The Sequencing "Fallacy"', 5.
258. Carothers, 'The "Sequencing" Fallacy', 23.
259. Branch and Cheeseman, 'Democratization, Sequencing, and State Failure in Africa', 23.
260. Dowden, *Africa: Altered States, Ordinary Miracles*.
261. Cf. Branch and Cheeseman, 'Democratization, Sequencing, and State Failure in Africa', 23.

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The abrogation of the electorate: an emergent African phenomenon

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This paper captures an emerging African phenomenon in which the form of democracy is brazenly used to invalidate its very substance. Drawing on particulars from Kenya, Zimbabwe, and Nigeria, we articulate the re-ascendance and re-invigoration of anti-democratic forces across Africa, and weigh up the challenge that violent erasure of the electoral sovereignty of citizens constitutes to democratic theory and practice.

The (s)electorate and the challenges of democracy in contemporary Africa

Elections are now everywhere...but democracy nowhere. Elections are ubiquitous. But democracy is still awaited – Larbi Sadiki, 2009.¹

It is the selectorate in combination with the securitate that matter. Elections are too serious a business to be left to the electorate – Tatalo Alamu, *The Nation*, Lagos, Nigeria, August 3, 2009.²

The collapse of the global bipolar order was trailed by a democratic wave in Africa in the 1990s, as authoritarian – military and one-party – regimes across the continent embarked on a frenetic transition to civil rule and/or multi-party democracy.³ Described as ‘democracy’s third wave’ by Samuel P. Huntington in his seminal 1991 essay, the logic of the celebrated triumph of democracy around the developing world from the second half of the 1970s was expected to fully blossom in Africa.⁴ This was so in spite of the possibility of a full historic reversal of the democratic gains, which Huntington did not foreclose. Mirroring the ecstasy of what Claude Ake⁵ described as the ‘historical inevitability of the triumph of democracy’, Larry Diamond declared: ‘Never in human history have so many independent countries been demanding or installing or practicing democratic governance.’⁶ As ‘founding’ multiparty elections were successfully held in some

African countries which, in limited cases, brought a few new factions of the national elites to power, many voiced the hope that ‘democratic regimes might emerge, survive, and even prosper on a continent that heretofore had proven inhospitable to them’.⁷ Earlier misgivings about the possibility of democracy taking root in Africa were in turn dismissed.

In the wake of the popular and scholarly celebration of this wave, an either-or attitude subtended the argument about democratization and democracy, thus encouraging all sorts of travesties of democracy to qualify as ‘democratic’ regimes. Huntington strongly encouraged this ‘either-or’ perspective in his important article, with regimes around the world categorized as either ‘authoritarian’ or ‘democratic’, thus bracketing out several regimes or systems, which were neither fully democratic nor fully autocratic – many of them in Africa, which in the era of the ‘third wave’ would qualify as ‘hybrid regimes’. Larry Diamond⁸ and Nicolas van de Walle⁹ have characterized the phenomenon of regimes that are between and betwixt democracy and autocracy as ‘hybridity’; that is, ‘situations in which elements of democracy and liberal politics operate in contexts where neo-patrimonialism and authoritarian tendencies also remain’.¹⁰

In many of these hybrid regimes and systems in Africa, the new ‘democracies’ have been dominated by either the same martial and autocratic forces that had earlier worked against plural democracy or by forces and elements aligned with them. We suggest in this paper that such hybridity, in the context of a fundamental principle of democracy or, perhaps, the foundational ethos of democracy, such as free, fair and competitive elections, is a contradiction in terms. While Schmitter and Karl¹¹ among others, have warned against the fallacy of ‘electoralism’, that is, using such procedural criterion in an election as an exclusive measure of the fact and success of democracy, we argue that regular, competitive, free and fair elections, representing the sovereign views of the citizens in any polity, constitute a fundamental criterion, indeed, *sine qua non*, in the evaluation of democratization and democracy.¹² We take this view because, in many ways, this procedural criterion of democracy is directly correlated to the possibilities of the achievement of the substantive political goals such as personal liberty and the rule of law.¹³ Thus, we insist on the need to critically evaluate elections as a mark of the fate and (mis)fortunes of democracy in Africa. Furthermore, we suggest that as long as limited access to power and resources continues to over-determine African politics, the political elite will continue to see elections as a mere legitimating process rather than the fundamental expression of collective choice.

Leading democratization theorists¹⁴ assume that transitions from authoritarian rule are produced essentially by a split within the authoritarian regime which leads to the dominance of elites ‘who believe in the necessity of electoral legitimation’.¹⁵ Some scholars have already noted the limitation of O’Donnell and Schmitter’s thesis which was forged out of the Latin American and south European experiences. For instance, Stephen Brown argues that because African authoritarian regimes are neo-patrimonial, O’Donnell and Schmitter’s conclusion that

transitions are necessitated by ‘divisions within the authoritarian regime itself’¹⁶ cannot be extended to Africa, ‘(b)ecause this split never occurs’.¹⁷

While Brown over-states the non-occurrence of this pattern (because in some instances fractionalization among the authoritarian ruling elites can produce pressures for democratization, for example, in Nigeria), he notes a very critical limitation to one of the popular scholarly theses about democratization in Africa. However, O’Donnell and Schmitter’s assumption that the crisis within authoritarian regimes results in the triumph of elements ‘who believe in the necessity of electoral legitimation’ needs to be qualified by the African experience. The avowal of the necessity of electoral legitimation, against the backdrop of global trends and local pressures, cannot be substituted for conviction on the sanctity of elections. While elections have become ‘the fashionable norm’ in Africa, ‘in the absence of supporting institutions, they have proved to be more decorative than functional, a veneer beneath which the autocratic rule of the pre-1991 era continues little abated’.¹⁸ As Kasahun Woldemariam describes it, ‘most elections have so far been nothing more than ceremonial processions to the polls; they have not been held regularly, freely, or fairly, nor have they been expressions of meaningful political participation of the electorate’.¹⁹

Thus, democratization or democracy can, and indeed has become a means to an end for most postcolonial ruling elites, with the end being the preservation of their political hegemony and economic privileges,²⁰ often resulting in a subversion of the traditional or fundamental ideals of democracy. The experience in most African countries in the last three decades, therefore, does not point to meaningful democratization. Rather, ‘elections can be instruments of political control rather than devices of liberalisation’,²¹ ‘the legitimization of autocracy through the ballot box’,²² or the use of the ‘institutional façade of democracy’. This can include using regular multiparty elections to ‘conceal (and reproduce) [the] harsh realities of authoritarian governance’.²³ As a result, many of the existing *democratic* governments have been more or less a continuation of a (*civilianized*) military oligarchy or one party rule by other means, that is, by different forms of electoral authoritarianism, ‘democratic despotism’, ‘elective dictatorship’ or ‘façade democracy’.²⁴ So grave is the situation that Collier and Vicente are worried that ‘the African wave of democratization... may have introduced a new form of democracy, in which illicit electoral behavior is often unrestrained’.²⁵ What we articulate here as the abrogation of the electorate is the very epitome of this emergent form.

While it has become more difficult for anti-democratic forces to seize power through organized violence,²⁶ the route taken to assume and consolidate power is often that of episodic violence involving the stealing of votes and/or manipulation, even annulment, of election results, as was the experience in Cameroon, since 1990; Algeria, 1991; Burkina Faso, 1991; Kenya, 1992, 1997/1998, and 2007; Nigeria, 1993, 2003 and 2007; Ethiopia, 2005; Uganda, 2006; Zimbabwe, 2008; Namibia, 2009. In many cases, this has been known to provoke counter-violence by members of the opposition and civil society, for example Nigeria in 1993; Kenya in 2007;

Gabon in 2008; and Zimbabwe in 2008, thus deepening the linkage between democratization, social violence and insecurity on the continent as a whole. Despite the fact that genuine democratic forces valorize the idea and ideal of the ballot box as an instrument for the validation of the people's wish and mandate, the reality is that the ballot box may be used by anti-democratic forces in contemporary Africa, as a means of disregarding and/or negating the choice and voice of the electorate too. Francis Nyamnjoh's description of the abrogation of the electorate in Cameroon encapsulates a continental pattern:

Since 1990, rigging elections has been perfected to the level of the ridiculous, making the theme a standing joke among satirical comedians, critical journalists, opposition politicians and ordinary Cameroonians who have mostly given up on expectations of change under the current regime.²⁷

This contribution attempts to capture an emerging African phenomenon in which the 'letter' of democracy is brazenly used to invalidate its very spirit through the examination of Africa's 'pseudo-democracies'. Our analysis is organized as follows: in the next section, we examine the question of how African 'democracies' are currently crafted, and note that, for all their rhetorical commitment to free and fair elections, Western observers seem to be more interested in the capacity of incumbent elites to guarantee stability. This fact is not lost on the African elite, who have become very astute in the art of form without substance. The next three sections are devoted, successively, to an exposition of this 'art' in three African countries – Kenya, Zimbabwe, and Nigeria. In all cases, we show concrete proof of the process by which the elite eviscerate popular will, all the while appearing to be subject to it. In the concluding section, we revisit and develop further the central argument of the paper. We note, on the one hand, that Africa's ongoing electoral travails are in themselves a perfect reminder of the limitations of elections as midwives of democracy. On the other hand, we argue that elite manipulation of the electoral process remains the most critical driver of the cycle of violence witnessed across many African countries. Finally, we examine why the stakes are so high in African elections, and the meaning of elections within the *longue duree* of state–society relations in Africa.

'Crafting' African democracies

That democracy is good for Africa, essential for the overall development of the countries in the continent, and pivotal in the struggle for justice, equity and respect for rights, seems pretty much settled in both lay and scholarly literature. However, debate persists on two important fronts. One, is Africa's total environment, its history, politics, economics, and culture, conducive to democracy and supportive of democratic life? This question is manifested on the one hand in claims about how the 'unique history and traditions' of Africa are not conducive to democracy, and about how democracy is a violation of the 'integrity of

African culture'.²⁸ On the other, it is manifested in worries over Africa's 'social pluralism', particularly ethnic differences and their assumed incommensurability with the creation of a *polis* critical for the survival of democracy.²⁹ The second aspect of the debate concerns what kind of democracy, social, radical, liberal, consociational, or market, is most appropriate and most suitable for the continent.³⁰

While there is a consensus among African scholars, particularly of the radical hue, that the first concern, often expressed by non-Africans, is 'premised on the misconception that democracy is solely a Western creation'³¹ and confusion of 'the long human struggle for democracy (equality) with its particular historical form – western liberalism (individualism)',³² the second concern continues to animate the discourse of democracy in Africa, despite the apparent triumph, in practice, of the liberal form. Yet, one cardinal critique of radical scholarship on the existing liberal form of democracy in Africa is that the results obtained are largely a reflection of the inadequacy, if not outright failure, of the doctrine of liberal democracy.

In a signal critique, John S. Saul,³³ drawing on the national ('transition') elections in South Africa and Mozambique, argues that the prevalence of the liberal perspective has led to 'a narrowing of the terms' of the discussion of democracy in Africa. This, according to him, has produced the 'political science of democratization' while undermining the 'political economy of democratization'.³⁴

In a strong critique of Larry Diamond and other liberal democratic theorists including Huntington, Saul noted that their invocation of polyarchy and 'democratic elitism' leads to the definition of 'the terms of any transition of democracy ever more narrowly and cautiously'.³⁵ He cites Di Palma's emblematic work³⁶ on how *To Craft Democracies* as symbolic of the tendency of liberal scholars – mirrored by the practices of the ruling elites in Africa – to, in the end, limit the prospects of real 'democratic empowerment' in Africa. Di Palma in turn argues: 'one factor that reconciles to democracy reluctant political actors tied to the previous regime is that in the inaugural phase, *coexistence* usually takes precedence over any *radical social and economic program*' (emphasis added).³⁷ This liberal warning against the 'excesses' of democracy markedly frowns at some 'intolerable political risks',³⁸ and translates into the unwillingness of the members of the *ancien regime* to reconcile themselves with *new* democracy and the possibilities of authoritarian backlashes.³⁹ This raises at least two key questions: Do truly free, fair and competitive elections inherently constitute a threat to this preference for 'coexistence' by liberal scholars and the dominant (conservative/ruling) elites in Africa and their patrons in the West? And, are regular but fraudulent elections, and therefore *fraudulent democracies*, to be preferred to real democratic transformation that is inherent in, and pronounced by, the electoral sovereignty of citizens?

This critique of liberal democracy in Africa, and its advocates in academia, illuminates the conditions that have produced the abrogation of the electorate in contemporary Africa. Given the commitment of the Western powers to 'low intensity democracy', and for all their rhetorical commitment to free, fair and competitive elections, the capacity of 'victorious' elites to maintain legitimacy and stability

in their respective African countries ultimately counts for more than ensuring actually transparent elections and the electoral sovereignty of citizens.

This tendency is mirrored, for example, in Darren Kew's essay in which he characterizes a signal election in Africa, Nigeria's deeply flawed 2003 elections, as 'hardly credible, but acceptable', despite the fact that, by his own admission, 'democratic legitimacy results not from approximations and divinations of public will, but from accurate counts of genuinely cast ballot'.⁴⁰ Kew seems to reflect the thinking in Washington and other Western capitals where the calculations about key Western interests lead to the overlooking of gross democratic violations.⁴¹ Transparent elections often come with the 'risk' of radical transformation in many African countries. Ultimately, the West's politics of expediency, which is dictated by Western economic interests, accounts for the attitude of Western countries to the various electoral heists that have resulted in most of the current democratic governments in the continent. Yet, if we reproach the West exclusively, then we obliterate local agency, particularly local *popular* agency.

Most liberal scholars agree that what obtains in Africa is not real or full democracy. It is interesting to note that despite the critical differences in the ideologies and emphases that mark the debate between liberal and radical scholars of democracy, both, at least, at the normative level, insist on the importance of elections in the achievement of either liberal changes or radical changes. For liberal scholars, the critical indices of *good* elections are freedom, fairness, inclusiveness and meaningfulness.⁴² What, then, are the critical differences? In this paper, we are directly concerned with a key variant of these differences which is the greater preparedness of liberal scholars to tolerate key features of pseudo-democratic polities, such as rigged elections, as a far better state of affairs than a relapse into totally undemocratic polities. This same mentality is embraced by and reflected in official quarters in the West and even among African leaders.⁴³

There are significant exceptions, of course. However, it can be reasonably argued that, in most cases in Africa, a self-interested, myopic and limited conception and practice of democratic legitimacy has been embraced by the ruling elite. Below, starting with Kenya, we provide three contextual demonstrations of this pattern in which, in theory, the political elite affirm the sovereignty of the electorate but, in practice, eviscerate it. This is what we mean by 'the abrogation of the electorate'. Our analysis of events in Kenya and Zimbabwe draws heavily on secondary data from books, journal articles, newspaper reports, and conversations with colleagues who are nationals of the two countries. The section on Nigeria draws on primary data gathered in the course of field research over the past five years, and also on books, journal articles and newspaper reports.

Kenya: the paradoxes of majoritarian politics

The prospects of the consolidation of the third wave of democracy would seem to have been fully manifest in Kenya in 2002 as the new president, Emilio Nwai Kibaki, was sworn-in to succeed one of Africa's most notable 'Big Men' and

longest 'serving' heads of state, President Arap Moi. Emerging from what Stephen N. Ndegwa described as 'one of Africa's most notorious cases of stalled democratic transition',⁴⁴ Kenya's successful and peaceful civilian-to-civilian democratic transition was hailed everywhere as an example of the possibilities of democratic organizing across identity lines and the triumph of the people's will.

The retiring Moi, whose favoured candidate, Uhuru Kenyatta, the son of the nation's first president, Jomo Kenyatta, had been trounced in the presidential election, had accepted his fate and facilitated the transition. His willing transfer of power and the quiet admission of defeat by Kenyatta and the Kenya African National Union (KANU), the only ruling party in almost 40 years of independence, surprised many pessimists. Kenyatta had convinced the opposition party at independence (the Kenya African Democratic Union (KADU), made up of other non-Kikuyu and non-Luo groups who favoured an ethnic-federal state), to dissolve itself and join KANU in 1964. From 1978 when Moi took over, after the death of Kenyatta, he ruled as the unchallenged president.

In 1982, Moi changed the constitution to formally make Kenya a one-party state. He also expanded and consolidated the hold of his ethnic constituents, the Kalenjin, on power, to the detriment of others, particularly the two other most populous groups, the Kikuyu and Luo, respectively. KANU was the only legal party in Kenya until Moi was forced by a coalition of democratic groups and the international community to accept multiparty democracy in 1991. Aware that he could no longer defer the decision on this given the pressures particularly from the country's foreign donors and creditors and perhaps certain that he and his party could continue to tighten their grip on power, Moi convinced the party to allow for party-party rule.

Indeed, over two elections and a period of 10 years, Moi ensured that the electorate could not change the power structure in Kenya. He manipulated the votes for himself and other candidates of KANU in 1992 and 1997, and thus retained and achieved legitimacy through a veneer of multi-party elections. However, the bitter division between his opponents, particularly along ethnic – and to some extent, ideological – lines was a critical factor in Moi and KANU's ability to manipulate the elections. Another critical factor was that Washington, London and other Western capitals were persuaded that Moi was still strong enough to ensure stability and guarantee their strategic interests in the region.

One of the critical factors that led to the end of Moi's long rule, apart from the institution of multi-party democracy, was the two-term limit placed on the presidency by the constitution in 2002. Despite this, some of his supporters strongly encouraged Moi to amend the constitution so that he could run for a third term. But local pressures and the fear of inter-ethnic violence, it seems, persuaded Kenya's donor community that Moi had to go. Therefore, they pressured him not to violate the constitution. Thus, Moi decided to choose a 'successor' in Uhuru Kenyatta.

However, realizing that the division among them was the reason for Moi's continued dominance of the system, opposition groups, including many ethnic

groups which felt excluded in Moi's 24 years in power, came together under the 15-party coalition, the National Rainbow Coalition (NARC). The coalition selected Mwai Kibaki as the presidential candidate. In a way, Kibaki was a product of the old regime. He had been Moi's vice president for 10 years (1978–1988), including six years (from 1982) when Moi formally outlawed political opposition. Before then he was Minister for Finance (1969–1981), and later he held that position and another (Minister for Home Affairs, 1982–1988) concurrently with the vice presidency. After he left as vice president, he was made Minister for Health (1988–1991). All this was in the period when Kenya was a virtual one-party state. Therefore, in important respects, Kibaki was a member of the old regime that was responsible for Kenya's fundamental crises. Yet, because of the nature of politics in the postcolony and having fallen out with the key power holder, he was the one selected by a myriad of forces to lead the democratic struggle for a truly plural democracy.

Despite its problems, the 2002 election won by Kibaki's NARC would be the only largely free and fair election that Kenya would experience since KANU's initial victory in 1964. Kibaki defeated Kenyatta with 62% of the votes to the latter's 31%, while NARC won 125 of the 210 seats on the 224-member National Assembly. The election was hailed as 'the most significant political event in the history of Kenya since British colonial rule formally ended'.⁴⁵ Such was the significance of the elections, even beyond Kenya, that Ndegwa enthusiastically suggested that the Kenya experience 'may hold lessons for confronting stubborn and resources authoritarians in countries such as Cameroon, Tanzania, Togo, Uganda, Zambia, and Zimbabwe'.⁴⁶

At his inauguration, Kibaki promised that 'The era of anything goes is now gone forever. ...Government will no longer be run on the whims of individuals.'⁴⁷ However, as Kibaki's Kikuyu constituents consolidated their hold on power, having been displaced since 1978 when Kenyatta died, and particularly since 1982 when Moi became an unchallenged democratic tyrant, the era of 'anything goes' only expanded as the president's constituents announced that 'It's our turn to eat'.⁴⁸

The limitation on the powers of the president, one of the factors which had brought the allies together, was supposed to be addressed in the planned constitutional review process. Critics of the existing system argued that the concentration of power in the hands of the president was one of the biggest problems facing Kenya as witnessed in the sit-tight rulers, Kenyatta and Moi, who, for nearly four decades, refused to submit themselves to genuinely free and fair elections. So critical was this issue that there was an informal Memorandum of Agreement (MoU) between the coalition partners that the office of prime minister would be introduced once NARC was installed in power through constitutional changes. But the draft of this review that was eventually prepared by Kibaki's Attorney-General retained the sweeping powers of the president. It was clear that having acceded power, Kibaki and his 'Mount Kenya Mafia' were, in turn, unprepared either for any limits to their power or the risk of a popular, transparent electoral

re-validation of their original mandate. However, the Liberal Democratic Party (LDP) wing of the ruling coalition, led by Odinga and other opposition elements mobilized Kenyans to reject the draft in a referendum by 58% in November 2005.

For a president who had been ushered into power in a general election that was also a popular referendum against one-party domination and electoral fraud, Kibaki has shown the utmost contempt for popular opinion. After the referendum, he immediately dissolved his cabinet with an aim to purge all LDP and Odinga's supporters under the pretext of reorganizing his government 'to make it more cohesive and better able to serve the people of Kenya'. Kibaki and his 'Mount Kenya Mafia' further entrenched themselves in power and alienated other groups and contenders for power, thus upping the ante for the then approaching elections in 2007.

Now that he was in the saddle, in the 2007 election, Kibaki did not leave the initiative to the electorate. A new coalition called Party for National Unity was formed by Kibaki and his allies along Kikuyu/Meru/Embu ethno-regional lines after Raila Odinga and others left the NARC. For their part, Odinga and his allies in other groups led by the Luo formed the Orange Democratic Party of Kenya (ODM). Opinion polls and informed analysts all showed that Odinga's ODM was headed for victory over Kibaki's coalition.⁴⁹ The election was held peacefully on 27 December 2007 despite the tension in the country and the anti-Kikuyu rhetoric which underpinned the ODM campaign. But after three days of what many regarded as gratuitous manipulation of the verdict of the electorate, the Chairman of the Kenyan Electoral Commission declared that Kibaki had won by 4,584,721 votes to Odinga's 4,352,993. One hour later, Kibaki was secretly sworn-in in a dusk ceremony for a second term. The man who benefitted from an open and transparent system thus became the purveyor of secrecy and a dark subversion of the collective will.

Local and international observers condemned the verdict as rigged against the genuine victor, Odinga. As usual, the British Foreign Office, in a joint statement with the Department for International Development expressed 'real concerns' over the irregularities in the elections. The European Union also cited many irregularities. Yet, neither Britain or the EU, nor the United States, issued a strong statement or announced strong measures to check what was, clearly, the abrogation of the popular electoral verdict of Kenyans. Koki Muli, head of the Institute of Education in Democracy, mirrored the view of many Kenyans when he stated that, 'This is the saddest day in the history of democracy in this country. It is a coup d'etat', thus, pointing to the fact that election has become in 'democratic' Africa a coup d'etat by other means.⁵⁰ The Independent Review Commission (IREC), which looked into the elections, eventually concluded that there were massive electoral malpractices everywhere and that all the parties participated in widespread bribery, vote buying, intimidation and ballot-stuffing.

Left with no institutional means of redress, most Kenyans saw this as 'daylight robbery'⁵¹ of their electoral mandate by an ethnic-based ruling elite and therefore resorted to violence to protest the rigging. The interethnic pogroms that followed

were themselves ‘evidence of deep-seated historical grievances and social dysfunctions’⁵² that could have been resolved over time through democratic means. The ethnocidal violence lasted for two months threatening Kenya’s continued corporate existence. The UN later concluded that 1200 people were killed, thousands injured, over 300,000 displaced, while around 42,000 houses, farms and businesses were looted or destroyed.

Incidentally, the same power-sharing and power-limiting arrangements that had been jettisoned by Kibaki and his ‘mafia’ were eventually adopted in a different form after the intervention of the ‘Eminent African Personalities’ group led by former UN Secretary General, Mr Kofi Annan. Kibaki and Odinga agreed to share powers between themselves with the former retaining the presidency, while the latter was appointed into a newly created office of Prime Minister. On 17 April 2008, Odinga was sworn-in after the parliament had passed the National Accord Reconciliation Act, 2008. Also, both parties presented equal numbers of appointees to fill the position of 42 ministers and 50 assistant ministers, the largest cabinet – called ‘Grand Coalition Government’ – in Kenya’s history. Nevertheless, it remains to be seen whether this arrangement based on such an electoral injustice will last.

Zimbabwe: ‘democratic dictatorship’

The political, social, and economic turmoil in which Zimbabwe finds itself at the moment is a complex one rooted in her peculiar experience with colonialism, white minority rule and the armed struggle that preceded majoritarian politics. Unfortunately, since the armed struggle that led to the granting of formal independence in 1980 after the famous Lancaster House Agreement in 1979, politics in much of Zimbabwe’s post-independent history has been pockmarked by violence. From a popular, Marxist inspired one-party domination, the country has ended up in what has been described as a ‘post-colonial nebula of hybrid liberal democracy’.⁵³ At the centre of all the violence and subversion of popular sovereignty is President Robert Mugabe.⁵⁴

As the country’s political leaders split from the initial National Democratic Party (NDP), formed in 1960 by Joshua Nkomo, into different political parties and eventually ethnic cleavages, it became increasingly difficult, if not impossible, to agree on the legitimacy and sanctity of the vote. For politicians and groups that took up arms to ensure majority rule against the white minority government of Southern Rhodesia – which declared unilateral independence in 1965 – what emerged after independence in 1960 was a questionable violation of the principles and ideals of majoritarian politics and the essential core of democracy that ostensibly fuelled the armed struggle.

In the politics of the post-Lancaster era, the split between the Nkomo-led Zimbabwe African Peoples Union (ZAPU), which resulted in the creation of the Robert Mugabe-led Zimbabwe African National Union (ZANU), became even more pronounced as they prepared for popular election. After ZANU won a

landslide victory in the 1980 elections, the armed wing of both groups continued to clash until Nkomo eventually accepted a cabinet position in Mugabe's government.

However, in 1982, Mugabe accused Nkomo of plotting to remove him, stating publicly in the most anti-democratic language that 'ZAPU and its leaders, Dr Joshua Nkomo, are like a cobra in a house. The only way to deal effectively with a snake is to strike and destroy its head'.⁵⁵ However, in another instance that mirrors the propensity of the African political elite for access to power at any cost, like the experience in Kenya when Raila Odinga briefly joined Moi's government in 1987, Nkomo agreed that ZAPU should be absorbed by ZANU. This resulted in ZANU-PF. Thus, rather than sell its agenda to the electorate and offer an alternative to the ruling party, ZAPU allowed Zimbabwe to become effectively a one-party state.

Although ZANU-PF has gone through many mutations, it has maintained its exclusive dominance at the expense of other parties, the electorate and the country. Christine Sylvester describes the various stages of this mutation thus:

In 1980, ZANU PF campaigned as the would-be single party of a Marxist-toned Zimbabwe; a few years later it was momentarily bound to an authoritarian script designed to root out dissidence; in 1990, it ran as the unity party of a liberal-nationalist state; and now it is the party that has brought 'peace, order, and good government'.⁵⁶

ZANU-PF and its leaders perfected a system of mutations under different circumstances without changing its essential character.

It was in this virtual one-party state that Mugabe was re-elected into office in 1990, 1996, and 2002, in what Sylvester succinctly described as 'election[s] that mostly [were] not'.⁵⁷ Another leading Zimbabwe expert, Liisa Laakso, suggests that 'Multi-party elections in independent Zimbabwe have always been arranged in the context of an authoritarian political system'.⁵⁸ However, with Mugabe's full unraveling in the past decade, the challenge of ensuring the electoral sovereignty of the people of Zimbabwe became central, or pivotal, to the resolution of the now multi-faceted socio-economic and political crises of the southern African country.

The referendum of February 2000 to consider a new constitution for the country, despite the tensions, was held in an atmosphere that was relatively free and fair. Mugabe was shocked that despite his and his party's leverage, only 44% of voters supported its proposal. It was the first time 'since independence [that] the government had lost at the polling booths'.⁵⁹ Yet, Mugabe and ZANU-PF could not accept the decision of the electorate and mobilized veterans' groups which unleashed violence on white farmers and other non-ZANU-PF members threatening to go back to war if their party lost the approaching elections.⁶⁰ Mugabe eventually manipulated the 2002 presidential election, which was seen as a 'pivoted election',⁶¹ and remained in power. But 'as Mugabe's hold on power [became] increasingly tenuous, his determination to remain in office [also became] ever more tenacious'.⁶² Consequently, the pressures

led to ‘an ever-deepening spiral of state repression and authoritarianism’⁶³ as the Mugabe-controlled parliament eventually passed the amendments that had been rejected by the 2000 referendum, thus discounting the sovereignty of the people.

When Mugabe’s self-allotted time expired in March 2008, he again insisted on running for elections. However, following condemnation of his policies, particularly by Western countries, Mugabe tightened his grip on power. Unlike Kenya’s Moi, Mugabe was prepared to go the whole hog. He is ‘totally impervious to Western criticism’.⁶⁴ And unlike in Kenya in the 2007 elections, because of the white farmers, the West, particularly Britain, has also shown greater resolve to push Mugabe out of power.

The March 2008 presidential election was expected to be the turning-point in Zimbabwean history. Even though it was obvious that the ruling ZANU-PF and Mugabe had decided against leaving their fate to the electorate, many still expected that the election may result in a change of power. Apart from Mugabe, two other candidates, Morgan Tsvangirai and Simbarashe Makoni, were running for president. The latter had been Mugabe’s minister in the past. For his part, Tsvangirai, who founded the Movement for Democratic Change (MDC) in 1999 to oppose ZANU-PF, had been a target of harassment and intimidation for many years for standing up to Mugabe and insisting on a plural and multi-party democracy.

In mirroring his absolute displeasure with being challenged, Mugabe described Makoni’s independent candidacy, having being barred from contesting against Mugabe within the ZANU-PF, in the 2008 presidential election as an ‘absolute disgrace’. Makoni, who, in turn, accused Mugabe of ‘vote buying’ from the electorate, was even threatened with violence. As for Tsvangirai, Mugabe dismissed his candidacy as an effort ‘to please his Western backers in exchange for money’.⁶⁵ There were also reported assassination plots against Tsvangirai. The Solidarity Peace Trust was to describe the election as one of ‘punishing dissent (and) silencing citizens’.⁶⁶

The Zimbabwe Election Commission eventually announced that Tsvangirai won the first round of the 29 March 2008 presidential election with 47.9% of the votes against 43.2% won by Mugabe. However, since no candidate was able to win 50% of the votes, the Commission announced that there would be a run-off between Tsvangirai and Mugabe.⁶⁷ However, MDC dismissed the announced results as ‘scandalous daylight robbery’, while claiming that it won a little over 50% of the votes. Subsequently, the security forces controlled by Mugabe started cracking down on the opposition. But Tsvangirai eventually withdrew from the run-off which he described as a ‘violent, illegitimate sham of an election process’,⁶⁸ participation in which, he feared, would lead to the killing of many who vote for him.

In the end, just like in Kenya, a power sharing formula was brokered by South Africa’s Thabo Mbeki. The formula confirmed Mugabe as president, while Tsvangirai became the prime minister. By such incorporation, whether full or partial, a very important task of democratic opposition, that is, resisting integration into the regime⁶⁹ was violated by the MDC, as did the ODM in Kenya.

This arrangement has been constantly threatened since it was put together. Observers interpret this as yet another example of the sacrificing of the electoral will of Zimbabweans on the altar of the expediency of 'stability' and 'peace', which might eventually unravel in a bloody confrontation in the future. This sentiment is captured thus in the somber words of a Zimbabwean: 'The hope of change offered by the March 29 presidential election has been ruthlessly and systematically crushed, and all that remains is the stains of our butchered dreams.'⁷⁰

Nigeria: garrison democracy

Nigeria is arguably the most depressing of the chosen examples. The country's 2007 elections were without doubt the most cynical illustration of the exasperation of the country's ruling elite with the electorate. Since the Fourth Republic was established in 1999 after 16 years of military rule, successive general elections, in 2003 and 2007, have been consistently worse than the last. The abhorrence of the ruling elite for democratic plurality and electoral transparency is captured in former President Olusegun Obasanjo's description of the 2007 election in which his party was accused of massive and violent fraud, as a 'do or die affair'.⁷¹ For Kunle Amuwo,⁷² this view of electoral politics as a form of fatality makes sense within the logic of the imposed 'market policies' which reduced 'politics to an elite competition between rentier bourgeois groups'. 'The consequence', of this, he argues, 'is that elections have been reduced to a 'winner takes all' competition for control of the state and the spoils that may thereby be accessed'.⁷³

In Nigeria, with the commoditization of politics, worsened by the easy availability of oil rent, politics has become volatile. Consequently, 'neoliberal democracy and periodic elections lose their meaning for those for whom the state has become increasingly irrelevant under market reforms'.⁷⁴ Amuwo's important point about the irrelevance of the state, however, overlooks the fact that the state is not 'irrelevant' for all classes and all social formations in Nigeria, and other post-colonial countries. The state may be irrelevant for the mass of the people in terms of its expected fundamental positive role, but it remains very relevant and indeed very critical for those who see the state as an institutional instrument for the satisfaction of their individual and (social) class interests. This is precisely what the violence and fraud that attend elections in Nigeria and elsewhere underscores. The capture of the state is the all-important task for this class, because, as Amuwo correctly concedes, 'those who have the power and leverage to structure phoney democracy and organise flawed elections, bask in the euphoria of big business and investment that delivers huge financial, political and electoral capital'.⁷⁵

In capturing the frustration of Nigerians with democracy, particularly in the context of the impossibility of electoral rectitude, a leading newspaper columnist, Tatalo Alamu⁷⁶ argues that 'If anything, the last ten years stand as an eloquent testimony to the impossibility of establishing a democracy with practicing non-democrats.'

Since independence in 1960, Africa's most populous country has conducted only one election which was adjudged by both local and international observers to be free and fair. That election, the presidential election held on 12 June 1993, also remains the only general election in Nigeria's history which was formally annulled. The British seem to have bequeathed an unenviable legacy to Nigerians in the area of the manipulation of elections. The succession of elections in the second half of the 1950s which were part of the transition from colonial rule to independence culminated in the 1956 and 1959 elections. Both elections were alleged to have been rigged by the departing British for their local allies in the Northern People's Congress (NPC). A former British colonial officer, Mr Harold Smith recently revealed how, in what he described as '(t)he supreme betrayal of a new sovereign nation', he was chosen by the outgoing British Governor General of Nigeria 'to mastermind the covert action to rig Nigeria's elections. . .so as to achieve Northern domination of Nigeria'.⁷⁷ The plot was allegedly hatched in Whitehall.

However, Nigerian politicians would appear to have become far more astute than their British teachers, because, in less than half a decade, the Western Region of Nigeria was up in flames as opposition elements took the law into their hands when denied the right and opportunity to change the regional government. The regional government was being aided and abetted by the federal government. In 1966, amid crisis over the disputed elections, the military struck.

The military was in the saddle for the next 13 years with Nigeria surviving a 30-month Civil War (1967–1970) whose causes are directly traceable to the electoral heist that preceded the collapse of democratic rule. In the return to democratic rule in 1979, the soldiers also acted like the British and helped to manipulate the elections and the electoral law in favour of the National Party of Nigeria (NPN). Again, as the ruling NPN widened its electoral robbery over the rest of the nation, a breakdown of law and order was recorded in many places, particularly in the western region states. The military again struck in December 1983.

After many twists and turns, the military eventually promised to hand over power to a democratically-elected president in August 1993 in the wake of the rise of a democratic civil society and the push for democratization. However, the presidential election of 12 June 1993, adjudged by many as the freest and fairest election in Nigeria's history was annulled by a military president, General Ibrahim Babangida. He was eventually harried out of power, but not before he had imposed an illegal Interim National Government (ING), which was overthrown by his Defence Chief, General Sani Abacha three months later.

The military again handed power back to civilians in 1999, after another wave of pressures from civil society. However, the leading civilian (or civilianized) politicians who took over in 1999 were the retired military generals. The new president, Olusegun Obasanjo, had been the military head of state between 1976 and 1979 and had long advocated for a one-party state. His candidacy was engineered, supported and funded principally by retired soldiers who had made a fortune while in office. The People's Democratic Party (PDP), which Obasanjo

represented, emerged to serve the interest of the dominant conservative forces in Nigeria. It was also obvious to both local and international observers that Obasanjo was the candidate of the departing military.

With the retired military forming the core of the ascendant political formation, it was no surprise that violence became a signal mode of engagement in politics and subsequent elections. This was also against the backdrop of the spread and easy availability of small arms around the country, particularly in the Niger Delta region. This became evident during the 2003 elections.

Prior to the 2003 elections, the PDP, perhaps using military tactics, had infiltrated and almost totally neutralized the two major parties, the All Nigerian People's Party and the Alliance for Democracy, which had both become factionalized. The party and its government in power at the centre had also ensured the manipulation of the Electoral Act 'and the electoral process...in connivance with the leadership of the National Assembly [as] part of a well orchestrated and pre-determined process to subvert the right of the Nigerian people to choose their leadership through the ballot box'.⁷⁸ Incidentally, the 2003 elections were also a watershed in that it was the first time Nigeria had experienced a successful passage from one civilian administration to another.

However, except where overpowered by the federal might – and this was true in most cases – every party and incumbent at the state level participated in the free-for-all 'election' of 2003.⁷⁹ But none could match members of the PDP which the Transition Monitoring Group succinctly described as 'electoral fraudsters that do not believe in elections as a means and mechanism of leadership change'.⁸⁰ The electoral process was turned into a virtual war as arms and ammunitions became the surest way of procuring and securing stolen ballots all over the federation. Even in places where there were no polling booths, President Obasanjo and his party recorded 'high turn-out' in their favour.⁸¹ The Justice of the Appeal Court who read the dissenting judgement on the 2003 presidential election stated that 'I find that the substantial non-compliance with the mandatory electoral law amounts to no election. I also find that there was violence perpetuated by President Obasanjo and INEC... May Nigeria never and never see a black Saturday like April 19, 2003.'⁸² For the TMG, the 2003 elections could be characterized as 'the civilian equivalent of a coup d'état'.⁸³ The TMG pursued that 'Given the enormity of the fraud perpetrated during the 2003 elections and the damning findings and conclusions of the Court of Appeal', the National Assembly should conduct an 'open, transparent and credible public hearing on a new Electoral Act'.⁸⁴

For their part, the European Union observers noted 'serious irregularities and fraud', while the Commonwealth concluded that the attempt to ensure free and fair elections were successful 'in most parts' of the country.⁸⁵ The US National Democratic Institute observers concluded that the entire process had 'failed the Nigerian people'.⁸⁶ Despite this, some scholars still concluded that the very fact of such a transition from one civilian administration to another would translate to 'a new lease on life for Nigerian democracy'.⁸⁷

As it turned out, what the TMG described as ‘the vicious circle of fraudulent elections’⁸⁸ became even worse during the 2007 election. Indeed, Kayode Fayemi,⁸⁹ a scholar and activist who was the candidate of the Action Congress in the governorship election in Ekiti State, revealed that his experience in Nigerian politics had shown that there are ‘five gods’ to be appeased to ‘win’ elections: the Independent National Electoral Commission, the security agencies, the enforcers (thugs and bandits), the judiciary, money (which is central and facilitates access to the other gods), and the godfather(s). These gods, Fayemi explained, ‘are neither exhaustive nor mutually exclusive’⁹⁰ but without them you can neither get victory – even if you won the majority of votes – nor keep your victory. Instructively, the electorate is not part of these gods.

Against this backdrop, Omotola deduced that Nigeria’s 2007 elections, ‘represented a major source of threat to the survival of democracy’,⁹¹ while Jean Herskovits concluded that what resulted from the last three elections was a ‘rigged democracy’.⁹² Even though Adejumobi had argued that such elections were an opportunity ‘to occasion a break with the past, and rekindle public confidence in the electoral and democratic process’ in Nigeria,⁹³ Herskovits summed up the actual experience as ‘disastrous’.⁹⁴ As most observers submitted, the 2007 elections were a complete charade which did not meet the most minimal standards of democratic elections. The TMG affirmed that, ‘We do not believe that any outcome of the elections can represent the will of the people. A democratic arrangement founded on such fraud can have no legitimacy.’⁹⁵

In the end, Nigeria’s largely conservative Supreme Court, apparently fearful of a national crisis – and perhaps military intervention – voted three to two to affirm President Shehu Yar’Adua’s flawed election. But as Rawlence and Albin-Lackey have observed, ‘to celebrate the peaceful and civilian nature of the transition is to close one’s eyes to the brutal, corrupt and undemocratic way in which Yar’Adua has come to power’.⁹⁶ President Yar’Adua and several others assumed office not because, but in spite of, the electorate.

The abrogation of the African electorate: birth pains or death knell of substantive democracy?

The restoration of ‘blatant dictatorship, bureaucratic authoritarianism, or elective dictatorship’ after the ‘relatively open contestation for power in the early 1990s’ is forcing scholars to raise the ‘fundamental question about whether the African political elites [are] genuinely committed to democracy in the first place’.⁹⁷ Using illustrations particularly from three countries, Kenya, Zimbabwe, and Nigeria, this paper has analysed an emergent phenomenon in Africa’s ‘Third Wave’ democracies, that is, the manipulation of elections by sitting regimes (the ‘selectorate’) to subvert the essence of democracy: regular, free, fair and competitive elections. A caveat is in order at this point: We do not suggest that the course of events throughout the continent is by any means unidirectional. Indeed, there are African countries where a different set of conclusions might be reached on the

imagined progress of democratization in Africa. Ghana, where the incumbent New Patriotic Party surrendered power to the opposition after a close-run general election in January 2009, is one such country. But our argument in this paper is that cases like Ghana are in fact exceptional, and that the patterns we have identified in Kenya, Zimbabwe and Nigeria respectively, are arguably more representative of the dominant trajectory in sub-Saharan Africa. In this concluding section, we ponder some of the ramifications of this trajectory, paying special attention to broader issues in the state–society interface in African political history.

A primary observation is that the emergent trajectory in sub-Saharan Africa as evidenced by the developments in the three examples is a reminder of the limitations inherent in elections themselves as midwives of substantive democracy. Substantive democracy has been defined by Sudipta Kaviraj as ‘an alternative, Tocquevillian reading of democracy’s success – which is not just a continuation of a system of elected government, but the capacity of this government to produce long-term egalitarian effects’.⁹⁸ Our argument in this paper is that to the extent that there has been an interest in elections by ‘Third Wave’ democracies in Africa, it is mostly as a perverse means to an end, the end being the hijack and consolidation of power, and the resources it guarantees, by the dominant ruling elite, rather than as a means of inducting representatives with a genuine agenda for social transformation. This explains the reluctance of incumbent regimes across Africa to institute reforms that will make elections more transparent and less susceptible to manipulation. In fact, it can be argued that rather than submitting themselves to free and fair elections, which carries the ‘danger’ of ceding power to the opposition, many African governments would prefer to incorporate the opposition into government (Kenya and Zimbabwe are examples); and failing this they resort to pacification through violence. The alarming cycle of violence which has dogged a majority of elections in Africa is one product of this determination.⁹⁹

This ties in with the West’s limited vision of democratic possibilities in Africa as reflected in the focus on ‘reforms’ (rendered sometimes in the language of ‘development’ and ‘governance’), rather than the radical transformations inherent in popular democracy – which most African countries require.

The questions that therefore arise are: What accounts for the reluctance of many African regimes to relinquish power? What is at stake? And why are the stakes so apparently high? Just over a decade ago, Claude Ake¹⁰⁰ equated African politics with warfare and argued that it was partly because political competition on the continent evinced all the attributes of warfare that the military has historically had so much success in its periodic interventions in politics. One untold consequence of democratization in Africa has been the vivifying of this principle of political warfare. In a context in which politics has remained ‘the only game in town’ – meaning that political office remains the surest path to enrichment and possession of state power the surest path to accumulation – the struggle for control becomes a fight to the death. Thus the spiral of violence which has seen holders of state power fall back on most of the crude functionalities inherited from the colonial era. In effect, in an unmistakable irony, democratization has

actually resulted in the concentration of state power and the vilification of civil society in Africa, and the eventual abrogation of the electorate.

How, it seems proper to ask, has the international community responded to this scenario, and what has it contributed to the emergent process in Africa? Our argument is that, for the most account, signals from outside, particularly from major Western countries, have remained deeply ambiguous. While, as we have mentioned in the paper, there has been no shortage of releases typically expressing Western ‘disappointment’ at the way elections have been conducted in different countries, overall, it is safe to say that they (Western countries) have been content to play the role of unobtrusive spectators as long as vital Western economic interests remained safe. In Nigeria, for example, there is no gainsaying the fact that the politics of crude oil have affected overall foreign reaction to the crisis which followed both the 2003 and 2007 elections.

Perhaps the greatest damage to the prospects of the emergence of a substantive democracy in sub-Saharan Africa comes from the ideology which stresses that even the most horrendous democracy is to be preferred to military authoritarianism.¹⁰¹ Western countries are implicated in this narrative because of their fear (genuine to some degree) that any deviation from the path of democratization in Africa will return the continent to the yesteryear of military rule. But while the anxiety is legitimate, and we certainly do not wish for a retreat into full blown authoritarianism, it ought to be pointed out that the fear of authoritarian recession has helped in creating the current unacceptable situation in which the most brazen violations of the popular will are not as vigorously challenged. When this logic works to perfection, it ensures that undemocratic leaders of ‘democratizing’ African countries are in fact cocooned from legitimate criticism and strong civil challenges. The abrogation of the electorate in a sense would also mean the abrogation of peaceful, democratic means for the resolution of fundamental socio-economic and political problems that plague many African states. This might eventually encourage and legitimize organized violence as the only sure means of accessing power and addressing the fundamental crisis of the African polities – even though such a route would end up complicating the crisis. The dark prognosis on the May 2010 elections in Ethiopia (results of which have since been rejected by the two largest opposition parties), the 2011 elections in Nigeria, and future elections in Kenya and Zimbabwe, speak to this fear.

Our final observation concerns the state of politics across the continent and the all-important state–society interface. First, to the extent that elections themselves are a testimony to, and a reflection of the character of politics within particular social formations, it can be argued that politics and intra-elite political competition in Africa remain, for the most part, at pre-‘Third Wave’ levels. The conclusion from this is that procedural democracy has failed to bring about the desired change in political habits on the part of members of the governing elite. Secondly, the fact, as we have argued, that elections in which the electorate does not count have become pandemic in Africa, is itself evidence that politics across the continent remains, by and large, an exclusivist process. The power (and tragedy) of this

point is brought home when we bear in mind the oft-stated observation that for the majority of people in Africa, the nearest they ever come to participating in the political process is when they line up to vote for a candidate in a general election. As Fawole¹⁰² renders it, they *vote* but they do not *choose*. Part of what this paper attempts to demonstrate is that even this periodic luxury can no longer be taken for granted. African democracies are now largely based on the consent of the *selectorate* rather than the consent of the electorate.

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Notes

1. Sadiki, *Rethinking Arab Democratization*.
2. Alamu, ‘The Ticking Time-bomb in Ekiti’.
3. See Bratton and van de Walle, ‘Democratic Experiments in Africa’, 1997; Bratton, ‘Second Elections in Africa’; Adejumobi, ‘Elections in Africa’; Brown, ‘Authoritarian Leaders and Multiparty Elections in Africa’; Golder and Wantchekon, ‘Africa: Dictatorial and Democratic Electoral Systems Since 1946’; Villalón and VonDoepp, ‘Elites, Institutions, and the Varied Trajectories of Africa’s Third Wave of Democracies’.
4. Huntington, ‘The Third Wave’, 1991.
5. Ake, ‘Rethinking African Democracy’, 33.
6. Diamond, ‘Three Paradoxes of Democracy’, 48.
7. Villalón and VonDoepp, ‘Elites, Institutions, and the Varied Trajectories of Africa’s Third Wave of Democracies’, 1.
8. Diamond, ‘Elections without Democracy’.
9. Find reference
10. Villalón and VonDoepp, ‘Elites, Institutions, and the Varied Trajectories of Africa’s Third Wave of Democracies’, 1.
11. Schmitter and Karl, ‘What Democracy is...’, 7.
12. Cf. Sandbrook, ‘Liberal Democracy in Africa’, 241; and Cowen and Laakso, *Multiparty Elections in Africa*, 1.
13. Cf. Diamond, *Developing Democracy*, 3; Diamond, ‘Elections Without Democracy’, 22; Zakaria 1997; and Chege, ‘Democratic Governance in Africa’, 267.
14. For example, O’Donnell and Schmitter, *Transitions from Authoritarian Rule*.
15. Brown, ‘Authoritarian Leaders and Multiparty Elections in Africa’, 325.
16. O’Donnell and Schmitter, *Transitions from Authoritarian Rule*, 19.
17. Brown, ‘Authoritarian Leaders and Multiparty Elections in Africa’.
18. Collier, ‘The Trouble With Elections’.
19. Woldermarium, *The Rise of Elective Dictatorship and the Erosion of Social Capital*, 3.
20. Cf. O’Donnell and Schmitter, *Transitions from Authoritarian Rule*; Linz and Stephan, ‘Towards Consolidated Democracies’; and [0]Hewitt, ‘Elections and Elites in Africa’.

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21. Aalen and Tronvoll, 'The End of Democracy?', 193.
22. Good, *The Liberal Model and Africa*, 6.
23. Schedler, 'The Logic of Electoral Authoritarianism', 1.
24. See Diamond, 'Elections Without Democracy'; Good, *The Liberal Model and Africa*; Lindberg, *Democracy and Elections in Africa*; Schedler, 'The Logic of Electoral Authoritarianism'; and Woldemariam, *The Rise of Elective Dictatorship and the Erosion of Social Capital*.
25. Collier and Vicente, 'Violence, Bribery, and Fraud', 2.
26. *The few exceptions to this could include the July 1994 coup in The Gambia that brought in Col. Yahya Jammeh and the December 2008 coup in Guinea after the death of President Lansana Conté led by Captain Moussa Dadis Camara*.
27. Nyamnjoh, '2002 Cameroon: Over Twelve Years of Cosmetic Democracy', 5.
28. Ake, 'Rethinking African Democracy', 34.
29. In his 1991 essay in the *Journal of Democracy*, Claude Ake argues that this position 'stems from a confusion between the principles of democracy and their institutional manifestations', Ake, 'Rethinking African Democracy', 34.
30. See Ake, *The Feasibility of Democracy in Africa*; Diamond, *Developing Democracy*; Saul, 'Liberal Democracy vs. Popular Democracy in Southern Africa'; Shivji, 'State and Constitutionalism', 1999.
31. Ake, 'Rethinking African Democracy'.
32. Shivji, 'Contradictory Class Perspectives', 255.
33. Saul, 'Liberal Democracy vs. Popular Democracy in Southern Africa'.
34. *Ibid.*, 340.
35. Diamond, 1997, 341–2[0].
36. Di Palma, *To Craft Democracies*.
37. *Ibid.*, 22–4.
38. Saul, 'Liberal Democracy vs. Popular Democracy in Southern Africa', 342[0].
39. *Ibid.*
40. Kew, *Crafting the New Nigeria*, 141.
41. Cf. Herskovits, 2007, 116[0].
42. Diamond, 'Elections Without Democracy', 28.
43. For instance, in spite of the widespread fraud reported by both local and foreign observers, President Thabo Mbeki quickly recognized the 'victory' of candidate Umaru Yar'Adua after Nigeria's 2007 presidential election.
44. Ndegwa, 'Kenya Third Time Lucky?', 145.
45. *Ibid.*
46. *Ibid.*
47. Wrong, *It's Our Turn to Eat*, 5.
48. *Ibid.*
49. See Ashforth, 'Ethnic Violence and the Prospects for Democracy'.
50. See, Adebani, 'The Age of the Coup Democrats'.
51. 'Kenya's Elections: Twilight Robbery, Daylight Murder'. *The Economist*, January 3, 2008.
52. Mutua, *Kenya's Quest for Democracy*, 5.
53. Bracking, 'Development Denied', 343.
54. See Kriger, 'Robert Mugabe, Another Too-Long-Serving African Ruler'.
55. Chikhuwa, *A Crisis of Governance: Zimbabwe*, 137.[0]
56. Sylvester, 'Whither Opposition in Zimbabwe?', 406.[0]
57. *Ibid.*, 403.
58. Laakso, 'The Politics of International Election Observation', 438[0].
59. *Ibid.*, 448.
60. *Ibid.*, 449.

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61. Strategic Comments, 'Zimbabwe's Pivotal Election', 1; Makumbe 1998.
62. Maclean, 'Mugabe at War', 514–15.
63. Ibid.
64. Strategic Comments, 'Zimbabwe's Pivotal Election', 1.
65. Sunday Mail (Harare), February 245, 2008.
66. *Solidarity Peace Trust*, 'Punishing Dissent, Silencing Citizens', 1.
67. Dewa, 'Factors Affecting Voting Behavior', 491.
68. Raftopoulos and Eppel, 'Desperately Seeking Sanity', 372.
69. Stepan, 1993, 64[0].
70. Quoted in Raftopoulos and Eppel, 'Desperately Seeking Sanity', 369.
71. Odebode, '2007 Elections'.
72. Amuwo, 'The Political Economy of Nigeria's Post-military Elections', 38.
73. Ibid.
74. Ibid.
75. Ibid.
76. Alamu, 'Looking Forward and Looking Beyond', 2009, 3.
77. Smith, 'A Squalid End to Empire'; *New African*, 'How the British Undermined Democracy in Africa'; Oyedoyin[0], 'Meeting Harold Smith Face-to-face'.
78. TMG, 'Chief Olusegun Obasanjo and the Burden of Legitimacy'.
79. TMG, *Do the Votes Count?*, 11.
80. TMG, 'Chief Olusegun Obasanjo and the Burden of Legitimacy'.
81. Tayo, 'Big Men and Ballot Boxes', 15; cf. Lewis[0], 'Nigeria: Elections in a Fragile Regime', 142.
82. Opeyemi[0], 'PDP Will Not Rule for 60 Years'.
83. TMG, *Do the Votes Count?*, 9.
84. Ibid.
85. Ibid.
86. Rawlence and Albin-Lackey, 'Nigeria's 2007 General Elections', 498[0].
87. Lewis, 'Nigeria: Elections in a Fragile Regime', 131.
88. TMG, 'Chief Olusegun Obasanjo and the Burden of Legitimacy'.
89. Fayemi, 'An Insider's View of Electoral Politics'.
90. Ibid., 6.
91. Omotola, "'Garrison" Democracy in Nigeria, 195.
92. Herskovits, 'Nigeria's Rigged Democracy', 115.
93. Adejumobi, 2007[0], 12.
94. Herskovits, 'Nigeria's Rigged Democracy', 115.
95. TMG, 'Chief Olusegun Obasanjo and the Burden of Legitimacy'.
96. Rawlence and Albin-Lackey, 'Nigeria's 2007 General Elections', 497.
97. Woldermariam, *The Rise of Elective Dictatorship and the Erosion of Social Capital*, 27.
98. Kaviraj 2003, quoted in Gupta, 'Literacy, Bureaucratic Domination, and Democracy', 181[0].
99. Basedau, *Votes, Money and Violence*.
100. Ake, *Democracy and Development in Africa*.
101. Agbaje and Adejumobi, [0]'Do Votes Count?'.
102. Fawole, 'Voting Without Choosing'.

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The internal dynamics of power-sharing in Africa

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Given the increasing use of power-sharing arrangements to manage a wide range of political crises over the past five years it is more important than ever to turn a critical eye on the dynamics and outcomes of unity governments. This paper argues that two key factors shape the way that power-sharing functions in Africa: the distribution of violence (that is, whether any one party has a monopoly on victimhood or whether all parties have committed, and retain the capacity to commit, atrocities) and the level of elite cohesion (whether political leaders have developed norms of mutual accommodation that render it easier to find areas of common-ground). The first half of the paper identifies four main power-sharing dynamics in Africa based on different combinations of the distribution of violence and the level of elite cohesion: the politics of distrust, the politics of collusion, the politics of partisanship and the politics of pacting. The second-half of the paper then draws on evidence from Angola, Burundi, the DRC, Kenya, South Africa and Zimbabwe to illustrate how such variations in the practice of power-sharing shape the prospects for reform.

Introduction

Over the past two decades power-sharing has become an increasingly popular way of managing political crises, particularly in Africa.¹ Initially, power-sharing models of conflict resolution in which violence is brought to an end by the creation of a unity government that includes all major players were employed to resolve prolonged civil wars in countries such as Angola, Burundi, Rwanda, and Somalia.² The perceived success of power-sharing in some of these cases led many international mediators, who typically played a central role in peace negotiations, to conclude that they had hit upon an effective formula with which to end intra-state violence.³ Given the disastrous impact of civil war in both human and economic terms,⁴ it seemed clear to many commentators and international

actors that the benefits of unity government dwarfed any potential costs⁵; consequently, the increasing popularity of power-sharing ‘solutions’ among peace mediators met with little resistance.⁶

Since the return of multi-partyism in the early 1990s, Africa has also witnessed a spate of very different crises in which disputed elections contributed to the breakdown of political order in countries such as Kenya and Zimbabwe. When international actors began to mediate in these cases of democratic deadlock, they naturally adopted strategies that reflected their own interests and experience of mediating conflict and the balance of power between rival parties at the domestic level. It was the combined impact of these three factors that led to the deployment of power-sharing strategies in new contexts. Consider the case of Zimbabwe. The decision of the former South African President, Thabo Mbeki, to push for a unity government to end the deadlock between the government and the Movement for Democratic Change (MDC) opposition had complex roots. Most obviously, Mbeki did not want to be seen to be siding with Western donors against one of the continent’s most prominent nationalist figures, and so sought to protect the incumbent Zimbabwean President, Robert Mugabe, from direct criticism and outright political defeat.⁷

But Mbeki’s pursuit of ‘quiet diplomacy’ was also shaped by the experience senior African National Congress leaders had gained managing other conflictual political transitions, most notably South Africa’s own positive experience of unity government following the end of apartheid, Nelson Mandela’s involvement in efforts to pursue peace through power-sharing in Burundi, and the unity government that Mbeki himself had helped to instigate during the peace process in the Democratic Republic of Congo (DRC).⁸ At the same time, power-sharing strategies were acceptable to domestic African governments for two main reasons. First, unity governments typically allowed incumbent presidents to stay in power. Secondly, the power-sharing model bore a close resemblance to the distinctive combination of inclusion and restricted competition that had underpinned the stability of the one-party state in the 1970s, and so struck a chord with the political elite in many of the continent’s gerontocracies.⁹ As a result of this powerful combination of international policy transfer and domestic historical legacy, a conflict resolution mechanism that had initially been developed to deal with extreme cases of civil war came to be a central plank of the international community’s response to controversial elections.

In the wake of the perceived success of power-sharing in Kenya in 2007, the popularity of the model continued to grow, as commentators and senior international actors debated the introduction of unity governments in cases as diverse as Afghanistan, Honduras, Iraq, and Madagascar.¹⁰ Indeed, in 2009/2010 it even became commonplace for power-sharing to be discussed *before* elections that were expected to be close and controversial, such as the 2011 polls in Uganda.¹¹ The impact of the power-sharing trend should not be underestimated: at the time of writing, more than a third of African countries have experienced some form of unity government. It is therefore more important than ever to turn

a critical eye to the dynamics and outcomes of power-sharing arrangements. What are the main variations in the practice of power-sharing on the continent? Does power-sharing play out in the same way in cases of civil war and democratic deadlock? Do power-sharing deals simply freeze conflict or lay the foundations for lasting political reform?

This paper attempts to answer these questions by developing a comparative framework through which to understand the different dynamics of power-sharing on the continent. To the best of my knowledge, it is the first attempt to integrate cases of ‘civil war’ power-sharing and ‘democratic deadlock’ power-sharing into a common explanatory framework. Given this perhaps overly ambitious aim, it is important to be clear about what this paper does, and does not, hope to achieve. Predicting the outcome of power-sharing processes is a thankless task: they are particularly prone to failure for highly contingent and unforeseen reasons, such as the emergence of a new warring faction, the destabilizing intervention of a neighbouring government, and sudden economic collapse.¹² Given that the ultimate fate of any particular unity government is likely to be shaped by a plethora of other factors that cannot be accounted for in a framework that strives for parsimony I seek to explain not whether power-sharing deals result in a lasting peace, but rather how they function. Of course, the latter helps to explain the former because the dynamics of unity government reveal the potential for reform or gridlock and so say much about whether political settlements achieve their goals. However, it is important to keep in mind that the framework developed here only seeks to identify the generalized pathways which shape the internal dynamics of power-sharing arrangements, and consequently whether meaningful reform is *likely*, in a given case. In this sense my approach is akin to the typological theory proposed by George and Bennett, which focuses on identifying ‘both actual and potential conjunctions of variables, or sequences of events and linkages between causes and effects that may recur’ and so represents a middle ground between historical case-studies and large-N quantitative analysis.¹³

Building on the work of Bekoe, Hoddie and Hartzell, Rothchild, Sisk and Vandeginste I argue that two factors explain much of the variation in how the participants in a unity government interact¹⁴: the distribution of violence (that is, whether any one party has a monopoly on victimhood or whether all parties have committed, and retain the capacity to commit, atrocities) and the level of elite cohesion (whether political leaders have developed sufficient norms of mutual accommodation to allow them to find areas of common-ground). The first half of the paper provides a theoretical explanation of why and how these two factors can be expected to shape the practice of unity government. More specifically, I suggest that variation along these two dimensions gives rise to radically different power-sharing dynamics because it conditions whether or not rival parties enjoy the necessary trust and shared interests to design and implement a common reform agenda. Based on the possible combinations of the distribution of violence (low/high) and elite cohesion (low/high) I identify four ‘ideal types’ of power-sharing dynamic: the politics of collusion, the politics of

partisanship, the politics of distrust, and the politics of pacting. The second half of the paper then draws on the experience of Angola, Kenya, South Africa and Zimbabwe to demonstrate the utility of the framework and to illustrate how each dynamic shapes the prospects for reform. These cases are selected because they offer strong variation in terms of the level of elite cohesion and the distribution of violence. Reference is also made to recent power-sharing deals in Burundi and the DRC in order to highlight the distinctive (and representative) features of the Angolan experience.

In addition to the secondary literature, I draw on a range of sources to characterize these cases including discussions with regional experts (Angola, Burundi and South Africa), primary documents produced by organizations dedicated to monitoring power-sharing processes (the DRC, Zimbabwe) and extensive fieldwork and interviews with senior political actors (Kenya). To make the task of analysing these cases manageable in the space of this paper, I focus on the way that unity governments deal with constitutional reform and security sector reform, including how they negotiate the thorny topic of how to deal with past human-rights abuses. I adopt this particular lens for two reasons. First, while I argue that the distribution of violence impacts on the full range of activities undertaken by unity governments, its effect is most clearly felt and most easily illustrated in relation to efforts to end cultures of impunity. Secondly, the control of violence and the distribution of political power codified in the constitution are consistently identified by international mediators and domestic actors as the two most critical issues facing power-sharing governments.¹⁵ Reform of the political system and the instruments of coercion is therefore the challenge on which the success of unity governments, and the future stability of political systems, depends.

The dynamics of power-sharing

Power-sharing refers to the creation of an inclusive government in which cabinet posts, and hence executive power, are shared by the major parties (although not always all of the parties) in a given conflict. However, beyond this, unity governments vary greatly in terms of their depth and scope. More comprehensive deals may include territorial, security, and bureaucratic dimensions, such as the introduction of a federal system of government to enable communities to enjoy a degree of self-government, as in Sudan, or the use of strict quotas to control the proportion of different groups within the police, army, and civil-service, as in Burundi.¹⁶ Power-sharing arrangements may also vary considerably in their time-scale. Where political settlements are highly inclusive and permanent, they conform to Lijphart's influential model of consociational democracy in which ethnic diversity is managed by building measures that protect the interests of each community into the foundations of the political system.¹⁷ However, because power-sharing deals in Africa are usually forged amidst insurgency and political crisis, they have typically focused on a more modest agenda: securing a ceasefire, forging agreement on a distribution of senior political positions, and scheduling a timetable for fresh

elections.¹⁸ Substantive discussion over specific reforms is typically postponed until the unity government is up and running precisely because addressing such issues at an early stage would most likely undermine the prospects of securing any kind of deal.

The existing literature suggests that the quality of the relations among elite actors and the history of violence in a given country are two of the most important factors that influence how power-sharing deals play out. Hoddie and Hartzell's analysis of military power-sharing deals, Rothchild's work on reassuring weaker parties after civil wars, and Bekoe's study of the construction of unity governments when all parties are mutually vulnerable to the resumption of conflict, all indicate that the depth of previous violence and the capacity of rebels/militias to use force is of fundamental import to the prospects for a harmonious and functional power-sharing deal.¹⁹ At the same time, Vandeginste's assessment of 'twenty years of trial and error' in the Burundian peace process, Sisk's overview of the challenges facing international mediators when negotiating political settlements, Sousa's discussion of the chequered history of power-sharing negotiations in Angola, and the author's own work with Miles Tendi on the fate of unity governments that arise out of democratic deadlock, demonstrate that power-sharing deals are much harder to get off the ground in the absence of inter-elite trust.²⁰

Taking off from these insights, I posit that the way in which the main parties to a power-sharing deal interact is strongly influenced by the level of *elite cohesion* and the *distribution of violence*. Relations among the political elite, by which I mean the main leaders of the groups included in the power-sharing deal, are particularly significant in the wake of widespread conflict because if they are strong they can compensate for the weakness of institutions, thus enabling power-sharing agreements to overcome one of the most damaging legacies of prolonged civil conflict. However, where relations between parties are marked by total distrust and outright hostility, the absence of reliable institutions may undermine the domestic sustainability of unity governments, leaving the durability of political settlements dependent on the ability and willingness of international actors to act as guarantors of the process.²¹

As conceptualized here, the level of elite cohesion is shaped by two main factors. First, the extent to which factional leaders have a history of finding common-ground and working alongside one another in political institutions affects whether individuals expect to be able to resolve threats to their core interests by brokering compromises with rivals. Of course, where conflicts have been more intense and violent, inter-elite trust is likely to be especially low and institutions are likely to be particularly fragile. This pernicious combination undermines the willingness of leaders to place their trust in political processes, exaggerates the significance of personal relations, and in most cases renders it more difficult to rebuild smooth relations among the political elite. As a result, unity governments can be expected to have more success in terms of designing and implementing reforms when they emerge out of cases of democratic deadlock rather than civil war, other things being equal. Secondly, the extent to which the history of violence in

a country results in a hardening of partisan identities and the rise to prominence of intransigent hard-line elements within each group (more militant commanders in the case of rebel factions and military/police/militia leaders in the case of nominally civilian political parties) influences the presence and strength of the veto players most likely to block security sector reform.²²

Taken together, I suggest that these two factors condition the extent to which rival actors expect to, and are inclined to, work together within government. In Kenya for example, post-colonial politics has been notable for an unusually high level of elite cohesion. During the single-party era, the Kenya Africa National Union (KANU) established a relatively inclusive one-party state. Although the government became significantly more exclusionary under the leadership of Daniel arap Moi from 1978 onwards, KANU remained a multi-ethnic coalition. Following the return of multi-partyism in the early 1990s, Kenya's diverse ethnic mosaic meant that ethnic patrons could only hope to mobilize a fraction of the voting population on their own, and so were forced to forge alliances with other leaders to secure a majority of the vote. Consequently, between 1992 and 2007, frequent cycles of coalition formation and dissolution meant that the country's most prominent political leaders had all campaigned side-by-side at one point or another. At the same time, the relatively short-lived conflict and the absence of significant military veto players meant that, while the violence hardened ethnic identities and gave credibility to more radical voices, partisan identities did not prevent inter-elite dialogue.²³ By contrast, in countries such as Burundi and Rwanda, political competition was consistently characterized by the deliberate exclusion of both individuals and whole ethnic communities.²⁴ Along with prolonged conflict, the tricks employed by all factions in the context of war, and the solidification of ethnic cleavages as a result of prolonged violence, the prior tenor of elite relations in these cases undermined the ability of rival leaders to work together. As a result, countries emerging from long periods of ethnically expressed civil conflict typically suffer very low levels of elite cohesion and struggle to establish dialogue even within a power-sharing arrangement.

The distribution of violence, in turn, is significant because it speaks to the coercive capacity of different actors and the interests they have in demobilizing troops and reforming the security sector. Because power-sharing deals typically arise out of a period of stalemate in which no one party is able to exert unilateral control, enforcing disarmament is rarely an option; rather, the effective demobilization of rebel forces and militias and the creation of an effective and legitimate national police force and army depend on the voluntary compliance of actors.²⁵ Where all parties have directly engaged in atrocities and retain the capacity to commit acts of violence the distribution of violence is at its highest. I argue that this is likely to have two major consequences. First, it creates a collective-action problem because the knowledge that rivals possess the capacity to return to violence undermines the willingness of each participant to be the first to give-up their coercive capacity. Indeed, where all parties retain significant coercive capabilities, unity governments may be accompanied by an arms race as different

groups and militias seek to keep pace with their rivals.²⁶ Secondly, because all parties have been engaged in fighting, all are likely to be implicated in atrocities of some form and therefore have an interest in avoiding prosecutions for past human-rights violations. Progress on insecurity and the demobilization in militias and rebel factions is therefore deeply problematic in cases where fighting has been prolonged and all-encompassing, as in Burundi, the DRC, Liberia and Rwanda.²⁷

By contrast, if the distribution of violence is low because some groups did not perpetrate violence or retained little ability to perpetrate organized violence, an arms race between rival factions is less likely to break out. At the same time, where atrocities were not evenly distributed across groups/rebel factions but were largely perpetrated by one group and endured by another, it will be in the interests of at least one party to push for security sector reform and investigations into past human rights abuses. This has mixed implications. On the one hand, because only some groups stand to lose when cultures of impunity are brought to an end, it is more probable that past injustices are likely to become highly politicized and divisive. This phenomenon is well illustrated by the fractious debate on these issues between Robert Mugabe's ZANU-PF and the two Movement for Democratic Change (MDC) factions that make up the unity government in Zimbabwe. Conversely, the lack of coercive capacity of some groups may make it easier for those with troops to disarm, while an interested party may be able to ensure that reform remains on the political agenda. This is not a common outcome in sub-Saharan Africa, but the limited military capability of the African National Congress (ANC) appears to have contributed to the smooth and largely peaceful transition in South Africa (see below).

Operationalizing elite cohesion and the distribution of violence is not straight forward. In an ideal world one would be able to identify a plausible proxy for 'elite cohesion' and to construct a database that would capture this for all countries, enabling a large-N study for the whole continent. However, elite cohesion is not easily measured because what matters is not simply the number of elite interactions, or the number of inclusive governments that have been established, but whether these interactions served to build inter-elite trust and mutual accommodation. Take Cote d'Ivoire. The main protagonists in the country's slide into civil war – Alassane Ouattara, Laurent Gbagbo, Henri Konan Bédié and General Gueï – entered into a number of different marriages of convenience following the death of President Houphouët-Boigny in 1993. While on the face of it these alliances suggest a high level of elite coherence, they were typically designed not to be inclusive of the full range of elite interests, but rather to exclude and so marginalize a mutually feared rival.²⁸ Furthermore, these coalitions were generally short-lived and often ended in acrimony, and thus did not contribute to the evolution norms of mutual accommodation. Consequently, Cote d'Ivoire is best understood as a case of low elite cohesion.²⁹

The distribution of violence is in many ways easier to measure quantitatively as a result of the construction of a number of useful conflict databases such as the

Uppsala Conflict Data Program which records data on one-sided violence between 1989 and 2008.³⁰ However, the distribution of violence refers both to the balance of atrocities committed by the two sides and to the remaining coercive capacity of rival forces. The latter criterion is harder to measure quantitatively because it refers to the size of rival rebel groups/militias and their access to resources and military hardware, which are both issues on which it is notoriously difficult to get reliable data. Consequently, accurate assessments of both elite cohesion and the distribution of violence are best achieved through a comparative framework that allows for cases to be categorized on the basis of a range of case study material.

Power-sharing in comparative perspective

Understanding variations in the practice of power-sharing in Africa requires us to consider how the distribution of violence and the level of elite cohesion interact (Figure 1). Where elite cohesion is low and the distribution of violence is high, the relevant parties have no history of alliance formation and all parties share a vested interest in preventing prosecutions and maintaining their coercive capacity. As a result, the most likely outcome is a highly fractious and unstable power-sharing deal characterized by the *politics of distrust*. Governments locked in this category typically fail to pursue security sector reform and are therefore likely to struggle to disarm rebel or militia groups or to agree on a new set of political rules, as illustrated by the cases of Angola and the DRC.

Where the distribution of violence and elite cohesion are both high, rival parties have a shared interest in preventing effective security sector reform, but also appreciate how they can work together to achieve common goals. Hence power-sharing is more likely to result in the formation of anti-reform alliances across party lines, giving rise to the *politics of collusion* in which the unity government appears to work effectively but is actually dysfunctional, especially when it comes to the management of violence, as demonstrated by the simultaneous

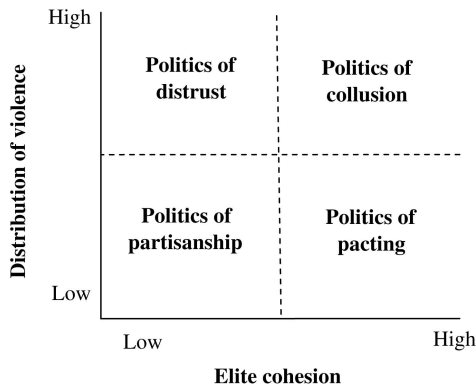


Figure 1. Conceptualizing power-sharing dynamics.

success of constitutional reform and failure to demobilize gangs in Kenya. The failure of this type of power-sharing dynamic to deal with the root causes of violence (and other endemic problems such as corruption), renders any democratic gains in other areas extremely fragile.

By contrast, in cases where the level of elite cohesion and the distribution of violence are both low, some parties have a clear incentive to push for security sector reform and prosecutions, but poor relations between rival parties are likely to undermine the ability of moderates and reformers to identify sufficient shared interests on which to base a durable reform agenda. As a result, power-sharing quickly degenerates into the *politics of partisanship*, in which the deep divisions between the rival parties are likely to result in frequent periods of deadlock and very little meaningful reform of the security sector, as in Zimbabwe. When unity governments are characterized by this type of dynamic they are likely to exhibit strong continuities with the preceding conflict, with one group continuing to exert oppressive control over the other.

Finally, where elite cohesion is high and the distribution of violence low, at least one group has a vested interest in pushing for security reform, while all groups are better placed to negotiate compromise solutions to the challenges they face. In such a context, power-sharing may create the necessary conditions for the emergence of negotiated reform in which moderates from both sides can agree on a modest transformative agenda, enabling the *politics of pacting*. The process of generating political consensus through prolonged bouts of negotiation and compromise is likely to lead to a new political dispensation that protects the core interests of all parties, and will therefore retain the support of key actors, paving the way for a period of relative stability. The politics of pacting is therefore the power-sharing dynamic most conducive to peace and reform, although the inherently conciliatory nature of negotiated transitions is likely to disappoint radicals of all political stripes. This conservative but stable trajectory is well illustrated by the case of South Africa.

Of course, gaining a full understanding of power-sharing arrangements would require us to move beyond a focus on political elites in order to understand how national level political settlements are negotiated on the ground.³¹ The framework developed here concentrates on political leaders not because it assumes that African politics is solely conducted on the basis of neo-patrimonial logics, but because the aim of this paper is limited to explaining how unity governments function on the inside and because transition processes tend to exaggerate the importance of party leaders over questions of constitutional design and security sector reform. As Rustow has argued, in peace negotiations and transitional moments deals are typically brokered by a small number of individuals that enjoy a considerable sphere of autonomy in their deliberations.³² Power-sharing talks in Africa have typically conformed to Rustow's expectations: in addition to domestic and international mediators, only senior representatives of groups directly involved in the conflict are typically invited to the negotiating table. Significantly, the unity governments that emerged from these discussions have also been

characterized by a closed decision-making process that often excludes civil-society actors. So, while the rich tapestry of African politics cannot be understood through the study of political elites alone, when conceptualizing the internal dynamics of unity governments it is to the beliefs and actions of elite actors that we must turn.

The practice of power-sharing

Locating African states along the two dimensions of elite cohesion and the distribution of violence with any confidence requires an in-depth knowledge of each country’s political history, a study of the nature of the conflict, and an appreciation of the most influential individuals and factions. There is not sufficient space in this paper to justify the positioning of every instance of power-sharing in Africa; and I concentrate on those cases that have been selected for discussion in this paper because they exhibit different levels and combinations of elite cohesion and the distribution of violence (Figure 2). However, a survey of the literature suggests that the majority of cases of power-sharing in Africa, including Liberia, Rwanda, and Somalia, fall into the category of the politics of distrust, reflecting the depth and intractable nature of many conflicts on the continent.³³

Of course, some countries do not fall neatly into one category or the other. While the endemic violence and ethnic enmities in the DRC clearly render it a country with

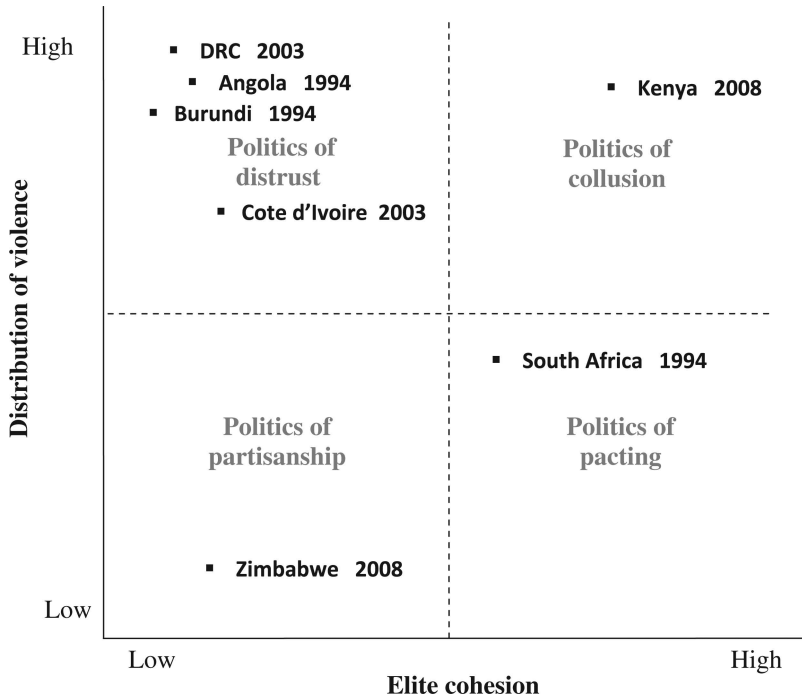


Figure 2. The dynamics of power-sharing in Africa, selected cases.

a 'high' distribution of violence and 'low' level of elite cohesion, and thus an extreme example of the politics of distrust, other cases prove to be more complicated. In South Africa, for example, the apartheid regime was responsible for the greater proportion of violent acts, but opposition and rebel groups also undertook armed struggle. As a result, no faction had a monopoly on victimhood in the way that the MDC did in Zimbabwe (see below). More marginal cases such as South Africa and Cote d'Ivoire may not demonstrate the full characteristics of one category of power-sharing, but instead are likely to reflect a combination of different dynamics. The political settlement following the Comprehensive Peace Agreement (CPA) in Sudan, for example, has been characterized by the hardened partisan political identities that mark out the Zimbabwean case, but also the deep distrust between former warring parties that has epitomized power-sharing in the DRC.³⁴

The politics of distrust in Angola

In Angola, a series of power-sharing efforts were undermined by the combination of a high distribution of violence and a low level of elite cohesion, resulting in the politics of distrust. The country's first experience of unity government occurred immediately after the overthrow of Caetano government in Portugal by a military coup in April 1974. Amidst the political vacuum that followed regime change in the metropole, the three nationalist movements, the Movimento Popular de Libertacao (MPLA), the Frente Nacional de Libertação de Angola (FNLA), and the Uniao Nacional para a Independencia Total de Angola (UNITA), fought amongst themselves for supremacy.³⁵ However, in 1975 the leaders of the three factions agreed to form a united front in order to participate in negotiations with the new Portuguese government. These talks culminated in the Alvor Agreement, which was part independence treaty, part peace deal and part power-sharing arrangement that established a transitional government in which the three parties each held one-third of the ministries and were represented by one person on a Prime Ministerial Council (PMC). However, although the equal distribution of political power protected the interests of each party, it also led to deadlock. Along with the low level of trust between the key players, the refusal of any group to be the first to stand-down its troops and the favouritism of the Portuguese government towards the MPLA led to mounting instability which resulted in a swift resumption of civil war.

Although the FNLA quickly faded from the scene, the MPLA and UNITA ultimately sustained the conflict for some 27 years. During the course of the conflict the intensity of the violence (which took an estimated 500,000 lives), and the willingness of leaders to manipulate ethnic identities in order to mobilize support, hardened both social cleavages and the determination of UNITA and MPLA leaders to accept nothing less than total executive power.³⁶ At the same time, prolonged conflict meant that there was no period in which rival leaders could develop a working relationship; rather, the distrust between MPLA leader, Jose Eduardo dos Santos, and UNITA leader, Jonas Savimbi, grew deeper and more pronounced as the conflict went on.

The high distribution of violence and the low level of elite cohesion, along with the particularly intransigent personalities of the two leaders, made it increasingly difficult to end the conflict. Although the MPLA gained the upper hand in the mid 1970s, neither side could resolve the conflict unilaterally. However, following the end of the Cold War, and more importantly an agreement between South Africa and Cuba in 1988 that paved the way for Namibian independence in exchange for the removal of Cuban troops from Angola, domestic and international mediators engaged in a series of negotiations to bring an end to the conflict.³⁷ An early cease-fire agreement signed in 1989 quickly failed, largely because the two leaders could not agree on what would happen to Savimbi in a post-conflict Angola. Dos Santos claimed that the UNITA leader had agreed to go into exile, an account backed by Zambian leader Kenneth Kaunda but contradicted by Savimbi himself. The failure of the 1989 talks made it obvious that any successful peace deal would have to keep alive the political aspirations of both men; an agreement that did not fix the distribution of power but was designed to lay the foundations for free and fair elections in the future was the obvious solution.³⁸

In May 1991, Savimbi and Dos Santos signed the Bicesse Accords in Lisbon, Portugal. Although the Accords did not establish a formal power-sharing mechanism, they did commit the two parties to sharing responsibility for preparing the country for multi-party elections under the supervision of the United Nations Angola Verification Mission II (UNAVEM II). However, the determination of both sides to maintain their military capacity quickly destabilized the agreement and undermined the prospects for a peaceful election. While the government failed to integrate significant numbers of UNITA members into the police force, undermining Savimbi's faith in the neutrality of the state's security forces, UNITA failed to demobilize the majority of its forces prior to election-day.³⁹ After Dos Santos emerged as the dominant candidate with 49.6% of the vote in the first round, Savimbi refused to recognize the result or to contest a run-off. As tensions rose throughout the country, clashes between UNITA and the MPLA broke out in the capital, Luanda, and quickly spread.⁴⁰ Following a series of UNITA military victories in provincial capitals it quickly became clear that Savimbi had deliberately retained his forces as an insurance policy against the unpredictability of the ballot box.⁴¹

The failure of the transition programme taught international mediators, most notably the US Secretary of State Madeline Albright and the representatives of the United Nations who tried in vain to prevent a return to war, a number of valuable lessons about the fragility of power-sharing deals. Most obviously, the Angolan debacle demonstrated the importance of disarmament, the need to build trust between rival parties, and the capacity for elections to trigger, rather than resolve, conflict. Thereafter, peace negotiators sought to develop a more comprehensive power-sharing model.⁴² Under the Lusaka Protocol of October 1994, UNITA and the MPLA agreed to a ceasefire, to demobilize their troops, to send all foreign mercenaries home and to share key ministries. Yet despite its greater inclusivity and the support of Presidents Clinton, Mugabe and

Mandela, the Lusaka Protocol failed for the same reasons as its predecessors: low elite cohesion and a high distribution of violence. Once again, the absence of inter-party trust had disastrous consequences. Throughout the negotiations the MPLA stockpiled weapons and aircraft from Ukraine, Zimbabwe, and the Czech Republic, while UNITA sourced heavy artillery from North Korea. After the deal the MPLA continued to bolster its military supremacy, while UNITA refused to allow the government to take over the administration of 60 cities.⁴³ By the end of 1998 both parties had lost any faith in the ability of the power-sharing arrangement to deliver a lasting peace. In December, Dos Santos told the MPLA's fourth Congress that military victory was the only way to genuinely bring the conflict to an end.

Although the politics of distrust clearly represents a particularly problematic power-sharing dynamic with regard to peace building and democratic consolidation, there was nothing inevitable about Angola's plight in the 1990s. For example, in a number of similar cases intense international engagement persuaded distrusting rivals not to return to war. By externally monitoring of the peace deal, funding demobilization and disarmament efforts, providing peacekeepers, and ultimately overseeing elections at the end of the power-sharing process, mediators have been able to reduce the risks faced by rival parties, enabling domestic actors in countries such as Burundi, Liberia and Sierra Leone to break out of repeated cycles of violence and political breakdown.⁴⁴ However, as the case of Angola demonstrates, the gains secured during periods of international engagement have often proved to be unsustainable once the initial period of power-sharing is over and international attention moves elsewhere. Consider the recent experience of the DRC. Following 'Africa's world war' in which seven African nations were sucked into a conflict on Congolese soil that resulted in over five million deaths, mediators set about establishing a power-sharing government in 2003 to pave the way for elections scheduled for 2006. The vast size of the country, the high distribution of violence, and low levels of elite cohesion represented major challenges to the process of peace building and national reconstruction. In response, international actors including the United States, the European Union, the United Nations, and South Africa, went to extraordinary lengths to overcome the lack of elite cohesion and the ubiquitous capacity of rebel groups to restart the conflict. By 2007, the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) peacekeeping force had deployed a total of 18,400 uniformed personnel including 2000 civilian staff at a cost of over \$1 billion.⁴⁵

Although the invasive role played by donors led to accusations that the sovereignty of the DRC has been infringed, the deep engagement of international actors also encouraged rival leaders to stay within the process and made possible a credible and largely peaceful election. When Kabila beat Jean-Pierre Bemba with 58% of the vote, Bemba questioned the validity of the results but was ultimately persuaded to accept defeat and to lead the opposition from within parliament. Yet the heavy reliance on the international community to overcome the politics of

distrust meant that these democratic gains proved extremely vulnerable when donors disengaged in the aftermath of the elections. In the four years following the polls, Kabila's government progressively removed checks and balances on executive power, undermined the independence of the judiciary, and reduced parliament to little more than a talking shop. In turn, the failure to implement a system of decentralization that was designed to promote a sense of inclusion among the country's plethora of ethnic groups intensified inter-communal tension and gave opposition leaders fresh incentives to once again take up arms.⁴⁶

The politics of partisanship in Zimbabwe

Zimbabwe has not recently suffered from a prolonged civil war, but its political system nonetheless demonstrates some of the same symptoms as those exposed to long-term violence, in part because the liberation war continues to overshadow political competition.⁴⁷ The strong partisan identities of parties in Zimbabwe are the product of both the capacity and willingness of military leaders to prevent a change of government, and the refusal of Mugabe and hard-line leaders within the ZANU-PF government to countenance working side-by-side with their MDC opponents. In turn, the influence of military actors can only be understood in the context of President Mugabe's growing political vulnerability following the defeat of a draft referendum in February 2000. In response to the rejection of the referendum, which would have significantly expanded the president's powers, and the subsequent transformation of the anti-referendum campaign into the MDC opposition, Mugabe increasingly began to rely on repression and so state security forces became increasingly integral to his ability to retain power.⁴⁸

At the same time, the intransigence of ZANU-PF hardliners, and the reluctance of many MDC leaders to engage directly with Mugabe's regime, reflected a history of particularly divisive elite relations and an extremely uneven distribution of violence. First, ZANU-PF intellectuals constructed a narrative of 'Patriotic History' which made use of Zimbabwe's multifaceted liberation history to brand opposition supporters as traitors whose actions would lead to a second era of colonial oppression, thus enabling the ruling party to demonize the MDC and shore up its own flagging support base.⁴⁹ Secondly, ZANU-PF leaders deployed systematic political violence in order to create physical and mental barriers to negotiating with the 'enemy'.⁵⁰ Around the 2008 elections, the military, the police, war-veterans, ZANU-PF youth militia and supporters carried out targeted attacks against opposition supporters. During the run-off for the presidential election between Mugabe and MDC leader Morgan Tsvangirai, the ruling party launched Operation *Makav-hoterapapi* (meaning 'where did you place your vote?'), with the intention of decimating the MDC's party structures through arrests, torture, disappearances and *pungwes* (all night indoctrination vigils).⁵¹

The violence forced Tsvangirai to withdraw from the contest, leaving Mugabe the victor in a deeply flawed election that triggered fresh attempts at international

mediation. However, even after the creation of a power-sharing government in which ministerial positions were shared by ZANU-PF and two MDC factions (one led by Tsvangirai, the other by Arthur Mutambara), the deep divisions between the two camps undermined the prospects for reform. Significantly, ZANU-PF refused to actually accommodate the MDC on an equal basis: although cabinet posts were distributed roughly 50/50 between the 'government' and 'opposition', Mugabe refused to give up the presidency and sought to maintain control over the main levers of coercion, including Foreign Affairs, Home Affairs, Defence, and Internal Security. The MDC therefore had to be content with a number of less influential ministries such as Health and Education and the creation of a new post of Prime Minister to accommodate Tsvangirai.

Over the last two years, the main successes of the power-sharing government have come in the economic sphere. The country's desperate plight, combined with the clear preference of Western governments to do business with the MDC, forced ZANU-PF to allow Tendai Biti, Secretary General of MDC-Tsvangirai, to become Finance Minister in the hope that he would be able to secure international financial assistance. The combination of improved donor relations, greater political stability and the dollarization of the Zimbabwean economy served to bring hyper-inflation under control. In turn, economic stability enabled the unity government to preside over an improvement in basic living conditions.

However, the reform agenda has stalled in areas that more directly impinge on ZANU-PF's ability to maintain political control. Because Mugabe retained the presidency, the repeal of repressive legislation requires his consent in addition to the support of a two-thirds majority in parliament, effectively enabling ZANU-PF to block all reforms.⁵² Furthermore, the security apparatus remains directly under Mugabe's control and it is now unlikely that security sector reform can be achieved before elections scheduled for 2011. Perhaps most significantly, power-sharing has done nothing to halt the militarization of the state: in September 2009, Mugabe appointed eight retired military officials as new board members to parastatals under the Information and Publicity Ministry, where they are likely to use their influence to block attempts by the MDC to create a more independent media.⁵³ The commitment of military leaders to Mugabe's government is underpinned by the lavish lifestyle they enjoy under ZANU-PF: in October 2008, just a few weeks after the GPA was signed, the military seized control of the Marange diamond fields, creating a new revenue stream capable of sustaining the position and status of military leaders. Given the continued prominence of military actors desperate to escape prosecution for past human-rights abuses, the deep ideological divide between the main parties, and the failure of the government to reform the police and the Central Intelligence Organization, it is perhaps unsurprising that ZANU-PF has continued to employ widespread repression to harass the 'opposition'. Human rights defenders, journalists, and lawyers continue to be beaten, threatened, and detained⁵⁴ while senior MDC politicians have been arrested and convicted on trumped up charges. Tendai Biti even received a letter containing a live 9mm bullet and a warning to 'prepare your will'.⁵⁵

The continuation of human-rights abuses well illustrates ZANU-PF's refusal to accept either the legitimacy of the MDC or the need to genuinely reform the political system. From the very beginning of the GPA, progress on constitutional reform has been slow. While parliament was presented with an 18-month schedule for drafting a new constitution in 2009, on signing it into law 'Mugabe quietly (and without objection from the MDC) dropped this schedule.'⁵⁶ Although ZANU-PF subsequently moved to kick-start the review process by launching a period of consultation that was supposed to enable ordinary Zimbabweans to have their say, the outreach programme has been marred by widespread intimidation as the ruling party seeks to intimidate people into echoing its own wishes. According to Human Rights Watch, constitutional meetings in areas such as Harare, Bulawayo, Masvingo, Mashonaland West, and Mashonaland East 'have been marked by increasing violence and intimidation, mainly by supporters of ZANU-PF and war veterans allied to ZANU-PF' highlighting 'the lack of progress in ending human rights abuses and implementing urgently needed human rights reforms'.⁵⁷ This most recent development reflects a broader pattern in which the ruling party has manipulated violence and patriotic history to reinforce the division between itself and the MDC, playing into a form of partisan politics that has prevented the emergence of a more open political system.

The politics of collusion in Kenya

Kenya represents a classic case of the politics of collusion, in which a history of elite cohesion and a high distribution of violence ensure that security sector reform does not divide the main political parties as it has done in Zimbabwe. The introduction of a power-sharing arrangement followed the breakdown of political order after the elections of 2007, which saw a heated and close battle between Raila Odinga's Orange Democratic Movement (ODM) and Mwai Kibaki's Party of National Unity (PNU). Odinga's ability to bring together a coalition of the dispossessed, combined with the reaction of the PNU coalition to a largely Kikuyu core, meant that political competition was understood in ethnic terms and consequently the election channelled the grievances of communities such as the Luo and Kalenjin who claimed that it was their 'turn to eat'.⁵⁸

Once ODM supporters became convinced that the PNU was rigging the polls, a wave of violence engulfed the country, leaving more than 1000 dead and 300,000 displaced. Yet for all the bitterness of the contest, the rival leaders knew each other well, having previously campaigned side-by-side to remove Daniel arap Moi from power in 2002.⁵⁹ At the same time, neither party could claim a monopoly on victimhood. On the one hand, a number of groups allied to the opposition Orange Democratic Movement (ODM) perpetrated attacks on groups assumed to have supported Kibaki in the Rift Valley. Conversely, some PNU leaders played a role in the mobilization of pro-government militias in Nakuru and Kibera, while the police were responsible for a high proportion of the fatalities in Odinga's heartland of Nyanza.⁶⁰ Thus by end of the 'Kenya crisis' neither party was left without blood on its hands.

Following the inception of the power-sharing arrangement, under which Kibaki retained the presidency and the post of Prime Minister was created to accommodate Odinga, Kenya's high level of elite cohesion facilitated cross-party dialogue and resulted in progress in a number of areas, most notably on constitutional reform. The final draft supported by the government increased the powers of parliament, made the judiciary more independent, and decentralized an unprecedented share of national revenue and responsibility for service provision to district and local assemblies.⁶¹ Passing the constitution required Kibaki and Odinga to compromise on its content. Odinga accepted the removal of the post of Prime Minister and the retention of an executive presidency, arguing that Kenyans should embrace the opportunity to empower the legislature and the courts, suggesting that the struggle for further improvements was best saved for a later date.⁶² For his part, while Kibaki took care to ensure that the draft would be unlikely to undermine his power in the short-term, he resisted the urge to remove all of the clauses that threatened to restrict his power, as he had done previously.

Once the bill had been passed by parliament the draft constitution was put to a national referendum to come into law, and here old political fault-lines shone through more forcefully. In the Rift Valley, controversial Kalenjin leader William Ruto manipulated fears over land redistribution to aggressively campaign for a 'no vote', and was joined by the Christian churches who opposed the inclusion of Kadhi (Islamic) courts and a (highly restricted) right to abortion. In response, Kibaki and Odinga campaigned forcefully in favour of the draft, securing 67% of the vote for the 'yes' campaign. While the implementation of the constitution remains dependent on parliament drafting and passing a wide range of legislation that is likely to result in fresh controversy, it has already become a political reality that Kenya's leaders cannot ignore and was warmly welcomed by a range of international donors. However, their celebrations were short lived. Unexpected and unannounced, Sudanese President Omar al Bashir – wanted by the International Criminal Court (ICC) on charges of crimes against humanity – appeared in Nairobi to confer his blessing to Kenya's new political dispensation. Apparently invited by a senior PNU leader, Bashir's presence was designed to send a simple message to the international community: you can have your constitution but, as with Bashir, you will fail to prosecute us in an international court.⁶³

This impressive act of political theatre had its roots in the strategy adopted by the Commission of Inquiry on Post Election Violence (CIPEV). Fearing that the government would not act on its damning report, the Commission took the unusual step of handing a closed envelope with a list of the most senior offenders to Kofi Annan. In turn, Annan pledged to release the names to the ICC unless the government established a credible domestic tribunal. The threat that the list would be passed to an international actor immune to Kenyan political interference, the high distribution of violence and high levels of elite cohesion, encouraged leaders implicated in the post-election violence to broker anti-reform alliances that cut across party lines.

By February 2009 a new coalition had formed between William Ruto and Uhuru Kenyatta, thought by many to be Kibaki's favoured successor within the PNU.⁶⁴ This marriage of convenience brought together the two most prominent politicians believed to be on Annan's list, or to have close associates likely to be in the envelope. It was remarkable because their communities (Ruto is a Kalenjin while Kenyatta is a Kikuyu) had been involved in the worst ethnic violence. Despite deep cynicism among their supporters as to the desirability of the union, Ruto and Kenyatta effectively co-operated to frustrate attempts to end Kenya's culture of impunity. In February 2009, MPs from both factions combined forces to ensure the defeat of a bill that would have established a domestic tribunal, although many in favour of transitional justice also voted no in protest against the limitations of the legislation. The same month, a similar cross-party group of MPs combined to protect Ruto and the PNU's Energy Minister, Kiraitu Murungi, from parliamentary motions of censure over corruption allegations.⁶⁵ Although this alliance later fell apart during the referendum campaign, when Ruto's decision to campaign for a 'no' vote alienated him from both ODM and PNU leaders, the government has subsequently shown little inclination to break the ties between militias and political leaders.

The repeated failure to establish a local mechanism to prosecute senior political leaders implicated in violence and corruption threatens to undermine the progress made in other areas. Since the 2007 polls, new gangs have emerged among a range of communities who feel increasingly vulnerable in the wake of the 2008 violence, while existing gangs have been upgrading their pangas for guns.⁶⁶ At the same time, death threats against human-rights activists and the assassination in 2008 of Oscar Kamau King'ara and John Paul Oulu of the Oscar Foundation Free Legal Aid Clinic Kenya, who had been investigating allegations that the police had killed gang members without trial, suggest the emergence of a shadow state in which members of the official security nexus are able to liaise with criminal elements to eliminate individuals that threaten their positions.⁶⁷ Such developments, and the lack of progress towards a credible domestic tribunal, ultimately persuaded Annan to hand the list over to the ICC in June 2009.⁶⁸ Subsequently, the Court's Prosecutor, Luis Moreno-Ocampo, declared his intention to take on the case, and in December he announced charges against six men including Ruto and Kenyatta.⁶⁹

It remains too early to tell how the ICC's intervention will play out. On the one hand, Kibaki and Odinga may take advantage of the process to undermine the position of their political rivals, most notably William Ruto. Ruto's divisive behaviour during the constitutional referendum left him increasingly isolated and vulnerable, in part because it encouraged Kibaki and Odinga to join forces in order to ensure that the referendum passed. The success of the 'yes' campaign, combined with their mutual fear of Ruto's political ambition and capacity to unleash unrest, facilitated a gradual rapprochement between the President and the Prime Minister which may yet see them campaigning for the same ticket come 2012.⁷⁰ Indeed, by October 2010 Kibaki and Odinga had already begun working together to

undermine Ruto's electoral prospects, acting in concert with the Attorney General to suspend him from the Cabinet on the basis of the Anti-Corruption and Economic Crimes Act.⁷¹ Conversely, it is also possible that the levelling of charges against both Ruto and Kenyatta will encourage the two leaders to bury their differences and return to the 'anti-reform' alliance that protected their interests so well in early 2009. If this were to happen, Kibaki's desire to protect Kenyatta, his most likely successor, would most likely lead the President to refuse to comply with Ocampo's investigation. In turn, this would create an opportunity for all of the accused to escape justice.

Neither outcome would indicate that Kenya's political leaders are sincere about bringing an end to the country's culture of impunity. When the rule of law has been upheld it has rarely been for its own sake; rather senior political figures have instrumentalized anti-corruption allegations and the like, using them as weapons against political rivals.⁷² Consequently, the long-term prospects for peace and stability are far from rosy.

The politics of pacting in South Africa

Thus far, there are no obvious cases of a low distribution of violence and high elite cohesion leading to a pacted transition in Africa with the possible exception of South Africa,⁷³ which moved towards a negotiated transition once the leaders of the ruling National Party (NP) and the ANC came to realize that neither side could resolve the struggle between white minority rule and black nationalism unilaterally.

Although in many ways South Africa was not a classic case of pacting, it exhibited a sufficiently low distribution of violence and degree of elite cohesion to make a form of pacting possible.⁷⁴ In terms of the distribution of violence, the vast majority of the atrocities were committed by the apartheid government and its allies. However, the ANC sought to wage violent opposition through the Umkhonto we Sizwe (or MK) from the 1960s onwards and was responsible for attacks such as the Church Street bomb that killed 19 people in 1982, so the distribution of violence was not as low as in Zimbabwe.⁷⁵ Nonetheless, the relatively weak military capacity of the ANC made it relatively easy to integrate MK fighters into the security forces and contributed to the willingness of the NP government to relinquish control over the security forces in 1994.

In terms of elite relations, although the leaders of the various political factions had not previously served together in high office, and so did not enjoy the high levels of cohesion witnessed in Kenya, inter-elite tensions thawed remarkably quickly after the first white business and political leaders began to travel to Lusaka to meet with the ANC in the 1980s.⁷⁶ In the South Africa case, the quick construction of elite cohesion owed less to a history of elite accommodation, and more to the country's comparatively strong institutions and the relative absence of neo-patrimonial rule.⁷⁷ The absence of neo-patrimonialism was particularly significant, because where such informal networks were prominent,

as in Kenya and Nigeria, leaders' personal connections empowered them to manipulate formal rules.⁷⁸ In turn, the personalization of power encouraged a divisive form of winner-takes-all politics in which securing the presidency, and hence control over patronage resources, became an obsession for political leaders.⁷⁹ The lack of neo-patrimonial structures meant that South Africa's democratic institutions were more insulated from interference than those found elsewhere on the continent, and so parties were more willing to trust that judiciaries and electoral commissions would deliver impartial verdicts. In turn, this made it possible for rival leaders to trust in the system, even if they did not trust each other. The South African case thus demonstrates the extent to which stronger and more independent institutions can help leaders to foster elite cohesion in otherwise problematic settings. While recognizing this nuance is essential to a full understanding of the South African case, it does not require a revision of the comparative framework set out above, because such an institutional landscape is exceptional: in almost all cases of power-sharing in Africa institutions are compromised and weak which exaggerates the significance of personal relationships. As a result, outside of South Africa the history of elite accommodation remains the best guide to the level of elite cohesion.

In the decade following the end of apartheid, the development of higher levels of elite cohesion in South Africa fostered a range of different compromises between the ANC and the smaller parties. With regards to the NP, the ruling party effectively agreed to give up its monopoly over political power in return for the protection of minority rights, perhaps most significantly respect for white property rights. This pact, in which moderates from both sides sidelined radical voices and plotted a course of political revolution and economic conservatism, limited the radical potential of regime change, but also boosted the legitimacy of the deal within the white community. As a result, although Mandela and NP leader, F.W. de Klerk, publicly traded criticism as the constitutional negotiations stalled in the early 1990s, the ANC's history of non-racial politics and the ability of moderates on both sides to find common-ground ensured that partisan identities never undermined the power-sharing process in the way that they did in Zimbabwe. Similarly, while IFP leader, Inkosi Mangosuthu Buthelezi, feared ANC dominance and so initially rejected majority rule, the IFP was ultimately persuaded to participate in the 1993 elections, in large part because the ANC agreed to recognize the Zulu king and traditional authorities, and to give Buthelezi a prominent position in the first post-apartheid government.⁸⁰

The spirit of negotiated compromise was established during the Convention for a Democratic South Africa (CODESA) talks. Although the cross-party negotiations on an interim constitution and electoral system for the 1994 polls took three long and at times tortuous years to complete, the power-sharing agreement that resulted did much to protect each party's core interests. Clause 88 of the provisional constitution stipulated that any party which held more than 20 seats would be given ministerial portfolios and thus a share of executive power. Following their strong victory in the 1994 polls the ANC thus headed a broad-based coalition that

included NP leader de Klerk as one of two deputy presidents, Buthelezi as Minister of Home Affairs, five additional NP leaders and two additional IFP representatives. Indeed, despite winning 62.6% of the vote, President Nelson Mandela went further than the constitution required, giving ministries to a number of smaller parties that actually failed to meet the threshold.⁸¹ This is not to say that the ANC has always welcomed dissent: the ruling party has often proved suspicious of internal debate and external criticism and at one point manipulated floor-crossing legislation to make it easier to assimilate opposition MPs.⁸² But even after the end of the unity government, the ANC balanced out its more predatory political instincts by continuing to offer ministries to smaller parties: President Zuma's first cabinet even made space for the leader of the Afrikaner nationalist Freedom Front Plus.

By investing considerable resources in fostering norms of mutual accommodation, senior ANC and NP leaders were able to overcome some of the divisive legacies of the apartheid era and to build a workable consensus around a new constitutional dispensation. This was significant because the parliament elected in 1994 was intended to be a Constituent Assembly tasked with finalizing the new constitution. While the ANC had conceded a Bill of Rights and a constitutional court in order to appease the NP and had agreed to retain traditional authorities as a sop to the IFP, many key elements of the constitution had yet to be agreed, including the precise powers accruing to chiefs, the extent of devolution, and exactly how to deal with the many crimes of the apartheid era. Although many of these issues remained highly controversial, between 1994 and 1996 the unity government made steady progress, in large part because the main parties were willing to engage in a lengthy dialogue in order to arrive at legislation that was mutually acceptable. The creation of the Truth and Reconciliation Commission (TRC) appointed in 1995 illustrates this process well. By requiring full disclosure but also granting the Commission the power to declare amnesty in return for testimony, the TRC achieved a delicate compromise: while apartheid abuses were laid bare for all to see the interests of the security forces and NP leaders were safeguarded, enabling them to buy into the process. Although many resented the fact that self-confessed thugs and murderers escaped the lengthy prison sentences that their crimes deserved, the TRC played an important role in demonstrating the depth of the ANC's commitment to national reconciliation.⁸³

The ANC adopted a similarly cautious attitude towards the reform of the security forces. Concerned to maintain political stability in the context of endemic crime and high levels of pre-election political violence between ANC and IFP activists, and fearful of alienating the 'white right' (who many feared were plotting some form of military intervention), Mandela chose to largely leave existing structures intact.⁸⁴ Consequently, the South African Defence Force, the MK, and the various homeland armies that had developed during the apartheid era, were integrated within existing structures. Although ANC leaders were appointed to head the Defence and Police ministries, this process of gradual transformation meant that within the security forces many Afrikaner generals retained their posts.⁸⁵

This 'softly softly' approach enabled the government to both maintain the broad loyalty of the security forces and to establish effective control over their operations, although violent crime remains shockingly high and the police have yet to be rehabilitated.⁸⁶

The period of unity government was supposed to end with the first parliamentary term in 1999, but was prematurely curtailed by the National Party shortly after the final constitution was adopted in May 1996. Yet in contrast to Angola, where the breakdown of power-sharing reflected mutual distrust and triggered a fresh round of civil war, the NPs decision to leave government demonstrated the success, rather than the failure, of power-sharing. The NP did not quit the government to take up arms against it, but rather to establish clear water between the main parties so that it could more effectively campaign against the ANC in the next round of elections. While this strategy suggests that the NP had little faith in the ability of the ANC to run the country effectively, it also implies that the former ruling party was sufficiently confident that the rules of the democratic game would be respected that it was prepared to walk away from its position in the government in an attempt to increase its prospects of electoral success.

Conclusion

The comparative framework presented in this paper aims for parsimony and as a result has dealt with only a small proportion of the multiplicity of factors that influence power-sharing processes in Africa. A more comprehensive analysis would need to take account of the role of 'spoilers',⁸⁷ the type of violence committed during the conflict, the state of the economy, the significance of aid dependency for the traction of the international community, and the impact of competition between international actors such as China, America, and the European Union, among other issues. However, while a rounded understanding of unity governments requires a wealth of information beyond the scope of this paper, the analysis presented here suggests that a comparative framework based on variations in the level of elite cohesion and the distribution of violence can explain a great deal of the variation in the way that power-sharing plays out in Africa.

Of course, the four types of power-sharing dynamic identified here only represent generalized pathways that only tell us whether or not a given arrangement is likely to give rise to meaningful reform. There is nothing deterministic about this argument; political leaders need not be prisoners of their history. Consider the case of Burundi. In 1993, the assassination of the recently elected Hutu president by Tutsi soldiers triggered a wave of ethnic violence that led to a series of internationally brokered peace agreements that culminated in the signing of a Convention of Government in 1994. The Convention provided for a form of unity government but failed to include key rebel groups, largely ignored the thorny question of the Tutsi dominated army and did not compensate Hutu leaders who demanded that the result of the 1993 elections be upheld.⁸⁸ Although the power-sharing deal quickly broke down, Burundi did not give up on the model: over the next 10 years,

the search for a lasting peace led negotiators to broaden and deepen the provisions of the 1994 agreement in order to ensure that rebel groups would participate and not act as ‘spoilers’.

In turn, the repeated engagement of a range of domestic actors in peace negotiations gave rise to a process of elite learning that encouraged greater elite cohesion, ultimately giving rise to the 2004 Power-Sharing Agreement and the 2005 constitution which institutionalized ethnic balancing on a remarkable scale.⁸⁹ Rather than aiming for proportionality (which would have guaranteed a dominant Hutu majority within parliament) the agreements were designed to safeguard all groups by ensuring a minimum level of representation. Although many Hutu groups criticized the deal as undemocratic because it placed limits on the extent of majority rule, Burundi’s modified consociational system, along with the presence of a 5500 strong United Nations Operation (UNOB) and a war weary population, contributed to a more stable political environment and increased the willingness of all parties to accept defeat, paving the way for largely successful elections in 2005.

But although political learning and clever institutional design can help a country to plot a new trajectory, domestic actors typically struggle to break out of the dynamics identified here. Returning to Burundi, for all the progress achieved in 2005, low-level violence has continued to be a constant feature of everyday life. Furthermore, while Burundi’s leaders were able to find new areas of agreement in 2004/2005, the lack of trust between rival parties remains the main barrier to democratic consolidation: in June 2010, all of the opposition candidates pulled out of the presidential election in protest at alleged government manipulation of district elections held in May. This is deeply concerning because like Angola, Burundi, and the DRC, the majority of African cases are examples of the *politics of distrust* in which poor inter-elite relations undermines the prospects for meaningful reform.

There are far fewer cases of the *politics of partisanship* in which one party has a strong incentive to support reform but a low level of elite cohesion renders it extremely difficult to redistribute political power or coercive capacity, as in Zimbabwe. The *politics of collusion* identified in Kenya has also been relatively rare. This is perhaps fortunate, because the combination of a high distribution of violence and a history of complex elite alliances tends to encourage the formation of anti-reform coalitions which undermine efforts to end cultures of impunity. However, while these two dynamics are currently atypical, understanding them is of great import because they are likely to become more common in the near future if countries such as Togo and Uganda join the power-sharing trend.

Unfortunately, there are few examples in Africa of the type of power-sharing dynamic most likely to result in positive reform because the conditions that give rise to the *politics of pacting* – durable institutions, inter-party trust, the ability of elites to find common-ground – are typically absent following long periods of civil conflict. Prolonged negotiations in South Africa supported the emergence of one of the continent’s most open and stable political settlements, but this

outcome was heavily dependent on the prior existence of strong political institutions which encouraged rival actors to place their faith in a negotiated settlement despite initially low levels of inter-elite trust; such institutions are precisely what is lacking in countries such as Cote d'Ivoire and the DRC. Thus while unity government has frequently generated important gains in terms of short-term peace and stability, it is hard to avoid the conclusion that when it comes to constitutional and security sector reform, power-sharing is most effective where it is least needed.

This is not an optimistic conclusion with regard to the prospects for democratization in Africa. While this paper is only a first attempt to assess the last two decades of power-sharing within a common framework, it is clear that more often than not power-sharing has only achieved a temporary peace and has rarely facilitated effective action on security issues. In some cases, power-sharing has created opportunities for countries to break out of cycles of violence, as in Burundi, Liberia and Sierra Leone. But even in these 'success stories', the positive gains of unity government were only realized following a series of failed power-sharing arrangements. Furthermore, we should not forget the extent to which the successful return of these countries to multi-party politics was dependent on the willingness of donors to act as external guarantors of the process and to provide both peace keepers and election monitors. Given this, Thabo Mbeki's attempt to sell power-sharing as an African solution to an African problem rings hollow; unity governments do not tend to support the process of democratization in the absence of deep and systematic international engagement (Somaliland is a rare but important exception⁹⁰).

The spread of the power-sharing is therefore unlikely to be a boon for democracy. For one thing, the adoption of unity governments in Kenya and Zimbabwe is likely to encourage embattled incumbents across the continent to deliberately plunge their countries into democratic deadlock with the aim of negotiating a favourable power-sharing deal under which they are allowed to retain the presidency without suffering a significant reduction in the flow of international financial assistance. At the same time, international mediators are unlikely to take on board the potential dangers of power-sharing, or to limit the deployment of the unity governments to countries where they are likely to be successful, because they lack an alternative model. Consequently, power-sharing will continue to be the default response to political crises, especially in cases where the intensity of violence demands an immediate response. Finally, if the current decline in support for long-term democracy promotion in Africa among Western donors continues, future power-sharing processes may lack strong external guarantors, which will significantly increase the difficulty of rebuilding trust between rival parties. In the wake of democratic disasters in Kenya and Zimbabwe, expensive sojourns in Afghanistan, the DRC, and Iraq, and the global economic crisis during which governments have come under pressure to reduce their aid commitments, Western donors are becoming increasingly unwilling to invest the time, manpower, and resources, that are often required to make power-sharing work.

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Notes

1. Cheeseman and Tendi, 'Power-sharing in Comparative Perspective'.
2. Mehler, 'Peace and Powersharing in Africa'.
3. For more on the role of international mediators see Sisk, *Power-sharing and International Mediation*.
4. See Collier, *The Bottom Billion*; and International Crisis Group, *Scramble for the Congo: Anatomy of an Ugly War*, <http://www.crisisgroup.org/en/regions/africa/central-africa/dr-congo/026-scramble-for-the-congo-anatomy-of-an-ugly-war.aspx> (accessed October 19, 2010).
5. For a helpful discussion of the attitudes of international mediators and their consequences see Spears, 'The Limits of Power-sharing'; Roeder and Rothchild, 'Powersharing as an Impediment to Peace and Democracy'.
6. See Roeder and Rothchild, 'Powersharing as an Impediment to Peace and Democracy', for an early dissenting voice.
7. Cheeseman and Tendi, 'Power-sharing in Comparative Perspective'.
8. Curtis, 'The South African Approach to Peacebuilding'.
9. Personal correspondence with senior Party of National Unity (PNU) political advisor; see also Cheeseman and Tendi, 'Power-sharing in Comparative Perspective'; Roeder and Rothchild, 'Powersharing as an Impediment to Peace and Democracy'; and Miles Tendi in *The Guardian*, 'Power-sharing: The New Military Coup', <http://www.guardian.co.uk/commentisfree/2010/jun/01/ethiopia-africa-power-sharing> (accessed December 6, 2010).
10. Ibid.
11. *The Observer* (Uganda), 'Donors Plot Power-sharing Deal', http://www.observer.ug/index.php?option=com_content&task=view&id=5809&Itemid=59 (accessed December 11, 2010).
12. For an impressive attempt to do this see Hartzell and Hoddie, 'Institutionalizing Peace' and 'Civil War Settlements'.
13. George and Bennett, *Case Studies and Theory Development*, 233.
14. Bekoe, 'Mutual Vulnerability and the Implementation of Peace Agreements'; Hartzell and Hoddie, 'Institutionalizing Peace'; Rothchild, 'Reassuring Weaker Parties'; Sisk, *Power-sharing and International Mediation*; Sousa, 'Power-sharing Negotiations'; Vandeginste, 'Power-sharing, Conflict and Transition in Burundi'.
15. The centrality of these factors is brought out well in Sisk, *Power-sharing and International Mediation*.
16. Curtis, 'Transitional Governance in Burundi and the DRC'.
17. Lijphart, 'Democracy in Plural Societies'.
18. Spears, 'The Limits of Power-sharing'.
19. Bekoe, 'Mutual Vulnerability and the Implementation of Peace Agreements'; Hartzell and Hoddie, 'Civil War Settlements'; Rothchild, 'Reassuring Weaker Parties'.
20. Cheeseman and Tendi, 'Power-sharing in Comparative Perspective'; Sisk, *Power-sharing and International Mediation*; Sousa, 'Power-sharing Negotiations'; Vandeginste, 'Power-sharing, Conflict and Transition in Burundi'.

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21. Sisk, *Power-sharing and International Mediation*.
22. Cheeseman and Tendi, 'Power-sharing in Comparative Perspective'.
23. Lemarchand, 'Consociationalism and Power-sharing in Africa'.
24. Ibid.
25. For an interesting discussion of similar dynamics see Bekoe, 'Mutual Vulnerability and the Implementation of Peace Agreements'.
26. Such a dynamic has at times played out in Burundi, see Vandeginste, 'Power-sharing, Conflict and Transition in Burundi'.
27. Rothchild, 'Reassuring Weaker Parties'.
28. I am grateful to Maja Bovcon for helpful discussions on this point.
29. The difficult nature of inter-elite in Cote d'Ivoire is discussed in Daddieh, 'Elections and Ethnic Violence in Cote d'Ivoire'.
30. Uppsala Conflict Data Program, <http://www.ucdp.uu.se/gpdatabase/search.php> (accessed November 20, 2010).
31. I am grateful to Andreas Mehler for bringing this point to my attention.
32. Rustow, 'Transition to Democracy'.
33. For good overviews of the fate of a range of Africa's power-sharing experiments see Bekoe, 'Mutual Vulnerability'; Mehler, 'Peace and Power Sharing in Africa'; Sisk, *Power-sharing and International Mediation*.
34. See Jarstad and Sisk, *From War to Democracy*, [chapter four](#).
35. See Martin, *A Political History of the Civil War in Angola*.
36. Mair, *Angola*.
37. Martin, *A Political History of the Civil War in Angola*.
38. Ibid.
39. Ottoway, 'Angola's Failed Elections'.
40. Mair, *Angola*.
41. My understanding of Angola owes much to discussions with Ricardo Soares de Oliveira.
42. Sousa, 'Power-sharing Negotiations'.
43. Ibid.
44. For a broader discussion of the impact of international mediators see Sisk, *Power-sharing and International Mediation*.
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Notes on contributor

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Taking back our democracy? The trials and travails of Nigerian elections since 1999

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After decades of military rule, Nigeria finally returned to ‘elected’ civilian rule in 1999. However, this paper raises critical questions about the quality and depth of the resulting democracy in Nigeria by examining successive elections in 2003 and 2007. It suggests that since the transition elections of 1999, a post-military political elite has subverted democracy and has removed electoral power from the Nigerian people through a host of devices, including the manipulation of electoral processes, political institutions, and security agencies. In spite of reports by local monitors and international election observers regarding the flawed nature of both post-1999 elections, the response of the international community has ranged between symbolic and feeble protests to an ambivalent stand, to open tolerance of such ‘elected dictatorships’. In conclusion, the paper sums up the factors behind the crisis of electoral democracy in Nigeria, its implications, and the prospects of Nigerians effectively organizing to win back the right to choose their political representatives and leaders.

Introduction

The post-colonial political transition(s) of 1979, 1989 (aborted in 1993) and 1999 authored by the Nigerian military can hardly be described as involving ‘the process of establishing, strengthening, or extending the principles, mechanisms, and institutions that define a democratic regime’.¹ Ibrahim argues that the roots of post-colonial election rigging go back to the colonial era, citing the case of how the ‘British, in the 1950–1951 elections in Northern Nigeria taught the emerging political class how to subvert the people’s mandate’.² He notes that ‘the principal forms of rigging and fraud were perfected in the elections of 1964, 1965, 1979, 1983, 1999, and 2003’, remarking that Nigeria’s electoral history has been largely characterized by ‘electoral fraud and competitive rigging’.³ Drawing up a list of 15 forms of electoral fraud, Ibrahim argues that these stolen elections

resulted in the ‘subversion of the democratic process’.⁴ In this regard, the 2007 elections like those of 2003 were flawed and did not represent the democratic will of the electorate. Local monitors and international observers were unanimous in the condemnation of the malpractices they observed during both the 2003 and 2007 elections.⁵ Thus, they confirmed that ‘Nigeria’s muddled elections’⁶ had stymied the possibilities for democratic transformation, and may continue to do so in the next decade.

As Nigerians go to the polls in 2011 to elect another government, the critical question is: will the 2011 elections be radically different from the preceding ‘imperfect’ elections in 2003 and 2007? This paper raises critical questions about the form and depth of electoral democracy in Nigeria by examining the impact of the post-1999 elections of 2003 and 2007 on the transfer of power from ‘unelected’ military to ‘elected’ civilian rule, and on the prospects for democracy in the country. The paper also conceptualizes elections in Nigeria not just as a political process through which citizens may ‘freely’ choose their leaders, but as sites of struggle between dominant class or elite interests which are intent on retaining power by any means and at whatever costs, and those seeking popular transformation in which elections serve the broad emancipatory and welfare interests of the majority of Nigerians.

In answering these questions, one of the most important issues that needs to be considered relates to the nature and content of the (military-led) transition to democracy. Equally essential is the question of which social forces or classes own, or are immersed in, the struggle over the democratic project. Analysing the post-1999 elections in Nigeria is important because it allows us to determine the extent to which they have contributed towards democratic consolidation, or instead if they have been hijacked by the dominant governing elite subjecting the electoral procedure to a disembowelled act of ‘voting without choosing’.⁷ Of note are the roles played by the military, the political parties, and civil society in either advancing or subverting the democratic project. Also relevant is the observation by Mustapha that, ‘Nigerian democratization remains fraught with disputes over fundamental issues and mired in undemocratic methods of contestation’.⁸ The above mentioned issues and actors have all contributed towards laying the basis for the political scenarios that are likely to play out in the run up to, and during 2011, when the political ‘gladiators’ will be locked in another bitter contest or ‘do or die’ elections,⁹ (quoting from then President Obasanjo’s speech at a local Peoples Democratic Party (PDP) meeting before the 2007 elections), to determine who will exercise power over this oil-rich state.

Although the 1999 election marked the formal end of military authoritarianism in Nigeria’s political history, this democratic opening, after two bitterly contested and incrementally controversial elections in 2003 and 2007, suggests that Nigeria has experienced a political transition *without a democratic transformation*. The post-military transition process in the country has been imposed from the top by a dominant elite fraction keen to protect its vested interests. This transition-without-change has been instrumental in creating an elite democracy that has

been imposed from above in order not to threaten the power-base and interests of the hegemonic fraction of the Nigerian ruling elite.

Thus, the political elite – in a context of ‘competing ethno-regionalism’,¹⁰ a socio-economic crisis and militarized political culture – has largely deprived the majority of Nigerians of the freedom or right to choose their government by turning elections into ‘occasions for the subversion of democratic processes’.¹¹ This hijacking of the democratic project underscores the persistence of high stakes and the militarization of politics in the context of a ‘democracy-from-above’ or ‘civilian authoritarianism’ that seeks to subvert or block the prospects for political participation, accountability and grassroots democratization.

As sites of political struggle, elections are an important aspect of the political process and need to be analysed in the context of the contestations that underpin political transitions, rather than the usual perspective of being a process of voting as an expression of choice. The efforts and the nature of resistance put up by some opposition and pro-democracy groups that contest and mobilize against the political depredation and impunity of the ruling elites are often ‘invisible’, including the few but significant victories where such efforts make the ‘votes count’.¹²

In order to address the issues raised in this introduction and to examine the quality and depth of democracy in Nigeria, the paper proceeds as follows. In the next section the paper explores the linkages between elections and democratic transitions in a conceptual manner. A third section examines how post-1999 elections reflect the contestations which underpin electoral democracy in Nigeria and explains why Nigerian elections have been largely subverted by the dominant elite. The last and concluding section sums up the arguments and reflects upon Nigeria’s democratic prospects for the future.

Elections and democratic transition in Nigeria: a conceptual note

Electoral democracy in Africa and Nigeria has been influenced by the aspect of liberal democratic discourse that relates to multi-partyism.¹³ This perspective of procedural democracy tends to focus on free, fair and competitive multi-party elections,¹⁴ based on universal adult suffrage and basic civil and political freedoms guaranteed by the rule of law and as laid down in the constitution. It also draws justification as a political system that builds bulwarks to protect against arbitrary rule, autocracy and oppression.

According to the *Freedom in the World 2009 Report*, electoral democracy is based on the existence of four conditions: ‘a competitive multiparty political system, universal adult suffrage for all citizens, regular elections conducted in conditions of ballot secrecy and reasonable ballot security, and in the absence of massive voter fraud that subverts the public will and significant public access of major political parties to the electorate through the media and through generally open political campaigning’.¹⁵ Adejumobi notes that ‘conceptually, elections symbolize popular sovereignty and the expression of the “social pact” between the state

and the people, defining the basis of political authority, legitimacy and citizens' obligations'.¹⁶ He then underscores the importance of elections as 'the kernel of political accountability and a means of ensuring reciprocity and exchange between governors and the governed'.¹⁷

However, some scholars have argued that elections have proved to be susceptible to manipulation, abuse, false assumptions and ambiguities,¹⁸ while the radical critique notes that 'elections constitute a system of political and ideological reification of hegemony of the dominant class'.¹⁹ An important issue that relates to Africa and Nigeria in particular is whether elections have so far represented a political 'opportunity for citizens to advance their economic and social rights'.²⁰

Of particular note in the African context, is the premium that international democracy-promoters have placed on the importance of free and fair multi-party elections, accountability and constitutional rule.²¹ However, this perspective often ignores the reality that elections often fall within the 'menu of manipulation',²² through which incumbents or hegemonic groups hold on to power. Ninsin notes that, 'the ruling class has reduced elections to an intra-class contest' and further observes that, 'they have ingeniously developed mechanisms for appropriating it to advance their long-standing project of political and economic domination of the majority'.²³

As Ake notes, the ruling elites perceive democracy as more of a means than an end, a strategy for power, while for the masses it is a struggle for socio-economic emancipation and democratic inclusion.²⁴ Thus, democracy for the elite arguably is reduced to the business of keeping or negotiating power for narrow ends. As Cheru argues, 'democracy cannot take root when political parties and leadership lack a deep commitment to promote the interests of the African poor'.²⁵

The foregoing conceptual discussion suggests that electoral democracy is a very limited form of democracy, even by the standards of liberal democracy being promoted internationally. It also provides a context for a critical analysis of a 'captured' form of electoral democracy that has foisted the dictatorship of a (minority but dominant) political elite on Nigeria since 1999, without losing sight of the struggles of political forces also seeking to push an alternative project of democracy-from-below and political transformation.

The crisis of democracy in Nigeria since 1999

The persistence of violence and electoral irregularities that have marked the post-1999 transition elections in Nigeria are signs of a more fundamental crisis of democracy in the country. It is noted that 'the political party and electoral system are in shambles and inadequately regulating political competition'.²⁶ The evidence suggests that since 1999, the ruling PDP has been able to consolidate its lead over a few other contenders: the Action Congress of Nigeria (ACN), All Nigeria Peoples Party (ANPP), Progressive People's Alliance (PPA) and All Progressives Grand Alliance (APGA), and a largely weak and divided opposition.

Although Nigeria has about 63 registered political parties,²⁷ most of them are dormant or inactive, except, perhaps shortly before, and after elections. In Ibrahim's view, most of these parties 'exist for two reasons – to collect grants from INEC or as fall back party for the godfather that might be dethroned from their current party, mostly, from the PDP'.²⁸ He also notes that 'the integrity of the voting process has been degraded steadily'.²⁹ What this implies, is the subversion of the fundamental principle of the sovereignty of the people (voters), resulting in their alienation from the political process. As Mustapha aptly puts it, 'elections in Nigeria have not promoted voters' choice, accountability or a credible means of deciding which group of elites will rule'.³⁰

Thus, rather than the people participating in elections as an expression of the *sovereign will*, they are reduced to *spectators*, or worse, victims of a complex political construct that favours hegemonic fractions of the elite, and disempowers the majority. Commenting on his experience in the 2007 and 2009 re-run elections, Kayode Fayemi an ACN gubernatorial candidate in the Ekiti state who lost appeal cases at an election tribunal against the repeated award of electoral victory to his PDP opponent after flawed elections (before he was finally handed his deserved victory after three and a half years of litigation by the appeal court in November 2010), referred to 'five gods that had to be appeased' to win elections in Nigeria.³¹

These 'gods' were: the Independent National Electoral Commission (INEC), the security agencies, the judiciary, money, and political 'godfathers'. Curiously, no mention was made about the people or voters, as in the warped logic of such 'managed' elections the people are prised out of politics.³² In the next section, the various contradictions underpinning, and limiting the effectiveness of pro-democracy groups in the struggle for democracy in Nigeria are explored.

Taking back democracy: impact and limitations of the pro-democracy movement

Nigeria has a history of a robust pro-democracy and human rights movement that successfully mobilized against military rule and contributed to the country's return to democratic rule in 1999.³³ However, its performance and impact on expanding the democratic space and defending political rights since then have been mixed. Part of this can be linked to the challenges emerging from the changed terrain of struggle from military to non-military rule. The return to democracy contributed to new divisions in the pro-democracy movement between those that did not accept the legitimacy of the military transition and preferred the Sovereign National Conference option, those that adopted a position of advocating for democratic constitutional reforms, and others that decided to engage with an imperfect democracy. The latter joined and worked from within existing parties or formed their own parties, for example: the United Alliance for Democracy transformed into the Democratic Alternative Party, a faction of the Nigerian Labour Congress (NLC) formed the Labour Party, while other activists were instrumental to the

formation of the National Conscience Party (NCP), the Movement for Democracy and Justice (MDJ), and the Peoples Redemption Party (PRP).³⁴

Since 1999, the main focus of pro-democracy groups has been on constitutional reform, election observation, electoral reform, accountability, and the liberalization of party registration. Thus, organizations such as Citizens Forum for Constitutional Reform (CFCR) emerged to struggle for constitutional reform, while civil society coalitions like the Transition Monitoring Group (TMG), Alliance for Credible Elections (ACE), and Domestic Election Observation Group (DEOG) observed the 2003 and 2007 elections and produced reports detailing the extent of electoral fraud.³⁵ On the basis of these reports they mobilized for electoral reform to ensure free and fair elections. In the same regard, National Civil Society Coalition Against the Third Term Agenda (NACATT) was formed to mobilize against Obasanjo's bid to change the constitution to grant him a third term in 2006. Some faith-based organizations also participated in the activities of the pro-democracy coalition.³⁶ Most recently, the Save Nigeria Group (SNG), the Coalition of Democrats for Electoral Reforms (CODER), and the Civil Society Coordinating Committee on Electoral Reform (CSCC), among others, have emerged to mobilize Nigerians to struggle for electoral reform and constitutional democratic governance.

It should be noted that the impact of the pro-democracy movement on the quest for free and fair elections, and electoral and constitutional reforms has been limited, not least by contradictions within the movement, its heterogeneity, and the inability to reach a socially-rooted broad consensus on the best strategy for political transformation. As suggested earlier, the movement did not have a clear strategy for engaging the democratic struggle after 1999. As time went on, some factions took on ethnic or communal agendas as illustrated by the emergence of the O'Odia Peoples' Congress (OPC), the Campaign for Democracy's (CD) early mobilization activities in south-west Nigeria,³⁷ and the activities of Civil Liberties Organization (CLO) and Environmental Rights Action (ERA) with ethnic minority activism in the Niger Delta – a pattern that was replicated in other parts of the country.³⁸ Even professional groups that identified with the pro-democracy movement such as the Nigerian Bar Association (NBA) were not completely immune from ethnic and regional influences given the ways in which issues of participation and zoning of offices reflected regional considerations. The concentration of non-governmental organizations (NGOs) and activist organizations in the urban centres (particularly Lagos, Port Harcourt, Abuja, Jos and Kano) also meant that they have an urban bias, and faced major challenges when it came to facilitating nationally-coordinated programmes or campaigns. Other problems included divisions, personality differences and in-fighting within the movement, weak levels of institutionalization, changes in the global context, donor-dependence, and the problem of some individuals making a career out of activism in a context where 'technical competence rather than political commitment became the major requirement'.³⁹

In spite of its limitations, the pro-democracy movement has recorded some achievements, including the prevention of the tenure elongation project of

Obasanjo, and keeping the spotlight on corrupt politicians through the use of internet-based journalism and social media. Also, its activism for electoral and constitutional reform has led to some modest results, including keeping democratic reform at the front of national discourse, particularly the electoral reform bill that was eventually passed by the National Assembly and signed into law by President Jonathan in August 2010. However, the unsuccessful attempt by the Jonathan presidency to introduce additional amendments to the new Electoral Act in October 2010 arguably emphasizes the fact that some sections of the political establishment and the ruling elite are not willing to give away their privileges; nor do they want amendments that may limit or deny incumbent power holders' capacity to use public resources and leverage over public institutions and political parties for political ends. It also shows that rather than being homogenous entities, political parties have been divided along sectional lines that reflect competing interests between those holding political offices as members of the executive at various levels, the legislature, and others outside the orbit of political power. This partly explains why the president's proposed amendments were rejected by a National Assembly in which his party had a majority, partly because most legislators felt that the amendments did not cater for their personal political interests.

Military go, civilians enter: power without change

Nigeria's post-military transitions demonstrate the contradictions embedded in a democracy authored by military generals and their civilian political allies. Nigeria has a long history of military coups, for example in January and July 1966, 1975, 1983, 1985 and 1993. Through these coups, the top hierarchy of the military seized power and gained access to immense oil revenues. As a result, the military institution became highly politicized and those officers that took public office rapidly transformed into part of the ruling elite, working together with civilian bureaucrats, businessmen and proxies to establish a politico-economic base.⁴⁰ In spite of an avowed commitment to national unity, the politicization of the military also meant that they ended up reproducing the old ethno-regional and regional divisions that pre-dated military rule, albeit in a context of a fragile power-sharing arrangement marked by intense competition and instability, which persisted in the post-transition era undermining stability and democracy.⁴¹

As such, the democracy designed by the military, the custodians of the coercive apparatus of the state, included the transfer of a 'militarized' political culture that reflected a command-and-obey ethos to the democratic arena.⁴² In this regard, the political game has been largely bereft of concrete issues, ideology, principles, or a clear national vision, and instead it has been seen as a high-stake contest for raw power and resources, with elections viewed as 'war by other means', and electoral victory, a 'do-or-die affair'.⁴³

Thus, military rule – and its programmed political transition in Nigeria has been driven by three logics: the centralized control of power over national

resources, the protection of the departing military rulers from possible prosecution by the succeeding democratic government, and the control of state power by a small group led by a Commander-in-Chief.

By intervening in politics and determining the character of political succession, the hegemonic faction of the military elite militarized Nigerian politics and society and drained politics of any substantive democratic content or popular participation. Such politics is characterized by impunity, corruption and 'zero-tolerance for opposition or competition' in what Omotola has aptly named 'garrison democracy',⁴⁴ or what Mustapha describes as the continuation of the 'personalization of powers characteristic of the military era'.⁴⁵ This personalization of power by political elites, coupled with a culture of political violence and disregard for the rules of the game, including court orders in some cases, has been particularly problematic for Nigeria's electoral democracy. It also helps to partly explain the rather high levels of violence in the run up to the 2011 elections in some parts of Nigeria.⁴⁶

The Nigerian political elite: militarized civilian alliance-building?

Although the Nigerian political elite is a product of Nigeria's tumultuous political history, more recently it has become an ally of a highly politicized faction of retired military officers that has been incorporated into the dominant ruling elite. This is partly because ex-military officers have 'assumed pivotal positions within the society, particularly in government and politics, the bureaucracy, the worlds of commerce, business corporations, or companies and even agriculture'.⁴⁷ The result has been that 'the retired military used its strong financial muscle to peddle influence and build up a formidable constituency in the politics of the 4th republic'.⁴⁸ The incursion of the 'military-business complex'⁴⁹ into politics has also resulted in the partial militarization of the elite's political practices: opportunism, impunity, the resort to coercion or violence to pursue political projects, intolerance of opposition, personalization of power, lack of accountability to the people and the wilful manipulation of political structures and processes to promote selfish and narrow ends.

This militarization of elites has found expression in the premium placed on the use of violent, rather than non-violent methods in political transactions. This is illustrated by the situation where these elites have funded and mobilized armed thugs to unleash violence on opponents during party primaries, and voters during post-1999 elections.⁵⁰ But also in the run up to the 2007 elections, when over a hundred people were killed in politically-motivated circumstances, including the assassination of two governorship aspirants (in Lagos and Ekiti states), on the platform of the ruling PDP.

In an ethnically diverse country such as Nigeria, the militarization of politics has been complicated by ethnic, religious and regional identities and cleavages, which have fuelled tensions and grievances within larger society. As a result these various identities are used by competing groups to violently express

grievances, stake claims, or mobilize against perceived political marginalization.⁵¹ Such issues have featured in the conflicts that followed the adoption of sharia law in most states in Northern Nigeria, the ethno-religious conflicts in Central Nigeria's Plateau state, which have resulted in the death and displacement of thousands of people since 2004, and the insurrection by ethnic minority militias agitating for a greater share of oil revenues in the oil-rich Niger Delta since 2006.⁵²

Suleiman notes that the 1999 elections returned former military general and head of state, Olusegun Obasanjo, to power as a civilian president.⁵³ A number of wealthy retired generals were among those that funded Obasanjo's political campaign in 1999. These included: Ibrahim Babangida (former military president), Theophilus Danjuma, Muhammed Gusau and Muhammed Wishishi.⁵⁴ In 2003, Obasanjo defeated another former military head of state, Muhammadu Buhari (candidate of the ANPP), a former military general, ex-minister and senator, Ike Nwachukwu (NDP), and another former military officer and leader of the abortive Biafran secession, Emeka Ojukwu (APGA), among other candidates, to be re-elected president.

Moreover, a number of retired military generals initially expressed interest in running for the presidency in 2007. Within the ruling PDP, these included: Ibrahim Babangida, Ebitu Ukiwe and Mike Akhigbe (former Chiefs of General Staff), Mamman Katangora (former Minister of Works and Housing), Aliyu Gusau (former National Security Adviser) and Buba Marwa (former governor of Lagos State).⁵⁵

The current president of the Nigerian senate David Mark is a retired army general, a former military state governor and Minister for Communications, while the Speaker of the House of Representatives, Oladimeji Bankole, had studied military techniques at the Officer Training College, University of Oxford in 1991, where he served in the Artillery Corps.⁵⁶ Furthermore, a number of serving state governors are also retired senior military officers: Olagunsoye Oyinlola (recently sacked from office on the orders of an appeal court in November 2010) of Osun state (former military governor of Lagos state), Jonah Jang of Plateau state (former military governor of Benue, and Adamawa State), and Murtala Nyako of Adamawa state (former Chief of Navy Staff, and former Deputy Chief of Defence Staff). Two other governors also have paramilitary backgrounds: Adebayo Alao-Akala of Oyo (former police officer) and Usman Dakin Gari of Kebbi (former customs officer). Other former military and paramilitary officers have elected to the National Assembly, or appointed to government positions at the federal and state levels.

In spite of the prominence of some ex-military officers in democratic governance between 1999 and 2007, the inability of an imperial presidency to resolve the critical political challenges facing the country – such as the manipulation of ethnic or religious identities to exclude some Nigerians from accessing their citizenship rights, demands to restructure the federation to give people a greater role in running their own affairs, and the demands of Niger Delta ethnic minorities for redress in terms of greater access to oil revenues in Nigeria's highly centralized fiscal federalism – has complicated matters. Rather, the president at the time

alienated several critical constituencies, and resorted to the use of intimidation to suppress or neutralize perceived opponents, which further reinforced the complex political challenges facing the country.⁵⁷ Even after he failed to alter the constitution to get an unprecedented third term, Obasanjo (with support from then PDP chairman Ahmadu Ali, a retired general and former minister) influenced the party primaries using a combination of strong persuasion and the anti-corruption Economic and Financial Crimes Commission (EFCC) to ‘convince’ all candidates,⁵⁸ except the one he favoured, to step down at the last minute. In this way, he was able to pave the way for Umaru Yar’ Adua, his anointed choice and brother of his friend, the late general Shehu Musa Yar’ Adua, to claim the presidential ticket of the PDP.

The same EFCC had been used by the president against his deputy Atiku Abubakar (a retired customs officer), who was accused of disloyalty and corruption, particularly after it was reported that he nursed presidential ambitions and had decided to pursue his presidential aspirations under the platform of another party.⁵⁹ Atiku was indicted by the EFCC and a specially-convened committee and barred from the elections by the INEC until the Supreme Court ruled five days before the election on 21 April that the INEC had no such powers to exclude him from the ballot.⁶⁰ The manipulation of political and electoral institutions under the president’s watch in an effort to exclude Atiku from the 2007 elections and instead ensure victory for the PDP, and his anointed successor, severely undermined those same political, democratic, and electoral institutions and processes.

It is apposite to reiterate that rather than being a coherent group, the political elite in Nigeria have remained divided along personal, ethno-regional and regional lines. In place of issue-based politics based on popular-rooted programmes, political elites have largely been occupied with calculating how to gain and retain power and resources, excluding other contenders, or with defining opposition politics solely in terms of removing, and taking the place of those in power.⁶¹ This explains why it is difficult to differentiate between levels of violence and manipulation of elections within a single party, particularly the dominant PDP, but also in smaller parties in power in some states, such as ACN, APGA and ANPP. It also explains why those who lose out in intra-party power struggles often cross to the rival party or set up a new one which they can abandon once the conditions in their old party turn favourable. Illustrations of this include the cases of former Vice President Atiku, who returned to the PDP from the ACN (after losing the 2007 presidential elections), and the governors of Abia and Imo states, Theodore Orji and Ikedi Ohakim, who returned to the PDP from the PPA and APGA (on whose platforms they won governorship elections in 2007) respectively.⁶² The ambivalent and opportunistic nature of the political class, which is divided and fragile, yet powerful and determined to monopolize power and control of resources, tends to fly in the face of democratic norms, and undermines the possibility to reach a consensus on a progressive equitable social basis and national vision for Nigeria’s democratic project.

The party machine, the godfather, and the godson: an unholy trinity

Perhaps nothing explains the perversion of the party system and the electoral democratic process in post-1999 Nigeria more than the increase in the phenomenon of the ‘political godfather’ and the instrumentalization of political parties by ‘political entrepreneurs’.⁶³ This trend towards ‘party machine politics’ has meant that the leadership of mainstream political parties – rather than fulfil their roles of creating political structures to aggregate the views and demands of the electorate, campaign on the basis of providing viable alternatives, clear ideologies and visions of social transformation – tend to have only one mission: to become structures for ensuring victory at the polls, using whatever means, at whatever costs.

Although political elites at the federal and state level lie at the heart of ‘machine politics’, one particularly critical player in this network of party power is the so called political godfather. Political godfatherism ‘is constructed on the belief that certain individuals possess considerable means to unilaterally determine who gets a party’s ticket to run for an election and who wins in the electoral contest’.⁶⁴ The elements of manipulation, financial muscle, and the use of violence, corruption and grassroots connections, are also discussed extensively in studies on godfatherism by Omotola⁶⁵ and Albert.⁶⁶

Most godfathers have a past that connects them to powerful individuals in government, either as colleagues, friends, contractors or protégés. These connections both in the past and the present provide them with patronage, resources and protection, but they also have some considerable following in their localities and states based on media connections, and philanthropic or populist gestures. Known godfathers such as Arthur Eze, and Lamidi Adedibu, had links with the Babangida and Abacha military regimes, which was carried over to the post-1999 period, while Chris Uba an erstwhile protégé of Eze, benefited from the closeness of his brother, Andy, to power, as an aide to President Obasanjo. Chris Uba and Lamidi Adedibu were so influential,⁶⁷ that then chairman of the PDP, Ahmadu Alli referred to the latter as a ‘garrison commander’ after his thugs temporarily sacked a sitting governor (an erstwhile Adedibu godson who had fallen from favour) from office and destroyed state property without being called to account. Ngige was to also suffer a similar fate after he fell out with his political godfather, Chris Uba.⁶⁸

Following the same logic, the ‘godson’ is defined as the godfather’s political protégé, whose sponsorship and illegitimate ascension to political office (power) is largely predicated upon an agreement to return the favour to his sponsor in terms of resources and patronage.⁶⁹ Ibrahim describes godsons as ‘people with unlimited greed and avarice... an expression that suggests mistrust – and indeed – disdain for democracy’.⁷⁰ Supporting his position on godfatherism, Ibrahim quotes Chris Uba, a one-time political godfather in Nigeria’s (south east) Anambra state, who in a moment of post-election victory-induced hubris noted, ‘I am the greatest godfather in Nigeria because this is the first time an individual single-handedly put in position every politician in the state’.⁷¹ Godsons who try

to violate the terms of their pact like Ladoja of Oyo, and Ngige of Anambra however, have to face the full wrath of their godfathers, who know that they cannot be held accountable for their actions.

Godfathers are the very anti-thesis of democracy; they act with impunity, intimidate or exclude voters from the electoral process,⁷² and their use of violence and corruption completely subverts the norms of accountability and participation that constitute key elements of electoral democracy. This partly explains why the major political parties in Nigeria have so far been unable to act as purveyors of democratic politics. For all intents and purposes, this ‘unholy trinity’ constitutes an important actor within the anti-democratic forces that have hijacked the political process, and continue to undermine popular participation in governance as Nigeria moves towards elections in 2011.

The Independent National Electoral Commission (INEC) and Nigeria’s elections

An analysis of the role and politics of the INEC in the trials and travails of Nigeria’s electoral democracy is critical to any understanding of how the country’s democratic project has been hijacked and subverted in Nigeria. As such, it is important to understand the level of autonomy and the neutrality of the INEC as an electoral management institution in ensuring the orderly, fair and efficient conduct of elections facilitating the process whereby those freely chosen by voters become their representatives and leaders. Although the INEC has the constitutional role of supervising and conducting elections at the federal and state levels, there are certain structural characteristics that impinge upon its ability to act as a neutral arbiter and manager of the electoral process.⁷³ These relate to the level of its autonomy (from the executive), its capacity to conduct elections, and its neutrality.

Two aspects of the 1999 constitutions contained ‘booby traps’ for the autonomy of the INEC. According to Section 14 of the Nigerian 1999 constitution, the president has the power to appoint the Chairman of the INEC and the Resident Electoral Commissioners (RECs) of the 36 states of the federation. Moreover, the INEC is funded through the Federal Ministry of Finance, whose minister is an appointee of the president. These two factors have made the INEC susceptible to the influence of the executive arm of government, as the former depends on the latter for appointments and funding. It has also given the president the space to use his discretion to appoint party sympathizers or loyalists as electoral officials. The executive is furthermore able to use its control of the resource flow to the INEC as considerable leverage over the electoral body.⁷⁴ In spite of the enactment of the 2006 Electoral Act, the power relations between the executive arm of the federal government and INEC have continued to favour the government.⁷⁵

Several studies and reports have shown that the INEC was largely inept in preparing for, and conducting elections particularly in 2003 and 2007. Indeed some have alleged that the INEC was part of a plan for setting up the 2007 elections for failure.⁷⁶ In the run-up to the 2007 elections, the INEC could not properly

manage the voter registration exercise. Just as the process of registration for the 2007 elections was under way there were reports of the discovery of a number of the INEC data capture equipment in the private residence of Adedibu, a known political godfather in Oyo state.⁷⁷ Moreover, although the reports were not denied, the issue of how he came by the possession of the INEC voter registration materials and what they were doing in his house did not lead to his prosecution. The foregoing underscores both INEC's lack of autonomy from the 'Imperial Presidency', and its institutional weaknesses and inability to cope with the task of organizing credible elections.

Evidence pointing to the INEC's sloppy handling of the 2007 elections is well known and will not be repeated here.⁷⁸ But what it suggests is that, the electoral institution's poor performance had a deleterious impact on the quality, credibility and legitimacy of the post-1999 elections. However, in defence of the INEC's poor performance in the 2007 elections, its spokesperson Andy Ezeani, blamed the political elite, noting that, 'so much depends on the attitude and decision of the Nigerian politicians and candidates in elections. As long as they see elections as a do-or-die affair, with loads of money to subvert the system on the one hand and weapons on another (sic) to destroy those who share different views, the chances are that election malpractices will continue'.⁷⁹ This position on the INEC's 'helplessness' against a desperate political elite amounts to passing the buck, and is not of much use in addressing the democratic deficit.

However, the appointment of Attahiru Jega as the new INEC Chairman has raised hopes that the 2011 elections would be held under an electoral commission with a credible leadership.⁸⁰ Jega has a proven track record as a former leader of the academic staff union,⁸¹ a vice chancellor, and as someone with strong connections with pro-democracy civil society groups in the country. There is no doubt that the new INEC leadership will face a lot of challenges, but its ability to organize credible elections with results that reflect the will of the electorate will be central to Nigeria's democratic fortunes in 2011 and beyond.

International democracy promotion and post-1999 elections in Nigeria

Nigeria's post-1999 elections have all taken place in a global context where international support for democracy has gained wide legitimacy and attracted a lot of resources. The relevant issue is the extent to which such international support has helped the Nigerian democratic project. An analysis of the character, extent and impact of international election observer missions to Nigeria during the 1999, 2003 and 2007 elections provides a good context for evaluating the impact of international democracy support on the country.

According to Kew,⁸² who observed the 1999 elections, both the presidential and national assembly polls 'in a third of the states were massively corrupt'. His views on the elections were echoed by the report from the Carter Centre and NDI (1999)⁸³ and other international monitors. However, in spite of the shortcomings noticed during the elections, the international community adopted the attitude

of living with the flawed elections in so far as this precluded the military from having an excuse not to give up such power.⁸⁴

The international response to the 2003 elections was not different, even though the EU Observer Mission in its final report concluded that the 2003 elections ‘were marred by serious irregularities and fraud’.⁸⁵ As in 1999, in spite of the flawed nature of the elections, the international community decided to live with the results, and instead suggested corrections against future recurrence of irregularities, while accepting the outcome of the elections.⁸⁶

Given the high stakes involved in the 2007 elections because it represented the first civilian-to-civilian transfer of power at the presidential level in Nigeria’s political history, pro-democracy groups and the opposition raised an alarm early enough on the plans of the incumbent dominant party to subvert the electoral process.⁸⁷ In spite of this alarm, the elections were stolen in a most brazen manner. In its report, the EU Observer Mission echoed the same views as those of Nigerian civil society-based election monitors, such as the Domestic Election Observation Group,⁸⁸ and concluded that ‘the 2007 state and federal elections fell far short of basic international and regional standards for democratic elections’.⁸⁹ In spite of this the ‘international community stopped short of calling for a re-run of the elections or to refuse to recognise the government brought to power through the flawed process. Instead, it opted to encourage those who lost the elections to resort to legal means in seeking redress, and made recommendations for electoral reforms to guide future Nigerian elections’.⁹⁰

The international response to the flawed Nigerian elections demonstrates the ambivalence of the leading Western governments and buyers of Nigeria’s oil and gas towards democracy in the country. It would appear that the economic, geopolitical, strategic and security interests of the international community, seem to come before the rights of Nigerian citizens to freely elect their leaders and representatives. In response to this ambivalence, the dominant Nigerian elite has learnt that by sticking a legitimizing ‘fig-leaf of democracy’ on its control of power and by guaranteeing the core interests of its transnational partners and the world’s most influential governments or powers, it can continue to manipulate elections, insofar as the outcome did not threaten stability or international security.⁹¹

Conclusion and prospects

In sum, since 1999, Nigerian politics has been saddled with ‘despots masquerading as democrats’⁹² in spite of holding regular elections. These mainly domestic forces have, with the complicity of sections of the international community and transnational partners who are keen to protect strategic and economic interests, perverted the electoral process. As a result, the essence and core norms of democracy as a modality for the participation of the majority of the population to choose their leaders and to hold them accountable have been undermined. Nigerian voters have in most instances been reduced to spectators, voting but not choosing,

ruled, but not represented, in what has really been the government of a minority (dominant elite) over the majority: a democracy-garbed dictatorship.

The country has been stranded between ‘authoritarianism and democratization’.⁹³ In spite of the rather bleak picture that emerges from the post-1999 elections so far, the struggle for democracy in Nigeria is far from over. Since 1999, the incumbent party in power, the PDP, has emerged as the leading political force with victories declared in its favour during the 2007 elections at the presidential level (as in 1999 and in 2003), in 28 out of 36 states (two subsequently reversed by the law courts), winning 85 out of 109 seats in the senate, and 260 out of 360 seats in the House of Representatives. The PDP party machine increased the number of seats and states under its control in 2007, as other parties lost theirs (though they also regained a few based on court rulings). The dominant elite is driven largely by selfish and narrow group interests, and through the manipulation of political institutions, corruption and violence, appear to have successfully stolen the vote from the people in 2003 and 2007. However, the reality is that there has also been some resistance, and in a few notable cases, the electorate successfully organized to defend their votes.

For instance, during the 2007 elections, in Lagos and Kano, the people were able to defend their vote and elections reflected their will.⁹⁴ In other cases, such as in the gubernatorial elections in Ondo, Edo, Ekiti and Osun states, stolen electoral verdicts have been reversed by court rulings in favour of those that won the elections.⁹⁵ Although, the court cases dragged on for three and a half years, the tenacity of the victims of stolen elections, the support of pro-democracy groups and media, and recent developments within the political establishment and INEC, ensured that justice was eventually served. It should be noted that although the overwhelming evidence from DEOG Election and EU Observer reports suggest that PDP stole elections in 2003 and 2007,⁹⁶ the other parties may have not been entirely innocent of rigging elections, particularly in the few strongholds where they enjoyed the advantage of incumbency, grassroots mobilization, and control of state and local resources. As a former governor recently noted with regard to the rigging of elections ‘this is not a PDP thing... it happens throughout the country, whether its Action Congress or APGA, it’s the same thing. We are all the same’.⁹⁷

As the 2011 elections approach, the dominant party, the PDP, remains intent on winning at all cost, even though the unity of the party has been somewhat weakened by internal wrangling along ethno-regional lines and competing political interests over the distribution of political offices and potential access to power and resources. On the other hand the political opposition, weakened and fractionated, is equally intent on ensuring that it is not steamrolled by the PDP ‘machine’. Several factors connected to the emergence of Goodluck Jonathan, a southern minority politician from the oil-rich but marginalized Niger Delta, as president (and a leading presidential contender in the 2011 polls) following the death of Yar’ Adua (from the core north), has fuelled political crisis within some circles in the PDP. This is linked to the controversy over the PDP’s (power-sharing)

'zoning arrangement, which rotates the presidency among the six geopolitical zones of Nigeria. The rotational principle has become a bone of contention, pitching those in favour of dumping 'zoning' in favour of the incumbent, and others against, claiming that the presidency has been zoned to the north till 2015. On this basis a faction of the elite, the Northern Political Leaders Forum (NPLF), which claims to represent northern interests, adopted former vice president Atiku Abubakar as a 'consensus' northern candidate for the PDP presidential primaries.⁹⁸ Together with the replacement of PDP governors in South West Nigeria following legal petitions by members of the ACN,⁹⁹ party realignments, movement of key players between parties, the appointment of a new and credible leadership at the INEC, and the new Electoral Act, this controversy suggests that it may not be business-as-usual for the ruling party in the 2011 elections.

Although entrenched in power, with control of immense state resources and security agencies, the foregoing changes imply that a potential democratic opening may be on the cards. However, while the opposition is engaged in a series of efforts towards building an alliance to 'fight' the elections, it remains divided and tied to a few individual leaders, without a clear ideology, vision or national-democratic project beyond taking power from the PDP. The people, the urban poor and the rural peasants who clearly constitute the majority of voters remain largely left out of the political process by the dominant elite.

In the complex unfolding scenario, 2011 may spring some surprises marking a new beginning for a future victory for the majority of Nigerians to take back their democracy, starting with gaining the power to choose. Two things are critical to a possible realization of such prospects. On the one hand, the ability of the pro-democracy movement to rise above its contradictions and cleavages to work with more progressive elements across all levels of society is crucial. On the other hand, the real challenge for such an alliance is to agree on a popular socially-rooted democratic alternative based on clear principles, concrete issues and programmes, and transforming itself into a viable alternative political force under a new radical nationally acceptable leadership. Only the emergence of such a political force can enable the people to take back electoral democracy from the stranglehold of the dominant elite minority (backed by a hegemonic trans-national elite) that has hijacked it. The real challenge is a social project that transcends the holding of free and fair elections, and connects the very core of the substance of politics – people and power. In 2011, Nigerian people will either lay the foundation for a new beginning for electoral democracy, or the party machine will continue to grind on painfully, trampling their hopes, votes, and aspirations for participatory democratic inclusion, electoral justice, social equity and development.

Notes

1. Osaghae, 'Democratization in Africa', 7.
2. Ibrahim, 'Nigeria's 2007 Elections', 3.

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3. Ibid.
4. Ibid.
5. Obi, 'International Election Observers and the Promotion of Democracy'; DEOG, 'An Election Programmed to Fail', 2007.
6. Suberu, 'Nigeria's Muddled Elections', 95–110.
7. Agbaje and Adejumobi, 'Do Votes Count?'.
8. Mustapha, 'Nigeria since 1999', 71.
9. Odebode, '2007 Elections: A Do-or-Die Affair for PDP', quoting from then President Obasanjo's speech at a local PDP meeting before the 2007 elections.
10. Mustapha, 'Nigeria since 1999', 72.
11. Ibrahim, 'Deepening Democracy: Political Parties and Gangsterism'.
12. Agbaje and Adejumobi, 'Do Votes Count?'.
13. Lumumba-Kasongo, 'The Problematic of Liberal Democracy and Democratic Process', 1.
14. Dahl, 'Polyarchy'.
15. Freedom House, *Freedom in the World 2009*.
16. Adejumobi, 'Elections in Africa', 60.
17. Ibid.
18. Schedler, 'The Nested Game of Democratisation by Election'.
19. Adejumobi, 'Elections in Africa'. Also see, Ake, *The Feasibility of Democracy in Africa*.
20. Ninsin, 'The Contradictions and Ironies of Elections in Africa', 3.
21. Obi, 'International Election Observer Missions and the Promotion of Democracy', 73.
22. Schedler, 'The Nested Game', 118.
23. Ninsin, 'The Contradictions', 3.
24. Ake, 'Democracy and Development in Africa'. Also see, 'The Unique Case of African Democracy'.
25. Cheru, *African Renaissance*.
26. Mustapha, 'Nigeria since 1999', 90.
27. Independent National Electoral Commission (INEC), 'Political Parties'.
28. Ibrahim, 'Deepening Democracy: Taking Our Country Back'.
29. Ibid.
30. Mustapha, 'Nigeria since 1999'.
31. Quoted in Adebani, 'Nigeria in New Orleans'.
32. Obi, 'No Choice, But Democracy'.
33. Edigheji and Momoh, 'Nigerian Human Rights Civil Society Organizations'.
34. Communication with a Nigerian political activist, Y.Z. Ya'u, August 2010.
35. Domestic Election Observer Group, 'An Election Programmed to Fail'. Also see EU OM, 'Nigeria: Final Report, Elections 2007'.
36. Obadare, 'Religious Identities'.
37. Agbu, 'Ethnic Militias and the Threat to Democracy in Post-transition Nigeria'.
38. Communication with a Nigerian political activist, Y.Z. Ya'u, August 2010.
39. Ibid.
40. Adekanye, 'The Retired Military as an Emergent Power Factor'.
41. Obi, 'Democratising Nigerian Politics'.
42. Ibid.
43. Odebode, '2007 Elections'.
44. Omotola, 'Garrison Democracy in Nigeria', 197.
45. Mustapha, 'Nigeria since 1999', 81.
46. Onwudiwe and Berwind-Dart, 'Breaking the Cycle of Electoral Violence in Nigeria', 4.
47. Adekanye, 'The Retired Military', xii.

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48. Amuwo, 'The Political Economy of Nigeria's Post-Military Transitions 1999–2007', 47, citing Adekanye, 'Reforming Civil-military Relations for Democratic Governance'.
49. Adekanye, 'The Retired Military'.
50. Ibrahim, 'Nigeria's 2007 Elections'.
51. This is in spite of the concerted political engineering efforts by several Nigerian post-civil war governments to reduce the negative impact of ethnicity and religion on politics. For example, see, Bogaards, 'Ethnic Party Bans and Institutional Engineering in Nigeria', 731–2.
52. Obi, 'Democratising Nigerian Politics'.
53. Suleiman, 'Unmasking Nigeria's Political Elite'.
54. Amuwo, 'The Political Economy of Nigeria's Post-Military Transitions 1999–2007', 48.
55. Agbo, 'Return of Military Rule'.
56. Ohuegbe, 'Nigeria: Speaker Makes Public his NYSC Discharge Certificate'.
57. Mustapha, 'Nigeria since 1999'.
58. Joseph and Kew, 'Nigeria Confronts Obasanjo's Legacy', 167.
59. Nigerian Calabash, 'Atiku Declares for Presidency'.
60. Obi, 'Democratising Nigerian Politics', 78.
61. Communication with Nigerian Journalist Joel Nwokeoma, *Punch Newspapers*, November 2010.
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63. Ibrahim, 'Deepening Democracy: Political Parties and Gangsterism'.
64. Gambo, 'Godfatherism and Electoral Politics in Nigeria'.
65. Omotola, 'Godfathers and the 2007 Nigerian Elections'.
66. Albert, 'Explaining Godfatherism in Nigerian Politics'.
67. Amuwo, 'The Political Economy of Nigeria's Post-Military Transitions 1999–2007', 26.
68. Albert, 'Explaining Godfatherism in Nigerian Politics'.
69. Human Rights Watch, *Nigeria: Criminal Politics*.
70. Ibrahim, 'The Rise of Nigeria's Godfathers'.
71. Ibid.
72. Human Rights Watch, *Nigeria's Criminal Politics*, 34.
73. Ibrahim and Garuba, 'A Study of the Independent National Electoral Commission', 78–9.
74. In addition, the Executive controls the security apparatus of the state, which plays a key role in the transportation, safety of election materials and personnel, and the conduct of elections.
75. Ibrahim and Garuba, 'A Study of the Independent National Electoral Commission', 33.
76. Ibrahim, 'Nigeria's 2007 Elections', 4; Ikubaje, 'Independent National Electoral Commission'.
77. Oyedele, 'How we Discovered Registration Machines in Adedibu's House – INEC'.
78. Ibrahim and Ibeanu, 'Direct Capture'.
79. Quoted in Ajakaye, 'Credible Elections Lies in Attitudinal Change'.
80. Economic Confidential, 'Prof. Attahiru Jega, INEC Boss and His Commissioners'.
81. Ya'u, 'Academic Staff Union of Universities under Attahiru Jega'.
82. Kew, 'Democracy', 31.
83. Carter Centre and the National Democratic Institute for International Affairs, *Observing the 1998–99 Nigerian Elections*.
84. Ibid.
85. EU COM, *Nigeria: Final Report, 2003*.
86. Kew, 'The 2003 Elections in Nigeria'.
87. Obi, 'International Election Observer Missions and the Promotion of Democracy', 80.
88. DEOG, 'An Election Programmed to Fail'.

89. EU COM, *Nigeria: Final Report 2007*.
90. Obi, 'International', 80.
91. Roth, 'Despots Masquerading as Democrats'.
92. Ibid.
93. Mustapha, 'Nigeria since 1999', 73.
94. Carter 2007, cited in Mustapha, 'Nigeria since 1999', 88.
95. Bamidele, 'South West Set for New Era as Progressives Take Over Ekiti, Osun Other States'.
96. DEOG, 'An Election Programmed to Fail'; EU COM, *Nigeria: Final Report 2003*; EU COM, *Nigeria: Final Report 2007*.
97. Daniel, 'How Governors Rig Elections – By Donald Duke', quoting Duke, former governor of Nigeria's Cross River state.
98. *Vanguard Newspaper*, 'Atiku is Northern Consensus Candidate'.
99. The ACN recently gained control of gubernatorial power in Ekiti, Osun, and Edo states, increasing the number of states under its control to four (including Lagos), making it a formidable political force in south west and national politics in the coming elections.

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An autocrat's toolkit: adaptation and manipulation in 'democratic' Cameroon

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Cameroon's President Paul Biya has weathered the transition from a single-party to a multi-party system, dramatically strengthening his control over the political apparatus in recent years. While many have noted the tendency of Africa's new 'democrats' to consolidate their authority by removing various constitutional restraints on their power, this paper argues that Paul Biya has adapted more subtly to the various opportunities provided by open political competition and international discourse on minority rights. Beyond the sadly predictable fraud in electoral counting, he has manipulated electoral boundaries to his party's advantage, while at the same time prohibited voting access to citizens who would likely vote for the opposition. In addition, he has acceded to constitutional changes to recognize minorities in compliance with international and domestic pressures, which is in reality yet another useful tool to marginalize the opposition.

Cameroon's president for nearly three decades, Paul Biya shares the distinction with Eduardo dos Santos of Angola and Robert Mugabe of Zimbabwe, of being one of the longest-reigning presidents in Africa. He has not only weathered the transition from a single-party to a multi-party system, but has dramatically strengthened his control over Cameroon's political apparatus in recent years. While many have noted the tendency of Africa's new 'democrats' to consolidate their authority by removing various constitutional restraints on their power, this paper argues that Paul Biya has adapted more subtly to the various opportunities provided by political liberalization. Beyond the regrettably banal fraud in electoral counting, he has manipulated electoral boundaries to his party's advantage, while at the same time prohibited voting access to citizens who would likely vote for the opposition. In addition, he has acceded to constitutional changes to recognize

minorities in compliance with international and domestic pressures, which is in reality yet another useful tool to marginalize the opposition.

Scholars regularly place proximate blame for Cameroon's political and economic stagnation squarely on Biya, as exemplified by a collection of chapters in *The Leadership Challenge in Africa*, edited by John Mukum Mbaku and Joseph Takougang.¹ Yet understanding exactly how he has managed not only to maintain but to bolster his position and wither public opposition needs deeper explanation than polemical assertions of his strong-arm tactics. An autocrat's 'toolkit' can include fraud, cooptation, and intimidation – all effective methods that have been well-documented in Cameroon by others.² This paper argues that these tools have been augmented by more subtle strategies, the most important being the manipulation of electoral boundaries to increase the number of single-member districts. In addition, the government has influenced the individuals who have access to electoral cards before the voting even begins, and it has adapted minority-rights discourse to marginalize certain groups and reinforce ethnic divisions. While the entire range of tools has been employed, this study highlights the three aspects one normally associates with 'real' democracy – drawing electoral district boundaries, registering voters, and including minority rights in a constitution. The paper unfortunately must conclude that these institutional changes have only served to entrench autocracy in Cameroon, rather than provide the 'contingent possibility' of opposition inroads suggested by other scholars of electoral authoritarianism.³

Along with the general literature on electoral autocracy, this study links literature on ethnicity and identity construction with studies of globalization and democratization on the African continent. Donald Horowitz notes that at the moment of independence in many Asian and African states, struggles over belonging and group worth intensified, as groups sought to establish preeminence and determine who 'owned' the state.⁴ The wave of democratization in Africa in the 1990s brought similar grappling to the surface, as suppressed and dominant groups tried either to overturn or to reestablish the status quo. It is not surprising, then, that questions of belonging and citizenship dominate public discourse.

That identities are both fervent and malleable make them ideal bases for electoral appeals. Several scholars have asserted that democratization elicits ethnic claims in often violent ways.⁵ Others examine the influence of political institutions, pointing to situations that channel identities into more or less violent manifestations.⁶

The preoccupation with ethnic identity fuses particularly well with processes of globalization,⁷ as explained eloquently by Peter Geschier.⁸ If flows of people, money, and goods across borders may homogenize tastes and lifestyles, anti-globalization discourse emphasizes the need to preserve the cultures of indigenous peoples and prevent the loss of biodiversity. This latter preoccupation links easily with a rise in discussions of autochthony across the African continent,⁹ as attention to the preservation of cultures triggers an obsession with who really belongs, and what that culture comprises.

Geschiere rightly notes that two major elements of a global consensus – democratization and decentralization – each serve to highlight ethnic identities. While electoral strategies latch easily onto ethnic appeals in multi-ethnic settings,¹⁰ Western donors’ insistence on decentralization pushes this tendency even further.¹¹ As donors privilege the local, the ‘penchant for “community”, tradition, and “chiefs” seems to be a logical consequence of the drive toward decentralization’.¹² Chiefs, whether traditional or modern, offer a point of contact for the civil society that is so favoured in donor projects. The problem arises because chiefs relate only to their own subjects, tending to discriminate against immigrants: ‘What is at stake is often less a defense of the local than efforts to exclude others from access to the new circuits of riches and power.’¹³

This observation echoes the prescient work of Robert Bates, who recognized more than three decades ago that modernization spurs urbanizing elites to emphasize the tradition of their rural ethnic ties in order to mediate access to the public goods that flowed from the state to cohesive groupings.¹⁴ In order to advance their position as rightful claimants to benefits of modernity (such as jobs or political office), modernizing elites found it useful to present themselves as representatives of ethnic collectivities. Similarly, elites in the current setting see the benefits that they can accrue by mediating between donors and recipients of aid. Thus instead of globalization erasing national boundaries, its democratizing and decentralizing elements serve instead to create boundaries at ever more local levels. While this may be desirable from the standpoint of maintaining cultural distinctions, it can also work to the advantage of state leaders who wish to secure their authority. This is what is happening in Cameroon. The government has adapted exceedingly well to the opportunities presented by pressures toward democratization and decentralization, and a polarization of ethnic identity is the result.¹⁵

To make this argument, the paper begins by highlighting the critical moments in Cameroon’s colonial and contemporary history as they relate to group identification. It then describes the electoral opening provided by the 1992 elections and the gradual closing of that window with each subsequent election. The heart of the paper details three specific strategies that the government has used to accomplish this feat: electoral district manipulation, the restriction of voting access, and constitutional recognition of minority rights. This argument is based on data gathered during a research trip to Cameroon in the summer of 2009, in which constituency-level election results and official decrees altering electoral districts were obtained from the Ministry of Territorial Administration and Decentralization in Yaounde. During this trip, the author also conducted interviews and surveys among civil servants and urban voters in Yaounde, Ebolowa, Buea, and Douala. The detailed analysis of electoral boundary changes was undertaken in the summer of 2010, relying on the work of a research assistant,¹⁶ who used ArcMAP software to create maps of Cameroon’s electoral constituencies for 1992, 1997, 2002, and 2007.

Formation of Cameroonian identities

Initially colonized by Germany, the territory of Kamerun was divided between France and Britain in 1916 as mandate, and later trust, territories. The Germans had initiated a plantation economy based in the southern coastal regions of Cameroon, encouraging the apparently more ambitious groups from populous regions further north to migrate to these plantations.¹⁷ France and Britain continued to promote this migration, which was facilitated by population densities and land shortages in the highland areas.¹⁸

French Cameroon achieved independence in 1960, while the southern section of British Cameroons elected in 1961 to join French Cameroon in the Federal Republic of Cameroon.¹⁹ French administrators had excluded the radical nationalist party, the Union des Populations du Cameroun (UPC), from contesting pre-independence elections, supporting pro-French Northerner Ahmadou Ahidjo in his leadership of the country at independence.²⁰ When the southern British portion joined the Francophone state in a federation in 1961, Ahidjo became Federal President with full executive powers, and the Prime Minister of the Anglophone side took the relatively powerless post of Federal Vice President.²¹

Cameroon thus began its independent political history with a stronger role for the Francophone part of the federation, causing resentment among Anglophones about their secondary status.²² Ahidjo continued to centralize the state with the adoption of a one-party system in 1966, followed by the wholesale replacement of the federal structure with a unitary one in 1972.²³ Ten years later, he handed power to his Prime Minister, Paul Biya, a Francophone, who has remained president since 1982.

Because of his preoccupation with national unity, Ahidjo was intolerant of discussions of ethnicity, and banned ethnic associations, as did many African heads of state shortly after independence.²⁴ Identity remained central to political considerations, however, as Ahidjo carefully maintained a balance in his cabinet and civil service of representatives from different regions of the country – rotating and reappointing them regularly to continue their dependence on his favour.²⁵ When Biya assumed power, he promised to eradicate this ‘tribalism’: ‘Cameroonians are first of all Cameroonians, before being Bamiléké, Ewondos, Foulbes, Bassas, Boulous, Doualas, Bakweris, Bayas, Massas or Makas. This means that Cameroonians are first of all Cameroonians, before being English-speaking or French-speaking, Christians, Muslims or animist’, he declared in 1983.²⁶ Nonetheless, his practice of ‘non-tribalism’ increasingly favoured his own group.²⁷ A report in opposition newspaper *Le Messager* in 1991 found that 37 of 47 senior prefects (administrative heads of divisions), three-quarters of directors and general managers of parastatal corporations, and 22 of 38 high-ranking bureaucrats in the newly-created office of the Prime Minister were from the president’s clan.²⁸

Who was this ‘clan’? The Beti are a historically recognized group, concentrated in the Center and South provinces.²⁹ Driven south by the nineteenth century Fulani invasion of northern Cameroon, this group has a distinctive history of migration across the Sanaga river. A map depicting the Beti group about the time of independence produced by historian Frederick Quinn outlines their concentration around

the capital of Yaounde and inclusion of just a few language groups, such as the Eton and Ewondo.³⁰ Identification with this group acquired more political significance, however, and membership significantly expanded after the ascension of Biya to power.³¹ Previously distinct groups, notably the Bulu, to whom Paul Biya belongs, are now amalgamated into a widening category of 'Beti', and the reach of this grouping stretches across a remarkable span of Cameroon's central and southern territory.

As Beti boundaries have broadened, other groups have crystallized. Significant in Cameroon's political and economic landscape are the Bamiléké, another expansive group covering several distinct languages, but bound culturally because of their similar allegiance to chiefdoms in the West and North West regions of Cameroon.³² Known for their frugality and successful entrepreneurship, the Bamiléké historically have played dominant social roles as businessmen.³³ Relatively protected under Ahidjo, they felt their fortunes change after Biya's accession to power, and accused his administration of 'deliberate attempts to promote opportunities among Beti businessmen at their expense'.³⁴

Another important label is the Grassfielders. This is a geographic designation for a group in the North West Province, concentrated around the town of Bamenda – a loose amalgam of small chiefdoms with similar political structures.³⁵ These Grassfielders share an Anglophone identification with their counterparts in the South West Province on the basis of their common colonial heritage, and both provinces consider themselves marginalized from Cameroon's Francophone-dominated political structure, though they are divided as to how much each has suffered.³⁶

While these Bamenda Grassfielders are related culturally to the Bamiléké, they were categorized separately because of their experience with British, rather than French, administration. Both groups, however, were encouraged to migrate south to plantations under colonial rule, and they continued after independence to move frequently to urban areas throughout the territory following economic opportunities. Therefore, they are found all over Southern Cameroon. In the years since the 1992 elections, the Grassfielders and the Bamiléké, along with other Anglophones from both the North West and South West provinces, have been amalgamated under the label 'Anglo-Bamis'.

These distinctions have grown in salience since the early 1990s, marking boundaries of political allegiance and sometimes erupting into violent confrontation.³⁷ Why they have done so requires a look at the democratic opening and closing over the past two decades in Cameroon. Like most African countries, Cameroon's economy fell into precipitous decline in the mid-1980s. From an average of 8% GDP growth from 1976 to 1986, the economy experienced an average of -4% per year from 1987 to 1991.³⁸ Prices for cocoa, cotton and oil all declined, and the value of Cameroon's exports in the mid-1980s dropped by nearly half.³⁹ While the Bamiléké had historically maintained close relationships with the regime because of their economic power base and because of Ahidjo's desire to pacify a region that had been a hotbed of rebellion,⁴⁰ 'by the late 1980s many potential investors, especially Bamiléké businessmen who had seen their domination of the economy gradually eroded in favor of businessmen from the

president's Beti ethnic group, decided to utilize informal savings clubs (*tontines*) rather than put their money in [government-owned] banks'.⁴¹

Aside from this 'exit', opposition voices began to emerge: Yondo Black, a chief in Douala and trained attorney held a meeting in 1989 with some colleagues about how they might form a non-partisan group to press for multi-partyism. They were arrested and put on public trial. To test Biya's assertion that the arrest was not because they were trying to form a political party, John Fru Ndi, a librarian from the North West, launched the Social Democratic Front (SDF), an opposition party that would later prove the government's strongest foe. The government initially tried to dissuade Fru Ndi from a public launch and then resorted to police control when the rally went forward, dispersing the crowd using tear gas and rocks and finally gun shots. Six people were killed in this exchange.⁴² Students at the University of Yaounde erupted in a strike against the killing of the 'Bamenda Six', strikes which were themselves met with violent reprisals.⁴³

Under widespread international condemnation, and especially pressure from France, Biya finally legalized opposition parties in December of 1990. Immediately, the coalition of opposition parties pressed for a national conference. Biya refused. In response, opposition groups called for a nation-wide strike – *Villes Mortes* – to shut down every major city and town until the government agreed to a national conference. The violence and economic strain that resulted from these 'Ghost Towns' led Biya to concede to a Trilateral Conference – with members of government, opposition and civil society representatives – but the government would not give up its sovereign prerogative to lead the proceedings.⁴⁴ Half-way through the meeting, SDF withdrew, leaving the opposition fragmented. Biya won international political favour for his concession, however, and a meeting in Paris just after the conference produced an aid package that had earlier been refused, providing him with the resources to subsequently renew an IMF debt renegotiation and remain solvent in the face of severe economic crisis.⁴⁵

Multi-party elections were finally held in 1992, first for the legislature and then for the presidency. SDF boycotted the legislative elections, resulting in northern-based party Union Nationale pour la Démocratie et le Progrès (UNDP) winning most of the opposition seats. The ruling party, Cameroon People's Democratic Movement (CPDM), won just under half of the seats in the 180-seat legislature, though it was able to cobble together a majority by allying with a small offshoot party. The official result of the single-round presidential election showed Biya with nearly 40% of the vote and Fru Ndi, with 36%. These results contradicted the general feeling in the country (and initial indications) that the opposition had won.⁴⁶ France was the only Western power to offer diplomatic support, but it was enough to keep Biya in power. Opposition leader Fru Ndi and his supporters claimed their victory had been stolen, and violence erupted in the North West province. The regime reacted quickly, placing Fru Ndi under house arrest, and declaring states of emergency in the 'rebellions' regions. This was the high-water mark in the challenge to Biya's hold on political power. Observers were optimistic about the potential for democratic protagonists to prevail⁴⁷

and praised the opposition for rising above ethnic loyalties in this initial challenge to CPDM.⁴⁸

Since 1992, however, this challenge has largely dissipated. Contained to less than 50% of legislative seats in 1992, CPDM has rebounded to win more than 80% in the past two elections. Table 1 shows the votes won by the ruling party and the opposition in each election since 1992.

Clearly, Paul Biya’s party has entrenched its authority in the legislature. In 2008, Biya used this overwhelming dominance to pass a constitutional amendment that removes any limits to his terms of office. If he wins again in 2011, which is likely, he could be in power until 2018 or beyond.

How has he managed to turn such a volatile opposition force into putty? Of course, there are the usual explanations, such as fraud, cooptation, and intimidation,⁴⁹ and the typical accusations charged at illiberal governments during elections – such as the lack of an independent electoral commission, short campaign period, government advantages in resources and irregularities in ballot-counting – are no doubt true and form the first layer in an autocrat’s tool-kit.⁵⁰ The cooptation and intimidation allowed by access to economic resources (via foreign aid and extra-budgetary oil revenues) and the political support of France form a deeper, more systemic layer that keeps the ruling party at a perpetual advantage. But to these relatively blunt tools, Biya has added more sophisticated adaptations to the constraints and opportunities of a multi-party political setting. More consequential in terms of long-term impact on the country have been the government’s more subtle manipulation of electoral boundaries, control of voting access, and cunning adaptation of liberal discourse to divide the opposition.

Electoral district manipulation

The first such strategy is as old as elections themselves: the gerrymandering of districts.⁵¹ Because no studies have been published on this topic in the context of Cameroon to date,⁵² the paper includes a substantial section assessing this instrument. Cameroon operates under a mixed electoral system, derived from the French model: the party with the majority of votes takes all seats in multi-member constituencies, and if no party receives the majority, the seats are split proportionally. Administrative divisions within Cameroon’s 10 provinces formed the 49 electoral

Table 1. Legislative election results, 1992–2007.

Year	CPDM seats	Opposition seats	CPDM%
1992	88 (+6 MDR)	68 (UNDP) + 18 other = 86	49%
1997	116	43 (SDF)+ 21 other = 64	64%
2002	149	22 (SDF)+ 9 other = 31	82%
2007	153	17 (SDF) + 10 other = 27	85%

Notes: Calculated from results obtained from the Ministry of Territorial Administration and Decentralization.

constituencies in the first multi-party legislative election.⁵³ In Cameroon's 1987 census, these 10 provinces varied in population from 500,000 in the South to 2.5 million in the Far North. The initial allocation of the 180 legislative seats only loosely corresponded with population size. Though the two most populous provinces (Far North and Center) received the most seats (29 and 28, respectively), Littoral and West, with almost identical populations, received very different distributions (19 and 25, respectively). The ratio of seat distribution to population highlights these discrepancies. Littoral and North have the lowest ratios, with one seat assigned per approximately 71,000 people, and South has the highest, with one seat assigned to approximately 34,000 people.⁵⁴

The allocation of seats within districts in the provinces is even more telling, and this paper will argue that Cameroon's electoral districts have progressively been redrawn to disfavour the opposition. Larger district magnitudes give more opportunities for smaller parties to gain seats, while single-member districts generally favour larger parties.⁵⁵ The 49 constituencies in 1992 varied in magnitude from one to nine seats; only four of them⁵⁶ had one seat, however, and only two⁵⁷ had more than six; the rest had an average of about four seats per district. Overall, each seat in the 1992 election represented an average of 54,000 people. But distribution among districts varied widely between urban and rural areas: rural Nkam in Littoral was allocated one seat for 41,000 people, whereas Wouri (Douala) in the same province had nine seats, translating into one seat per 93,000 people. In the Far North, seat/population ratios in multi-member districts ranged from 46,000 in more rural Mayo-Kani to 77,000 in urban Diamare (Maroua). Urban populations uniformly had fewer seats than rural.

But beyond this irregularity, there were more regionally specific discrepancies. The most interesting areas to compare are the North West and South provinces – the former is the Anglophone opposition stronghold and the latter the home of the President's Beti clan. Even with the initial allocation, the South had much more electoral power per voter: Dja-et-Lobo in the South with 121,000 inhabitants elected the same number of MPs (five) as did Mezam in North West Province, which had 313,000 inhabitants. Thus, Southern voters had more than twice the impact per person in the election.

These district discrepancies became even more skewed over time – not just because of population growth, but because of deliberate boundary changes. By tracing the changes in district magnitude over the four elections between 1992 and 2007, this section argues that the increase from 49 to 85 districts, and particularly the creation of more than 30 single-member districts, explains to a large extent the ruling party's ability to recapture the districts it lost in 1992. [Figure 1](#) shows the electoral constituencies for the 2007 elections, the solid and dotted lines indicating where new districts were created after 1992.

Following the near electoral disaster for the ruling party in 1992, a presidential decree (No. 97/061) before the 1997 elections authorized the partition of several existing districts, resulting in nine additional divisions (solid lines). Another decree in that same year (No. 97/062) created 16 'special electoral districts'

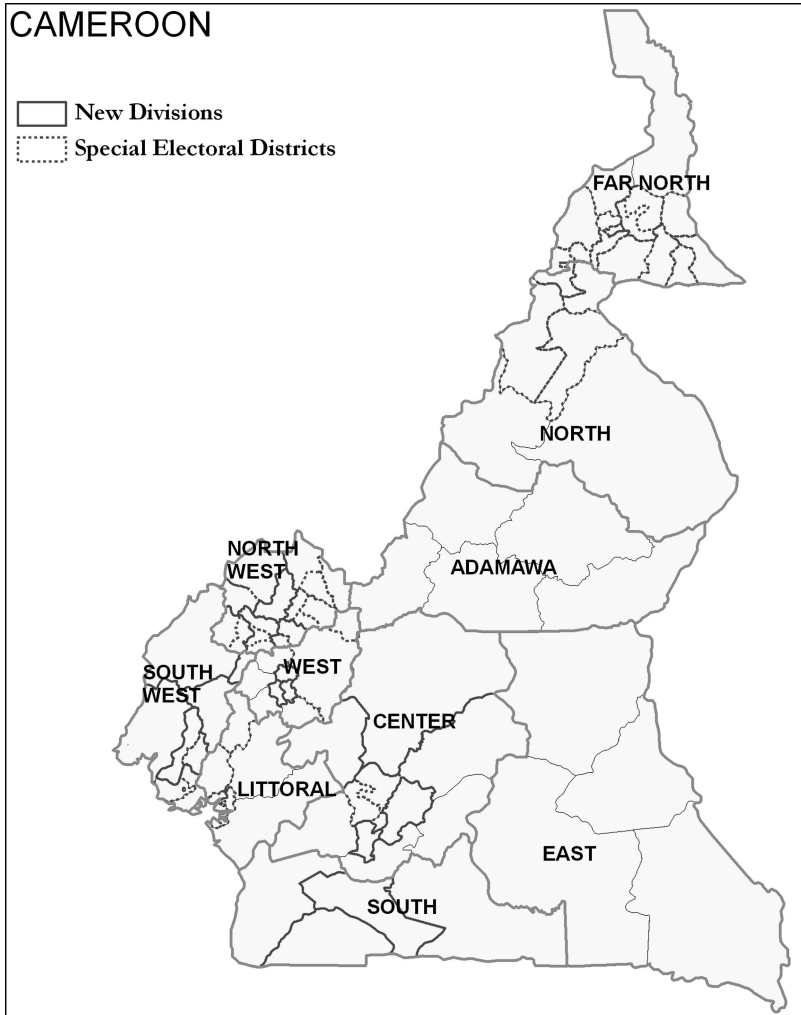


Figure 1. New electoral districts created, 1992–2007.

(dotted lines). As a result, between 1992 and 1997, the number of districts increased from 49 to 74, and the average magnitude decreased from nearly 4 to 2.4 seats per district. It is no coincidence that CPDM increased its seat share from 48% to 64% between 1992 and 1997.

In the South West Province, for example, the ruling party only won a single seat in 1992 – in the district of Fako – while the other three districts voted overwhelmingly for the UNDP, as the dominant opposition party, given SDF’s boycott that year. Fako was a four-member district, and since no party won a straight majority, the seats were split proportionally – two went to UNDP, which had won 49% of the vote, one to CPDM, which had won 36% of the vote, and one to UPC with 12% of

the vote. The government did not want to repeat this in 1997, and the boundary changes in 1997 clearly were aimed at dividing the opposition in order to recapture seats. Though the provincial seat allocation remained the same, the districts within the province changed significantly. Rather than four multi-member districts, there were now nine, and all five new ones were single-seat.⁵⁸ The district of Fako was split into three – two with single seats and one with two seats. The urban areas of Buea that inclined toward government support formed one of the single-member districts, and it contained 22,122 registered voters in 1997.⁵⁹ The second single-member district was Fako-Ouest, a rural district with only 7243 registered voters. The two-member district, Fako-Est, by comparison, had 64,635 registered voters – a packed opposition district. Obviously, this division was not made to even out population allocation. Not surprisingly, CPDM won both single-member districts in 1997, conceding defeat in the two-member district, which clearly reflected the preferences of far fewer voters than the opposition. That is, it took less than 14,000 votes for CPDM to win both seats in the two new single-member districts, whereas it took 29,000 votes for SDF to win the same number of seats in the two-member district.

The Far North and Littoral Provinces displayed similar logic. Whereas in 1992, CPDM only won 13 of the 29 seats in the Far North, it won 25 in 1997. This was accomplished by dividing the six multi-member districts into 12, five of them with single seats.⁶⁰ Because seats in single-member districts cannot be distributed proportionally as in multi-member districts, they can be won on a plurality of votes, lowering the threshold for the strongest party.⁶¹ Therefore, CPDM won many of the new districts on less than 50% of the vote. In the province as a whole, CPDM won 25 of the 29 seats on only 49% of the total vote in 1997. In Littoral, CPDM only won five of the 19 seats in 1992, and in anticipation of the 1997 election, presidential decrees divided Littoral's four districts into eight – three of them single-seat.⁶² Because of deft boundary manipulation around Douala and in the Moungo district, CPDM was able to win 12 of the province's 19 seats on 35% of the vote share, while SDF only won six seats on 30% of the vote share.⁶³

Overall, 22 of the 25 new districts created in Cameroon between 1992 and 1997 were single-seat. CPDM won all but four of these new single-member districts in 1997. The benefit to the ruling party is clear in seat to vote share ratios: whereas CPDM won 88 seats (49% of total legislature) in 1992 on 39% of the vote share, it won 116 seats (64% of total) in 1997 on 37% of the vote share. The government made no further boundary adjustments for the 2002 elections, though it succeeded in consolidating its gains through other methods, discussed below. Another presidential decree (No. 2007/119) before the 2007 elections, however, authorized 11 additional 'special electoral districts', all of them single-seat. By the 2007 elections, then, there were 85 districts (compared to 49 at the onset of the multi-party experiment), with an average district magnitude of 2.12 seats. The number of single-member districts had increased from only four in 1992 to 33 in 2007.

Whereas most of the divisions between 1992 and 1997 happened in the Far North, Littoral, and South West Provinces, nearly all of the changes anticipating

the 2007 elections occurred in the North West Province. Having divided most of the opposition with the 1997 presidential decrees, the 2007 laws were clearly aimed at this last bastion of resistance, the North West Province.

This was the stronghold of SDF. Much could be written about the role of the opposition in bringing about its own demise – from leadership infighting to collusion. These certainly contributed to the swell in CPDM's fortunes between 1992 and 2002, and they have been well-documented.⁶⁴ In contrast, this paper focuses on the almost mechanical outcomes that occurred as a result of the institutional changes in boundary lines and seat allocation. Of course, they were magnified by a weakened opposition, but the overall institutional effects were evident in 1997, before the dissipation in opposition coherence.

The North West Province is allocated 20 seats in each election. With SDF's boycott in 1992, CPDM had won all 20 seats in five multi-member districts (though turnout was only 24%, which reveals its weak mandate). Back in the game for the 1997 elections, SDF regained 19 of the seats in now eight districts, losing only one to CPDM – in a new single-seat district that had been created since the last election. SDF retained these 19 seats in 2002. The presidential decree before the 2007 elections, however, divided the North West Province's eight districts into 16; all of the new ones were single-seat, giving North West Province a total of 12 single-member districts.⁶⁵ CPDM won nine of these in 2007, losing only the three in Mezam (Bamenda) – birthplace of the SDF.⁶⁶

CPDM did not capture all of the seats in North West Province with these divisions, but it certainly made remarkable inroads, considering this was the heartland of the opposition. For example, the Bui district in North West Province originally elected four members to the National Assembly. A nucleus of opposition, most of the population refrained from voting in the 1992 election when SDF called a boycott. With only 12% turnout in that first legislative election, CPDM won all four seats in the district with only 6420 votes. Contesting the next two elections, SDF regained the four seats in Bui handily. Before the 2007 elections, however, the presidential decree divided Bui into three special electoral districts, two of them single-member. The strongest SDF supporters were packed into two-seat urban Bui Centre, while bare majorities for CPDM won the two single-member districts.

Figure 2 and Table 2 show the district divisions in Bui and Fako, both initially four-seat districts. When SDF boycotted in 1992, CPDM captured all four seats in Bui, but struggled in Fako against two other opposition parties. Immediately, the government created new boundaries in Fako for the 1997 elections. As a result, it regained one seat in 1997 and the two remaining ones in 2002. Boundary shifts occurred later in Bui, but both single-member districts immediately succeeded in returning a CPDM candidate.

The combination of initial population malapportionment and electoral district manipulation demonstrates that the CPDM learned very quickly how to use multi-party election rules to its advantage. Electoral district divisions clearly have served to increase the power of the ruling party in the National Assembly, and CPDM won

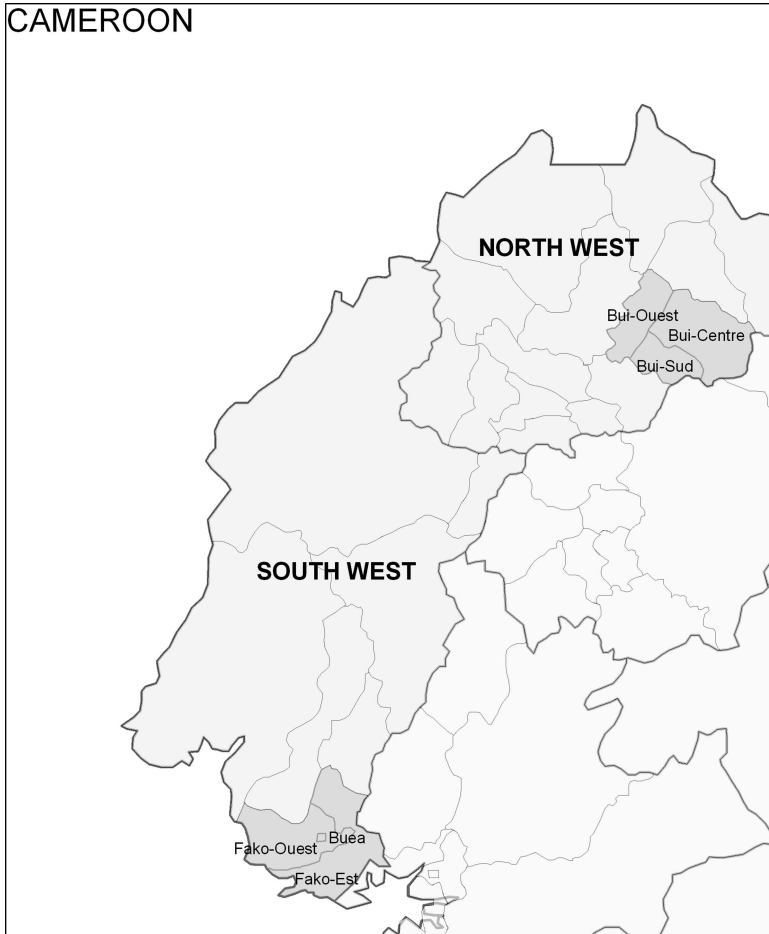


Figure 2. Electoral boundary changes, Bui and Fako.

all but five of the 33 single-seat districts in 2007. In concert with this strategy, another tool was employed: restrictions on voting access. Where the opposition was strong, boundary changes were accompanied by the potentially even more effective strategy of not allowing the opposition to vote in the first place.

Restricting voting access

Nearly five million voters registered for the 2002 election, almost one million (24%) more than in 1997. This was an enormous increase over the past two elections, and it was largely a result of a voter-registration campaign undertaken by the ruling party, which offered to waive the fee for people's voting cards in (largely rural) supportive regions.⁶⁷ The South West Province, for example, increased

registrants by 36% more than population increases would predict. Newly-created Lebialam district increased from 45,999 in 1997 to 71,911 registered voters in 2002.⁶⁸ But in 2007, the number of registered voters across the country had only risen by 2.5% from 2002, much less than population growth would predict. And the number actually decreased in many areas. This is not voter *turnout*, which decreased as well, but registration itself.

Stories of targeted disenfranchisement abound in the press and in popular discourse.⁶⁹ People tell of being denied electoral cards or being told that they had to go ‘home’ (if they were in an urban setting) to vote. Unfortunately, there were no hard data corroborating these stories. When registration is examined as a percent of the population, however, validating trends do emerge. As a percent of the population, North Westerners tend to register far less. In all four elections, North Westerners registered at a rate of 20–30% of their population figures, whereas Southerners registered at a rate of 34–49% of their population. These are consistently the lowest and highest registering regions, and in the 2007 election, the West and Littoral Province joined the North West with very low registration percentages (22% and 24%, respectively). These figures correspond with the reports of targeted disenfranchisement in opposition regions.

Because many stories of such discrimination revolve around urban voters being told to go ‘home’, a small-scale survey was conducted to find evidence for these stories in urban areas of four different provinces: Yaounde (Center), Ebolowa (South), Douala (Littoral), and Buea (South West).

To ascertain people’s experiences in the last election, 160 respondents were asked simple demographic information, which included their language and division of origin.⁷⁰ They were then asked whether they had obtained a voting card for the 2007 election and what that process entailed. While only suggestive because of the small sample size, the results were astonishing. Virtually all (90%) of Bulu and Ewondo speakers (Beti) were able to get their voting cards with no problem.⁷¹ After receiving an affirmative response to receipt of an electoral card, the follow-up question was, ‘How did you obtain it?’ An almost uniform response among this group was some version of, ‘I just signed up on the electoral list’. In dramatic contrast, only 30% of the respondents who named their home origin as the North West were able to get voting cards. These would be the Bamenda Grassfielders in the terminology above. Examples of responses to the follow-up question of ‘Why?’ were: ‘My card was not seen [when I went to pick it up]’; ‘We went to the chieftaincy but my card was not there, and they drove us away.’ The West and Littoral regions, with respondents who primarily identified themselves as Bamiléké, reported from 40% to 50% success rates in obtaining electoral cards, and those from the South West (Anglophones) reported 43%.⁷² Overall trends in these urban districts corroborate their stories: from 2002 to 2007, registration decreased in Cameroon’s two largest cities, Yaounde and Douala. In Mfoundi (Yaounde) it was 18% less than population growth would have predicted, and in Wouri (Douala) it was 26% less.

This strategy effectively eliminated the very voters that would have voted for the opposition. The way these cards were distributed in many cases is also telling. It is the mayor's office in a large town or the police office in a small one that distributes voting cards. Often the ward chiefs will go to register names from their neighbourhood and collect all cards prior to an election. These leaders know the families in their neighbourhoods and which ones would likely vote for the opposition. Many stories mentioned chiefs who did not bring back cards for everyone. Similarly, if an individual went him or herself to the mayor's office in an urban town to register, for example, he or she would be identified by name and/or language as coming from an 'opposition region', and as a result would return to collect the card discovering that it 'was not found'. Fully half or more of all urban respondents from the West, South West, Littoral and North West regions were not able to get voting cards. Obviously, since it is in these regions that the government has faced the most opposition, keeping these citizens from voting in the first place makes it unnecessary to engage in fraud on election day. Clearly, those groups not part of the Beti clan are finding disenfranchisement a stark reality. This has led to intense apathy. In nearly all conversations with the 'Anglo-Bamis' conducted during the study, there was profound resignation to a lack of ability to reverse their alienated status.

When added to the electoral district manipulation, the restrictions on registration make the distribution of voters within the districts even more skewed. As noted above, initial seat allocation was not based closely on population distribution, and in fact the average number of people per district deviated by 22% (up or down) from what population would have predicted. In the 1992 election, *registration* deviated by almost exactly the same amount. Since population figures are not available for the special electoral districts created in 1997 and 2007, one can look at the deviation in registered voters from what a proportional allocation of total registrants would have been. The boundary changes in 1997 raised the average deviation from 22% to 37%, and it remained the same in 2002. The deviation rose to 39% after the further boundary changes in 2007. The number of registrants (not even actual voters) per seat varied from nearly 80,000 in Lebialam to fewer than 10,000 in Fako-Ouest. Simply put, electoral boundaries no longer have any relationship to population distribution at all, and they clearly have been drawn and intensified by registration restrictions to disfavour the opposition.

Constitutional recognition of minority rights

The effects of boundary manipulation and targeted disenfranchisement on bolstering government hegemony are immediate and observable. Yet a third strategy, while not as easily quantifiable, may have more long-term implications for the unity of the state as a whole. Beyond the gerrymandering and registration bias, the government has seized on an opportunity pressed by global human rights discourse to consolidate its authority. Attention to minority rights is in vogue, and recent constitutional changes in many African countries contain provisions for decentralization and specific references to minority rights.⁷³ Cameroon is no

different. Instead of protecting minorities, however, this paper argues that these constitutional changes actually provide a way to control them more explicitly. Other authors have pointed to the effort to divide the 'Anglo-Bami' opposition with this new decentralized constitution,⁷⁴ which seems certainly to be the case. Referring to an opposition group as a bloc could be dangerous for a ruling party, as it could face a united foe. One obvious response has been to co-opt members of the opposition, discussed by several observers. Basile Ndjio makes especially poignant observations about the opposition's move from confrontation to collaboration, resulting in a 'pacified democracy' with a domesticated opposition.⁷⁵ But in the long term, the constitutional decentralization may impact identities in deeper ways, undermining the unity of the state by excluding more than it can appease.

Unlike the 1972 Constitution, the Preamble of the 1996 Constitution declares: 'the State shall ensure the protection of minorities and shall preserve the rights of indigenous populations'. The 1996 Constitution also outlines the new structure of decentralization, in which regional and local authorities are recognized for the first time. Article 57 (2), which relates to the newly authorized regional councils states that elected delegates and traditional rulers 'Shall reflect the various sociological components of the region.' Similarly, Article 57 (3) specifies that the 'Regional Council shall be headed by an indigene of the Region.'

The Constitutional language echoes that of the electoral code introduced before the 1996 local elections, which contains a residency requirement of six months and, more critically, requires that candidates and electoral lists must reflect the sociological components of their constituency. Local representatives of the Minister of Territorial Elections have complete discretion to decide who qualifies for that label. Both the denial of electoral cards and these requirements were arguably intended to protect 'locals' from being outvoted by 'strangers'.⁷⁶ As noted above, urban residents are often told to go home to their village or origin to vote. Since the Bamenda Grassfielders and the Bamiléké are the most dominant migrant groups, they clearly would not reflect the indigenous sociological components of the regions to which they have migrated.

Demonstrating his adaptation to these popular discourses about minorities and decentralization, Paul Biya has discovered how they can be used for political purposes. Elite ethnic associations, banned from political activity under President Ahidjo, have been resurrected since 1992. Rather than only undertaking traditional self-help and cultural development activities, these associations have in the 1990s increasingly replaced political parties as major players in regional politics.⁷⁷ As the ruling party has lost popular credibility and opposition parties' national reach is unclear, elite associations offer the government a potent means of mobilization and control.

The discourse of public servants and state-owned newspapers reinforces the constitutional changes.⁷⁸ After the defeat of the ruling party by the SDF in municipal elections, the (presidentially-appointed) governor of the South Western Province blamed it on the heavy concentration of 'strangers' in the South West.⁷⁹ Geschiere notes that the journal, *La Nouvelle Expression's* May 1996 issue was

devoted entirely to the topic of ‘minorités, autochtones, allogenes, et démocratie’.⁸⁰ The most notable contribution was an interview with Roger Gabriel Nlep, professor of political science at the University of Yaounde, then interim rector of University of Douala – a political appointment. Professor Nlep put forward a theory of *le village electoral*, which suggested a new view of ‘integration’.⁸¹ Whereas Ahidjo had stressed national integration by suppressing distinct identities, this new spin on integration indicated that people should be integrated in the place they live. Since this supposes that there is not another home area, a politician should not defend the interest of his village in another region. This rhetoric was aimed at criticizing non-‘local’ politicians in urban areas. Unlike Ahidjo, Nlep was locating integration at the local level. The implication was clear: ‘migrants should go “home” – to the village of origin – to vote, since they clearly feel that they belong there’.⁸²

While the immediate target of this decentralization was the ‘Anglo-Bamis’, the overall impact of the new constitution has the potential to have a much wider impact. This is because of another of its provisions. Lauded by activists for its protection of Cameroon’s linguistic heritage, a specific new article highlights the importance of promoting the right of groups to be educated in their own language.⁸³

Art. 1(3): ‘*The official languages of the Republic of Cameroon shall be English and French, both languages having the same status. The State shall guarantee the promotion of bilingualism throughout the country.* It shall endeavour to protect and promote national languages’ (emphasis added).

This article was promoted tirelessly by Cameroonian and foreign advocates of local languages.⁸⁴ It reflects global concerns with protecting the linguistic rights of minority language groups.⁸⁵ While these ‘liberal’ constitutional and electoral rule changes dutifully recognized minorities and employed the recommended decentralization, this attention to the local may inadvertently feed into the government’s strategy of dividing the opposition. By requiring indigenes, these constitutional changes reinforce the outsider status of migrant ‘Anglo-Bamis’. At the same time, those groups who were indigenous to the area may solidify their group identity around their connection to a shared language, and circles of belonging draw tighter.

In a similar process to colonial rule ‘fixing’ populations in order to administer them, this openness to language and cultural heritage can serve to fix populations in order to keep them from coalescing in opposition to the ruling party. While identification with ethnic or linguistic groups is not in itself inherently problematic, it lends itself exceedingly easily to political manipulation.

The great flexibility of language and the ability to acquire facility in multiple languages offer the potential for a stable multi-lingual polity. As Maurice Tadadjeu has advocated with unflagging zeal, Cameroonians are capable of retaining their mother tongue, mastering a regional language of wider communication, and using a European language pragmatically for national communication. It is not the either-or proposition as detractors warn, he proposes: *either* retaining one’s

mother tongue *or* learning a language of wider communication. If each Cameroonian embraces the three-language alternative, Cameroon can achieve unity in its diversity, as all languages are promoted and the state avoids elevating one over another.⁸⁶

The 1996 Constitution appeared finally to overcome its reluctance to touch the subject of national languages, largely because of the persuasive work of Tadadjeu and other linguists in Cameroon. It is conceivable, however, that the government saw in this, not potential for unity, but latent promise of division. By acceding to language rights at a low level – simply allowing them as media of primary education, for example – the ruling party saw the potential for perpetual fragmentation without violent extremism, a particular advantage in an environment of electoral competition.

This manipulation ‘works’ because of the historical roots of identity validation that began under colonial rule. As Horowitz noted, labelling groups as advanced and backward put in motion comparative processes that had deep psychological consequences, making control of the state a matter not only of material access but of group worth.⁸⁷ Mamdani foresaw that multi-partyism would exacerbate ethnic tension because of the colonial legacy of harnessing custom for control: ‘the key to an alien power’s achieving a hegemonic domination was a cultural project’.⁸⁸ With power still organized around local custom in the postcolonial state, elections could only reinforce division. ‘In the absence of alliance-building mechanisms, all decentralized systems of rule fragment the ruled and stabilize their rulers.’⁸⁹

Conclusion

Paul Biya has shown extraordinary stability facing the tumultuous waves of multi-party politics – consolidating power, rather than conceding to its diffusion. Perhaps Cameroon’s uniqueness can be attributed to Biya’s uncanny ability to master all of the instruments in an autocrat’s toolkit. Schedler describes the ‘menus of manipulation’ that authoritarian rulers have at their disposal,⁹⁰ and Biya has employed virtually all of them in Cameroon. Many have noted the government’s electoral fraud and brutal repression, as well as conniving cooptation that has reduced a once vibrant opposition to lethargy. This paper has attempted to bring to light even more subtle strategies. Electoral boundary manipulation is particularly important, because it constrains the possibility for contingency – a hope raised by Schedler that even if abused by authoritarian regimes, representative institutions ‘inevitably...contain the seeds of subversion’. These institutions offer the opposition at least the *possibility* to challenge the status quo.⁹¹ But Cameroon’s malapportioned districts and targeted disenfranchisement result in institutional barriers and intense voter apathy that reduce this possibility to almost nil.

Added to this, constitutional changes that include decentralization and language rights provisions can be manipulated to divide the opposition even more. The second independence that produced constitutions incorporating

decentralization and minority rights echoes the tendencies in the first independence that brought ethnic allegiances to the fore. Thus, the enthusiasm of the international community for policies that recognize the existence and rights of minority groups and languages may turn out to be less cause for praise. While the coercive hand of the state that turned ‘peasants into Frenchmen’⁹² through assimilative educational language policies and mass conscription may not be a model to emulate, it should also be acknowledged that leaders can exercise their coercion even through apparently liberal policies of minority recognition. African leaders’ early claims that stability was only possible with single-party regimes have since rung hollow. Their present embrace of constitutional reform should be equally scrutinized. It is genuinely hoped that the promotion of decentralization and balanced multilingualism may ultimately facilitate national integration and deepen democracy, as linguists assert.⁹³ But this is likely not the intention of strategic autocrats.

Acknowledgements

I would like to acknowledge the very helpful comments of two anonymous reviewers and especially the hard work of Chase Taylor, who painstakingly created digital maps of electoral districts to facilitate this analysis.

Notes

1. 2004. See also Manyong, *God the Politician*.
2. See, for example: Sinjoun, ‘Cameroun: Le Système Politique’; Konings, ‘Opposition and Social Democratic Change’; Takougang, ‘The 2002 Legislative Election’; Fombad, ‘Cameroon’s Emergency Powers’; Socpa, ‘Les Dons dans le Jeu Électoral au Cameroun’; Ndjio, ‘Millennial Democracy and Spectral Reality’; Njoya, ‘Democratisation, Divergences Ethniques et Politisation’.
3. Schedler, ‘Authoritarianism’s Last Line of Defense’.
4. Horowitz, *Ethnic Groups in Conflict*, Chapter 5.
5. Chua, *World on Fire*; Mansfield and Snyder, ‘The Sequencing Fallacy’. See Socpa, ‘Bailleurs Autochtones et Locataires Allogenes’; and Jua, ‘Democracy and the Construction of Allogeny/Autochthony’ for empirical accounts of how this has played out in Cameroon.
6. Wilkinson, *Votes and Violence*; Posner, *Institutions and Ethnic Politics*.
7. Globalization is the increase of globalism, the latter a more general term because it allows for both increase and decrease. Robert Keohane and Joseph Nye (2001) define globalism as ‘a state of the world involving networks of interdependence at multicontinental distances, linked through flows of capital and goods, information and ideas, people and force, as well as environmentally and biologically relevant substances’. Keohane and Nye, *Power and Interdependence*, 229.
8. Geschiere, *The Perils of Belonging*.
9. Bayart, Geschiere and Nyamnjoh, “J’étais là avant”. Geschiere and Nyamnjoh, ‘Capitalism and Autochthony’; Geschiere and Jackson, ‘Autochthony and the Crisis of Citizenship’; Dunn, “‘Sons of the Soil’ and Contemporary State Making’.
10. Chandra, *Why Ethnic Parties Succeed*.
11. Gordon Crawford and Christof Hartmann (2008) note the prevailing trend toward decentralization in Africa, supported by international donors and civil society organizations, as well as officially from central governments. Crawford and Hartmann,

- Decentralization in Africa*, 7–8. The present paper explores why decentralization may hold such paradoxical appeal for central governments.
12. Geschiere, *The Perils of Belonging*, 21.
 13. *Ibid.*, 26. This echoes a classic earlier work by Jean-François Bayart – *L'Etat au Cameroun*, as well as more recent collaboration between Bayart, Geschiere and Cameroonian Francis Nyamnjoh: 'Autochtonie, Démocratie et Citoyenneté en Afrique'.
 14. Bates, 'Modernization, Ethnic Competition', 158.
 15. This paper does not maintain that these identities are invented out of nothing or the polarization novel (see Konings, 'Autochthony and Ethnic Cleansing in the Post-Colony', which describes violence between similar groups in the 1960s). The difference is that the polarization has become *routine* and sanctioned by the state.
 16. I gratefully acknowledge the careful work of research assistant Chase Taylor who, with the generous support of a Bowdoin College Gibbons Fellowship, spent many hours digitizing boundary lines to create these maps. The base source for district boundary lines was the *Republic of Cameroon Administrative Map*, National Institute of Cartography, 2007, combined with narrative descriptions of district changes gleaned from the following government decrees: No. 92/103 of 15 January 1992; No. 97/061 of 2 April 1997; No. 97/062 of 2 April 1997; No. 97/090 of 17 May 1997; and No. 2007/119 of 25 April 2007.
 17. Konings, *Labour Resistance in Cameroon*; Gardinier, *Cameroon: United Nations Challenge to French Policy*, 519.
 18. Joseph, *Radical Nationalism*, 8–11; Eyongetah and Brain, *A History of the Cameroon*, 86–8.
 19. Delancey, *Cameroon*, 37–46.
 20. Joseph, *Radical Nationalism*, 343–5.
 21. Eyongetah and Brain, *A History of the Cameroon*, 162–163; Le Vine, *The Cameroons*, 229.
 22. Awasom, 'Politics and Constitution-Making'. Awasom, 'Language and Citizenship', 152–3.
 23. Delancey, *Cameroon*, 51–4.
 24. Osaghae, 'Political Transitions and Ethnic Conflict', 229.
 25. Delancey, *Cameroon*, 58–63. Takougang and Krieger, *African State and Society*, 52–3. See also Zambo Belinga, 'Equilibre Regional'.
 26. Takougang and Krieger, *African State and Society*, 94.
 27. Nkwi and Nyamnjoh, *Regional Balance*, 8–10.
 28. *Le Messenger*, August 3, 1991; cited in Takougang and Krieger, *African State and Society*, 94.
 29. Quinn, *In Search of Salt*, [Chapter 1](#).
 30. Quinn, *In Search of Salt*, frontpiece map; see also Joseph, *Radical Nationalism in Cameroon*, 11.
 31. Zambo Belinga, 'An Explanation of Electoral Attitudes'.
 32. Joseph, *Radical Nationalism in Cameroon*, 8.
 33. Miaffo and Warnier, 'Accumulation et Ethos'; Konings 'Autochthony and Ethnic Cleansing', 205–8.
 34. Joseph, *Radical Nationalism in Cameroon*, 8–11; Takougang and Krieger, *African State and Society*, 96. Also see Jua, 'State, Oil, and Accumulation'.
 35. Kaberry and Chilver, *Traditional Political System*, map on p. 357.
 36. Konings, 'Religious Revival', 36–8.
 37. Socpa, 'Bailleurs Autochtones et Locataires Allogènes'; Jua, 'Democracy and the Construction of Allogeny/Autochthony'.

38. World Development Indicators database: <http://data.worldbank.org/data-catalog/world-development-indicators>.
39. Takougang and Krieger, *African State and Society*, 98.
40. Konings, 'University Students' Revolt', 184.
41. Takougang and Krieger, *African State and Society*, 100–1.
42. *Ibid.*, 104–5.
43. Konings, 'University Students' Revolt'.
44. Takougang, 'Nationalism, Democratisation and Political Opportunism', 437–8.
45. Takougang and Krieger, *African State and Society*, 142.
46. The National Democratic Institute's, *An Assessment of the October 11, 1992 Election in Cameroon*, cites widespread fraud that led to Biya's victory, and academic observers such as Jean-Germain Gros, 'The Hard Lessons of Cameroon', discuss the multiple illegal tactics necessary to keep Biya in power.
47. Krieger, 'Cameroon's Democratic Crossroads'.
48. Ndjio, 'Millennial Democracy and Spectral Reality', 125.
49. Gros, 'The Hard Lessons of Cameroon'; Takougang, 'Nationalism, Democratisation, and Political Opportunism'.
50. Andreas Schedler has recently compiled a general inventory of how 'electoral authoritarian regimes', a label for which Cameroon would qualify, use democratic institutions to reinforce their rule (Schedler, 'Authoritarianism's Last Line of Defense'). He is more sanguine about the possibility (even if not the probability) that these institutions may erode authoritarian stability (77) than this article foresees, the latter pessimism arising because of the resignation observed within the disenfranchised opposition. See also Larry Diamond's relevant article about the adaptive nature of 'authoritarian statecraft' in the Arab Middle East: Diamond, 'Why are there no Arab Democracies?'
51. See Lublin (1995) for an excellent discussion of the potential for 'wasting' votes of a minority by packing them into majority-minority districts. Lublin, 'Race, Representation, and Redistricting'.
52. Jean Njoya ('Democratisation, Divergences Ethniques', 251) alludes to this gerrymandering, Saïbou Issa ('Arithmétique Ethnique', 214–15) refers to it in the context of a Northern district in Cameroon, and other scholars have suggested it (Mehler, 'Cameroon'), but there has been no sustained investigation of specific boundary changes and their results.
53. These administrative divisions had formed the constituencies for the 1988 single-party elections as well (Inter-Parliamentary Union, *Historical Archive of Parliamentary Election Results – Cameroon 1988*, http://www.ipu.org/parline/reports/2053_arc.htm).
54. These calculations come from 1987 population figures, as it was the most recent census before the 1992 elections. Population ratios for 2007 are even more exaggerated: Littoral has 138,000 persons per seat, North 121,000 and South 58,000.
55. Taagepera and Shugart, *Seats and Votes*, 112–16; Shugart and Carey, *Presidents and Assemblies*, 226–31.
56. These were Djerem and Faro-et-Deo in Adamawa, Nkam in Littoral, and Faro in the North, which were in fact the most lightly populated districts, ranging from 41,000 to 61,000 in population.
57. These were Wouri in Littoral with nine seats, which encompassed Cameroon's largest city, Douala, and Mfoundi in Center with seven seats, which encompassed the capital city Yaounde.
58. 1992 South West Province Districts (seats): Fako (4), Manyu (4), Meme (4), Ndian (3); 1997 Districts (seats): Fako/Buea Urbain (1), Fako Est (2), Fako Ouest (1),

- Manyu (3), Lebialam (1), Kumba Centre Urbain (1), Meme Ouest (1), Kupe-Manenguba (2), Ndian (3).
59. I am using registered voters rather than population in 1997, because population figures are not reported for special electoral districts. While this may not be an entirely accurate proxy, as developed later in the discussion of variations in registration, it does give a rough sense of the discrepancies in size of the districts.
 60. 1992 Far North Province Districts (seats): Diamare (5), Logone-et-Chari (4), Mayo Danay (5), Mayo-Kani/Kaele (5), Mayo Sava (4), Mayo Tsanaga (6); 1997 Districts (seats): Diamare Centre Rural (2), Diamare Centre Urbain (1), Diamare Nord (1), Diamare Sud (1), Logone-et-Chari (4), Mayo-Danay Est (3), Mayo-Danay Nord (1), Mayo-Danay Sud (1), Mayo-Kani Nord (3), Mayo-Kani Sud (2), Mayo Sava (4), Mayo Tsanaga (6).
 61. In Diamare, for example, UNDP had won all seats in 1992 in this multi-member district. In 1997, the government carved a district out of the 'rural center' north of urban Maroua with 51,369 registrants for two seats, leaving only one seat in the 'urban centre' of Maroua with 44,261 registrants.
 62. 1992 Littoral Province Districts (seats): Moungo (6), Nkam (1), Sanaga Maritime (3), Wouri/Douala (9); 1997 Districts (seats): Moungo Nord (3), Moungo Sud (3), Nkam (1), Sanaga-Maritime (3), Wouri-et-Manoka (3), Wouri Est (4), Wouri Ouest (1), Wouri Sud (1).
 63. Six-seat Moungo district became Moungo Nord and Moungo Sud, with three seats each in 1997; the former had 80,851 registered voters and the latter 33,110 for the same number of seats. CPDM won one of Moungo Nord's seats because SDF fell 0.08% short of winning a majority in the new district. CPDM won all three seats in Moungo Sud because it won, coincidentally, 50.08% of the vote in that new district. SDF had to win 32,000 votes in Moungo Nord to earn its two seats, whereas CPDM had to win less than 13,000 in Moungo Sud for its three seats.
 64. Takougang, 'The 2002 Legislative Election'; Konings, 'Opposition and Social-Democratic Change'.
 65. 1992 North West Province Districts (seats): Bui (4), Donga-Mantung (4), Menchum (4), Mezam (5), Momo (3); 1997 Districts (seats): Bui (4), Donga-Mantung (4), Menchum (2), Boyo (2), Mezam (3), Ngo-Ketunjia-Nord (1), Ngo-Ketunjia-Sud (1), Momo (3); 2002 Districts (same as 1997); 2007 Districts (seats): Bui-Centre (2), Bui-Ouest (1), Bui-Sud (1), Donga-Mantung (2), Donga-Mantung-Est (1), Donga-Mantung-Ouest (1), Menchum-Nord (1), Menchum-Sud (1), Boyo (2), Mezam-Centre (1), Mezam-Nord (1), Mezam-Sud (1), Ngo-Ketunjia-Nord (1), Ngo-Ketunjia-Sud (1), Momo-Est (2), Momo-Ouest (1).
 66. Mezam division encompasses Bamenda, capital of the North West Province and the home base of opposition SDF. It had five of the province's 20 seats in the 1992 elections. Because of the SDF boycott that year, however, CPDM won all five seats with a total of 8994 votes (each parliamentary member thus represented less than 1800 votes), along with all of the remaining seats in the province. Anticipating SDF's return in 1997, the first Presidential Decree divided Mezam into three districts, Mezam (Bamenda) retaining three seats and two other districts with a single-seat each: Ngo-Ketunjia-Nord and Ngo-Ketunjia-Sud. Bamenda's three-seat district contained 85,000 registered voters in 1997, single-seat Ngo Ketunjia Nord contained 21,000, and single-seat Ngo Ketunjia Sud contained 12,000. In the 1997 elections, the only seat won by CPDM in the North West Province was in Ngo Ketunjia Sud. The 2007 decree divided the three seats in Mezam once more – into Mezam Centre, Mezam Nord and Mezam Sud. Unfortunately for the government, it could not dislodge SDF from this bastion, nor from neighbouring Momo Est, which it had created in 2007, though it managed to win the single seat in Momo Ouest.

67. Interview, District Officer, July 2009, Buea.
68. This was likely because the single-seat district could not be divided any further, and CPDM had lost by only 38 votes to SDF in 1997. With a dramatic increase in supportive voters in 2002, it won 58% of the vote in the district to recapture the seat.
69. Fonchingong, 'Exploring the Politics of Identity', 370; Monga, "'Au Village!'"'; Geschiere, *Perils of Belonging*.
70. This was done with the help of research assistants, who spoke local languages when necessary and helped to fill out brief written surveys.
71. Of the four Beti who did not respond in the affirmative, two said they had not tried to get cards because they had no interest in the election, one said she had been in transition during the election, and the last was too young to vote. Obviously, any of this group who had wanted to obtain voting cards had no difficulty doing so.
72. Summary: 90% of Southerners (Beti) able to get cards; 67% Center (various groups); 50% West (Bamiléké); 43% South West (from Fako/Buea); 40% Littoral (from Wouri/Douala); 30% North West.
73. Crawford and Hartmann refer to a 2005 report by the International Council on Human Rights Policy that 80% of all developing and transition countries have undertaken some form of decentralization over the past two decades, and that in Africa, few countries have not done so (Crawford and Hartmann, *Decentralisation in Africa*, 7). Dau ('On African Parliaments') notes that nearly all Francophone countries in Africa have recently included minority rights provisions in their constitutions.
74. Njoya, 'Democratisation, Divergences Ethniques', 269.
75. Ndjio, 'Millennial Democracy and Spectral Reality', 142–7.
76. See specific details of the results of this shift in discourse in Jua, 'Democracy and the Construction of Allogeny/Autochthony', *African Issues*.
77. Nyamnjoh and Rowlands, 'Elite Associations'.
78. Njoya, 'Democratisation, Divergences Ethniques', 258.
79. *The Herald*, No. 279, January 29–30, 1996, p. 3. Cited in Nyamnjoh and Rowlands, 'Elite Associations', 326.
80. Geschiere, *The Perils of Belonging*, 53.
81. Njoya, 'Democratisation, Divergences Ethniques', 275, fn.3.
82. Geschiere, *The Perils of Belonging*, 54.
83. See Albaugh, 'Language Choice in Education'.
84. Tadadjeu, *Le Défi de Babel*; Albaugh, 'Language Choice in Education'.
85. Phillipson, *Rights to Language*; Skutnabb-Kangas, *Linguistic Genocide in Education*; de Varennes, *Language, Minorities and Human Rights*.
86. Tadadjeu, *A Model for Functional Trilingualism*; see also Chumbow, 'Linguistic Diversity'.
87. Horowitz, *Ethnic Groups in Conflict*, Chapters 4 and 5.
88. Mamdani, *Citizen and Subject*, 286.
89. *Ibid.*, 300.
90. Schedler, 'Authoritarianism's Last Line of Defense', 70.
91. See Lindberg, 'Opposition Parties and Democratisation', for a discussion of the varied roles of opposition parties in Africa.
92. Weber, *Peasants into Frenchmen*, Chapters 6 and 18.
93. Tadadjeu, *Le Défi de Babel*; Chumbow, 'Linguistic Diversity'; Mazrui and Alamin, *The Power of Babel*, 98–103.

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Can democratization undermine democracy? Economic and political reform in Uganda

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Democratization in Uganda may be seen as a form of policy transfer where the meaning of a multi-party system is significantly altered as a reflection of both the domestic political context, and the interests of the international donors. In making this argument, this paper provides three case studies of conflict between Uganda's parliament and executive branch over banking reform, central bank independence and electricity sector reform, between 1996 and 2006. Despite taking place in the no-party system, the executive oversight that the legislature provided constituted a particular form of substantive or 'thick' democracy, where parliament functioned as an effective opposition. This, in turn, created an incentive for Uganda's executive branch to promote the 2005 shift to a multi-party system, in order to produce a formal-legal or 'thin' form of democracy in which the executive branch could control parliament. This shift was supported by a donor community more interested in pursuing neo-liberal reforms in recipient states than in defending existing forms of substantive democracy.

Introduction

This paper examines three instances of conflict between Uganda's parliament and the executive branch between 1996 and 2006 under the 'no-party' system, in order to explain Uganda's shift to a multi-party system. It argues that in this period a particular form of 'thick' or substantive democracy emerged, as is demonstrated through three case studies of legislative oversight of the executive branch. By contrast, the 2005 democratization move towards a multi-party system threatens to produce a formal-legal or 'thin' form of democracy, in which the executive branch may come to dominate the legislature.

The paper begins with a critical discussion and overview of the literature on democratization and democratic theory, along with the policy transfer framework, and provides some context with regard to the Ugandan political system. Three case studies are then set out, detailing intra-governmental conflict between the Ugandan executive and legislative branches over banking reform, central bank independence and electricity sector reform. These case studies make extensive reference to a series of reports produced by the conflicting branches of the Ugandan government, as well as by external actors including donors, consultancies, and non-governmental organizations. They are also based on a set of unpublished elite interviews¹ conducted with policy-makers and other commentators in Kampala in 2003, with supplementary material sourced from the Ugandan media and from transcripts of speeches by Ugandan politicians. In the final section of the paper, Uganda's transition to a multi-party democracy is explained through two reinforcing arguments.

The first argument reflects domestic politics in Uganda, where the president/executive branch had a clear incentive to undermine the legislative branch, by using multi-party democracy to impose party discipline on MPs. This incentive derived from the activities of Uganda's sixth and seventh parliaments between 1996 and 2006, which interfered with core aspects of the government's neo-liberal economic reform programme. The reform process is set out in detail in the three case studies.

The second argument reflects international politics, as these neo-liberal reforms had been agreed with the donor community. Donors, it is argued, may be more interested in pursuing neo-liberal reforms in recipient states than in defending forms of substantive democracy that might undermine such reforms. When both sets of interests then align, a process of democratization which undermines (substantive) democracy may result. Democratization in Uganda, then, may be seen as a case of policy transfer where the meaning of the policy, the multi-party system, is significantly altered as a reaction to both the domestic political context, and the interests of the international donors.

Democratization in Uganda

Democratization is thus to be understood as a form of policy transfer, wherein knowledge concerning 'policies, administrative arrangements, institutions and ideas in one political setting (past or present)' is used in a different political context.² Most studies of policy transfer are studies of OECD states.³ However, some studies do seek to explain why policy transfer may fail, or result in partial implementation, or adaptation, in developing states.⁴ These have concluded that transferred policies are likely to exhibit different performance characteristics in their new context, and that these may contradict the intentions of the policy transfer process itself. The explanations provided for this are essentially domestic in focus: they include the normative ambitions of policy-makers, the irrationality of the policy-process, and/or the lack of necessary state capacity to properly implement

selected policies. This paper adds an international dimension by also considering the strategic objectives of the donor community.

When democratization is treated like any other policy area, where the outcomes of policy transfer are contingent, then the policies that underpin democracy in one state will not necessarily facilitate democratization when transferred elsewhere. Indeed, the Ugandan political context provides a set of challenges to successful policy transfer, and these need to be analysed in the case of democratization, just as the consequences of structural adjustment programmes and good governance policies have been. The research undertaken here explicitly addresses the process of policy adaptation in regard to democratization in Uganda.

To understand the case of Uganda, first, formal-legal institutions of democracy, or 'thin' democracy, must be differentiated from actual, substantive or 'thick' forms of democracy. This distinction allows an appreciation of a range of forms of political opposition, contestation and policy debates, such that democratization processes in Uganda can be compared with actual democratic outcomes.⁵ Following deliberative democratic theory,⁶ substantive forms of democracy may 'break-out' in a range of institutional contexts, even where formal-legal institutions of Western democracy are absent. In these substantive democracies, *de facto* participation, transparency and accountability are found, and power relations are regulated by both formal and informal arrangements, such as by normative values. Formal-legal institutions of democracy are supposed to ensure such regulation, but may in fact be just hollow shells.⁷

Depending on whether democratization processes aim to generate substantive or formal-legal versions of democracy, different policies and measures are likely to be suggested. These correspond with thick and thin versions of democratization. Formal-legal processes of democratization, then, aim at establishing institutions, procedures and rules that are deemed fair and legitimate, usually as understood within a narrow liberal democratic normative framework.⁸ An example is the existence of formal opposition parties.

Substantive and formal-legal forms of democracy are not necessarily mutually exclusive: substantive forms may also emerge in the formal-legal institutions central to the liberal democratic tradition such as a parliament. Indeed, this is the main justification for the promotion of formal-legal institutions found in democracy theory.⁹ The gap between *democracy* theory and *democratization* theory is evident here. In the latter, scholarship sometimes seems to concentrate exclusively on the promotion of formal-legal forms of liberal democracy.¹⁰ In the former, consideration of substantive democracy and broader conceptions of democracy are more commonplace, as evident in David Held's *Models of Democracy*. Indeed, following Held, a narrow focus on the formal-legal institutions of liberal democracy might result in 'little room for new and innovative thinking about democracy'.¹¹ The theoretical stance towards democratization taken here reflects an engagement with both these theoretical literatures, and as a result, can bring to light a greater range of policy transfer problems concerning democratization.

The core problem with donor advocated democratization programmes in developing states is that democratic thinness is often the result. These programmes tend to promote forms of democratization for which the mere appearance of a Western 'electoral democracy' tends to suffice.¹² This problem becomes particularly serious if the donor-sponsored transfer of formal-legal policies, aimed at promoting thin forms of democratization, are in tension with, or undermine, substantive, and actually existing forms of democracy that may have emerged in the pre-existing institutional context. Donor promotion of democratization, furthermore, tends to be linked to quantitative evaluation methods that ignore the distinction between formal-legal arrangements and substantive democracy.¹³ These approaches have proved 'largely blinkered to possible negative, unintended effects'.¹⁴ By contrast, contemporary research on democratization in Africa which recognizes this distinction has been able to illustrate how formal processes of democratization and actual democratic reversal may occur simultaneously.¹⁵

This distinction informs the three qualitative case studies of intra-governmental conflict in Uganda.¹⁶ This approach is more suitable for assessing the tensions in Uganda between thin and thick forms of democracy. These conflicts, between Uganda's parliament and parts of the executive branch, pertained to key areas of the neo-liberal economic reform agenda, and occurred between 1996 and the establishment of multi-party democracy after the 2005 referendum. The conflicts' origins may be found in the 1995 constitutional changes, which added an elected parliament to an already fully functional, executive-driven political system that included a grassroots based 'movement' system of participation and accountability. The elected parliament was intended to appease donor pressure for democratization, with the contingency however, that no-party democracy would both ensure political stability and protect executive power.¹⁷

It helps to view Uganda as a typical post-conflict developing state, where political liberation was linked to strong executive power.¹⁸ Under such circumstances, legislatures are likely to either serve as the voice of opposition, particularly with regard to reform programmes advocated by donors, or be ineffective, and subordinate to executive power.¹⁹ In this latter case, legislatures will act as a rubber stamp on executive decisions, or suffer from legislative paralysis due to factionalization and in-fighting, and therefore be unable to provide critical oversight on executive decisions. As Barkan argues, oversight is a core function of legislatures within the framework of democratization.²⁰ When this function is provided, a form of substantive democracy emerges from the formal-legal institutions of liberal democracy.

The three case studies provided here support the argument that in practice, members of parliament in Uganda managed to carve out a niche for themselves as a check and balance on executive power, able to provide oppositional and oversight functions. The no-party democracy system mitigated factionalization within parliament, and on key issues of economic reform, parliament acted as a voice of discontent, reflecting the critical views of other segments of Ugandan society. Indeed, a form of substantive democracy, understood in the sense of legislative

oversight over the executive branch, can be said to have emerged as an unintended consequence of the 1995 changes.

This substantive democracy is clearly evident in the intense debates over policy between different branches of government, and in the capacity of parliament to challenge development policies promoted by both parts of the executive branch and the donor community. Through the parliamentary research department, a series of reports highly critical of government policy and reform processes were published.²¹ In coalition with other actors, parliament was able to utilize its institutional capacity to orchestrate delays in infrastructure projects. In return, parliament attracted direct criticism from the president, senior ministers, and officials throughout the executive branch, ministries, and government agencies.

While President Museveni may have been the main target of parliament's ire, he was an indirect target, and this conflict was largely mediated by parliament's explicit and documented conflicts with, in particular, the central bank (Bank of Uganda) and the ministry of finance. Parliament may not have fought with the executive branch as a whole, but certainly fought with significant parts of it. These opposed policy interests generated an incentive for the executive, in the context of relations with the international donor community, to disempower parliament through the transition to a multi-party system (a formal-legal process of democratization).

It is important not to overstate the role of parliament in terms of the overall extent of democracy in Uganda. Parliament's impact, in the overall scheme of Ugandan politics, has been limited. Forms of substantive democracy may also have broken out in other parts of the Ugandan political system – in the decentralized forums of the movement, or in levels of participation under the no-party political system itself.²² Uganda's president has also been heavily criticized for undermining substantive democracy in this period.²³ Indeed, the 1995 constitutional changes may have been intended to undermine the substantive or 'thick' democracy that had emerged in the local assemblies during the previous decade,²⁴ in what would constitute a long-running process of the centralization of power in Uganda (even when explicit decentralisation occurred).²⁵ If the 2005 introduction of a multi-party system was intended to impose party discipline on MPs, and thereby limit parliament's oversight capacity, then this undermining of substantive democracy would fit with the overall pattern of behaviour of Uganda's executive.

Indeed, with regard to this pattern, Mwenda dismisses the Ugandan parliament as having 'hardly challenged executive political dominance'.²⁶ Muhumuza, further, argues that the executive branch completely undermined the independence of parliament between 1996 and 2006.²⁷ By contrast, this paper argues that the Ugandan parliament did function as a voice of opposition after the 1995 constitutional changes.²⁸ This is not to deny that the executive branch sought to restrain parliament's activities in this period,²⁹ but to argue, following Kasfir and Twebaze,³⁰ that parliament continued in important ways to challenge key planks of the executive branch's reform programme.

In turn, this created an incentive for the executive to pursue further political changes in 2005, in particular the shift to multi-party democracy, which is explained as a further attempt to limit parliamentary oversight. Following the policy transfer framework, however, it must be noted that the 2005 reforms may also engender unanticipated consequences, such that the outcomes for democracy in Uganda cannot be determined with any certainty at this point. This issue will be returned to towards the end of the paper, while the main argument, and the case study evidence, focus on the substantive democratic role played by parliament under no-party democracy, and the impact of this upon the executive branch.

Conflict over financial sector reform

Conflict between parliament and the executive branch of government in Uganda prior to the move to a multi-party system can be traced back to the 1995 constitutional changes, under which the Ugandan central bank, the Bank of Uganda, was granted constitutional independence. This move was one which MPs, concerned with the authority of the new no-party parliament, appear to have viewed with suspicion. In 1999, parliament identified a problem with how central bank independence was being interpreted in the context of financial sector reform, stating that the central bank was unaccountable and should be subject to parliamentary authority, particularly in matters of public concern.³¹

Disagreement between parliament and the executive over central bank independence escalated during the reform of Uganda's problematic financial sector. Parliament's opening gambit was to establish a Judicial Committee of Inquiry into the central bank's decision to close four problem banks in 1999. Given that financial mismanagement was clearly apparent, the inquiry vindicated the Bank of Uganda's decision. However, conflict flared up again, as soon afterwards, the central bank moved to privatize the largest and most important bank in Uganda – the Uganda Commercial Bank (UCB). UCB was re-capitalized to the tune of Ushs. 118 billion (1.7% of Uganda's GDP), and became a limited liability company (UCBL) in October 1997.³² A ministry of finance source testified that UCBL, then holding over 50% of all deposits in Uganda, was viewed by both the ministry of finance and the Ugandan central bank as 'too big to fail'.³³

Parliament was initially in favour of this, with the caveat that 'informed professional opinion from the country of origin and also from reputable international professional and banking bodies be obtained' regarding potential investors, to ensure the privatization process was 'fully transparent' and free from 'seeds of tension'.³⁴ Tension was, however, the result of the reform process, as the Malaysian-based company Westmont Land BHD Asia which took over UCBL in April 1998 lasted only a few months, caused Ushs. 23.5 billion in losses, and left the recently re-capitalized UCBL Ushs. 16.3 billion in debt.³⁵ Westmont, it eventuated, had neither the capital nor the expertise to properly manage UCBL, and was in fact secretly fronting for a Ugandan bank (purportedly with links to the president's brother), Greenland Bank Ltd, to whom massive amounts of money had

been lent.³⁶ Parliament referred to the privatization of UCBL as a ‘fiasco’, and managed to claim a number of ministerial scalps.³⁷

In April 1999, the Bank of Uganda seized managerial control of UCBL from Westmont under sections 31 and 32 of the 1993 *Financial Institutions Statute (FIS)*, while the government sued Westmont and regained ownership of UCBL in November 2000, at a legal cost of Ushs. 11 billion. After returning UCBL to solvency, the central bank began preparations for re-privatization against strenuous objections from parliament. In July 2000, the new privatization objectives were set out: to sell a controlling stake to a well-established, reputable and credible bank, while preserving the rural branch network; the protection of existing deposits; and floatation of 20% of UCBL on the Uganda stock exchange.³⁸

The Bank of Uganda’s strategy, set out to the Joint Parliamentary Committee on the Economy and Finance on 15 February 2001, was to approach 11 ‘pre-qualified’ reputable international banks already operating in Africa. An offer from Standard Chartered Investment Banking Corporation Ltd (Stanbic) was accepted on 15 October 2001, as it met ‘the primary objectives for the resolution of UCBL’ according to the minister for finance and the Divestiture and Reform Implementation Committee (DRIC).³⁹ Stanbic took over management of UCBL on 21 February 2002.⁴⁰ Parliament, for its part, questioned the legality of the UCBL sale, its public accountability, and the adequacy of the DRIC investigation, arguing that the entire process lacked transparency.⁴¹ Given the lack of trust in the Uganda political system and a lack of political support for the central bank, even from the ministry of finance, parliament’s attempt to portray the sale as ‘secretive’ inevitably led to suspicions of corruption.⁴²

On 15 May 2002 a parliamentary Ad Hoc Committee was appointed to investigate the ‘manner and propriety’ of the UCBL sale under Article 90(4)(a) of the Constitution. Parliament took the technical position that UCBL should have been sold under the *Public Enterprises Reform and Divestiture (PERD) Statute* (1993) rather than under section 32 of the *Financial Institutions Statute (FIS)* (1993) as claimed by the Bank of Uganda.⁴³ As Kasfir and Twebaze note, both allegations of corruption and uncertainty over whether divestiture was an executive or legislative issue made privatization a central issue in intra-governmental conflict in Uganda.⁴⁴

Parliament argued that the central bank’s strategy of approaching ‘pre-qualified’ buyers through a private financial consultant, rather than using an open, competitive tender, resulted in a hurried, secretive sale of UCBL at any price.⁴⁵ The Bank of Uganda and the ministry of finance counter-claimed that an open bidding process would entail the risk of ‘depositor flight’, and that otherwise high quality investors were unlikely to be found, while parliament claimed this process in fact excluded many bidders to the commercial detriment of UCBL.⁴⁶ Parliament’s Ad Hoc Committee concluded that the eventual sale price and terms were well below market best.⁴⁷

The ministry of finance now sought to defend the central bank’s decision, arguing that the central bank has a statutory obligation to prevent unsuitable

investors from participating in the bidding. The appropriate goal of the second privatization therefore was not to maximize sale price, but to find a suitable buyer and thereby avoid a second debacle. The benefits of this would ‘far outweigh’ any potential higher sale price.⁴⁸ Furthermore, one independent evaluation (by KPMG) found that UCBL fetched an appropriate sale price, while a second, DfID-funded evaluation (by GBRW) concluded that the sale was within the central bank’s mandate.⁴⁹

The ministry of finance therefore concluded that the report of the Ad Hoc Committee ignored the ‘substantial achievements’ of the central bank in selling UCBL to a reputable international bank, while maintaining the rural branch network.⁵⁰ The Ad Hoc Committee’s report was described by sources as ‘very shoddy’ and as a case of ‘sheer oppositionalism’ by anti-government forces in parliament.⁵¹ Of course, this conflict took place after the fact, with parliament responding to actions already taken by the Bank of Uganda. However, from this experience, parliament learnt that its capacity to form special committees and conduct inquiries enabled its self-defined task of providing oversight on the executive branch. Furthermore, unperturbed by critical commentary on its activities, parliament became even more pro-active, seeking to resolve its grievances through further legislation.

Conflict over central bank independence

Returning to an earlier theme, the Ad Hoc Committee claimed the central bank had used ‘purported supervisory powers and independence’ to sideline parliament in the sale of UCBL.⁵² One MP argued that to privatize the largest state bank without parliamentary approval would be unthinkable in any other state.⁵³ The Ad Hoc Committee concluded that the power of the central bank in regard to insolvent financial institutions regaining solvency under statutory administration were excessive, and needed to be reviewed.⁵⁴ Further, parliamentary resolutions should be ‘legally binding and enforceable’ to prevent a repeat of this scenario.⁵⁵

The conflict between the central bank and the parliament of Uganda over financial sector reform therefore became an explicit conflict over central bank independence, which involved the executive branch, particularly the ministry of finance. The ministry of finance explicitly defended the Bank of Uganda’s central bank independence, arguing that the parliament’s proposals were unconstitutional, as they breached the principle of the division of powers between the legislative and executive branches. Further to this, parliament was informed that it should enact laws, not impose legally binding resolutions on executive functions such as those provided by the central bank.⁵⁶

The Ad Hoc Committee argued that central bank independence, as enshrined in the constitution and the *Bank of Uganda Statute* (1993), had been ‘misinterpreted’,⁵⁷ and that independence was intended to facilitate monetary and fiscal policy, domestic price stability, and external equilibrium in balance of payments, and not shield the central bank from public accountability. Parliament therefore

set out its intent to give central bank independence the ‘correct interpretation’ through a review of both the constitution and the *FIS* (1993).⁵⁸ The ministry of finance replied that the constitution had *not* been misinterpreted, as the central bank’s independence also related to its role in financial sector regulation. It argued that central bank must be able to carry out its mandate independent of parliament and government, and remain accountable through parliament’s power to request explanations for central bank actions from the Bank of Uganda Governor.⁵⁹

Revision of the *Financial Institutions Statute (FIS)* (1993) (the 2002 *Financial Institutions Bill* or *FIB*) therefore became the new basis for political conflict. Parliament sought to use the revision of the *FIS* (1993) to *reduce* central bank independence, and the entire process was explicitly portrayed in such terms by some sources in the Ugandan media.⁶⁰ However, the executive branch in principle supported revision of the statute, on the grounds that it was inadequate for central bank regulation of financial institutions. The revisions, therefore, were for the executive intended to *enhance* central bank independence. Consequently, there were many drafts and the process was a lengthy and drawn-out case of parliament-executive conflict.⁶¹

The executive branch’s plan was to use the reform to reduce regulatory forbearance, with mandatory requirements for central bank actions against financial or banking institutions when certain thresholds are crossed. This, in theory, would reduce conflict between parliament, the central bank, and the ministry of finance, as reduced discretion would effectively de-politicize the central bank. Corporate governance would in turn be improved, by clearly defining the role of the board, management, auditors and regulators. The central bank would also be given the power to dismiss the board of directors of failing commercial banks. The executive also sought to use the *FIB* to restructure Uganda’s problem financial sector. Minimum capital requirements were to be imposed on small banks, and ownership of a bank would be limited to a 20% maximum for any one family or organization. Such measures were designed to stop the practice of family-owned banks lending themselves money and then collapsing, with the government (as guarantor of deposits) left to foot the bill. Further restrictions on insider lending (to 25%) were planned, as well as strict limits on large exposures.⁶²

Interviewed sources argued that the proposed rule changes would limit Ugandan citizens and companies with regard to bank ownership but not foreign banks or investors, while important local organizations (such as non-governmental organizations (NGOs)) would be prevented from accessing necessary financial services.⁶³ Parliament once again acted on behalf of civil society groups in criticizing executive plans. Consequently, parliament presented these reforms as an attempt to take control of the banking sector away from Ugandan nationals and discourage indigenous enterprises, whilst encouraging foreign-owned banks as if they were ‘missionaries’.⁶⁴ Indeed, under Article 26 of the *FIB* (2002), capital requirements were to increase to Ushs. 4 billion, and clauses offering preferential treatment for local investors under the *FIS* (1993) were abolished.⁶⁵

The Bank of Uganda's strategy was viewed by parliament as one of abolishing smaller players in the financial sector, rather than strengthening its own regulatory capacity.⁶⁶ Explicit attempts to strengthen the central bank's regulatory powers were seen as designed to target specific problematic sectors or individuals in a 'draconian' manner, rather than addressing the long-term national economic interests of Uganda.⁶⁷ Instead, as one MP argued, such reforms failed to address the widespread financial sector problems of corruption, insider lending and political loans. Instead, they reflected the central bank's failure and incapacity to properly supervise and regulate the financial sector.⁶⁸

Parliament's report into the *FIB* (2002), drafted by the executive branch, concluded that the powers it proposes for the central bank over financial institutions are 'excessive' and the penalties too harsh.⁶⁹ The abolition of requirements for the central bank to consult with the minister of finance under Article 11, for example, would give the central bank significant 'unchecked power'. Parliament's report reiterated the finding of the Ad Hoc Committee that central bank independence is being 'misinterpreted and must be given correct interpretation', and misused so as to shield the central bank from public accountability. Parliament again foreshadowed its intent of a constitutional review of central bank independence.⁷⁰

Sources argued that this parliamentary review of the *FIB* (2002) largely reflected parliament's desire to resolve its grievances with the central bank over the UCBL sale.⁷¹ Indeed, *A Review of the Financial Institutions Statutes, 1993 and the Financial Institutions Bill, 2002* followed closely from the *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, in September 2002. Further to this, parliament passed a motion on 4 December 2002 that 'debate on the Financial Institutions Bill, 2002 be halted until the report on UCB has been presented, debated and the house pronounces itself on the matter'.⁷² Nevertheless, the Financial Institutions Act (2004) was eventually passed, with the inclusion of a framework for mandatory 'Prompt Corrective Actions'.⁷³ Once again the executive branch was seen to ride out parliamentary opposition. However, parliament was also again demonstrably able to complicate executive political projects, as well as ensure significant delays. Parliament also contributed to public debate and discussion regarding proposed reforms. Failure to rein in Uganda's central bank therefore did not discourage parliament's attempt to provide oversight of the executive branch, it simply resulted in conflict moving to other policy areas.

Conflict over electricity sector reform

The UCBL debacle in particular generated a generalized suspicion in Uganda of corruption in privatization processes.⁷⁴ This facilitated the spill-over of parliament's conflicts with the executive branch into other issue areas, such as the long-standing plans for electricity sector reform, of which privatization was a central plank. The central issue of the reform was the proposed Bujagali

hydroelectric site, planned to be built, owned and operated by the private sector as an independent power project (IPP). An investor was found (a subsidiary of US company AES), and the approximately 250 MW of capacity to be generated was viewed by proponents as a long-term solution to actual and predicted electricity generation shortfalls in Uganda. The government finalized a power purchase agreement (PPA) and implementation agreement (IA) with AES on 8 December 1999.

The project was to begin in early 2002, but suffered extensive delays resulting, at least in part, from an examination of the project by the Parliamentary Committee on Natural Resources.⁷⁵ The resulting report identified several problems with the Bujagali project, and opposition in parliament was fuelled by the exaggerated of projected costs for the Ugandan government. Indeed, under pressure from AES, government guarantees for the project rose from US\$350 to US\$500 million, largely as a consequence of the global impact of the Enron crisis.⁷⁶ It was suggested by multiple sources that, once again, given the undoubted widespread existence of corruption in Uganda, the perception existed, including amongst MPs, that such costly projects 'must be corrupt'.⁷⁷ One MP noted that in response to parliament's delaying tactics, President Museveni publicly lambasted MPs for 'blocking access of ordinary people to investors, sabotaging the economy, and frustrating investors'.⁷⁸ This can clearly be interpreted as a sign that the president was losing patience with the legislature, which again was demonstrably successful in delaying executive sponsored reform projects.

The financing of the Bujagali project was certainly problematic, if not on grounds of corruption. The government's own electricity sector reform consultants noted in 1999 that Uganda's potential financial obligations to AES were unclear. Indeed, the IA and PPA for Bujagali assigned almost all the risk from the project to the Ugandan government, especially through guarantees of capacity payments.⁷⁹ Ministerial sources conceded that this effectively meant that the government of Uganda had to pay for electricity the plant was capable of producing, regardless of whether the electricity was actually sold, for a period well into the future.⁸⁰

Parliament considered this too great a financial risk, especially given problems in the transmission and distribution sub-sectors for which AES was not responsible.⁸¹ Indeed, should the Bujagali project have been completed under AES auspices by the projected date of 2005, Uganda would have a total generating capacity of around 460 MW, for a forecast peak demand of around 500 MW. Transmission and distribution problems notwithstanding, these demand projections have been extensively criticized.⁸² To the extent that there was at least some risk that demand would be insufficient for the increased capacity, the government's own consultants identified the risk of serious financial consequences.⁸³

Under the Electricity Act 1999⁸⁴ it is the role of the independent regulator, the Electricity Regulation Authority (ERA), to make sure this does not happen by setting tariff levels able to achieve government objectives. These are to eliminate subsidies and corruption whilst increasing competition, thereby ensuring increases to the grid size, while market efficiency in pricing and the building of economies of

scale, would ensure lower cost electricity. In practice however, the ERA is completely dependent on support and technical assistance from the World Bank and the ministry of energy. The ministry of energy also controls ERA board appointments and dismissals, and is widely viewed to appoint people who will bow to political pressure. Many sources, even ERA sources, admit that ERA independence is largely compromised.⁸⁵ It is on these grounds that parliament criticized the ERA, viewing its board as dominated by executive-appointees, and operating as a rubber stamp for government policy. Consequently, while the electricity sector reforms made Uganda increasingly dependent on the private sector, the ERA was viewed as incapable of proper regulation.⁸⁶ As one MP noted, parliament therefore felt no compunction against its attempts to publicly pressure the ERA over the issue of tariff policy.⁸⁷

Parliament was vehemently opposed to the ERA's June 2001 decision to increase tariffs by a massive 133%. The ministry of energy argued that necessary revenue for the electricity sector must come from electricity consumers via appropriate tariff levels. Tariff levels were therefore to be raised to the market rate, to ensure cost recovery, to ensure commercially viable electricity sector companies, and to cover both UEB debt and the costs of the Bujagali project.⁸⁸ However, the size of the increase was considered disproportional, and drew widespread criticism, particularly from parliament.⁸⁹ The executive branch and ministry of energy did little to defend the ERA against this criticism.⁹⁰ Instead, President Museveni, with up-coming elections in mind, sought to subsidize certain categories of consumers directly from the government's central budget, and particularly provide subsidies for rural electrification.⁹¹ These adjustments to the reform strategy must at least in part be attributed to parliament's critical stance.

Parliament released a report in 2001 arguing that Uganda already had expensive electricity costs relative to world and regional standards, suggesting problems with the ERA's notion of 'market rates'.⁹² 'Market pricing', it was argued, constituted an inefficiency levy on consumers.⁹³ Indeed, the government's May 1999 draft of the June 1999 *New Strategic Plan* argues that tariff increases are not the key to electricity sector viability in Uganda, as tariff levels are adequate when compared to cost base. Distribution reforms aimed at increasing efficiency constitute the core strategy for building a financially viable electricity sector in the draft plan.⁹⁴ However, this was omitted from the final document.⁹⁵ Consequently, the capacity of Uganda to extend the electricity grid to new consumers given rising prices is questionable.

Indeed, parliament explicitly argued that market-based tariffs could conflict with the aim of increasing rural coverage – a contradiction the *New Strategic Plan* identified but did not resolve. According to parliament the initial connection costs for rural electrification remained prohibitive, throwing doubt on the assumption that increased generation capacity would be absorbed by growing rural demand.⁹⁶ During a presentation in 1999, the government's own consultants also noted that market rate tariffs would be unaffordable for consumers. They argued that the abolition of government subsidies and the transition to market

pricing would need to occur simultaneously with a decrease in the costs of rural electrification.⁹⁷ The potential for contradiction here was more than apparent to critics.

In 2002, one of parliament's environmental NGO allies, the International Rivers Network (IRN), also argued that tariff increases would logically lead to a reduction in demand. They provided evidence from both Tanzania and Uganda which suggests that high electricity prices were the single biggest disincentive for investment.⁹⁸ Parliament happily cited the report, which argued that privatization-based electricity sector reform strategies in developing countries usually resulted in the debt burden of state electricity utilities being passed to consumers through tariff increases.⁹⁹ Indeed, the interaction between parliament and environmental NGOs was a particular object of complaint for the executive branch. Parliament had supplemented its own capacity to provide executive oversight by forming network linkages with both national and international civil society actors. Indeed, Parliament's NGO allies managed to delay funding for the Bujagali project at the World Bank through lobbying in Washington, DC, including through claims of corruption. The IRN's 2001 submission to the World Bank's Inspection Panel (IPN) explicitly argued that the poorly conceived Bujagali project is the cause of unaffordable tariff increases in Uganda that will result in social problems as well as slower economic growth.¹⁰⁰

Tariffs in Uganda were in fact significantly raised under the new private distribution company (ESKOM/Globaleq), by 24% in 2004, and again by 37% in 2006. This did not stop running losses, and both investors (who have made little of the promised investments in the sector) have threatened to pull out.¹⁰¹ A 2003 study by a key donor in this sector – the Norwegian government – had already concluded that reforms greatly increased the cost price per unit of electricity, with no evidence of any improvement in the sector.¹⁰² By 2007, the Ugandan budget for the energy sector was significantly higher, while the Norwegian government became mired in accusations of cover-ups and corruption.¹⁰³ The Bujagali IPP power project has continued under a new investor, but is unlikely to be operational before 2011.

Parliament failed to prevent these outcomes from energy sector reform, despite their criticisms, and also failed to stop the Bujagali dam project. However, parliament did again demonstrate its ability to promote delays, and to embarrass the executive branch. Furthermore, it demonstrated the capacity to do so across multiple policy areas, and by forming alliances with civil society, to directly affect the relationship between the executive branch and its donors. These case studies provide evidence of a legislature exercising its core function, and, as a result, of a form of substantive democracy having emerged under the no-party system since 1996. Here is the incentive the executive branch needed to consider alternative strategies for dealing with its legislature. Indeed, between 2003 and 2005 conflict between parliament and the executive branch focused on proposed constitutional amendments that threatened to limit parliament's capacity for oversight, and thereby threatened to undermine this substantive democracy.

Transition to a multi-party system

At least since 1996, and increasingly after 2001, the executive branch has sought to limit parliamentary oversight and independence, as the president recognized that his legislative agenda was threatened by the no-party legislature.¹⁰⁴ Serious consideration of a shift towards a multi-party system began in early 2003.¹⁰⁵ The formal-legal democratization process in Uganda, that is, the shift to a multi-party system, may therefore be interpreted as an attempt to undermine substantive forms of democracy, entrenching executive power by limiting the oppositional capacity of parliament. The process of democratization might then serve to undermine a parliament that – as the case studies have demonstrated – both promoted debate and provided a crucial opposition function. This function is of obvious normative importance in the promotion of substantive forms of democracy.

As Kasfir and Twebaze¹⁰⁶ note, in the build-up to the 2005 referendum on multi-party democracy, MPs expressly argued that the proposed transition would result in a legislature heavily divided along party lines, controlled by the executive using party discipline, with limited oversight capacity. Lack of party discipline had facilitated coalition building within parliament between more oppositional MPs and those in principle loyal to the movement, enabling the sixth and seventh parliaments to act as a check on executive power prior to 2006.¹⁰⁷ Further proposed measures also suggest an attempt by the executive to rein in parliament. These included abolishing parliament's ability to censure ministers, an important power in the 1996–2006 period, abolishing parliament's role in vetting ministerial appointments, and giving the president the power to dissolve parliament.¹⁰⁸

The Museveni regime promoted the transition to a multi-party system against years of its own opposition and rhetoric, largely based on the view that such a system would promote ethnic, regional and/or religious tensions.¹⁰⁹ Further to the argument that this transition was designed to shore up executive power, in March 2003, a second constitutional change was proposed: the removal of the two-term limit for presidents.¹¹⁰ The two core proposals have been interpreted as a trade-off, but can also be seen as Museveni killing two birds with one stone.¹¹¹ The president publicly supported the referendum, arguing that the proposed changes were aimed at 'strengthening the movement' and 'ridding ourselves of the uncommitted'.¹¹² Perhaps more for the donor's benefit, President Museveni also argued that the measures would contribute 'to the development of Uganda'.¹¹³ With the support of both the president and opposition groups, the July 2005 referendum on restoring multi-party politics was easily passed.¹¹⁴ In February 2006 Museveni was elected to a 3rd term, and the election of Uganda's eighth parliament resulted in a large majority for the president's party.¹¹⁵ Domestic explanations of this transition are based on executive interests, and point to the capacity of domestic politics to shape the policy transfer process (in this case the facilitation of donor promoted democratization).¹¹⁶

Burnell notes that a world-wide tendency for legislatures to lose power to the executive branch is particularly evident in the neo-patrimonial context of African

states. His research on Zambia concluded that successful oversight of parliament over the executive branch increased the executive's incentive to pursue formal-legal type democratization in order to render parliament less troublesome.¹¹⁷ One potential strategic response for the executive branch thus is to impose party discipline on MPs, ensuring its subordination to executive rule. 'Democratization' can then intentionally be used to undermine substantive forms of democracy, even when this produces developmental benefits in the face of poor decisions by the executive branch.¹¹⁸ In this vein, Barkan, in a comparative study of the role of legislatures in Africa, concludes that parliaments that do act as a check on executive power in Africa are likely to face a backlash from presidents and their allies.¹¹⁹

This comparative evidence, added to the case studies provided here, support the possibility that the legislature's behaviour in Uganda provided the executive branch with an incentive to drive the formal-legal democratization process, in order to re-establish policy control and achieve further domestic political objectives. Effectively, the executive sought to strengthen its own power at the expense of Uganda's legislature – and a level of substantive democracy. This finding also fits with the policy transfer literature regarding developing states, which is of largely domestic focus in explaining policy adaptation. The normative ambitions of Ugandan policy makers, understood in terms of domestic political imperatives, caused transferred policies (formal-legal democratization) to be adapted.

However, explanations of Uganda's shift to multi-party democracy should also include the influence of international donors. In the case of Uganda, donors might be seen to promote multi-party systems as they are essential to democratization and democratic consolidation, reflecting normative beliefs.¹²⁰ Given donor perception of a decline in Uganda's democracy after 1995, external pressure for a multi-party system may have resulted, leading to the 2005 changes. If this is this case, then donors' solution to promote a multi-party system arguably has been somewhat misguided, as it targets, and in effect undermines, the very institution that was providing some degree of substantive democracy in Uganda.

However, donors can also be seen to face a dilemma between promoting democracy and promoting neo-liberal reforms aimed at supporting a more efficient market economy. From this perspective, policy transfer failure is due to the irrationality not of the domestic policy process, but of the international policy process. Much of development theory since the early 1990s has asserted the inherent compatibility of democracy and development.¹²¹ However, even if substantive forms of democracy are broadly compatible with development, it does not follow that substantive forms of democracy will always be compatible with the particular development strategies that donors are advocating.

Indeed, Carothers argues that donors display a lack of interest in legislatures because they are the least favourable branch of government for reform. Strong executives, on the other hand can push reform programmes through.¹²² According to Ayers, in practice this means core neo-liberal reform programmes, such as privatization and central bank independence. From this disciplinary neo-liberalism

perspective, a formal-legal or 'thin' form of democracy is more favourable to donor interests.¹²³ The preferred development strategies of the donor community therefore pose a potential threat to existing forms of substantive democracy in recipient states. Ugandan parliament's effective opposition to neo-liberal reforms could potentially be broken by the transition to a multi-party system, and donors certainly advocated this transition. Ayers explicitly argues that Uganda's parliament was undermined by donor pressure, in favour of the stabilization of the neo-liberal reform agenda, within a formal-legal, 'thin' form of democracy, through the transition to a multi-party system.¹²⁴

The Ugandan case exemplifies a substantive democracy's capacity to oppose, or at least delay, donor-advocated neo-liberal reforms. From this perspective, donors are charged with deliberately undermining Uganda's degree of substantive democracy to better enable the promotion of their preferred development strategies. Donors certainly explicitly advocated multi-party democracy in Uganda,¹²⁵ and their importance to Uganda's economy, which is structurally economically dependent upon donor financing, is clear.¹²⁶

Ayers' approach might explain why the donor community's actual normative commitment to democracy, in anything other than a strict, formal-legal sense, is often questioned.¹²⁷ If substantive forms of democracy are in conflict with the preferred economic policies of the donor community, then those donors which do have a serious normative commitment to substantive democracy must recognize this tension. Otherwise, irrationality in the policy process at the level of international donor policies may emerge, creating a non-domestic, developing state specific form of policy transfer failure.

However, Ayers' argument does not really explain why the transition to a multi-party system occurred in 2005 not 1995, after a decade of Ugandan government resistance. Donor-centred arguments may therefore be problematic. Following Harrison,¹²⁸ we must recognize the historically entrenched mutual embeddedness of agents of the state and the donor community. It is necessary to move beyond the traditional dichotomy of 'domestic' and 'international' spheres, towards a more complex model that addresses the interconnectedness of political systems and the impact of this on political behaviour. Uganda certainly exhibits economic dependency on the donors, but its economic success under the Museveni regime has resulted in its status as the 'darling' of the donor community. This has allowed for relative independence in some policy areas.¹²⁹

Explaining the change in the executive's position in Uganda then is important. As the case studies demonstrate, the prospect of shifting parliament away from an oppositional mode, as well as achieving constitutional changes to extend presidential terms, provided the Museveni regime with a strong domestic incentive towards acceding to donor demands for democratization. Disciplinary neo-liberalism then explains the mutuality of interest between Uganda's executive branch and the donor community in formal-legal, 'thin' forms of democratization, which may serve to undermine more substantive, actually existing forms of democracy.

Conclusion

It may be counterintuitive to argue that a transition to a multi-party democracy will have negative implications for democracy. However, by following the policy transfer framework, reviewing the existing democratization literature, and providing qualitative case studies from Uganda, precisely this argument can be made. It may be that ‘thin’ forms of democratization better accommodate donor advocated development strategies, but that they also threaten existing, substantive forms of democracy is clearly a problem from a normative perspective favourable to substantive democracy. A critical stance towards the assertion of an unproblematic compatibility between democratization and development is also needed.

Democratization, like any set of policies or institutions, must be subject to contextual analysis for its social meaning to become apparent, and so the limitations and implications of policy transfer processes (both in general and specifically for democratization) can be better realized. In developing states, both domestic and international sources of adaptation must be considered. Nevertheless, to consistently follow the policy transfer framework, it must also be acknowledged that the 2005 democratization policies may have further unintended ramifications for Uganda’s democracy. Space for democratic accountability and political opposition could open up,¹³⁰ even if Uganda’s post-2005 parliament is subordinate to executive rule.¹³¹ Indeed, Uganda’s parliament under no-party democracy has already demonstrated that under a range of institutional settings, space for substantive forms of democracy to emerge can be created. Research into the practical operation of Uganda’s parliament (and Uganda’s democracy) under a multi-party system is called for.¹³²

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Notes

1. Lilleker, ‘Interviewing the Political Elite’; Grant, ‘Elite Interviewing’.
2. Dolowitz and Marsh, ‘Learning from Abroad’, 5.
3. Larmour, ‘Policy Transfer and Reversal’, 152.
4. Stone, ‘Transfer Agents and Global Networks in the “Transnationalisation” of Policy’; Levi-Faur and Vigoda-Gadot, ‘The International Transfer and Diffusion of Policy and Management Innovations’; Simmons, Dobbin and Garrett, *Introduction*; Rodrik and Subramanian, ‘The Primacy of Institutions’; Allegret, Courbis and Dulbecco, ‘Financial Liberalization and Stability of the Financial System in Emerging Markets’; Stone, Maxwell and Keating, *Bridging Research and Policy*; Stone, ‘Learning Lessons and Transferring Policy across Time, Space and Disciplines’, 51–9; Stiglitz, ‘Scan Globally, Reinvent Locally’.
5. Muriaas, ‘Reintroducing a Local-Level Multiparty System in Uganda’, 92; Ssenkumba, ‘The Dilemmas of Direct Democracy’, 172. Either Muriaas is narrowing

- Ssenkumba's definition, or both take a narrower view of political opposition and democracy than is utilized here.
6. Blaug, 'New Theories of Discursive Democracy'.
 7. Przeworski, *Democracy and the Market*; Kaldor and Vejvoda, 'Democratization in Central and East European Countries', 3–4; Warleigh, 'Substantive Democracy and Institutional Change'; Kaldor, 'Democracy and Globalisation', 35.
 8. Kaldor, 'Democracy and Globalisation', 35–6.
 9. Huber, Rueschemeyer and Stephens, 'The Paradoxes of Contemporary Democracy', 323; Kaldor, 'Democracy and Globalisation, 44; See Schumpeter, *Capitalism, Socialism, Democracy*.
 10. Haerpfer et al., *Democratization*. This recent textbook, for example, is extremely narrow in focus. Deliberative democracy is mentioned on p.12; See also Schumpeter, *Capitalism, Socialism, Democracy*.
 11. Held, *Models of Democracy*, 232.
 12. Burnell, 'Democratization'; Burnell, 'Democracy Assistance', 4; Zakaria, 'The Rise of Illiberal Democracy'; Crawford, 'Promoting Democracy From Without – Learning From Within (Part II)', 17–8.
 13. Crawford, 'Promoting Democracy From Without – Learning From Within (Part I)', 86.
 14. *Ibid.*, 86.
 15. Burnell and Calvert, 'Promoting Democracy Abroad', 434; Burnell, 'Democracy Assistance', 24.
 16. Crawford, 'Promoting Democracy From Without – Learning From Within (Part II)', 2–5.
 17. Muhumuza, 'From Fundamental Change to No Change', 22.
 18. de Zeeuw, 'Projects Do Not Create Institutions'.
 19. Carothers, *Aiding Democracy Abroad*, 178–95.
 20. Barkan, 'African Legislatures and the "Third Wave" of Democratization', 7.
 21. Parliament of Uganda, *Report of the Sessional Committee on Finance, Planning and Economic Development*; Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*; Parliament of Uganda, *Report of the Sessional Committee on Finance and Economy Planning on The Public Enterprises Reform & Divestiture (Amendment) Bill 1997*; Parliament of Uganda, *Report of the Sessional Committee on Finance and Economy Planning on The Public Enterprises Reform & Divestiture (Amendment) Bill 1997*; Parliament of Uganda, *A Review of the Financial Institutions Statutes, 1993 and the Financial Institutions Bill, 2002*; Parliament of Uganda, *Comparison of Bujagali Hydro-Electric Power Project, and Karuma Falls Hydro Power Project*; Parliament of Uganda, *Comparison of the Unit Price of Uganda's Electricity with those of other Countries in East Africa, Africa, Europe and the Americas*.
 22. Kasfir, 'The Ugandan Elections of 1989', 249–56. Kasfir provides an early discussion of Uganda's democratic claims prior to 2005. Also see Mwenda, 'Personalizing Power in Uganda', 24.
 23. Muhumuza, 'From Fundamental Change to No Change'; Mwenda and Tangri, 'Patronage Politics, Donor Reforms, and Regime Consolidation in Uganda'; Mwenda, 'Personalizing Power in Uganda'; Mutabazi, 'Switching Roles in Pursuit of Democracy in Uganda'.
 24. Kasfir, "'No-Party Democracy" in Uganda', 49–63.
 25. Mwenda and Tangri, 'Patronage Politics, Donor Reforms, and Regime Consolidation in Uganda', 457–8.
 26. *Ibid.*, 459.
 27. Muhumuza, 'From Fundamental Change to No Change', 31–3.

28. Kasfir and Twebaze, 'The Rise and Ebb of Uganda's No-Party Parliament', 73–108. This chapter explains in detail the institutional basis of parliament's activities in Uganda between 1996 and 2006.
29. Kasfir and Twebaze, 'The Rise and Ebb of Uganda's No-Party Parliament', 74–5; Carbone, "'Populism" Visits Africa', 10; Mwenda, 'Personalizing Power in Uganda', 24.
30. Kasfir and Twebaze, 'The Rise and Ebb of Uganda's No-Party Parliament', 73–86; Carbone, "'Populism" Visits Africa', 9–10.
31. Parliament of Uganda, *Report of the Sessional Committee on Finance, Planning and Economic Development*, 8–9.
32. Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, 2.4.2; Parliament of Uganda, *Report of the Sessional Committee on Finance and Economy Planning on The Public Enterprises Reform & Divestiture (Amendment) Bill 1997*, 2.
33. Interview at the Ministry of Finance, Planning and Economic Development, Kampala, Uganda, 1 April 2003.
34. Parliament of Uganda, *Report of the Sessional Committee on Finance and Economy Planning on The Public Enterprises Reform & Divestiture (Amendment) Bill 1997*, 5–9.
35. Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, 2.4.2.
36. Kasfir and Twebaze, 'The Limits of Institutionalization of a Legislature without Parties: The Ugandan Parliament', 15; Kasekende, *Financial Sector Reforms in Developing Economies*, 10; Bank of Uganda, *Annual Report 2001*, 32; Tangri and Mwenda, 'Corruption and Cronyism in Uganda's Privatization in the 1990s'.
37. Kasfir and Twebaze, 'The Rise and Ebb of Uganda's No-Party Parliament', 80; Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, 2.4.3.
38. Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, 2.4.3, 2.5.1 and 4.1.6; Ministry of Finance, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Ltd.*, 1–2; Kasekende, *Financial Sector Reforms in Developing Economies*, 9–10; Bank of Uganda, *Annual Report 2001*, 32–3; Rukutana, *Statement of the Minister of State for Finance to Parliament*.
39. Rukutana, *Statement of the Minister of State for Finance to Parliament*; Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, 4.1.6.
40. Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, 2.6.1.
41. *Ibid.*, 2.6.2.
42. Interview at the Ministry of Finance, Planning and Economic Development, Kampala, Uganda, 1 April 2003; Interviews at Action Aid Uganda, Kampala, Uganda, 1 April 2003.
43. Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, 2.6.2; Ministry of Finance, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Ltd.*, 4–10; Bank of Uganda, *Annual Report 2001*, 33.
44. Kasfir and Twebaze, 'The Rise and Ebb of Uganda's No-Party Parliament', 79.
45. Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, 4.1.3–9.
46. Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, 4.1.4–8; Rukutana, *Statement of the Minister of State for Finance to Parliament*.

47. Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, 4.1.9 and 4.2.3–4.2.8.
48. Kasekende, *Financial Sector Reforms in Developing Economies*, 11; Ministry of Finance, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Ltd.*, 2–5.
49. KPMG, *Business Valuation of Uganda Commercial Bank Limited*, Final Draft, June 30, 2001; GBRW, *Evaluation of the Resolution of Uganda Commercial Bank Limited*, May 7, 2002.
50. Ministry of Finance, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Ltd.*, 2–6; KPMG, ‘Business Valuation of Uganda Commercial Bank Limited’; see Government of Uganda, *Cabinet Information Paper*.
51. Interview at the Ministry of Finance, Planning and Economic Development, Kampala, Uganda, 1 April 2003; Interview at the Uganda Investment Authority, Kampala, Uganda, 31 March 2003.
52. Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, 4.6.2.
53. Interview at Parliament House, Kampala, Uganda, 2 April 2003.
54. Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, 4.6.2.
55. *Ibid.*, 8.1.1–8.1.2.
56. Ministry of Finance, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Ltd.*, 8.
57. Parliament of Uganda, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Limited (UCBL)*, 8.3.
58. *Ibid.*, 8.3.
59. Ministry of Finance, *Report of the Parliamentary Ad Hoc Committee on the Sale of Uganda Commercial Bank Ltd.*, 8.
60. Lule, Kennedy, ‘Uganda: House Trims Bank of Uganda Powers’.
61. Kasekende, *Financial Sector Reforms in Developing Economies*, 18.
62. *Ibid.*, 7–18; Tumusiime-Mutebile, ‘Speech by E. Tumusiime-Mutebile, Governor, Bank of Uganda, at the Opening of the Barclays Bank Prestige Centre, Tank Hill, Muyenga, 18th April 2001’, 3.
63. Interview at the International Monetary Fund (IMF) Office, Kampala, Uganda, 31 March 2003; Interview at the Economic Policy Research Centre (EPRC), Makerere University, Kampala, Uganda, 1 April 2003; Interview at Parliament House, Kampala, Uganda, 2 April 2003; Interview at the Bank of Uganda, Kampala, Uganda, 2 April 2003; Interview at Parliament House, Kampala, Uganda, 2 April 2003.
64. Interview at Parliament House, Kampala, Uganda, 2 April 2003.
65. Tumusiime-Mutebile, ‘Speech by E. Tumusiime-Mutebile, Governor, Bank of Uganda, at the Opening of the Barclays Bank Prestige Centre, Tank Hill, Muyenga, 18th April 2001’, 3; Parliament of Uganda, *A Review of the Financial Institutions Statutes, 1993 and the Financial Institutions Bill, 2002*, 6–8.
66. Interview at Parliament House, Kampala, Uganda, 2 April 2003.
67. Interview at Economic Policy Research Centre (EPRC), Kampala, Uganda, 1 April 2003.
68. Interview at Parliament House, Kampala, Uganda, 2 April 2003.
69. Parliament of Uganda, *A Review of the Financial Institutions Statutes, 1993 and the Financial Institutions Bill, 2002*, abstract.
70. *Ibid.*, 15.
71. Interview at the Ministry of Finance, Planning and Economic Development, Kampala, Uganda, 1 April 2003; Interview at the Bank of Uganda, Kampala, Uganda, 2 April 2003.

72. Parliament of Uganda, 'Business Transacted by the 7th Parliament', 2nd Meeting of the 2nd Session (12 November–13 December 2002)'.
73. Bank of Uganda, *Annual Report 2004/2005*, 86.
74. Mwenda and Tangri, 'Patronage Politics, Donor Reforms, and Regime Consolidation in Uganda', 453–4; World Bank, *Recommendations for Strengthening the Anti-Corruption Program, Uganda*.
75. Interview at Parliament House, Kampala, Uganda, 2 April 2003.
76. Ibid.
77. Interview at Uganda Investment Authority, Kampala, Uganda, 31 March, 2003; Interviews at the Bank of Uganda, Kampala, Uganda, 28 March 2003 and 2 April 2003; Interview at Parliament House, Kampala, Uganda, 2 April 2003; Interview at the Ministry for Finance, Planning and Economic Development, Kampala, Uganda, 3 April 2003; Interview at DfID EA Office, Kampala, Uganda, 7 April 2003. All sources agreed that the perception of corruption in Uganda is widespread.
78. Interview at Parliament House, Kampala, Uganda, 2 April 2003.
79. London Economics, *Uganda Implementation Plan*, 7–11.
80. Interview at the Ministry of Energy and Mineral Development, Kampala, Uganda, 2 April 2003; Interview at the Ministry for Finance, Planning and Economic Development, Kampala, Uganda, 3 April 2003.
81. Parliament of Uganda, *Comparison of Bujagali Hydro-Electric Power Project, and Karuma Falls Hydro Power Project*, 10.
82. See Bosshard, *Pervasive Appraisal Optimism: A Review of the World Bank's Appraisal of the Bujagali Project*.
83. London Economics, *Uganda Implementation Plan*, 21.
84. Government of Uganda, *The Electricity Act, 1999*.
85. Interview at the Directorate for ICT Support, Makerere University, Kampala, Uganda, 1 April 2003; Interview at the World Bank Office, Kampala, Uganda, 1 April 2003; Interview at the Utility Reform Unit (URU), Ministry for Finance, Planning and Economic Development, Kampala, Uganda, 2 April 2003; Interview at the Ministry for Finance, Planning and Economic Development, Kampala, Uganda, 3 April 2003; Interview at the Electricity Regulatory Authority (ERA), Kampala, Uganda, 7 April 2003; Interview at the Uganda Debt Network (UDN), Kampala, Uganda, 7 April 2003.
86. Kyokutamba, *Power Sector Reform in Uganda*, i; Interview at Parliament House, Kampala, Uganda, 2 April 2003.
87. Interview at Parliament House, Kampala, Uganda, 2 April 2003.
88. Utility Reform Unit, *Uganda Electricity Distribution Company and Uganda Electricity Generation Company Privatisation – Briefing Note*, 3; Ministry of Energy and Mineral Development, *Response of the Ministry of Energy and Mineral Development to Issues Raised by Members of the Parliamentary Committee of Natural Resources on the New Electricity Retail Tariffs*; Parliament of Uganda, *Comparison of the Unit Price of Uganda's Electricity with those of other Countries in East Africa, Africa, Europe and the Americas*, 4–8.
89. Interview at the Uganda Investment Authority, Kampala, Uganda, 31 March 2003; Interview at the Economic Policy Research Centre (EPRC), Kampala, Uganda, 1 April 2003; Interview at the Directorate for ICT Support, Makerere University, Kampala, Uganda, 1 April 2003; Interview at the Utility Reform Unit (URU), Ministry for Finance, Planning and Economic Development, Kampala, Uganda, 2 April 2003; Interview at the Electricity Regulatory Authority (ERA), Kampala, 7 April 2003.
90. Interview at the Ministry for Finance, Planning and Economic Development, Kampala, Uganda, 3 April 2003.

91. Parliament of Uganda, *Comparison of the Unit Price of Uganda's Electricity with those of other Countries in East Africa, Africa, Europe and the Americas*, 4.
92. *Ibid.*, 4; See Energy Sector Management Assistance Program (ESMAP), *Uganda: Energy Assessment*, 26.
93. Parliament of Uganda, *Comparison of the Unit Price of Uganda's Electricity with those of other Countries in East Africa, Africa, Europe and the Americas*, 4.
94. Government of Uganda, *Uganda: Power Sector Restructuring and Privatisation – New Strategic Plan & Implementation Plan (Draft)*, 5.
95. Government of Uganda, *Uganda: Power Sector Restructuring and Privatisation – New Strategic Plan & Implementation Plan*.
96. *Ibid.*, 7; Parliament of Uganda, *Comparison of the Unit Price of Uganda's Electricity with those of other Countries in East Africa, Africa, Europe and the Americas*, 7–9.
97. London Economics, *Uganda Implementation Plan*, 58–9.
98. Bosshard, *Pervasive Appraisal Optimism: A Review of the World Bank's Appraisal of the Bujagali Project*, 17; World Bank, *Fuel for Thought: An Environmental Strategy for the Energy Sector*, 45.
99. International Rivers Network (IRN), 'An Overview of the ADB's Support for Energy Sector Reform'; Parliament of Uganda, *Comparison of the Unit Price of Uganda's Electricity with those of other Countries in East Africa, Africa, Europe and the Americas*, 7–8.
100. Inspection Panel, *Uganda: Third Power Project (Credit 2268-UG) and the Proposed Bujagali Hydropower Project*, 3–6.
101. Hall, *Energy Privatisation and Reform in East Africa*, 10.
102. Mæsted, 'The Electricity Sector of Uganda – Results of Development Assistance', 11–21.
103. Hall, *Energy Privatisation and Reform in East Africa*, 8–9.
104. Kasfir and Twebaze, 'The Rise and Ebb of Uganda's No-Party Parliament', 83–4; Mugisha, 'Museveni's Machinations', 140–1; Watt, Flanary and Theobald, 'Democratisation or the Democratisation of Corruption?', 50; Muhumuza, 'From Fundamental Change to No Change', 37.
105. Kannyo, 'A New Opening?', 125.
106. Kasfir and Twebaze, 'The Rise and Ebb of Uganda's No-Party Parliament', 83–4.
107. *Ibid.*, 79.
108. Mwenda, 'Personalizing Power in Uganda', 24.
109. Mwenda, 'Personalizing Power in Uganda', 30; Therkildsen, 'Uganda's Referendum 2000'; Watt, Flanary and Theobald, 'Democratisation or the Democratisation of Corruption?', 56–8; Karlström, 'Civil Society and its Presuppositions'; Kasfir, 'The Ugandan Elections of 1989'; Regan, 'Decentralization Policy', 171.
110. *The Monitor*, February 22, 2003; Kasfir and Twebaze, 'The Rise and Ebb of Uganda's No-Party Parliament', 84–5; Government of Uganda, *The Constitution of Uganda*, 105(2).
111. Inter-Parliamentary Union, 'Parliamentary Developments'; Muhumuza, 'From Fundamental Change to No Change', 30–1.
112. Museveni, *President Museveni Addresses the Nation on Forthcoming Referendum*; See Baguma, 'Museveni Castigates Opposition Boycotters'.
113. Museveni, *President Museveni Addresses the Nation on Forthcoming Referendum*.
114. CMI Research Report, *Lessons from the Referendum for the 2006 Election*. The 2000 referendum, equally, had been lost largely due to presidential opposition. See Therkildsen, 'Uganda's Referendum 2000'. In both cases there were turnout issues, and it is difficult to establish from these contrary results the degree of popular support for either model. Interestingly, there has been less criticism of the 2005 referendum, even though turnout was lower.

115. Kasfir and Twebaze, 'The Rise and Ebb of Uganda's No-Party Parliament', 75–6.
116. Crawford, 'Promoting Democracy From Without – Learning From Within (Part II)', 18.
117. Burnell, 'Parliamentary Committees in Zambia's Third Republic', 291–312; Burnell, 'Financial Indiscipline in Zambia's Third Republic', 34–5.
118. Burnell, 'Financial Indiscipline in Zambia's Third Republic', 34.
119. Barkan, 'African Legislatures and the "Third Wave" of Democratization', 19; See also Adamolekun and Laleye, 'Benin', 135–6; Lindberg and Zhou, 'Co-optation Despite Democratization in Ghana', 169–75; Carbone, "'Populism" Visits Africa', 9.
120. van Wersch and de Zeeuw, 'Mapping European Democracy Assistance', 1–2.
121. Sen, *Development as Freedom*; See Williams and Young, 'Governance, the World Bank and Liberal Theory'; Leftwich, 'Governance, Democracy and Development in the Third World'.
122. Carothers, *Aiding Democracy Abroad*, 183–5.
123. Ayers, 'Demystifying Democratisation', 335. See Gill, 'The Constitution of Global Capitalism' for further discussion of disciplinary neo-liberalism.
124. Ayers, 'Demystifying Democratisation'.
125. *Ibid.*, 326.
126. Mwenda and Tangri, 'Patronage Politics, Donor Reforms, and Regime Consolidation in Uganda', 451–3; Kasekende and Atingi-Ego, 'Impact of Liberalization on Key Markets in Sub-Saharan Africa'; Hauser, 'Ugandan Relations with Western Donors in the 1990s'; see Himbara and Sultan, 'Reconstructing the Ugandan State and Economy', 85–93.
127. Crawford, 'Promoting Democracy From Without – Learning From Within (Part II)', 17–8.
128. Harrison, 'Post-Conditionality Politics and Administrative Reform'.
129. Hauser, 'Ugandan Relations with Western Donors in the 1990s'; Muhumuza, 'From Fundamental Change to No Change', 38–40; Mwenda and Tangri, 'Patronage Politics, Donor Reforms, and Regime Consolidation in Uganda', 451; Mwenda, 'Personalizing Power in Uganda', 23.
130. Mwenda, 'Personalizing Power in Uganda', 36; Kasfir and Twebaze, 'The Rise and Ebb of Uganda's No-Party Parliament'.
131. Kasfir and Twebaze, 'The Rise and Ebb of Uganda's No-Party Parliament', 86 and 104–6. Kasfir and Twebaze are ambiguous in their views here, suggesting less parliamentary independence is likely, but also that the committee system set up in the previous decade would continue to function under the 8th parliament.
132. Muriaas, 'Reintroducing a Local-Level Multiparty System in Uganda', 106–7; Muhumuza, 'From Fundamental Change to No Change', 34; Gloppen et al., 'Uganda's 2006 Presidential and Parliamentary Elections'; Katono and Manyak, 'Impact of Multiparty Politics on Local Government in Uganda'. Post-2005 research largely focuses on the perceived unfairness of the 2006 election, which to some extent reinforces concerns with the formal-legal aspects of democracy.

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Democracy promotion in Africa: the institutional context

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Democracy is seen by many as a viable means to rebuild the legitimacy of African states. However, African democracy is often based on a particular set of institutions which tend to concentrate power in the executive. A powerful president operates in a context of a minimal separation of powers, with few possibilities to restrain the executive, and a highly majoritarian party-political landscape. Democratic reforms and democracy assistance policies were first directed primarily at multiparty elections and political parties. Later donors have shifted to a broader approach of good governance and human rights. However, both the narrow electoral and the broader good governance and human rights approaches do not address sufficiently the institutional context of multi-party competition, which is characterized by the fusion of powers and a powerful presidency. This is a serious flaw which also limits the impact of current democracy promotion policies. This contribution suggests that democracy promoters could address this institutional gap by advocating for institutional reforms through which accountability in Africa may be increased, notably through greater inclusion of parliament and interest groups and of civil society actors in policy-making. Moreover, donors can set an example by introducing such reforms in the donor–recipient policy dialogue process they themselves conduct.

Introduction

Democracy promotion has become a ‘boom industry’ in the post Cold War period. At the same time it is very difficult to identify the core goals and components of the policy field. Democracy assistance is provided under the umbrella of human rights, rule of law, good governance and post-conflict peace-building programmes. It is provided by governments, by multilateral agencies, by (international) non-governmental organizations (NGOs) and political parties or party affiliated foundations. The fragmented nature of democracy assistance implies that it is difficult to identify the core goals, strategies and implementation modes, let alone to assess their

results. Several authors note that it is near impossible to assess quantitatively the financial input of donors in this area.¹ Moreover, the field has developed and changed over the past two decades and donors differ to some extent in their focus. Two leading authors, Thomas Carothers and Marina Ottaway, conclude that democracy assistance has obtained some modest results in countries where circumstances for democratic transition have been favourable, while at the same time democracy promotion policies suffer from major shortcomings.² Among these is the failure to address wider structural constraints.

Strategies for the promotion of democracy may be largely categorized under two headings. One kind of strategy implies the use of conditionality, that is, the attachment of political conditions to the provision of (economic) development assistance. This strategy, which has also been used earlier in the context of broader human rights policies, has been coined 'negative linkage' by Jan Pronk, former Dutch Minister for Development Cooperation.³ Another strategy is to actively assist in democratic reform, that is, to support financially or otherwise the introduction and strengthening of democracy, which may be called a positive linkage.⁴

During the early 1990s the wave of new 'founding' multi-party elections in Africa constituted the primary target of democracy promotion. Where necessary, donors pushed for these elections through conditionality (negative linkage) and where desired, donors provided financial and technical assistance and observation for such elections (positive linkage). Subsequent criticisms that Western democracy promotion was too narrowly focused on multi-party elections⁵ were probably justified, and partially reflected 'infant diseases' of the policy field. At present many donors have shifted to broader issues such as good governance, accountability, participation and human rights. Under those headings, donors now implement programmes to strengthen the police, prosecutors, auditors, parliaments and political parties. These improvements show that donors recognize the vital importance of a whole range of institutions in liberal democracy. Accordingly receivers of democracy promotion assistance are, besides political parties, increasingly organizations in civil society, the media and various institutions of the state. The latter approach will be referred to as the broader 'governance and rights' approach, while the former will be referred to as the narrow electoral approach.

This paper argues that explicit attention to the institutional context of multi-party competition remains largely absent in both kinds of democracy promotion policies. Institutional context, here, should be understood as the basic design of the political system at the central level, specifically the choice for presidential, semi-presidential or parliamentary government, the scope of presidential power and the extent of separation of powers.⁶ In the academic literature such institutional choices have been widely discussed by comparativists because they matter not just for the survival of democracy, but also for the quality and performance of democracy. For example, presidentialism may present risks for the survival of democracy, a hypothesis qualified by Shugart and Carey who identified high levels of presidential power as such a risk. Lijphart also disfavours presidentialism because it inherently limits possibilities for power sharing in his broader argument that systems

with power division and power sharing perform better with respect to 'kindness and gentleness' in terms of the quality of democracy and social policies.⁷ For the case of Southern Africa, Reynolds showed in a comparable cases study that the choice of institutions influenced the 'democratic trajectories' of five countries in southern Africa, and the present author showed that high presidential power was statistically related to lower freedom rates in Africa.⁸

This contribution will address a specific institutional problem present in African political systems which goes to the heart of a fundamental concern in liberal democracy, that is, how to avoid the concentration and personalization of power. Although some aspects of current policies for the promotion of democracy touch upon these issues, they often do not confront them in a direct or coherent manner. This contribution puts forward the argument that donors thus help to bring about a system which may appear democratic in the sense that Africans can now elect their leaders, but which is in fact very far from a more substantive form of democracy because of the excessive concentration of power in the president. Three examples should clarify this point. The goal to strengthen parliaments is laudable, but if donors attempt to do this merely by training MPs and their staff in the context of a system where executive and legislative powers are almost completely fused, the systemic constraints inhibiting the strengthening of parliament are not addressed. Or, when programmes aim at making the auditor or prosecutor's offices stronger, but do not address the often unlimited presidential power of appointing these offices, a fundamental and systemic constraint to increasing the independence of these offices is neglected. Lastly, if party assistance is directed at inter-party dialogue, but several features of the electoral and constitutional system are directed at one-party majority rule and at capturing the prize of the presidency, such efforts will have limited effect. In sum, the institutional context of multi-party elections actually constitutes a major constraint for the effectiveness of democracy promotion policies in Africa.

Two kinds of analytical bias help to explain the relative neglect of such institutional issues in democracy promotion in Africa. First, as noted in Marina Ottaway's study, democracy promotion policies reflect the analytical orientation to agency rather than structure, which has also been evident in most studies on democratic transitions.⁹ Democracy promotion agencies have tended to address actors and attempted to make them into democrats, through training, seminars and exchange programmes. However, broader structural issues and constraints, such as 'shallow transitions' led by non-embedded elites and 'asymmetrical sources of power', are beyond the scope of most interventions.¹⁰ The institutional design of the political system represents an example of such a structural constraint. A second analytical bias evident in studies of African politics is the tendency to focus on informal and personal patterns of rule, such as neopatrimonialism. In most studies of personal or neopatrimonial rule in Africa, formal institutions enter the analysis only to point to the importance of the system of presidential government.¹¹ However, with some notable exceptions,¹² the precise institutional aspects of presidential power and the wider institutional context are not examined

systematically. In an attempt to redress this imbalance, Bratton examined the relation between formal and informal institutions in Africa, subsuming under the former the constitutional rules and relations between state institutions and under the latter clientelism, corruption and 'Big Man' presidentialism. He argues that the formal and informal structures in reality 'thoroughly interpenetrate one another'.¹³ Based on Afrobarometer survey data, Bratton showed that formal institutions, notably institutions that check the executive are not performing well. The survey data at the same time show that formal rules have gained an important place in African perceptions and evaluations of democracy.¹⁴ This analysis supports Posner and Young's and Prempeh's view that institutional rules are beginning to matter more in Africa, as evidenced in patterns of succession and observance of presidential term limits.¹⁵ Where incumbents attempt to by-pass such rules, populations increasingly mobilize in protest.

These studies, then, show that formal institutional rules are beginning to put limits on presidential power, but it is only a beginning. Term limits are an important means to check presidential power, but they concern the requirement to leave office after a number of terms. Term limits and presidential elections help to create vertical accountability, that is, the possibility for citizens to remove an executive after his/her term has ended. Vertical accountability in itself is an important element of electoral democracy, but it can only be exercised intermittently, after the ending of a term. This current contribution focuses on alternative institutional means to limit executive power which may operate while a president is in office. O'Donnell refers to horizontal accountability, which creates checks and balances between government institutions. Contrary to vertical accountability, these mechanisms operate more continuously and serve to limit the power of the executive during a term of office.¹⁶ Such checks on government may be exercised when powers between the executive and the legislature are separated or when parliament has been granted sufficient powers. Yet these issues are rarely addressed systematically for African countries.¹⁷ A second way to address executive dominance is to limit presidential power, or as formulated by Prempeh, to tame African 'imperial presidents'.¹⁸ In order to address the institutional mechanisms to limit executive power more systematically, it is necessary to first examine the ways in which executive power is constituted and executive-legislative relations are structured in African countries in a section on the hybrid nature of these regimes. Following this, the concentration of power in the executive presidency will be addressed. Next, a section will address the way in which these institutional features limit the effects of current democracy promotion policies. Then, a section will address the way in which institutional issues may be brought into democracy promotion policies, after which conclusions are drawn.

The hybrid nature of African regimes

Most African political systems represent a hybrid regime type, a term used here not in the sense of being semi-democratic or semi-authoritarian, but in the sense of

combining elements of presidential and parliamentary systems of government. The combination of presidential and parliamentary features does not result in a system which partially behaves as a parliamentary system, but quite to the contrary results in a system which becomes hyperpresidential.¹⁹ To avoid the rather technical aspect of regime classification, the argument simply follows the approaches of Elgie and Siaroff which both – in a somewhat different way – rely on dispositional rather than relational features. In both classification schemes the important variables concern the presence of a president and/or a premier and – for each office – the question whether there is direct election and a fixed term (which implies there is independence or separation from the other branch of government).²⁰

In a parliamentary system legislative and executive power are fused. This means that the executive depends on the legislature for its origin and survival. In a pure presidential system, the two branches are independent, meaning that the directly elected executive cannot be voted out of office by the legislature; except for the possibility of impeachment in constitutionally prescribed and limited circumstances, the population can only vote the executive out of office after completion of the term. Most African systems combine these features of parliamentary and presidential regimes, making them notoriously difficult to classify.²¹ There is a popularly elected executive president and a cabinet that needs the confidence of the assembly. Part of the executive – the president – conforms to the presidential model; another part – the cabinet – to the parliamentary model. In roughly half the cases the cabinet is headed by a premier (predominantly in Francophone countries); in the other half cabinet lacks a premier (in the majority of Anglophone countries). The former category is here classified as semi-presidential, the latter as presidential. In an earlier contribution to *Democratization*, this typology was applied to 30 Anglophone and Francophone African political regimes resulting in the classification of 12 countries as presidential, 15 as semi-presidential and three as parliamentary.²² A confusing point for the non-expert observer is that in two of the parliamentary systems, that is, South Africa and Botswana, the head of state and government is called a ‘president’; however, this ‘president’ is not directly elected, nor possesses a fixed term. The important point for this analysis is that – leaving aside the parliamentary systems – both the presidential and the semi-presidential African systems are characterized by (a) substantial fusion of powers between (part of) the executive and the legislature, evident in the possibility of the legislature to censure ministers or the entire cabinet and of the president to dissolve the legislature, and (b) high levels of presidential power. Such features led Elgie to classify Namibia, which can stand as a model for many African semi-presidential systems, as ‘presidentialized’ rather than a ‘dual executive’ semi-presidential system.²³

The non-separation, or fusion, of powers is most evident in the (parliamentary) rule of cabinet needing the confidence of the assembly. Both the origin and survival of the executive is dependent on the (sometimes implicit) confidence of the assembly. This feature appears to express the constitutional and philosophical idea that parliament is ‘sovereign’, but in reality it tends to create executive dominance

over the assembly (particularly in the case of one party cabinets).²⁴ Thus in many African political systems, executive dominance, resulting from fusion of powers between the legislature and the cabinet, is combined with the presence of a directly elected president with substantial executive powers. Both features strengthen the concentration of power in a single person executive. The argument presented here is that African hybrid systems thus combine the power concentrating features of the parliamentary *and* the presidential systems: parliamentary systems by definition fuse power between the legislature and the executive and thus create a degree of constitutional ‘monism’, and presidential systems are inherently majoritarian because the single-person executive by definition gains power through a majority vote of a winner take all type.²⁵ Of course, both systems, in their ideal, but also in their empirical forms, also possess power sharing options or at least have power division potential; parliamentary systems allow power sharing through a collective executive, primarily through a coalition cabinet, and presidential systems may divide and separate power between the different branches of government. In Africa’s hybrid systems, however, the power sharing or power dividing potential of the ideal types is not reflected. In other words, the way in which parliamentary features are combined with the presidential executive leads to a high degree of power concentration. And it is this hybrid nature that allows these regimes to become hyperpresidential.

Besides the fusion of powers in terms of origin and survival of the cabinet and the assembly, particularly Anglophone countries possess the additional feature of fusion of offices.²⁶ That is, executive and legislative offices are fused into one person: ministers are recruited from among MPs and remain MPs while serving on the government. In many Anglophone African countries, around 30% of MPs are actually members of the government, and in one case – Namibia – almost 60%.²⁷ The result is, as Barkan notes, that ‘few MPs pursued a legislative career with an eye on policy making for the good of the nation. Rather, becoming a member of the legislature was seen as an avenue for lucrative patronage jobs, a ministerial appointment being the most alluring among them’.²⁸ These features severely limit the possibility to strengthen parliament *vis à vis* the executive and Barkan argues that a change of incentive structure is needed to strengthen African parliaments. The institutional features determining the balance of power between the executive and legislature listed by Barkan are: separating the legislature as an independent branch of government; a fixed term (no possibility of dissolution); absence of executive power to suspend the legislature; the possibility of passing legislation without assent of the president or overruling a presidential veto; powers to require testimony by the executive; the possibility for the legislature to set its own budget, to recruit and maintain its own staff; strengthening the legislature’s role in preparing the national budget; the management of constituency development funds and the manner of election.²⁹

These possible sources of parliamentary power remain largely absent or weak in Africa’s hybrid systems.³⁰ An overview of the constitutions of 30 African countries³¹ indicates that dissolution of the assembly by the president is possible

in the majority of regimes. Most constitutions create barriers to overrule a presidential veto through a requirement of an extraordinary majority. Thus, most African presidents have what is considered a strong, rather than a weak veto power. In addition, in nearly all countries, the role of parliament in the national budget is limited to accepting or rejecting the budget prepared by the government, with a possibility to amend the budget only if such amendments serve to decrease expenditures. In other words, it is impossible in such cases for parliament to amend the budget with items requiring expenditure, which in fact limits the possibility to initiate policies. The provision implies complete agenda power for the executive, while the legislature can only reject executive proposals. Lastly, as noted by Barkan, parliament as an institution is underfunded and understaffed, with the exception of South Africa, Uganda and Kenya.³²

In sum, the balance of power between the executive and the legislature tips strongly in favour of the executive with systemic features leading to *fusion* rather than *separation* of powers. The systemic design of the executive-legislative relationship limits the possibility for parliament to play a significant role in legislation, policy development and oversight of the executive. Such institutional features severely affect the question posed before as central to at least a more substantive or liberal form of democracy: how to avoid the concentration and personalization of power. The latter issue was not addressed when African governments introduced multi-party elections during the 1990s. Reforms were essentially directed at a minimal or procedural form of democracy and did not entail a comprehensive reassessment of such systemic features. The next section will address the executive itself, which, apart from its systemic domination of the legislature, possesses strong powers.

Presidential power

In the hybrid political regimes outlined above, the paramount political figure is the executive president. Besides the obvious central role of the president in informal 'Big Man' politics, it is important to assess the institutional power of presidents, which not only enables but also strengthens his informal power. Alan Siaroff construed a framework for the comparison of presidential powers. The framework examines not only constitutional powers, but also agenda power and power deriving from the ways presidents are elected, in other words systemic features, using nine important sources of presidential power.³³ In an earlier contribution, the present author applied this scheme to 30 Anglophone and Francophone sub-African countries, including both democracies and non-democracies. The purpose of that contribution was to examine the relation between presidential power and levels of freedom and the main findings are summarized here. Not surprisingly, considering the inclusion of non-democracies, the study showed that with the exception of Mauritius, these African countries showed very high levels of presidential power, substantially higher than the levels for countries worldwide reported by Siaroff. However, the intuitive notion that levels of power would be substantially lower in democracies did not hold. Only in a minority of

more fully liberal democracies was presidential power substantially lower. In minimal (electoral) democracies, levels of presidential power were highest of all systems.³⁴ The significance of this finding is that precisely in partial, or mere electoral democracies – the majority of African countries – the institutional sources of power of presidents are particularly high. At the same time, democracy promotion is overwhelmingly directed precisely to this category of semi-democratic or mere electoral democracies.³⁵

In addition to the common features of direct popular election and the president's dominant role in foreign policy, African countries show the near universal presidential power to chair the cabinet, as well as extensive appointment powers and the president's power to form government. In the majority of African countries, the president may dissolve parliament. Moreover, the counter-intuitive result of the study cited above was that presidents have most power in semi-presidential countries, which consequently deserve to be classified under Elgie's subtype 'presidentialized semi-presidential systems'.³⁶ This is related to the fact that in African semi-presidential systems, the president retains important powers such as chairing cabinet meetings and forming government which are often granted to the premier in other semi-presidential systems.³⁷

In most Anglophone countries, elections are concurrent, that is, the election of the president and parliament are simultaneous or of the 'honeymoon' type, that is, the parliamentary election is scheduled shortly after the presidential election. This source of presidential power deeply affects the relation between the executive and the legislature and strengthens the majoritarian nature of African electoral and party systems. Presidentialism in itself implies a majoritarian electoral formula for the executive: proportional representation is theoretically and practically impossible for elections in a single-member nationwide district. This majoritarian feature intrinsically favours large parties. Moreover, as argued by several authors, the personal nature of the office tends to produce personality-based politics.³⁸ Concurrent elections for parliament and the president exacerbate these tendencies because they tend to favour the party of the president in the parliamentary election.³⁹ Concurrent elections characterize all elected presidents in Anglophone countries. This 'presidentialist' electoral formula for the legislature implies that the president's party is likely to control parliament, and thus the composition of the cabinet, which may lead to a unitary government. The result is a situation akin to parliamentary systems, where government is formed out of a newly elected parliament. As of 2007, most sub-Saharan African countries show a clear dominance of the president's party over the legislature with an absolute majority in most African countries.⁴⁰ The result is one-party cabinets and unitary governments. Proportional representation for legislative elections, present in three Anglophone countries, does not appear to prevent the general pattern of dominance by presidential parties in parliament: Namibia, Sierra Leone and South Africa elect their legislatures on a proportional representation basis, but at the same time all exhibit a high dominance by the ruling party, one party cabinets and unitary governments.⁴¹

In 2007, the president's party controlled a mere relative majority (that is, the president's party was the largest party but did not gain an absolute majority) in parliament only in Zambia and Malawi, and in the latter country the presidential party co-opted a number of independents to ensure a relative majority in the legislature. Recently, the cases of Kenya and Zimbabwe also show a near or (contested) balance between two parties, leading to Anglophone Africa's first experiments with power sharing and cohabitation. While the introduction in both countries of a premier who is exclusively accountable to the assembly (as opposed to dual accountability to the assembly and the president) is a significant reform allowing a degree of division and sharing of power, many other features of strong presidential rule and executive dominance remain unchanged.⁴²

In Francophone countries, in turn, most countries have non-concurrent elections, although some countries shifted toward concurrence through the synchronization of terms for the presidency and parliament.⁴³ Only four Francophone countries have concurrent elections, or 'honeymoon' elections, that is parliamentary elections shortly after the presidential election. An overview of the party-political constellation in African systems showed that in Francophone African countries government parties command smaller (relative) majorities in parliament and, therefore, coalitions occur more frequently. Moreover, co-habitation, or the sharing of power between a president and a prime minister from different parties, occurs in two of these countries, although in one case the president is an independent. In Anglophone countries, the dominant pattern is for the president's party to control the legislature. In sum, looking at African countries, the majority have a one party cabinet and a unitary government in which the party of the president also forms the cabinet.⁴⁴ This party-political constellation further bolsters the institutional or systemic dominance of the executive over parliament, described in the previous section.

Yet, African presidents possess other important powers which are not captured in Siaroff's scheme for comparison, such as the power to call a referendum. For example, in nearly all Francophone, as well as in some Anglophone countries, the president may call a referendum. Taken together, these institutional features make African presidents 'Big Men' indeed. As noted by Prempeh, the introduction of electoral democracy in Africa since the early 1990s has not entailed a reassessment of these sources of presidential power. Indeed, as he notes, 'a notable feature of the *ancien regime* survives. This is the phenomenon of the imperial presidency'.⁴⁵ Moreover, a more fundamental reform of the political system has been kept off the agenda both by incumbents and regime opponents. This is because regime opponents, too, are geared towards capturing power within the existing arrangement which rewards the winner with all power. Consequently, this 'winner-takes-all' character of the electoral and governmental system has been thoroughly internalized by all political actors, presenting a great challenge for democracy promotion policies in the region. In sum, this section has shown that in addition to the systemic concentration of power inherent in the hybrid nature of the regime discussed above, the president is extremely powerful due to

constitutional prerogatives and agenda power. Moreover, the manner of election of the executive further bolsters the institutional power through the creation of dominance of the party of the executive in the legislature. The next section will argue that current democracy promotion policies which do not confront these features in a direct or coherent way will have very limited effects.

The limitations of current democracy promotion policies

In the context of the institutional features of systemic concentration and fusion of powers in the executive-legislative relationship and high presidential power outlined above, promoting democracy in Africa through assistance to multi-party elections – the narrow approach – creates a somewhat dubious result: even when citizens manage to oust an unpopular executive, this may result in the election of a new executive that is equally powerful and able to dominate the legislature. Besides support for elections, the narrow electoral approach, policies for the promotion of democracy have broadened during the last 15 years. Democracy promoters now tend to support a range of government institutions, NGOs and civil society actors, the media, and political parties. But none of the policies really address the institutional concentration of political power that influences the functioning of these institutions.

The EU approach to democracy promotion policies in Africa, for example, combines a focus on elections with a broader approach of developing social and human rights and good governance. In a peer review of the EU'S role in democracy promotion published by IDEA, however, partner organizations criticize the EU'S 'narrow understanding of democracy' and a disproportionate focus on civil society, elections and human rights. Democracy, in the view of these partners, 'must not simply be equated with human rights but must also deliver in the broader sense'. Partner organizations thus see EU policies as overly focused on procedural democracy, that is, elections and the freedoms required by it.⁴⁶ Arguably, the EU'S emphasis on political and civil rights actually attests to the recognition that liberal, and not just electoral or procedural democracy is aimed for, and the critique of such partners reflects their concern with more substantive concerns, such as the question whether democracy also 'delivers' for the poor. In another criticism, it is argued that European democracy promotion is not directed at broad systemic-level political change.⁴⁷ I would subsume under the latter, besides power relations, core institutional issues in liberal democracy.

Democracy promotion policies by bilateral governments also tend to suffer from the somewhat contradictory combination of narrowness and breadth. On the one hand they generally tend to focus narrowly on multi-party elections, but on the other they also tend to expand their approach and deploy a broad human rights and good governance framework.⁴⁸ However, institutional issues which go to the heart of making democracy work are not sufficiently included in either the narrow or in the broader approaches. In view of the recommendation made in the peer review of EU democracy promotion policies to 'tap the EU'S internal

experiences to inform external action' experiences with different institutional models of democracy should gain a larger role in external democracy promotion.⁴⁹

Below, some examples may illustrate the limitations inherent in current policies which either neglect or skirt around core institutional problems, even if they go beyond support for multi-party elections. Democracy promotion initiatives that are directed at the role of parliament frequently involve training and exchange programmes for MPs and often expose them to how parliament functions in established democracies as through exchange visits and seminars. Yet, the acquired knowledge is difficult or almost impossible to simply apply to the home country context due to existing wider systemic constraints facing parliament. For example, and as explained in earlier sections, efforts to strengthen parliament as an institution are more often than not obstructed by a fusion of power between the executive and parliament. When the executive is assisted in policy making by a cabinet with broad majority support in parliament, the latter body can scarcely exercise its oversight function effectively, unless back-bench MPs become effective within the governing party and the grip of party discipline is loosened. With the presidential party controlling parliament with more than absolute majorities, the actual use of parliamentary powers to amend bills or to censure ministers becomes in effect only a theoretical option. This is even more so in the case of Anglophone countries which also fuse offices. MPs in Anglophone countries could certainly benefit from increased training, support by a qualified staff and an increased capacity for policy analysis, but when large numbers of MPs are either members or aspiring members of the government they will not act independently to check the government. The sheer size of the cabinet, moreover, implies a highly diffuse and uncontrollable executive. For example, in Ghana, Kenya, Tanzania and Uganda, cabinet consists of more than 60 members. These members of the government do not function as MPs effectively overseeing the government and neither are they very effectively engaged as members of government in their capacity of assistant or deputy-ministers.

Programmes directed at strengthening political parties, in turn, also have limited impact if they are not based on any assessment of the limitations and incentives inherent in the institutional context. Majoritarian electoral formulas and concurrent elections, such as present in the majority of African countries, have enabled former single parties to remain dominant after the introduction of multiparty elections (for example, Tanzania) or opposition parties to become dominant after gaining power (for example, Zambia during the 1990s). The result in many semi-democratic or semi-authoritarian regimes is what Ottaway called asymmetric sources of power: the playing field for political competition is far from level.⁵⁰ In these cases, the governing party uses various sources of power deriving from incumbency, from privileged access to the media and government funds, to patronage and coercion. In terms of democracy promotion policies, it may be a better strategy to first address the wider institutional context that influences the party system as a whole, so that it can become more competitive, as suggested by Burnell.⁵¹ Presidentialism and concurrent elections for the president and the

assembly create systemic incentives toward one-party dominance, unitary government and the concentration of power in one person. Thus, political party assistance may aim at stimulating inter-party dialogue and cooperation, but if the systemic incentives toward personalism and one party rule inherent in presidentialism are not addressed, these efforts will not have great impact.

Where political aid is directed at creating or strengthening institutions for increased horizontal accountability, they are unlikely to have much impact unless the powers of the executive president are circumscribed. Policies to assist the creation of an Ombudsman, or to strengthen the Auditor or the courts, for example, need to address the way the executive can interfere in the daily operation of such institutions. That is, in many African countries, presidential powers of appointment are so extensive that they enable the executive to pack such institutions with his followers. Moreover, executive discretion in limiting the budgets of such institutions can be used to inhibit potentially threatening sources of countervailing power. These examples illustrate that strategies for the promotion of democracy will have limited impact if they do not incorporate institutional issues which are in fact at the heart of the liberal democratic idea: that is, how to limit and divide power in the political system. In nearly completely avoiding these institutional issues, donors have tended to skirt around some rather essential institutional issues in democracy and democratization. Clearly, to further develop and deepen democracy, institutional reforms which go at the heart of the political system should be addressed: that is, diminishing the concentration of power in the executive and creating effective countervailing power, first and foremost by strengthening parliament. The next section will suggest ways donors could attempt to do this.

Bridging the gap: bringing in institutions

Clearly, the institutional context, in particular the systemic concentration of power in the executive, must be addressed if democracy promotion is to become more effective. However, it is evident that donors have not systematically addressed these issues. The absence of the institutional focus in democracy promotion policies may be partly explained by their relative complexity and the tendency for these issues to be the domain of a relatively small circle of legal/constitutional and political science experts. Among democracy promoters, there is often a lack of knowledge about the broader issues of institutional design of democracy outside the precise institutional arrangements of the home country, which tend to be implicitly taken as a sort of standard.⁵² In Africa, knowledge about alternative constitutional systems, electoral systems and power division or power sharing tends to be limited and politicians as well as political scientists often have an implicit (normative) preference for majoritarian institutions. In this area, much could be gained by a greater involvement of African political scientists and politicians in the debate about the relative merits of alternative constitutional and electoral systems.

Secondly, the relative absence of institutional issues may be explained by most donors' wish to refrain from political interference, and their assumptions that such institutional issues cannot be addressed by external actors, particularly when 'interfering' may be construed as interfering in state sovereignty. Yet, it is impossible to ignore that democracy promotion in its current form also deeply affects the political system of the recipient country and it may be argued that Western governments accept this partly because they cannot justify support for non-democratic regimes to their tax-paying population. At the same time, it is important to recognize that donor interventions do not take place in a vacuum and internal actors also demand political reforms. Donors have found such partners in civil society in aid-receiving countries, for example in the field of human rights protection. Donors' ability in the past to support such societal groups pressing for multi-party elections has increased their effectiveness and this kind of support has been widely considered as legitimate in the post cold war era. The promotion of democracy and political rights has been adopted as a policy goal in many multilateral fora, most notably at the UN and EU level.⁵³ The universality of human rights has been accepted by all governments in human rights treaties and instruments, particularly since the conference held in Vienna in 1993.⁵⁴ So the question may be asked why donors' interventions should not be extended to cover core institutional problems, knowing that such reforms ultimately may determine whether and how democracy actually works.

Thirdly, donors implicitly assist and strengthen power concentration at the centre by consistently engaging with the top central leadership in the so called policy dialogue on overall development. For example, in the Poverty Reduction Strategy Papers (PRSP) process, donors sit with governments to formulate overall policy goals on poverty reduction and good governance.⁵⁵ The donor-recipient 'partnership' entails great involvement of donors in the policy process and only a very limited involvement of societal actors in the process. Parliament, or parliamentary committees, are not part of this policy dialogue. Here a major issue should be addressed by donors: donor influence may be maximized when policy discussions are held exclusively with the top central political leadership, but policy reforms, just as institutional reforms, will receive greater legitimacy and consensus if a variety of political and societal actors are involved in the process.⁵⁶

A strategy for wider and systemic institutional reforms, then, could consist of three elements: using the considerable agenda setting power of donors to initiate debate, expanding the circle of actors involved in the policy dialogue and linking up with societal actors in favour of reforms. The first element would entail putting institutional issues on the agenda and initiating a debate on political institutions. Any observer of African politics and development will concede that the agenda-setting power of donors is great, as is evident in the realm of social-economic policies and the pressure they may exert for democratization and good governance. Donors have room to include on the agenda issues going beyond multi-party elections and the more diffuse and broad good governance issues.

Institutional reforms aimed at reducing systemic concentration of power should therefore be put on the agenda. It may seem that limiting power is not in the immediate interest of power holders. However power dispersion may be advantageous in the long run. Most notably the notion that dispersion of power creates more possibilities to form a broad consensus in society may change perceptions of long-term self-interest.

The second element of the strategy would entail inclusion of a broader set of political actors in the policy dialogue between donors and African governments in the PRSP process, in particular parliament, or parliamentary committees and interest groups. At present these actors and institutions are not systematically included in that process. It is very difficult to justify the engagement of only the central leadership in the donors' policy dialogue if the good governance agenda seriously aims at increasing accountability. African countries' heavy dependence on aid implies that financial accountability largely flows to the donor instead of local tax payers. Given the structural nature of this dependence, the only way to mitigate this paradoxical outcome is if donors press for inclusion of a wider set of political and societal actors in the donor–recipient policy dialogue.

The third element entails linking up with actors in civil society who aim for institutional reforms. Such groups are likely to be professional bodies, in particular legal and constitutional associations, academics, human rights agencies or NGOs that wish to address the fundamental power concentration in the political system. It is not very likely that African political parties at present constitute a vanguard in the demand for such institutional reforms. The uncomfortable truth is that most African political parties tend not to challenge these fundamental institutional issues, because they are deeply shaped by the incentives in the political system and tend to go for the supreme prize of political power, that is, the presidency.⁵⁷ Where African political parties have pressed for institutional reforms, they often changed position once they captured the prize of political power themselves, that is, the presidency. Political developments in Zambia during the early 1990s have shown how opposition parties have quickly adopted the same political styles as their single party predecessors, for instance. The failure of institutional reform in Kenya, once pursued by the party now in government, also illustrates the point that parties will not be in the front line to challenge the system of power concentration once they benefit from it.

Conclusion

In this paper it has been argued that efforts to promote African democracy have tended to focus on electoral assistance or broader human rights and governance issues and failed to address the institutional context of African multi-party competition. At the same time it is evident that the systemic fusion of powers and concentration of power in the executive president deeply affects the extent and quality of democracy in African countries. The majority of African countries remain in the category of semi-democratic, mere electoral or even pseudo- democracy. If

democracy promotion fails to address these institutional issues, the result will not go much further than creating possibilities for alternation in power. Change in the way power is exercised, and limits to executive power will not be achieved. Many factors explain the neglect of the institutional context within which multi-party elections are introduced: the analytical bias for agency rather than structure in transition studies, a focus on informal rather than formal aspects in the study of personal rule in Africa and – on the side of donors – a hesitance to interfere with internal political choices. This paper argued that this hesitation is unjustified because donors' involvement in internal politics is already substantial, though relatively ineffective precisely due to the neglect of the important institutional factors.

Donor countries – whether bilaterally or through the EU – should rethink their democracy promotion strategies and attempt to fill the gap in both the narrow electoral and the broader human rights and governance approach. The narrow electoralist approach to democracy inherently does not address the much more fundamental issues concerning the division and limitation of power, while the broader good governance approach also fails to address these issues. Only if the institutional issues are addressed, democracy promotion policies may become a catalyst for more fundamental and systemic change. These institutional issues may be sensitive and complex but they deserve a central place in the debate on developing democracy beyond mere electoralism and improving the quality of democracy. This central place is merited in view of the academic literature that the survival and performance of democracy is influenced by the choice of institutions.

As this contribution has argued, breaking the vicious cycle of power concentration implies the need to find a niche for political intervention. This niche is for donors to use their considerable agenda-setting power to table the reform of political institutions. In this effort, donors can work together with domestic organizations striving for such institutional reforms. Moreover, donors are currently engaged in a policy dialogue in the context of the overall aid relationship with the central political leadership and only a very limited and *ad hoc* involvement of civil society actors. Donors can provide an example by making their policy dialogue with African countries about the overall aid relationship more inclusive, in particular by including the most important institution for potential countervailing power: parliament.

Formal institutional change will certainly not be a panacea providing immediate cures for Africa's weak and ailing democracies. Obviously informal institutions and political culture will need to change as well. But if informal and cultural practices are highly interdependent with formal political institutions, with the latter reinforcing the former, then reforming institutions can provide a much needed impetus for substantive improvement of Africa's weak democracies.

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Notes

1. See for Europe, Youngs, 'What Has Europe Been Doing?', 160.
2. See two comprehensive studies: Ottaway, *Democracy Challenged*; and Carothers, *Confronting the Weakest Link*.
3. See Ministry of Foreign Affairs, *A World of Difference*.
4. See van Cranenburgh, 'International Policies', 95.
5. As argued by the present author, see note 4.
6. I am limiting my discussion to the political system at the national level, leaving aside the important issue of decentralizing power to lower levels of government. For a more broad theoretical discussion on institutional design from the perspective of power concentration versus dispersion, see MacIntyre, *The Power of Institutions*.
7. Lijphart, 'Patterns of Democracy', 1999, 301.
8. See Linz, 'The Perils of Presidentialism'; Shugart and Carey, *Presidents and Assemblies*; Elgie, 'The Classification of Regime Types'; and Elgie, 'What is Semi-Presidentialism?'; O'Donnell, 'Horizontal Accountability'; Lijphart, 'Constitutional Choices'; Reynolds, *Electoral Systems and Democratization in Southern Africa*; and van Cranenburgh, 'Big Man Rule'.
9. See Ottaway, *Democracy Challenged*, 134. The focus on agency is evident in studies on Latin American 'pacted transitions', such as O'Donnell and Schmitter, *Transitions from Authoritarian Rule*; and Huntington, *The Third Wave*.
10. Ottaway, *Democracy Challenged*, 134.
11. See Bratton and van de Walle, *Democratic Experiments*; Hyden, *African Politics*; van de Walle, 'Presidentialism and Clientelism'.
12. See Barkan, 'Legislatures on the Rise?'; and Premph, 'Presidents Untamed'.
13. See also van Cranenburgh, 'Big Man Rule'.
14. Bratton, 'Formal Versus Informal Institutions', 98.
15. See Posner and Young, 'The Institutionalization of Political Power'; and Premph, 'Presidents Untamed'.
16. O'Donnell, 'Horizontal Accountability'.
17. A notable exception is the study of Barkan, 'Legislatures on the Rise?'.
18. Premph, 'Presidents Untamed'.
19. For the concept 'hyperpresidentialism' as applied by some authors to Russia and France, (see Elgie 2007, 'What is Semi-presidentialism', 3 and 9). It denotes extremely powerful presidencies in semi-presidential systems.
20. See Elgie, 'The Classification of Regime Types'; and Siaroff, 'Comparative Presidencies'. For a fuller discussion see van Cranenburgh, 'Big Man Rule'.
21. Thus, Shugart and Carey defined a new category applicable to many African systems called 'president-parliamentary', which they also called 'the confused system'. See Shugart and Carey, *Presidents and Assemblies*.
22. See van Cranenburgh, 'Big Man Rule'.
23. See Elgie, 'What is Semi-presidentialism', 10.
24. See Budge, 'Great Britain and Ireland'; and Lijphart, *Patterns of Democracy*.
25. See Lijphart, *Patterns of Democracy*.
26. See also Nijzink et al., 'Can Parliaments Enhance the Quality of Democracy'; and Barkan, 'Legislatures on the Rise?'.
27. Van Cranenburgh, 'Restraining Executive Power', 57.
28. See Barkan, 'Legislatures on the Rise?', 127.
29. *Ibid.*, 127–9.
30. See also the conclusions in Mohamed Salih, *African Parliaments*, 250.

31. For dissolution power of presidents see van Cranenburgh, *Restraining Executive Power*, 53. For veto power, see van Cranenburgh and Bureo, "'Big Men" Rule: Presidential Power'.
32. See Barkan, 'Legislatures on the Rise?', 129–30.
33. For the comparative scheme see Siaroff, 'Comparing Presidencies'.
34. For the application to Africa see van Cranenburgh, 'Big Man Rule', 964–5. Fully liberal democracies were those countries with Freedom House scores of 1 to 2.5.
35. That donors primarily target countries which are partial, mere electoral or pseudo-democracies is not only logical (since in fully liberal democracy such support is not necessary, whereas in fully authoritarian systems, such support is not possible), but may also be inferred empirically from the fact that Europe overwhelmingly targets Africa in democracy promotion (see Youngs, *What Has Europe Been Doing?*, 160) and the fact that most African countries belong in these categories. See Diamond, *Developing Democracy*, 280; and van Cranenburgh, *Big Man Rule*, 964.
36. See Elgie, 'Variations on a Theme'; and 'What is Semi-presidentialism', 10–11.
37. This can be read in the table on powers in the semi-presidential regimes (type 5 regimes), see Siaroff, *Comparing Presidencies*, 300.
38. See for example Linz, 'The Perils of Presidentialism'; and Lijphart, 'Constitutional Choices'.
39. See Shugart and Carey, *Presidents and Assemblies*.
40. Van Cranenburgh, 'Restraining Executive Power', 56–60, and the tables on pp. 58 and 61.
41. These findings may seem paradoxical in light of Lindberg's findings on the proliferation of parties in African party systems (particularly in proportional electoral systems). However, this fragmentation is predominantly visible among the opposition and is combined with one-party dominance. See Lindberg, 'Consequences of Electoral Systems'.
42. See also with regard to unchanged presidential powers Prempeh, 'Presidents Untamed', 110.
43. See van Cranenburgh, 'Restraining Executive Power', 56.
44. Ibid.
45. See Prempeh, 'Presidents Untamed', 110.
46. See IDEA, *Democracy in Development*, 29–30.
47. See also Youngs, 'What Has Europe Been Doing?'.
48. This combination can be seen in Europe's approach. See Youngs, 'What Has Europe Been Doing?', 162, and also applies to the Dutch government's approach. See van Cranenburgh, 'International Policies'.
49. See IDEA, *Democracy in Development*, 37.
50. Ottaway, *Democracy Challenged*, 206–12.
51. Burnell, 'Political Parties, International Party Assistance and Globalisation', 23.
52. See also Carothers' notion of 'institutional modeling' by democracy promoters in *Aiding Democracy Abroad*.
53. A good example on the systematic incorporation of political conditions in the aid relationships of the EU is visible in the Treaty of Cotonou, articles 8,3 and 11,3.
54. All state parties in 1993 agreed to the universality and indivisibility of human rights, and political rights inherent in democracy. See paragraph 8 and 10 of the Vienna Declaration, reprinted in *Netherlands Quarterly of Human Rights*, 11, no. 3 (1993), 346–69.
55. See Booth, 'Missing Links', 3–5. Booth argues that the PRSP policy process has been largely 'technocratic'. The whole discussion about 'participation' in the PRSP policy process has focussed on the inclusion of civil society (mainly NGOs). It is rather astonishing that parliament or parliamentary committees are not systematically included in this process.

56. For a broader argument see MacIntyre's model to find an optimal balance between the decisiveness created by power concentration and the consensus and stability created by power dispersion. See MacIntyre, *The Power of Institutions*.
57. See also Prempeh, 'Presidents Untamed'.

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Ethnicity and party preference in sub-Saharan Africa

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Recent research has questioned the notion that ethnicity is the main determinant of party preference in sub-Saharan Africa. Drawing on data from representative survey polls in eight anglophone and francophone sub-Saharan countries, multinomial and binary logit regressions confirm that ethnicity counts but does not explain party preference as a whole. More importantly we find that the relevance of ethnicity varies substantially from country to country. Looking at possible effects, there is little evidence that 'ethnicized' party systems harm democracy; discussing possible structural, institutional and historical determinants of the role of ethnicity in party politics, tentative results suggest that specific integrative cultural features, low ethnic polarization, one-party dominance and a historical non-mobilization of ethnicity might thwart the politicization of ethnicity. Future research should focus on the interaction of several factors and how processes of ethnic mobilization evolve historically.

Introduction

Political party preference and voting behaviour in Africa's multiparty regimes – whether democratic or hybrid – is still an under-researched topic, although they form a classical field of political science.¹ To explain party preference in general, various socio-structural, socio-psychological, or rational choice models are usually applied. For African societies, voting has largely been explained by factors such as ethnicity, personal ties, and clientelism.² The focus of this explanation is in the tradition of Lipset and Rokkan's social structural model.³ This model has been used to argue that ethnicity provides the basic social cleavage for voting behaviour and the formation of parties and party systems in Africa.⁴ The all-inclusive relevance of ethnicity for an understanding of African politics, in general, was emphasized in a recent collection on ethnicity and democracy in Africa.⁵ However, empirical evidence for this claim is far from clear-cut. Recent

studies find limited and sometimes contradictory evidence;⁶ in focusing on anglophone Africa, most studies – using the Afrobarometer surveys – neglect francophone Africa.⁷

The present contribution reassesses the link between ethnicity and party preference in Africa by drawing on representative survey polls in four anglophone and four francophone countries: Benin, Burkina Faso, Ghana, Malawi, Mali, Niger, Tanzania, and Zambia. In a second, more novel, analytical step, we tentatively investigate the possible determinants (and consequences) of the politicization of ethnicity and respective differences in our eight cases.

We proceed as follows: the following section reviews the literature on ethnicity as a determinant of party preference. After presenting the design of the survey polls and the empirical strategy, we discuss the results of multinomial and binary logit regressions for the eight countries. Exploiting differences in levels of ethnicization between the countries, we then engage in a systematic discussion and tentative analysis of whether the ethnicized party preference harms democracy and, in particular, what might account for differences in the politicization of ethnicity. The final section summarizes the findings and outlines the challenges for future research.

Previous work on ethnicity as a determinant of party preference

Before reviewing the literature, we would like to make a few remarks on the concept of ethnicity. We prefer the constructivist understanding of ethnicity that prevails in social science. Ethnic identities derive from differences in a varied set of identity markers such as (imagined) common ancestry, religion, language and cultural practices. Ultimately, though, they result from external and self-ascription and they are hence principally subject to change and manipulation.⁸ However, this understanding does not mean that ethnic identity changes on a daily or an arbitrary basis. We often find remarkable stability over time in the identification of ethnic groups.

Regarding the link between ethnicity and party preference, the claim that ethnicity is a major factor for voting behaviour was originally inferred from election results.⁹ This is based on the observation that the majority of people of a specific district or region – that is primarily populated by a specific ethnic group – vote for the same party in one election after another. This is also related to the local political discourse which might identify a particular political party with a specific ethnic group, such as a ‘Kikuyu-party’. This inference might entail an ecological fallacy.¹⁰ While aggregate data from the district level support this link, we do not know whether individual Kikuyus in this district really all vote for the ‘Kikuyu’-party. The majority for this party might also result substantially from Non-Kikuyus in the given district. We do not know unless we look at the individual voter.

More systematic research results on voting intentions based on individual data have pointed to this possibility and challenged the ‘conventional wisdom’ about the African voter. Based on interviews in Ghana, Lindberg and Morrison have found that ‘clientelistic and ethnic predisposed voting are minor features of the

Ghanaian electorate'.¹¹ Interestingly, based on a similar research design and on individual data (also from Ghana), Fridy comes to an almost opposite conclusion.¹² This is cautiously supported by the results of an Afrobarometer cross-national study based on individual data which shows that ethnicity matters but other factors count as well; the relevance of ethnicity, in particular, varies from country to country.¹³ Similar contradictory results have come from studies – which applied different research strategies – on party preference in Zambia. One study explains that 'noneconomic motivations' such as ethnic affiliation and social environment (urban/rural) predominate,¹⁴ while the other, based on an opinion poll, concludes that 'ethno-political identity is certainly not the only, but one factor that accounts for election outcomes'.¹⁵ Survey findings from Kenya make similar points.¹⁶ This is quite in line with the findings of a study on 'party identification', which claim, based on Afrobarometer survey data, that new political parties are not 'forming primarily along ethnic lines' but perhaps 'along more pluralistic lines'.¹⁷ Others still take ethnicity more or less for granted as a political cleavage and analyse 'ethnic polarization' and 'ethnic diversity' in the support base of different political parties.¹⁸ Still other scholars search for the political source of ethnic identity and find political competition to be a substantial determinant.¹⁹ Wantchékon's experiment during Benin's penultimate assembly elections shows that clientelistic mobilization appears more successful than policy advocacy.²⁰ In principle, this could favour redistributive ethnic politics. However, clientelistic relations are not necessarily built on ethnic linkages.²¹

To conclude this overview, we can elucidate three basic findings. First, almost no recent research²² suggests that ethnicity is the only factor that explains party preference in Africa; other factors count, too. Secondly, results apparently vary from case to case, and there is no clear-cut pattern of how ethnicity affects party preferences.²³ Thirdly, and finally, most of the research on party preference is related to the countries of anglophone Africa, while research on this issue in francophone Africa is still scant.²⁴

Survey data

In order to revisit the link between ethnicity and party preference, we draw on a number of opinion surveys we have conducted in eight African countries that specifically focused on political parties. These data are an alternative to the commonly used Afrobarometer surveys with a fairly similar questionnaire design.²⁵ Our set of surveys, however, is more balanced in terms of the inclusion of francophone cases, which the Afrobarometer surveys have largely neglected until very recently.²⁶

One representative opinion survey was conducted in each of the following countries: Benin, Burkina Faso, Mali, Niger, all in 2006, along with Ghana (2003), Malawi (2003), Tanzania (2004), and Zambia (2004); the former four represent francophone Africa and the latter four represent anglophone Africa.²⁷ As the politicization of ethnicity increases in the course of political campaigning,²⁸

the surveys were all scheduled well before national elections in order to establish a comparable database.²⁹ Similar to the Afrobarometer surveys – and given the infant stage of survey research in Africa – they were not designed to forecast election results but instead to give an estimate of the distribution of individual preferences. Nevertheless, the survey results are fairly similar to the actual election outcomes in many cases, or they mirror fairly similar results from the Afrobarometer surveys; in some cases they show a larger trend in still fairly dynamic party systems such as the rise of the Patriotic Front (PF) in Zambia.³⁰ National survey teams conducted the interviews after extensive workshops with the authors and local partner institutions. Each survey sample comprised at least 1000 respondents of voting age. Enumeration areas, starting points, households, and individuals were randomly selected from all over the nation in question, including both urban and rural areas. All survey agents alternated between interviewing male and female respondents.³¹

Empirical strategy

We have proxied party preference, our dependent variable, by asking the respondents about their voting intention: ‘If there were to be parliamentary elections today, which political party would you vote for?’ (in French: ‘*S’il y avait des élections législatives aujourd’hui, pour quel parti voteriez-vous?*’). As this variable is nominal and cannot be transformed into ordinal or metric scales, we have employed country-level multinomial logit regressions for our empirical analysis. We have also employed binary logistical regressions with a reduced set of choices which have allowed us to compare our results to studies that use the latter approach.³² In order to keep models comparable across all cases, we have opted for the ‘enter method’ – that is, one comprehensive model including all independent and control variables to which we attributed theoretical relevance according to research on voter behaviour and party preference.³³

In the multinomial logit, the largest party has been chosen as the base category. The remaining choices are all parties that achieved more than 5% of voting intentions. Additionally, we have allowed for abstention (typically around 5%). Individuals who preferred parties with less than 5% have been dropped. If there are many small parties, the resulting sample reduction can be substantial, as for instance in Benin or Mali. In the binary logit model, the dichotomous dependent variable has been coded as 1 if an individual has voted for the largest party and 0 if they have not (including abstention). Because we do not lose observations due to small parties when we use this procedure, the samples are sometimes considerably larger. Annex I reports all parties with more than 5% in each country.

Our key independent variable, the ethnic background of the respondent, has been derived from the straightforward question ‘What is your tribe?’ (*‘Quel est votre groupe ethnique?’* in French). Although respondents may have viewed this question as controversial, the survey teams reported no problems at all. The question clearly captures the self-ascriptive dimension of ethnic identity

(which is also the result of external ascription). Note that the reference for the ethnic-group dummies used in our regressions is the largest ethnic group, for example the Akan in Ghana or the Fon in Benin. Annex II lists all reference groups.³⁴ Further independent (control) variables, again detailed in Annex II, include other social and demographic data (sex, age, educational level, urban vs. rural residence), the perception of one's own living conditions, the perception of government performance, and attitudes towards democracy.³⁵

Results of multinomial logit and the logit models for each country

When we apply the full model to the eight countries and employ both multinomial and binary logit regressions, it turns out that ethnicity matters in one way or the other in almost all cases. For both models we report marginal effects of ethnic-group dummies on party choices (on probabilities to vote for party *x*, see Annex V). For example, in Benin, the probability that an Adja will vote for RB is 17% lower than that of an otherwise similar Fon, that is, when we control for gender, age, schooling level, urbanity, satisfaction with living conditions, satisfaction with government, and democratic attitude. To put the strength of these effects into perspective, we have also included the marginal effects of the urban dummy and the dummy for satisfaction with government in our results tables in Annex V.³⁶

The econometric models perform very differently from country to country, as indicated, for example, by the Pseudo-R-squared of the multinomial logit in a range of 0.03 for Burkina Faso and 0.30 for Ghana. In some cases, we observe the expected voting for 'opposition' parties by more well-educated individuals and urban residents. Similarly, the satisfaction with the government typically influences party preferences in line with expectations. This effect is significant in almost all the logit specifications. The satisfaction with living conditions and democratic attitudes also consistently turn out to be significant determinants of voting behaviour. In the majority of cases, religion significantly affects voting intentions, while the effects of sex and age are often not significant and difficult to generalize. Only in Burkina Faso (multinomial regressions) is no significant effect at all returned. Overall, this first set of results with regard to the control variables suggests that our empirical model is able to capture the determinants of party preference. We now want to examine the relevance of ethnicity in more detail.

The relevance of ethnicity varies substantially across the eight cases – or even individual parties – in terms of number of significant results and size of effects. There is no single indicator that can be used to reliably and perfectly assess the respective relevance of ethnicity. We therefore look at a set of indicators that have to be assessed more qualitatively and in conjunction with the complete regression models (see [Table 1](#) and Annex V): first, the combined voting-intention shares of all political parties whose choice is significantly influenced by any ethnic group above 5%; second, the percentage share of respondents belonging to ethnic groups that have proven significant for the choice of any party; third and fourth, the size of the marginal effects illustrated in [Table 1](#) by reporting the strongest

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Table 1. Ethnicization of party preference in multinomial and binary logit regressions.

	% Respondents				
	% Political parties for which ethnicity is significant (a)	from ethnic groups significant for party preference (b)	Highest significant marginal effect	Highest significant marginal effect	Overall level of ethnicization of the party system
Countries/ regressions	<i>Multinomial and binary</i>	<i>Multinomial</i>	<i>Multinomial</i>	<i>Binary</i>	Assessment
Benin	79%	79%	-35%**	+15%***	Medium to strong
Burkina Faso	13%	0%	None	+23%***	Weak
Ghana	100%	67%	+34%***	-42%***	Strong
Malawi	100%	84%	-52%***	+20%**	Strong
Mali	47%	12%	-20%*	+10%*	Weak
Niger	100%	38%	-49%**	+25%***	Medium to strong
Tanzania	89%	11%	+7%***	-9%*	Weak
Zambia	100%	23%	+24%***	+16%*	Medium to strong

Source: Annex III and Annex V.

Notes: Levels of significance: *p < 0.1, **p < 0.05, ***p < 0.01; (a) Largest political parties (reference group in multinomial logits) are only included if both multinomial and binary regressions show complementary significant results. (b) Share of ethnic groups (above 5%) in which ethnic affiliation proves significant for party preference (in the sense of an ethno-political cleavage, that is, at least one significant positive and one significant negative effect). The largest ethnic group (reference group) was added if there is at least one party that shows negative effects of all other groups of which at least one is significant.

effect identified in both the multinomial and binary regressions with their levels of significance.³⁷

The more parties and ethnic groups with significant results and the bigger the size of marginal effects (as well as population shares of the ethnic groups), the more we believe that the country in question has an ‘ethnicized’ party system, as summarized by our assessment in the last column of Table 1.³⁸

This is arguably not a perfect way of measuring the politicization of ethnicity in the party system but it allows for a fairly clear-cut distinction between two groups of countries. Particularly, Ghana and Malawi – and to a somewhat lesser degree – Benin, Niger and Zambia show comparatively strong or medium to strong ethnicization of party politics according to the findings. In all these countries, an important share of the political parties is significantly and often strongly influenced by ethnicity, and the parties represent substantial shares of the respondents. Additionally, the effects of satisfaction with the government as well as the effects of the urban dummy are in most cases much smaller (see Annex V). Contrarily, Burkina Faso is weakly ethnicized. Only few parties show any significant result: these parties represent few respondents and the marginal effects are low at best. Likewise,

Tanzania and Mali display weak to medium ethnicization at best. In particular, both the ‘ethnicized-respondents’ share and the marginal effects are rather low and/or significant at low levels only.

By and large, our findings confirm the results of previous studies:³⁹ ethnicity matters, but the extent to which it does differs considerably between the countries in our sample. The next section thus deals with an obvious question: What may account for these differences?

What may explain differences in ethnicization of party preference?

A fairly large body of literature has been devoted to the effects of ethnicity on, for example, democracy, peace and economy.⁴⁰ Theoretical views and empirical evidence on exact consequences vary, but it seems conventional wisdom that the effects of ethnicity substantially depend on whether or not it becomes politicized in the first place.⁴¹ Surprisingly little comparative work has been done on systematically explaining why ethnicity becomes politicized. Studies dealing with the topic mostly focus on single countries and their specific histories.⁴² Evidently, the politicization of ethnicity requires actors to mobilize identities, but explanations vary as regards what surrounding conditions may facilitate politicized ethnicity. According to the rare conceptual literature,⁴³ at least three sets of explanations can be named: structural, institutional and historical.

Structural explanations are arguably the most popular approach and they view politicized ethnicity as a function of the exact constellation of ethnic demography, that is, the relative size of various ethnic groups within a given society.⁴⁴ Generally, very high levels of ethnic fractionalization are believed to hinder politicization because the high number of groups creates a collective action problem, while few but bigger groups – what is called ‘ethnic polarization’⁴⁵ – facilitate mobilization because the differences between these groups are salient. The mobilization potential of ethnic differences will increase when these identities are reinforced through religious or economic differences that run parallel to one another. In contrast, ‘cross-cutting cleavages’ and functional equivalents will reduce the salience of cultural differences.⁴⁶

Looking at the indicators,⁴⁷ our cases show similar values of ethnic fractionalization which is fairly high in all countries (see Annex VII). In contrast, values on the polarization index are systematically higher in countries with stronger ethnicized party systems according to our findings. Only Burkina Faso deviates from the trend because it has a high value but is weakly ethnicized. The lack of adequate data hinders an evaluation of the explanatory power of economic differences between ethnic groups. The Minorities at Risk data set⁴⁸ provides an Index on Economic Differences of ethnic groups, but data is available for four countries only, rendering an assessment unreasonable. Specifically integrative historical and socio-cultural features, which can be seen as functional equivalents to cross-cutting cleavages, might be a more promising path to follow. There is no systematic data available but it might be no surprise that in two weakly ethnicized party

politics, Burkina Faso and Mali, so-called ‘jocular’ relations exist. This ‘cousinage’ arguably represents some kind of a cross-cutting cleavage. In any case, the cousinage effectively reduces the mobilization potential of ethnicity. Members of different ethnic groups consider themselves ‘cousins’. Customary jokes about each other prevent potential tensions.⁴⁹ Additionally, former Presidents Julius Nyerere of Tanzania and Thomas Sankara of Burkina Faso were more successful with national political integration than most of their peers.

The second set of approaches seeks *institutional explanations* of the politicization of ethnicity.⁵⁰ Various political institutions may account for respective differences. The most obvious explanation is effective ethnic party bans; bans on ethnic parties, if effective, have the potential to prevent ethnicity from entering party politics or to remove it from the party system. Once accepted or effectively demonstrated, such bans may have an additional pre-emptive effect. Parties then have to organize along other lines (class or ideas as values).⁵¹ The second institutional ‘suspect’ is the electoral system.⁵² Traditional political science would argue that proportional representation systems will enable ethnic parties since thresholds for representation are low and thus incentives to the formation and durability of ethnic parties are high.⁵³ Also, the relative fragmentation of the party system may decide the salience of ethnicity: As long as we deal with higher ethnic fragmentation in the populations – as in the eight cases under investigation – an ethnic party system is less likely to emerge if there is higher concentration in the party system. If parties want to secure absolute majorities in the sense of minimum winning coalitions they cannot rely on a strict (mono-)ethnic electorate. In particular, dominant parties have to command a support base that comprises at the very least more than one ethnic group – at least as long there is no dominant ethnic group.⁵⁴

There are further possible institutional determinants of politicized ethnicity such as forms of government (presidential vs. parliamentary systems) or the territorial state structure (central vs. federal or decentralized states), which, however, do not show substantial differences between our eight cases: In essence, all cases are presidential unitary states; thus we abstain from a test.

As regards to the first possible institutional explanation, there is also little variation in the legal provisions for ethnic party bans. All countries except for Zambia⁵⁵ have this legal option in written law. If we assume that only the actual implementation of a ban means an effective enforcement, respective results are not impressive either: only Tanzania and Zambia have actually banned a party – the latter interestingly without having a legal provision – but the two countries also differ from one another in their levels of ethnicization.

Electoral systems, as the second institutional ‘suspect’, do not allow a meaningful distinction of the cases either: more ethnicized party systems do not really apply more proportional electoral systems. Contrary to expectation, strongly ethnicized party systems rely mostly on classical British-style plurality systems (Ghana, Malawi and Zambia). Benin applies PR in small to medium constituencies.⁵⁶ Niger opted for a PR system in large- and medium-sized districts. The

cases of weak ethnic politicization do not show particularly opposing features. Mali and Tanzania use different variants of plurality systems. Burkina Faso has kept changing the degree of proportionality at each election.

Perhaps the fragmentation of the party system explains variations in ethnicization more convincingly. Apparently, lower levels of party-system fragmentation hinder the politicization of ethnicity in the party system. All three less-ethnicized cases are either dominant party systems (Burkina Faso, Tanzania) or at least a former dominant party system (Mali). In contrast, none of the ethnicized party systems is dominant. We find just a two-party (Ghana) and a former dominant party system (Zambia). Dominance is not a function of ethnic demography: in neither Burkina Faso nor Tanzania does a majoritarian ethnic group exist.

A third and final set of approaches argues that the levels of politicized ethnicity may result from *historical path dependency*, that is, ethnicity became politicized in previous periods and ‘positive feedback mechanisms’ have made this politicization endure.⁵⁷ Such historical developments and events may be found before, during, or after the colonial period and stem from the distribution of power and wealth between ethnic groups or previous interethnic (violent) conflict. Possible origins of enduring rivalries between ethnic groups are, for instance, the colonial practice of ‘divide and rule’, patterns of land distribution, and further economic differences.

We obviously cannot discuss the history of all eight countries here and we found no evidence to suggest that having a British or a French colonial background makes a difference; however, various indicators on the politicization of ethnicity from the post-colonial period (mostly before 2000) may help assess historical levels of ethnic politicization. Interestingly, previous violent ethnic conflict offers little explanation for variation in politicization of ethnicity. According to data on Major Episodes of Political Violence (MEPV), only three cases experienced such violence between independence and 2000. Two cases show higher ethnicization (Ghana, Niger), one lower (Mali). Moreover, in Mali and Niger the Tuareg conflict occurred at the periphery of the political system. The same holds true for intercommunal violence in Ghana. The history of ethnic power relations allows for an alternative, albeit tentative, examination. According to the Ethnic Power Relations (EPR) data set,⁵⁸ in all but two cases, interethnic relations became politically relevant after independence in one way or the other. Both exceptions, Burkina Faso and Tanzania, are weakly ethnicized cases, offering at least some probabilistic explanatory value. In contrast, political exclusion of ethnic groups does not meaningfully distinguish the cases. EPR has a category of exclusion of ethnic groups from central power (for example, ‘discriminated’, ‘powerless’), but exclusion happens to an equal extent in cases of higher and lower politicization of ethnicity.

Our concise review of possible explanations cannot do justice to the complexity of the country cases. However, if we look at the four variables that have indicated some explanatory value, the cases with low ethnicization systematically show fewer ‘risks’ for the political relevance of ethnicity.

All cases with higher ethnicization show at least three factors that facilitate the politicization of ethnicity according to theoretical considerations. In contrast,

Mali, Tanzania and Burkina Faso show a maximum of two of these factors. Though these results are surprisingly clear-cut, we are well aware of the preliminary or tentative character of the whole exercise. We need more analysis of the exact processes and the variables in these countries: for instance, how are (dominant) party systems and ethnicity exactly related? Why did the politicization of ethnicity occur in the first place? How do cross-cutting cleavages or functional equivalents work exactly?

Does higher ethnicization of party systems harm democracy?

Finally, we cannot ignore one important question: why should ethnicization be problematic in the first place? The simple answer is that peace and democratization appear may be at risk. Many scholars have argued that the politicization of ethnicity harms democracy:⁵⁹ when political parties or groups organize along ethnic lines, mechanisms of ethnic outbidding threaten to deepen cultural divisions, and these divisions, in turn, fan emotions and raise the stakes of the game. Cultural minorities might be marginalized and/or excluded from political power and hence resort to violent, extra-constitutional means, which increases the risk of conflict.

Our sample allows for a preliminary test of this claim. If we set the level of ethnicization of party preferences as an indicator for the politicization of ethnicity in general, the eight cases differ both in levels of ethnicization and levels of democratization. Three countries are rated 'free' by the Freedom House Index for at least one decade (Benin, Ghana and Mali) while the remaining cases (Burkina Faso, Malawi, Niger, Tanzania and Zambia) belong to the group of 'partly free'-rated countries in the same time period.⁶⁰ If politicized ethnicity substantially harms democracy, we must expect that the democratic or free countries show lower levels of ethnicization. Evidently, no clear-cut patterns emerge for our sample (see [Table 2](#)): the less democratic, partly free countries comprise three stronger and two weaker cases of ethnicization (Malawi, Niger and Zambia vs. Burkina Faso and Tanzania). Out of three free polities, Mali is the least ethnicized, while Benin shows at least medium levels of ethnicization, and Ghana – the most democratic case – shows strong levels. Out of eight cases, four countries deviate from the expectation that more democratic countries have less-ethnic party systems. Hence, ethnicized party systems generally do not appear to threaten democratization.

Conclusion

Drawing on data from representative survey polls in eight anglophone and franco-phone sub-Saharan countries, binary and multinomial logit regression analyses of eight countries confirm the findings of similar studies that ethnicity is of relative explanatory value for party preference. In particular, the relevance of ethnicity varies substantially from country to country (and even from party to party).

Differences between countries allow for a tentative analysis of the causes of the varying levels of ethnicization of party systems. Regarding possible structural,

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Table 2. Level of politicized ethnicity, democratic quality and possible determinants.

Countries	Democratic quality (Freedom House)	High ethnic polarization?	Absence of special integrative/historical/cultural features?	Non-Dominant party system?	Ethnicity politically relevant before 2000?	N of pro-ethnicity factors
Benin	Free	No	Yes	Yes	Yes	3
Burkina Faso	Partly free	Yes	No	No	No	1
Ghana	Free	Yes	Yes	Yes	Yes	4
Malawi	Partly free	Yes	Yes	Yes	Yes	4
Mali	Free	No	No	Yes	Yes	2
Niger	Partly free	Yes	Yes	Yes	Yes	4
Tanzania	Partly free	No	No	No	No	0
Zambia	Partly free	Yes	Yes	Yes	Yes	4
Deviant variables		1	0	1	1	–

Notes: Bold cases indicate more strongly ethnicized cases; for sources see Annex VII and main text; variables that deviate from the expectation that higher politicized ethnicity is connected to a ‘yes’ (or ‘partly free’) are considered deviant.

institutional and historical determinants of the role of ethnicity in party politics, preliminary results suggest that specific integrative socio-cultural features, low ethnic polarization and one-party dominance all serve to decrease the politicization of ethnicity. Also, the levels of prior ethnic politicization explain, to a certain degree, today’s levels. The differences in ethnicization also allow for a preliminary test of the consequences on democracy which shows that, perhaps counter-intuitively, strong ethnicization and advanced democratization are not mutually exclusive.

Regarding future research, we believe that the in-depth study of historical processes, especially inter-ethnic power relations and distribution of spoils such as land or raw materials are promising subjects of research. If possible, these processes should be studied in a more comparative manner than in single-case studies in order to yield results we can more easily generalize. Other challenges for future research refer to the study of determinants of party preference. There is no doubt that factors other than ethnicity, including rational retrospective voting, deserve more attention in the future. African party politics is definitely about more than ethnicity alone.

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Notes

1. We are aware that the terms 'voting intention' and 'political party alignment' or 'party preference' are not completely synonymous. Nevertheless, they will be used interchangeably in this paper.
2. See Hyden and Leys, 'Elections and Politics in Single-Party-Systems'; Barkan, 'Legislators, Elections, and Political Linkage'; Bratton and van de Walle, *Democratic Experiments in Africa*; Van de Walle, 'Presidentialism and Clientelism in Africa's Emerging Party Systems'; Mozaffar, Scarritt and Galaich, 'Electoral Institutions'; Mozaffar and Scarritt, 'The Puzzle of African Party Systems'; Erdmann, 'Party Research'; Posner, *Institutions and Ethnic Politics in Africa*; Scarritt, 'The Strategic Choice of Multiethnic Parties in Zambia's Dominant and Personalist Party System'.
3. Lipset and Rokkan, *Party Systems and Voter Alignments*.
4. Erdmann and Weiland, 'Gesellschaftliche Konfliktlinien'; see also Erdmann, 'Party Research'.
5. Berman, Eyoh and Kymlicka, *Ethnicity and Democracy in Africa*.
6. See Basedau and Stroh, 'How Ethnic are African Parties Really?'; Cheeseman and Ford, 'Ethnicity as a Political Cleavage'.
7. In Round 4 of the Afrobarometer, surveys were conducted in 12 anglophone but only 5 francophone countries (Round 3: 11 vs. 4), http://www.afrobarometer.org/index.php?option=com_content&view=article&id=14&Itemid=27 (accessed December 16, 2010).
8. Lemarchand, 'Political Clientelism and Ethnicity in Tropical Africa', 69; Young, *The Politics of Cultural Pluralism*; Lentz, "'Tribalismus" und Ethnizität in Afrika'; Horowitz, *Ethnic Groups in Conflict*.
9. See Norris and Mattes, 'Does Ethnicity Determine Support for the Governing Party?'
10. See for instance McGraw and Watson, *Political and Social Inquiry*, 134.
11. Lindberg and Morrison, 'Are African Voters Really Ethnic or Clientelistic?'
12. Fridy, 'The Elephant, Umbrella, and Quarrelling Cocks', 302.
13. According to Norris and Mattes, 'Does Ethnicity Determine Support for the Governing Party?', ethnic voting takes place and proves significant in more than two-thirds of the 12 cases under consideration. However, ethnicity is just one among other significant determinants; they draw cautious conclusions only since their study is based merely on an analysis of the biggest ethnic group in relation to the respective country's biggest ruling party.
14. Posner and Simon, 'Economic Conditions and Incumbent Support in Africa's New Democracies'.
15. Erdmann, 'Ethnicity, Voter Alignment and Political Party Affiliation', 29.
16. Bratton and Kimenyi, 'Voting in Kenya'.
17. Bratton, Mattes and Gyimah-Boadi, *Public Opinion, Democracy and Market Reform in Africa*, 257.
18. See Cheeseman and Ford, 'Ethnicity as a Political Cleavage'.
19. Eifert, Miguel and Posner, 'Political Sources of Ethnic Identification in Africa'.
20. Wantchekon, 'Clientelism and Voting Behaviour'.

21. Erdmann and Engel, 'Neopatrimonialism Reconsidered'.
22. For additional studies and a systematic overview, see Basedau and Stroh, 'How Ethnic are African Parties Really?'.
23. See Erdmann, 'Party Research', 70–3; Nugent, 'Les Élections Ghanéennes de 2004'; Fridy, 'The Elephant, Umbrella, and Quarrelling Cocks'; and recently Bratton and Kimenyi, 'Voting in Kenya'.
24. Basedau and Stroh, 'How Ethnic are African Parties Really?'.
25. The questionnaires, which were partly translated into local languages, consisted of about 50 questions.
26. The large majority of surveys are conducted in anglophone countries (see note 7).
27. The countries were selected according to several principles. The countries had to have held at least three consecutive parliamentary elections and to demonstrate a number of historical and socioeconomic characteristics such as lower income, a historical record of one-party states, and ethnic heterogeneity. In order to allow for comparison between different colonial backgrounds and levels of democratization – which is not the focus of this contribution – we also made sure to include francophone and anglophone countries as well as both 'free' and 'partly free' polities.
28. Eifert, Miguel and Posner, 'Political Competition and Ethnic Identification in Africa'.
29. In that sense, our data forms some sort of a base line of politicized ethnicity.
30. As reported in Annex VIII, survey and election results (closest election) are very similar in Niger and Tanzania, and fairly similar in Burkina Faso and Zambia. In Malawi, the results are very similar, if the number of independent candidates is accounted for. Almost all of them were affiliated to United Democratic Front (UDP) (Mehler et al. 2004, 320). In Benin and Mali figures on party voting are hardly inferable from official results due to the electoral rules. Many parties run for seats in alliances which makes the exact identification of the relative vote shares impossible. However, voters can of course identify their preferred party within alliances. Moreover, in most cases, our survey results are similar to the findings of the Afrobarometer surveys (particularly Ghana) pointing to the reliability of our findings. Nevertheless, deviations between surveys and actual election results in Africa are certainly an important topic for future studies which, however, forms a research topic in its own right.
31. Sampling methods were modelled after Afrobarometer procedures, applying a representative cross section of all citizens at voting age in the eight countries (http://next.pls.msu.edu/index.php?option=com_content&view=article&id=134&Itemid=30, accessed December 16, 2010). However, on the basis of national census data, the number of enumeration areas in the primary administrative districts (for example, Départements in Benin) as well as in urban and rural areas were stratified according to population shares. In some cases, sparsely populated and remote districts were pooled or excluded (for example, the Goa district in Mali was excluded and the two small southernmost districts in Burkina Faso were pooled). Otherwise, we engaged in a multi-stage random selection procedure similar to Afrobarometer: the primary sampling units (or enumeration areas) were randomly selected within the districts, representing town wards or villages in which playing cards, dies or lots served for a random selection of starting points, walking directions, households and respondents. More details on sampling methodology are available upon request.
32. See for instance Norris and Mattes, 'Does Ethnicity Determine Support for the Governing Party?'.
33. 'Classical' determinants of party preference are gender, age, religious affiliation, urban or rural residence and education as well as satisfaction with own living conditions and the government's performance. For an overview on the literature, see Erdmann, 'Social Cleavages, Ethnicity and Voter Alignment in Africa', 128; Roth, *Empirische Wahlforschung*.

34. Annex III shows the population shares of the largest three ethnic groups by country. These shares range from 52% of Hausa in Niger to 11% of Chagga in Tanzania. The corresponding ethnic groups can be inferred from Annex IV.
35. Democratic attitudes are measured by an index which includes six survey questions on basic democratic values such as the acceptance of election results as well as the independence of the press and the judiciary. This results in an ordinal value scale ranging from 0 (very undemocratic) to 6 (very democratic). Further details are available from the authors upon request.
36. The number of country cases does not allow us to report the full set of regression results. Annex V therefore only displays the marginal effects of the ethnic group dummies plus the effects of the urban and government satisfaction dummies, respectively. The marginal effects are computed using STATA's margins command. For illustrative purposes, Annex VI reports the full regression results for Ghana that, in general, are in line with earlier findings in the literature. The results with regard to the controls are just briefly discussed in general terms in the subsequent paragraph. Of course, the full regression results are available from the authors upon request.
37. We should note that the inclusion of regional dummies generally renders the effects of ethnicity weaker. Yet, it is empirically difficult to disentangle ethnic from regional effects with the available samples.
38. As our regressions include the abovementioned set of controls, the reported ethnic group effects can be interpreted as 'net effects', that is, effects on voting intentions after controlling for systematic differences for example in education levels, or urban shares between different ethnic groups. We have compared these 'net effects' to 'gross effects' from a regression that explains voting intentions just by ethnic groups' dummies (not reported). In terms of significance, the effects of the ethnic group dummies are very similar. In this sense, the results are robust to the inclusion of the controls. The size of the effects, however, changes with the inclusion of the controls. If gross effects are larger than net effects, the differences in the control variables tend to reinforce ethnicized party preferences. In other words, what appears to be voting along ethnic lines (in a rudimentary specification without controls) is, in fact, determined by other characteristics. This is the case for most countries. However, this cannot be generalized. If net effects are larger than gross effects, ethnic party preferences are attenuated by other characteristics. Yet, this can be observed only for very few cases.
39. For example, Erdmann, 'Ethnicity, Voter Alignment and Political Party Affiliation'; Bratton and Kimenyi, 'Voting in Kenya'; Basedau and Stroh, 'How Ethnic are African Parties Really?'
40. See Horowitz, *Ethnic Groups in Conflict*; Cederman, Min and Wimmer, 'Why Do Ethnic Groups Rebel?'; Mauro, 'Corruption and Growth'.
41. See Posner, 'Measuring Ethnic Fractionalization in Africa'.
42. For instance on Zambia see Posner, *Institutions and Ethnic Politics in Africa*; on Kenya and Tanzania see Weber, 'The Causes of Politicization of Ethnicity'; as well as Miguel, 'Tribe or Nation?'. Eifert, Miguel and Posner, 'Political Sources of Ethnic Identification in Africa', focus on the sources of ethnic identification not politicized ethnicity.
43. A (at least partial) theoretical discussion of determinants of ethnic politicization can be found in Fearon, 'Ethnic Mobilization and Ethnic Violence'; Weber, 'The Causes of Politicization of Ethnicity'; Posner, *Institutions and Ethnic Politics in Africa*.
44. See *ibid.*
45. For the concept of polarization and data see Montalvo and Reynal-Querol, 'Ethnic Polarization, Potential Conflict, and Civil Wars'. Note that this notion of 'polarization' refers to a demographic constellation not necessarily to the quality of inter-ethnic relations. It is, therefore, completely different from Sartori's notion of 'party polarization'.

46. Dunning and Harrison, 'Cross-cutting Cleavages and Ethnic Voting'.
47. If not indicated otherwise, all indicators and data mentioned in the following are presented in Annex VII.
48. Minorities at Risk Dataset, <http://www.cidcm.umd.edu/mar/> (accessed September 3, 2010). Data not in Annex.
49. Compare for instance, Augé, Balandies and Tubiana, 'Parentés, plaisanteries et politique'.
50. See in particular Posner, *Institutions and Ethnic Politics in Africa*.
51. Moroff and Basedau, 'An Effective Measure of Institutional Engineering?'.
52. For the role of electoral systems, see Erdmann and Basedau, 'Party Systems in Africa'.
53. See Posner, *Institutions and Ethnic Politics in Africa*, 3.
54. Erdmann and Basedau, 'Party Systems in Africa'.
55. See Moroff and Basedau, 'An Effective Measure of Institutional Engineering?'.
56. The latter system has some disproportional effects, and it should be reminded that electoral systems are far more complicated than a simple dichotomy of plurality and PR systems suggest.
57. See Weber, 'The Causes of Politicization of Ethnicity'; Pierson, *Politics in Time*.
58. Cederman, Min and Wimmer, 'Ethnic Power Relations Dataset', <http://hdl.handle.net/1902.1/11796> UNF:5:k4xxXC2ASI204QZ4jqvUrQ == V1. (accessed May 1, 2009).
59. For example, Horowitz, 'Democracy in Divided Societies'; Fish and Brooks, 'Does Diversity Hurt Democracy?'; Dowd and Driessen, 'Ethnically Dominated Party Systems and the Quality of Democracy'; Moroff and Basedau, 'An Effective Measure of Institutional Engineering?'; Horowitz, *Ethnic Groups in Conflict*.
60. See Freedom House, <http://www.freedomhouse.org> (accessed August 10, 2010). See also note 27 on the selection of countries.

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Annex

Annex I. The most important parties by country (only parties with more than 5% of voting intention).

Parties	largest	second-largest	third-largest	fourth-largest
Benin	All cauris (FCBE)	RB	PRD	PSD
Burkina Faso	CDP	UNIR-MS	ADF-RDA	
Ghana	NPP	NDC		
Malawi	UDF	MCP	NDA	AFORD
Mali	ADEMA	RPM	URD	
Niger	MNSD	PNDS	CDS	ANDP
Tanzania	CCM	CUF	CHADEMA	
Zambia	MMD	UPND	UNIP	PF

For abbreviations see: <http://www.giga-hamburg.de/african-parties/party-names>

Annex II. Variables.

Independent variable	Operationalization/reference group	Country specifics
Ethnic group	Reference: largest ethnic group in the survey	Fon in Benin, Mossi in Burkina Faso, Akan in Ghana, Chewa in Malawi, Bambara in Mali, Hausa in Niger, other ethnic groups in Tanzania and Zambia
Sex	Male = 0, female = 1	
Age	Age in years	
Education	Reference: no formal schooling; dummies for primary, secondary and higher education	
Religion	Reference: traditional and animist beliefs; dummies for Catholics, Protestants and Muslims	in Niger (~100% Muslims)

(Continued)

DEMOCRATIZATION IN AFRICA

Annex Continued.

Independent variable	Operationalization/reference group	Country specifics
Urban/rural	Rural = 0, urban = 1	
Satisfaction with own economic situation	(Very) dissatisfied = 0, (very) satisfied = 1	
Satisfaction with government performance	(Very) dissatisfied = 0, (very) satisfied = 1	
Democratic attitude index	Range: 0 to 6, based on six survey questions which allowed for two different answer options of which only one has met normative minimal standards of democracy	

Annex III. Share of ethnic groups by country.

	Largest group	Second-largest	Third-largest	Other
Benin	0.51	0.14	0.13	0.21
Burkina Faso	0.53	0.09	0.08	0.30
Ghana	0.50	0.10	0.06	0.33
Malawi	0.34	0.16	0.13	0.38
Mali	0.23	0.12	0.12	0.53
Niger	0.54	0.22	0.09	0.15
Tanzania	0.11	0.10	0.09	0.71
Zambia	0.23	0.19	0.11	0.47

Annex IV. Share of voting intentions for the three largest parties by country and ethnic group.

		Largest party	Second-largest	Third-largest	Other
Benin	All	0.30	0.24	0.20	0.25
	Fon	0.22	0.36	0.24	0.19
	Adja	0.23	0.13	0.12	0.53
	Yoruba	0.44	0.07	0.26	0.23
Burkina Faso	All	0.73	0.07	0.07	0.13
	Mossi	0.72	0.07	0.09	0.13
	Gourma	0.83	0.04	0.06	0.07
	Peul	0.79	0.06	0.04	0.11
Ghana	All	0.65	0.30	0.05	0.00
	Akan	0.83	0.12	0.05	0.00
	Ga	0.48	0.33	0.19	0.00
	Ewe	0.18	0.76	0.06	0.00

(Continued)

DEMOCRATIZATION IN AFRICA

Annex Continued.

		Largest party	Second-largest	Third-largest	Other
Malawi	All	0.48	0.33	0.10	0.09
	Chewa	0.38	0.52	0.08	0.02
	Ngoni	0.58	0.33	0.05	0.04
	Lomwe	0.68	0.09	0.20	0.03
Mali	All	0.53	0.24	0.08	0.15
	Bambara	0.50	0.26	0.02	0.21
	Soninke	0.61	0.13	0.14	0.12
	Peul	0.44	0.28	0.09	0.19
Niger	All	0.46	0.27	0.17	0.10
	Haussa	0.38	0.33	0.25	0.04
	Songai-Djerma	0.53	0.12	0.04	0.31
	Touareg	0.41	0.44	0.13	0.02
Tanzania	All	0.77	0.11	0.06	0.06
	Chagga	0.72	0.02	0.22	0.05
	Sukuma	0.83	0.09	0.04	0.04
	Haya	0.74	0.11	0.02	0.12
Zambia	All	0.41	0.28	0.08	0.22
	Tonga	0.42	0.49	0.02	0.08
	Bemba	0.29	0.18	0.10	0.43
	Lozi	0.44	0.36	0.08	0.12

Annex V. Multinomial and logit regressions.

Multinomial logit, base outcome: All Cauris (FCBE)					
Benin (Fon)					Logit All Cauris vs. other
	RB	PRD	PSD	abstain	
Adja	-0.180* (0.073)	-0.082 (0.068)	0.128*** (0.019)	0.029 (0.043)	0.037 (0.029)
Yoruba	-0.354** (0.118)	0.042 (0.074)	0.032 (0.033)	0.064 (0.051)	0.065* (0.029)
Bariba	-2.959 (271.364)	0.909 (100.522)	0.302 (22.336)	0.606 (56.167)	-0.149* (0.074)
Ditamari	-2.873 (420.866)	1.126 (159.249)	-0.478 (144.321)	0.887 (89.115)	-0.021 (0.080)
Eth_other	-0.422 (0.216)	-0.091 (0.130)	0.056 (0.036)	-0.035 (0.101)	0.153*** (0.026)
Urban	0.101* (0.046)	0.018 (0.043)	-0.056* (0.023)	-0.026 (0.033)	-0.004 (0.023)
satis_gov	-0.007 (0.046)	-0.018 (0.042)	0.002 (0.016)	-0.062 (0.032)	0.061* (0.024)
N	538				985
Pseudo-R-squared	0.1546				0.0613

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Burkina Faso (Mossi)	Multinomial logit, base outcome: CDP			Logit CDP vs. other
	Unir-MS	ADF-RDA	abstain	
Gourma	0.011 (0.040)	-0.026 (0.044)	-0.027 (0.053)	0.008 (0.054)
Peul	0.038 (0.040)	-0.097 (0.062)	0.009 (0.051)	-0.099 (0.054)
Bobo	0.011 (0.027)	-0.036 (0.051)	0.012 (0.038)	0.020 (0.058)
Gourounsi	0.030 (10.527)	-1.225 (132.145)	0.166 (21.437)	0.209* (0.085)
Samo	0.012 (0.033)	-0.067 (0.060)	0.036 (0.042)	0.061 (0.066)
Senufo	-0.030 (0.037)	0.021 (0.042)	0.013 (0.048)	-0.024 (0.073)
eth_other	0.090 (6.900)	-1.204 (86.618)	0.090 (14.051)	0.233*** (0.071)
Urban	0.015 (0.020)	0.046 (0.031)	0.127*** (0.028)	-0.196*** (0.045)
satis_gov	-0.033 (0.019)	-0.045 (0.024)	-0.090*** (0.027)	0.174*** (0.030)
N	818			966
Pseudo-R-squared	0.0343			0.1327

Ghana (Akan)	Multinomial logit, base outcome: NPP		Logit NPP vs. other
	NDC	abstain	
Ga	0.123** (0.043)	0.054* (0.023)	-0.141* (0.058)
Ewe	0.338*** (0.035)	0.012 (0.031)	-0.419*** (0.058)
Dagbani	0.075 (0.056)	-0.059 (0.075)	-0.021 (0.074)
eth_other	0.149*** (0.025)	-0.045 (0.036)	-0.138*** (0.034)
Urban	-0.009 (0.025)	0.024 (0.021)	-0.044 (0.029)
satis_gov	-0.210*** (0.027)	-0.073** (0.023)	0.329*** (0.024)
N	877		1128
Pseudo-R-squared	0.3084		0.2459

Malawi (Chewa)	Multinomial logit, base outcome: UDF			Logit UDF vs. other
	MCP	NDA	AFORD	
Ngoni	-0.187*** (0.055)	-0.027 (0.035)	0.014 (0.008)	0.183*** (0.039)
Lomwe	-0.515*** (0.086)	0.144*** (0.025)	0.025* (0.011)	0.150*** (0.042)

(Continued)

DEMOCRATIZATION IN AFRICA

Annex Continued.

Malawi (Chewa)	Multinomial logit, base outcome: UDF			Logit
	MCP	NDA	AFORD	UDF vs. other
Yao	-0.338*** (0.096)	0.025 (0.049)	0.022 (0.018)	0.196** (0.060)
Tumbuka	-0.220** (0.085)	0.072** (0.027)	0.065** (0.020)	-0.083 (0.064)
Nyanja	-0.411*** (0.114)	0.089* (0.039)	0.025 (0.014)	0.148* (0.064)
eth_other	-0.049 (0.067)	0.012 (0.032)	0.048*** (0.014)	-0.086 (0.054)
Urban	0.089 (0.062)	0.068** (0.025)	0.025* (0.012)	-0.239*** (0.046)
satis_gov	-0.180*** (0.041)	-0.059* (0.024)	-0.007 (0.007)	0.238*** (0.027)
N	812			941
Pseudo-R-squared	0.2517			0.2327

Mali (Bambara)	Multinomial logit, base outcome: ADEMA			Logit
	RPM	URD	abstain	ADEMA vs. other
Soninke	-0.162* (0.080)	0.056*** (0.013)	-0.036 (0.058)	0.060 (0.044)
Peul	-0.051 (0.069)	0.043** (0.015)	-0.003 (0.053)	-0.090 (0.055)
Dogon	-0.063 (0.079)	0.043*** (0.012)	-0.068 (0.079)	0.033 (0.050)
Malinke	0.466 (8.743)	-0.423 (34.612)	0.084 (4.049)	-0.182 (0.112)
Senufo	-0.040 (0.076)	0.005 (0.027)	-0.026 (0.068)	-0.034 (0.056)
Songai	0.088 (0.067)	0.060*** (0.016)	-0.032 (0.066)	-0.107 (0.065)
eth_other	-0.200* (0.087)	0.007 (0.024)	-0.006 (0.057)	0.104* (0.043)
Urban	0.190*** (0.047)	-0.044 (0.026)	0.130** (0.039)	-0.137*** (0.039)
satis_gov	-0.066 (0.044)	0.018 (0.013)	-0.027 (0.037)	0.015 (0.030)
N	565			1008
Pseudo-R-squared	0.1537			0.0545

Niger (Hausa)	Multinomial logit, base outcome: MNSD				Logit
	PNDS	CDS	ANDP	abstain	MNSD vs. other
Songai-Djerma	-0.168** (0.059)	-0.265*** (0.073)	0.077*** (0.013)	0.058*** (0.017)	0.133*** (0.034)
Touareg	0.115* (0.053)	-0.148* (0.070)	-0.021 (0.031)	0.045 (0.025)	-0.026 (0.054)

(Continued)

DEMOCRATIZATION IN AFRICA

Annex Continued.

Niger (Hausa)	Multinomial logit, base outcome: MNSD				Logit
	PNDS	CDS	ANDP	abstain	MNSD vs. other
Peul	0.014 (0.093)	-0.486** (0.179)	0.020 (0.021)	0.038 (0.037)	0.248*** (0.054)
eth_other	-0.079 (2.970)	0.110 (2.539)	-0.285 (10.601)	0.038 (0.783)	0.103 (0.143)
Urban	0.105* (0.046)	0.010 (0.052)	-0.008 (0.012)	-0.007 (0.023)	-0.097* (0.043)
satis_gov	-0.101** (0.036)	-0.035 (0.036)	0.003 (0.008)	-0.045* (0.020)	0.165*** (0.031)
N	811				991
Pseudo-R-squared	0.116				0.246

Tanzania (Other)	Multinomial logit, base outcome: CCM			Logit
	CUF	CHADEMA	abstain	CCM vs. other
Chagga	-0.090 (0.058)	0.067*** (0.015)	-0.009 (0.027)	-0.093* (0.040)
Sukuma	0.043 (0.034)	-0.030 (0.033)	-0.009 (0.029)	-0.070 (0.043)
Haya	0.055 (0.029)	-0.042 (0.040)	0.050** (0.017)	-0.062 (0.047)
Nyamwezi	0.133 (7.238)	-0.746 (59.781)	0.072 (3.967)	0.011 (0.056)
Makonde	0.008 (0.031)	-0.005 (0.040)	-0.050 (0.049)	0.057 (0.060)
Ngoni	-1.050 (70.649)	0.089 (5.896)	0.147 (7.065)	-0.042 (0.067)
Urban	0.104*** (0.022)	-0.038 (0.038)	0.002 (0.021)	-0.171*** (0.039)
satis_gov	-0.070*** (0.019)	-0.059*** (0.017)	-0.043** (0.015)	0.212*** (0.026)
N	887			1031
Pseudo-R-squared	0.1729			0.2469

Zambia (Other)	Multinomial logit, base outcome: MMD				Logit
	UPND	UNIP	PF	Abstain	MMD vs. Other
Tonga	0.242*** (0.031)	-0.086 (0.054)	-0.105 (0.064)	-0.093 (0.056)	-0.022 (0.044)
Bemba	-0.028 (0.048)	0.010 (0.028)	0.070*** (0.014)	0.007 (0.039)	-0.065 (0.048)
Lozi	0.141** (0.045)	0.019 (0.035)	-0.117 (0.079)	-0.033 (0.058)	-0.034 (0.053)
Nyanja	0.008 (0.066)	0.036 (0.035)	-0.041 (0.054)	0.060 (0.053)	-0.039 (0.069)

(Continued)

DEMOCRATIZATION IN AFRICA

Annex Continued.

Zambia (Other)	Multinomial logit, base outcome: MMD				Logit
	UPND	UNIP	PF	Abstain	MMD vs. Other
Nsenga	0.076 (0.068)	0.063 (0.036)	0.034 (0.037)	-0.166 (0.093)	-0.026 (0.075)
Chewa	-0.169 (0.093)	0.067* (0.028)	-0.088 (0.076)	-0.056 (0.072)	0.159** (0.053)
Urban	0.015 (0.032)	0.002 (0.021)	-0.003 (0.019)	0.131*** (0.030)	-0.149*** (0.034)
satis_gov	-0.070* (0.034)	-0.019 (0.023)	-0.027 (0.023)	-0.123** (0.039)	0.214*** (0.031)
N	814				986
Pseudo-R-squared	0.1509				0.1125

Note: Levels of significance: *p < 0.1, **p < 0.05, ***p < 0.01. The tables report marginal effects (evaluated at zeros for all ethnic dummies and means for all other variables) and standard errors in parentheses.

Annex VI. Full regression results for Ghana.

Ghana	Multinomial logit, base outcome: NPP		Logit
	NDC	abstain	NPP vs. Other
Ga	1.276** (0.414)	1.400** (0.503)	-0.766* (0.315)
Ewe	3.089*** (0.366)	1.265* (0.602)	-2.277*** (0.314)
Dagbani	0.499 (0.490)	-0.891 (1.288)	-0.114 (0.400)
eth_other	1.211*** (0.262)	-0.393 (0.547)	-0.749*** (0.187)
Female	-0.115 (0.208)	0.583 (0.359)	-0.071 (0.152)
Age	-0.005 (0.007)	0.011 (0.012)	-0.000 (0.005)
Prim_edu	-0.337 (0.303)	0.346 (0.506)	0.123 (0.226)
sec_edu	-0.302 (0.272)	-0.243 (0.503)	0.329 (0.204)
High_edu	-0.870 (0.492)	-0.512 (0.888)	0.178 (0.323)
Catholic	0.101 (0.311)	0.257 (0.488)	-0.139 (0.217)
oth_chr	-0.198 (0.275)	0.180 (0.419)	0.159 (0.198)
Muslim	0.954** (0.319)	0.085 (0.801)	-0.658** (0.253)

(Continued)

DEMOCRATIZATION IN AFRICA

Annex Continued.

Ghana	Multinomial logit, base outcome: NPP		Logit NPP vs. Other
	NDC	abstain	
Urban	-0.010 (0.221)	0.431 (0.387)	-0.239 (0.159)
Satis_livcond	-0.726*** (0.212)	-0.641 (0.382)	0.591*** (0.151)
Satis_gov	-2.122*** (0.218)	-2.040*** (0.370)	1.788*** (0.172)
dem_att	0.076 (0.091)	-0.174 (0.150)	0.079 (0.067)
Constant	0.224 (0.540)	-1.606 (0.946)	-1.178** (0.397)
N	877		1128
Pseudo-R-squared	0.308		0.246

Note: Levels of significance: *p < 0.1, **p < 0.05, ***p < 0.01. The table reports coefficients and standard errors in parentheses.

Annex VII. Possible structural (ethno-demographical), institutional and historical determinants of ethnic politicization.

Countries	Overall level of ethnicization of the party system (1)	Democratic quality since 2000 (2)	Ethnic fractionalization (3)	Ethnic polarization (4)	Specific integrative historical and/or social-cultural features (5)	Ethnic-party bans (6)	Electoral system (7)	Party system (N of relevant parties) (8)	Ethnic conflicts before 2000 (9)	Ethnicity politically relevant before 2000 (10)
Benin	Medium to Strong	Free	0.7872	0.44	No	Yes	PR in small to medium districts	Pulverized	0	Yes*
Burkina Faso	Strong Weak	Partly free	0.7377	0.66	Yes (cousinage, national integration)	Yes	Mixed plurality and PR in small to medium districts	Dominant	0	No
Ghana	Strong	Free	0.6733	0.66	No	Yes	Plurality	Two-party	1994	Yes*
Malawi	Strong	Partly free	0.6744	0.74	No	Yes	Plurality	Multi-party	0	Yes
Mali	Weak	Free	0.6906	0.42	Yes (cousinage)	Yes	Absolute majority in multi-member districts	Multi-party	1990–1995	Yes*
Niger	Medium to Strong	Partly free	0.6518	0.70	No	Yes	PR in medium districts	Multi-Party	1990–1997	Yes*
Tanzania	Weak	Partly free	0.7353	0.27	Yes (national integration)	Yes*	Plurality	Dominant	0	No
Zambia	Medium to Strong	Partly free	0.7808	0.61	No	No*	Plurality	Multi-party	0	Yes

(1) Own assessment (see Table 1 and main text).

(2) Freedom House categories, all assessments stable since 2000, data available at www.freedomhouse.org (note 60).

(3) Alesina et al. 2003, values according to Posner, 'Measuring Ethnic Fractionalization in Africa' (note 41).

(4) Montalvo and Reynal-Querol, 'Ethnic Polarization, Potential Conflict, and Civil Wars' (note 45), authors' calculation for Burkina Faso.

(5) Own assessment, functional equivalents to 'cross-cutting cleavages' such as 'cousinage' and lasting efforts of national political integration.

(6) Moroff and Basedau, 'An Effective Measure of Institutional Engineering?' (note 51). * denotes an actually implemented party ban.

(7) Updated assessment on the basis of Erdmann and Basedau, 'Party Systems in Africa' (note 52), PR in small districts (Benin) has a majoritarian effect.

(8) Major Episodes of Political Violence (MEPV), available at: <http://www.systemicpeace.org/warlist.htm> (accessed December 1, 2010).

(9) Ethnic Power Relations Dataset (EPR), see Cederman et al. 'Ethnic Power Relations Dataset' (note 58); * indicates that political exclusion of ethnic groups occurred.

(10) Ethnic Power Relations Dataset (EPR), see Cederman et al. 'Ethnic Power Relations Dataset' (note 58); * indicates that political exclusion of ethnic groups occurred.

Annex VIII. Survey and election results in comparison.

	Survey results per party (valid answer shares)					Election results per party (valid vote shares)				
	Year	1st	2nd	3rd	4th	Year	1st	2nd	3rd	4th
BEN	200	30.3	23.9	20.3	12.5	2007	23.5	17.6	10.7	
	6	All cauris*	RB	PRD	PSD		FCBE*	ADD*	PRD	
BFA	200	33.2	17.0	15.9	15.7	2003	28.9	14.5	12.5	11.9
	5	UBF*	RB	Yayi*	PRD		UBF*	PRD	MADEP	RB
GHA	200	72.6	7.3	6.6		2007	58.9	3.9	10.7	
	6	CPD	UNIR-MS	ADF/RDA		2002	CDP	UNIR-MS	ADF/RDA	
	<i>no Afrobarometer survey before 2007</i>									
MLW	200	65.0	29.8			2004	55.6	40.9		
	3	NPP	NDC			2000	NPP	NDC		
MLI	200	66.5	28.8			2004	45.0	41.2		
	5	NPP	NDC			2004	NPP	NDC		
NER	200	48.0	33.0	9.6	9.4	2004	32.2	25.3	8.1	5.3
	3	UDF	MCP	NDA	AFORD	1999	MCP	UDF**	NDA	AFORD
MLI	200	44.4	31.1	20.9	1.2	2007	47.3	33.8	10.6	
	5	DPP	UDF	MDC	AFORD	2007	UDF	MCP	AFORD	
NER	200	53.5	22.7			2002	62.8	16.5		
	6	ADEMA	RPM	14.0		2002	ADP*	FDR*	16.0	
NER	200	34.2	23.6			2004	34.7	34.4		
	5	MC***	ADEMA	RPM	8.0	2004	ARD*	E2002*	ACC*	5.4
NER	200	42.7	24.8	15.9		2004	37.2	21.2	17.6	5.4
	6	MNSD	PNSD	CDS	P	2004	MNS	PNSD	CDS	AND
	<i>no Afrobarometer survey</i>									
	next election scheduled for early 2011									

TAN	200	77.5	10.8	6.2	2005	72.3	13.7	7.4
	4	CCM	CUF	CHADEMA		CCM	CUF	CHADEMA
	200	93.8	3.6	1.3	2000	65.0	12.9	8.8
ZAM	5	CCM	CUF	CHADEMA	2006	CCM	CUF	TLP
	200	41.4	28.8	8.4		43.0	21.0	19.7
	4	MMD	UPND	UNIP		MMD	PF	UDA*
	200	38.7	30.6	19.2	2001	28.0	23.8	15.6
	5	MMD	UPND	PF		MMD	UPND	FDD
								10.6
								UNIP

Sources: own surveys in every first row per country, Afrobarometer surveys in every second row and in italics; elections: Africa elections database and own data collected from national electoral authorities.

Notes: *Vote shares of electoral alliances by multiple parties for which disaggregated party data is unavailable and impossible to calculate post hoc. **24.3% for independent candidates, the bulk of who were UDF but had failed in UDF candidate selection processes (Africa Yearbook 2004, 320), can be added to the UDF result bringing it to 49.6% which is very close to the 2003 survey. AFORD and NDA shares include vote shares by offshoots. ***The Mouvement Citoyen (MC) is a Malian political organization (not a registered political party) which is close to the president Amadou Toumani Touré (ATT) and close to the ADEMA party.

Democracy, identity and the politics of exclusion in post-genocide Rwanda: the case of the Batwa

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Since the 1994 genocide, the Rwandan government has sought to navigate a difficult path between the multi-party democracy favoured by donors and a more tightly managed political environment that it argues is necessary for security. Using the fragile post-genocide political context and a history of political manipulation of ethnic identity as justification, the government has stigmatized and criminalized all references to ethnicity. This paper argues that this strategy has required careful management and manipulation of local narratives of identity and citizenship. It suggests that this has led, for one group in particular – the indigenous Batwa – to a politics of exclusion which limits their ability to participate effectively in post-genocide politics and advocate for their rights. Drawing on interviews with Rwandan civil society activists, government representatives and key bilateral and multilateral donors, the paper explores the often-overlooked impacts of these strategies on the Batwa, Rwanda's smallest ethnic group. Rwanda has been praised for its achievements in creating stability, relative security and a degree of competitive politics in a divided society that is needed to prevent the recurrence of large scale violence. And though the government explains its attempts to manage identity narratives as part of a wider effort to create an inclusive national identity, promoting 'Rwandan-ness', it is suggested that the effects of this policy for the Batwa have been negative and exclusionary. Whatever the potential virtues of such a strategy, the paper argues that there is little room for effective representation and accordingly for a political voice for the indigenous Batwa in such a tightly managed system.

Introduction

The 1994 genocide left an indelible mark on Rwandan and regional politics. It led to the deaths of hundreds of thousands of Tutsi and thousands of moderate Hutu.¹ It also precipitated the flight of hundreds of thousands of mainly Hutu refugees and

*genocidaires*² into what was then Zaire, now Democratic Republic of Congo (DRC), sparking off a series of conflicts that officially ended in 2003.³ It also precipitated the return of a largely Tutsi refugee population from exile, which forms the backbone of the current ruling elite.⁴ Since 1994, Rwanda's government, led by the Rwandan Patriotic Front (RPF), has sought to chart a difficult path between multi-party democracy, which is promoted by its key bilateral and multilateral donors, and a more tightly managed political system based on consensus and the need to avoid a recurrence of large scale violence. A considerable amount of research has been conducted looking at identity and ethnicity in Rwanda in this context.⁵ However, such literature overwhelmingly concentrates on the experiences of, and relationships between, the two larger ethnic groups, the Hutu and the Tutsi, notwithstanding divisions and differences within these categories. By contrast, the place of the Batwa is frequently neglected in pre- and post-genocide Rwanda.

The aim of this paper is twofold. Its first aim is empirical, seeking to bring together and add to the limited amount of data on the situation of the Batwa in post-genocide Rwanda. This includes briefly reviewing the existing information from academic sources and reports by non-governmental organizations and drawing on interviews with civil society representatives, donors and government officials in Rwanda. The second objective of the paper is to trace the impact of particular strategies adopted for managing political participation and identity narratives in a post-conflict environment on the Batwa. To do this, the paper analyses the experiences of a prominent organization which advocates on behalf of the Batwa, Community of Indigenous Peoples of Rwanda (CAURWA).⁶ This analysis will allow us to achieve two ends. First, it allows us to explore how a policy claiming to treat all groups equally by promoting Rwandan-ness and outlawing references to ethnicity may actually lead to the specific needs of a minority group being rendered invisible. In doing so it shows how attempts to control discourse on identity have contributed to the marginalization of this indigenous group and rendered advocacy on their behalf more difficult. Secondly, in a broader theoretical contribution, the paper uses CAURWA's experiences to explore how and why identity has been so tightly managed in post-genocide Rwanda and to highlight the effects of this on civil society.

As there are relatively few publications which focus on the Batwa it is necessary to first review the information which is available on Rwandan Batwa to better understand the context in which the policies on controlling public discourse operate. The first part of the paper briefly outlines the broader context of challenges to indigenous minorities in Africa. Recognizing the importance of the historical context which underpins the current situation of the Batwa in Rwanda in particular, it then explores the pre-genocide history of the Batwa and the experiences of this indigenous minority during the 1994 genocide. The remainder of the paper concentrates on the post-genocide period. Exploring government efforts to manage discourse of political identity and through this to shape the discourse and practise of politics, it will demonstrate that Batwa have been somewhat excluded from the political process despite the overarching government narrative of inclusivity

and Rwandan-ness. In spite of attempts to eradicate discussions of ethnicity from public life, the Batwa remain the only ethnic group in Rwanda who can be discriminated against with relative impunity.⁷ This suggests that denying differences between ethnic groups may not enhance the prospects for ensuring rights of indigenous minorities. It may have benefits in promoting improved relations between the majority Hutu and the Tutsi minority, and it does reflect a pressing need to ensure stability and relative security in a divided post-genocide society, but for the Batwa, social discrimination continues in part because recognizing tangible differences between groups, which are historically rooted and reflected in their relative political, social and economic power and status, could challenge the government's broader attempts to control identity discourse and political behaviour. It also suggests that unless indigenous minority rights are specifically protected, and the Batwa in particular are recognized as differently disadvantaged, groups advocating for their rights will continue to face significant challenges.

The Batwa: a history of marginalization

Before focusing on the specific circumstances of the Batwa it is important to note that the marginalization of indigenous groups, both before and after colonial administration, is by no means unique to Rwanda; similar experiences are recorded across the region in DRC, Burundi and Uganda.⁸ Indeed, in Africa more broadly, the reluctance of governments to recognize the existence of and challenges facing indigenous people are well documented.⁹ In this paper the term Batwa refers specifically to the minority, indigenous, pygmy group in Rwanda. However, pygmy and hunter-gatherer populations across sub-Saharan Africa, particularly in neighbouring DRC and Burundi, have been referred to by the same name. The paper also adopts the convention used by Minority Rights Group International in using 'Batwa' to describe the group, or plural, and Twa to describe individuals.¹⁰

Organizations such as Minority Rights Group International and the Forest Peoples Programme have highlighted the challenges particular indigenous groups face. They focus especially on the difficulty of achieving recognition of the Batwa's traditional livelihoods as hunter-gatherers and potters as legitimate and equally valid as those of agriculturalists and pastoralists. They also focus on effectively opposing development projects which have seen their displacement from the lands they historically relied upon. The 2007 Report of the United Nations High Commissioner for Human Rights on indigenous issues acknowledged that, globally, indigenous peoples 'remain among the poorest sectors of society in the countries in which they live'.¹¹ A measure of recognition of these challenges has come from initiatives such as the 2007 UN Declaration on the Rights of Indigenous Peoples, and through improved advocacy at the international level through fora such as the African Commission on Human and Peoples' Rights and the UN Working Group on Indigenous Populations. However, notwithstanding greater recognition and codification of indigenous peoples' rights, significant challenges remain in ensuring their implementation.

There is relatively little literature that specifically focuses on the Batwa.¹² This partly reflects the size of the population, estimated to number approximately 30,000 individuals out of a total Rwandan population of over nine million. It also reflects the pre-occupation of those who have written about Rwanda, from colonial administrators to contemporary researchers and observers, with the creation of the Tutsi and Hutu identities and the shifts in the content and meaning ascribed to these identities over time.¹³ One prominent Batwa rights campaigner characterizes the group as ‘the forgotten people of Rwanda’ arguing ‘having been there for the longest, having lived for thousands of years in the rainforests of Africa before the Hutu and Tutsi arrived. We have been forgotten by all those who came to use our forests.’¹⁴

Given the limited data available on the Batwa, it is difficult to establish with certainty exactly how long the Batwa have existed in the forests of central Africa, across what are now the states of Rwanda, Burundi, Uganda, DRC and beyond. However these groups are frequently referred to using terms such as ‘first peoples’, ‘indigenous’ or ‘*autochtones*’,¹⁵ each suggesting they descend from the original inhabitants of a particular area. In her study of Bantu and Batwa populations in West Central Africa, Klieman suggests that Batwa have often been regarded as ‘first comers’ with well-established knowledge of the forests in which they lived, educating newly arriving Bantu populations in their ways.¹⁶ In the specific case of Rwanda, Vansina explains that the Batwa were defined by the fact they did not practice what was considered a ‘normal’ way of life, that is: farming and agriculture based subsistence, and that this led over time to their dispossession and marginalization by the larger groups in the region¹⁷:

Twa was the name given to the forests and near the great marshes on the borders and also to a few communities of potters. Mutual hostility was the rule between the Twa of the great forests in the west and the north of central Rwanda and their neighbours, especially farmers who were liable to clear the forests, thus restricting the land left to hunters.¹⁸

Their livelihoods were regarded as inferior to those of agriculturalists, and can also be distinguished from that of pastoralists whose way of life centres on animal husbandry. As Huggins argues, the Batwa rarely leave signs of ‘investment’ such as new buildings or cleared land in the areas they rely on: ‘As a result the forested areas customarily used by Batwa have been treated by other socio-economic groups as ‘vacant’, and their land claims have been ignored.’¹⁹

Due to their alternative livelihoods, the Batwa are specifically identified as different, and often as inferior, to others in what is now Rwanda. Moreover, their role in pre-colonial society in Rwanda remains under-explored. For example, analysts differ in their estimations of the roles Batwa played in the various kingdoms which preceded the establishment of the Rwandan state. Prunier suggests that they ‘either lived as hunter gatherers in the forested areas or else served the high ranking personalities or the King in a variety of menial

tasks'.²⁰ Vansina, by contrast, offers the example of a favoured Batwa who acted as a page or close follower of the king, but also refers to others acting as royal guards and executioners.²¹ Batwa thus seem to have been most often relegated to relatively menial roles in the royal court but there was some limited possibility of advancement. However, this seems to have been and still continues to be the exception with a general popular perception in Rwanda of the Batwa as 'backward and lacking "modern" education. . . uncivilized, primitive, and uncultured'.²² This arguably stems from a negative view of their activities as hunter gatherers and their historical affiliations with the forests as well as social stigmatization of the Batwa as a pygmy race. Vansina characterizes this stigma starkly, as a relationship of 'avoidance and scorn' between Batwa and other groups, in which 'not only did Twa and others never intermarry, but they did not even drink from the same beer pot for fear of social pollutions'.²³ Similarly Thomson's research in Rwanda found that non-Batwa considered their Batwa neighbours to be 'filthy and uneducated'.²⁴ These attitudes continue what Klieman refers to as the 'pygmy paradigm', under which such groups are considered uncivilized and pre-modern.²⁵

Due to this stigmatization, even prior to the genocide, the Batwa population experienced high levels of social discrimination and were perceived, by Hutu and Tutsi alike, as dirty, immoral and even sub-human. They primarily relied on the forested areas to pursue a hunter-gatherer existence and on marshland swamps to provide clay for the production of pottery. However, Rwanda is currently Africa's most densely populated state, and large areas of both forest and swampland have been reclaimed for agriculture, development and the creation of national parks. This process, which began before the 1994 genocide, has denied the Batwa access to their traditional livelihoods, often with little or no consultation or adequate compensation, causing internal displacement and further hardship.²⁶ In 1988, 'the Batwa hunters of Nyungwe area were evicted from the forest. . . when it was re-classified into a National Park and a military training zone. Some 4,500 Batwa living in Gishwati forest and what is now the Volcanoes National Park were evicted from these areas by the 1990s'.²⁷ As one report into the difficulties facing pygmy minorities points out, for such groups 'economic development is an unavoidable, painful and exclusive process'.²⁸ As documented in detail by Huggins, the Batwa have also been systematically dispossessed and displaced by changing government policies on land ownership and land use, both during and after colonial rule and before and since the genocide.²⁹ Post-genocide measures adopted to consolidate land, to appropriate land in the 'public interest' and to maximize productivity and encourage specialization, have all contributed to the landlessness and land-poverty of Batwa.³⁰ They also have limited opportunities of alternative livelihoods due to their marginalization, discrimination, and the limited proportion of Batwa who have attended formal schooling.

Finally, it is worth briefly mentioning the 1994 genocide itself, which is often rendered as an exclusively Hutu-Tutsi affair, but also had a significant impact upon the Batwa. During the genocide, the Batwa were both perpetrators and victims of violence, and their individual experiences and roles must be recognized.³¹

It is estimated that 30% of Batwa were killed during the genocide,³² compared to an estimated 14% of all Rwandans.³³ Admittedly 30% of a group numbering around 30,000 represents a very small proportion of the total number of deaths during the genocide. However, Lewis argues that the high proportion of Batwa killed reflects the fact that due to historical patterns of discrimination they were targeted by both Hutu and Tutsi within and without the context of a genocidal killing programme against Tutsi. This is a stark illustration of the status of Batwa in Rwanda, illuminating what the Forest Peoples Programme identifies as: 'a larger pattern of pervasive and tolerated discrimination against Twa that persists to this day and is manifest in almost all of their dealings with neighbouring peoples and the State'.³⁴

As the above demonstrates, the Batwa have been historically marginalized within Rwanda. They continue to face widespread social discrimination and a decline of their traditional livelihoods. It is believed that members of the Batwa population in Rwanda now no longer maintain a traditional existence as forest dwellers and that almost half of them are primarily supporting themselves through begging.³⁵ As a result of their relative lack of representation in decision-making bodies and increased impoverishment through dispossession and displacement, the Batwa have attempted to organize themselves into groups to attract funding. They have also tried to lobby the government for recognition of their status as indigenous peoples and of the unique disadvantages they face. The organization which has acted as an umbrella for dozens of smaller Batwa associations, and as their representative on an international stage, is CAURWA. This organization has led advocacy on Batwa issues within LandNet, a coalition of groups established to present a united response to the government's consultations on a new land law in 2003. It has also lobbied presidential candidates to recognize the needs of Batwa and guarantee their rights, and surveyed the Batwa population to provide stark statistical evidence of their disadvantaged status in Rwandan society which is difficult for the government, and its supporters, to ignore.³⁶ However, CAURWA operates within a post-genocide political landscape where discussions of indigeneness and ethnicity are prohibited and political activity is managed and disciplined in particular ways. To understand the challenges facing organizations representing the Batwa, it is therefore necessary to situate their actions in this broader context.

Politics, identity, and the limits of acceptable political behaviour in post-genocide Rwanda

This section cannot hope to cover all, or even most, of the factors which affect the practise of politics in contemporary Rwanda. It will instead concentrate on providing an outline of the frameworks for disciplining political behaviour and defining political identity established by the government since 1994, demonstrating the constrained environment in which Rwandan civil society operates. This will then form a backdrop for the examination of the government's treatment of the prominent Batwa rights group, CAURWA.

Observers since 1994 have varied considerably in their assessment of Rwanda's political development. Some consider it a potential model for reconstruction,³⁷ whilst others describe the current regime as a dictatorship, benevolent or otherwise.³⁸ The Rwandan government has maintained since 1994 that donor-promoted models of liberal democracy are unworkable in a post-genocide context. They cite fears of a return to ethnic politics and the difficulties of open political debate in an environment where divisionism and 'genocide-ideology' exist and may provoke future violence.³⁹ As Hayman suggests, for the ruling RPF party the priority is national unity and reconciliation 'with the tenets of liberal democracy subordinate to these objectives'.⁴⁰ Political participation is therefore promoted, institutionalized, managed and disciplined in specific ways by the government to achieve this larger goal of national unity. It is necessary for the purposes of this paper to understand what this means in practise, especially for civil society organizations attempting to challenge government narratives of identity, to question the perceived limits on political space and activity, and for those working to highlight the marginalization of the indigenous Batwa. It is therefore useful to look in a little more detail at the policies of the Rwandan government which, it is suggested, promote particular forms of post-genocide identity and political activity.

Denied a place in Rwandan politics under the pre-genocide regime, the RPF has become the dominant party in Rwanda since 1994. Following the genocide the party led a Government of National Unity until 2003,⁴¹ when elections for president and parliament marked the official end of the transition period and returned both the RPF as the largest party in parliament and their leader Paul Kagame as president. The ruling party was formed primarily, though by no means exclusively, of Anglophone Tutsi refugees who returned to Rwanda in 1994 and played a pivotal role both in ending the genocide and in the subsequent administration. Since the genocide, Pottier argues convincingly that the RPF has sought with some success to establish a rather simplistic and dichotomous image of Tutsi as 'good guys' and Hutu as 'bad guys' to underpin their right to rule Rwanda.⁴² However, since the mid-1990s the RPF has also stressed the need to publicly de-emphasize and even outlaw ethnicity. Ethnic identities are to be replaced by a single Rwandan national identity, the only acceptable identity for a Rwandan citizen.⁴³

There is good reason to question whether ethnicity can ever be an acceptable and peaceful form of identity in post-genocide Rwanda. The labels of Hutu and Tutsi are associated with, respectively, perpetrators and victims of the 1994 genocide. This is admittedly a simplistic and problematic depiction; Hutu were also amongst the victims and some acted to protect Tutsi from *genocidaire*. However, though the ethnic identities cannot be easily reconciled with a simple victim/perpetrator Manichean distinction, the fact that Tutsi comprised the majority of victims and Hutu the majority of perpetrators creates difficulties in maintaining these identities as an acceptable basis for self-identification and, especially, for political mobilization in a post genocide context.⁴⁴ The desire to avoid the negative associations of ethnic identities underpins the government's

policy of national unity. This is reflected in their promotion of a narrative of post-genocide Rwandan-ness as signifying a return to a peaceful pre-colonial Rwanda, in which Hutu, Tutsi and the Batwa are described as living in relative harmony until the arrival of colonizers.⁴⁵ Playing down ethnic identity in favour of national identity also allows the government to make citizenship the defining character of who is Rwandan. Prior to and during the genocide, Hutu governments had portrayed the Tutsi as foreign invaders who had subjugated the Hutu. The issue of indigeneness and who has the greater claim to land and the Rwandan identity is therefore highly sensitive, having been used to justify dispossession, displacement and even genocide. The government's focus on contemporary citizenship, rather than historically rooted ethnic identity and narratives of origin is thus understandable given the challenges Rwanda faces. However, it leaves little or no room for the recognition of different origins of any ethnic group, or of the impact this may have on their political, social and economic status. This has particular implications for the Batwa, as will be discussed further in the following section.

Research has suggested that political space in Rwanda has been curtailed and political identity managed to create an understanding on the part of Rwandans as to what constitutes acceptable political behaviour.⁴⁶ This includes acceptable forms of political organization, that is, those not based on ethnicity, and acceptable forms of action, specifically those which do not challenge the RPF's position or the narratives of genocide and reconstruction on which its legitimacy is based. There is evidence that the Rwandan government has used accusations of revisionism, divisionism and 'genocide ideology' to construct this tightly managed political arena and to discredit and threaten those who challenge its policies and position, portraying them as threats to national unity and security.⁴⁷ It is useful to elucidate this representation of curtailed political space in Rwanda a little further before exploring its implications for the Batwa and organizations which represent them.

A key tool used by the post-genocide government to manage political identity and behaviour, and to promote its vision of national unity, is legislation. Notable in this regard is the 2003 constitution, which sets out some of the boundaries of acceptable political activity by proscribing political campaigning at the local level and outlawing discrimination on grounds of ethnicity.⁴⁸ The ban on campaigning at a local level was lifted in 2008, but by this time RPF dominance of politics had been established and parties or individuals with the potential to challenge the RPF and Kagame had largely been co-opted, discredited, exiled, or withdrawn.⁴⁹ Other relevant pieces of legislation include those which provide the legal framework to prosecute 'genocide ideology'. These include Law 47/2001 of 18/12/2001, relating to discrimination and sectarianism,⁵⁰ and the Law Regulating the Punishment of Genocide Ideology.⁵¹ International human rights observers interviewed in 2005 and 2006 frequently argued that these offences are too broadly defined, particularly given the heavy penalties associated with them, and that ambiguity leaves the law open to abuse.⁵² Specifically, they argued that the vague definitions in legislation on divisionism and genocide ideology encourage civil society activists to limit their critical engagement with government policies by creating an

uncertainty as to what is acceptable behaviour.⁵³ The Joint Governance Assessment of Rwanda carried out by a group of donors in 2008 concurred with this view, stating that '[t]he absence of a requirement of intentionality (i.e. that the offender intended to cause harm) in the provisions adds to the problem of vagueness and leaves the provisions open to abuse and less effective in tackling the problem that they are designed for'.⁵⁴

The charge of genocide ideology was described by one human rights observer in an interview as 'the government's current big stick' for disciplining opponents.⁵⁵ Though there are no published figures which show how often the charge of genocide ideology has been used, the effects of simply being accused in this way should not be underestimated. Even where accusations are not formalized by legal charges, or where such charges are dropped, the stigma of accusation can affect job and marriage prospects of those accused.⁵⁶ Using such accusations of genocide ideology, Rwanda's independent media, in particular outspoken editors critical of government policy, have also been harassed, prosecuted and even forced into exile.⁵⁷ In 2003 *Umuseso*, an independent publication frequently critical of government policy, was accused of fostering divisionism and disseminating the 'genocidal ideology' of a banned political party, the MDR.⁵⁸ The MDR, (*Mouvement Démocratique Républicain*) was seen by many as the strongest and most credible opposition to the RPF.⁵⁹ Research by Waldorf also highlights the role of the RPF in suppressing and co-opting media outlets and critical journalists, resorting to harassment and intimidation where necessary. This pattern leads him to conclude that press freedom in Rwanda is more limited in post-genocide Rwanda than even prior to 1994.⁶⁰ The threat of being labelled informs how civil society activists in Rwanda perceive their ability to engage with the government. This then affects the kind of advocacy undertaken and discourages work on politically sensitive topics such as ethnicity and justice, despite their centrality in contemporary Rwanda and especially for groups like the Batwa.

Legislation has thus provided a dominant public framework for defining and enforcing the parameters and modes of acceptable political behaviour in Rwanda, but other methods are also in evidence. Although relatively rare, particularly in recent years, disappearances, threats and intimidation are tactics that have also been used to silence criticism. These are usually difficult to attribute to the government and its supporters, and are consequently the subject of rife speculation among civil society activists and human rights observers. This is largely due to the lack of official information on such cases and the considerable weight of rumours which fill the resulting information deficit. These methods have been discussed elsewhere in more detail,⁶¹ but though this paper is concerned primarily with the legal framework and the management of identity in Rwanda, the issue of extra-legal disciplining of civil society is of relevance and should be borne in mind when considering the political context in which civil society operates. Instances of intimidation and even the disappearance of critics of the RPF create a climate of fear and uncertainty, in which individuals become reluctant to challenge or criticize the government because they are uncertain what the consequences may be.⁶²

The evidence presented suggests there are boundaries of acceptable political identity and acceptable political debate in post genocide Rwanda. It appears that acceptable action does not include challenging the regime on issues of security, political identity or its vision for Rwanda's political reconstruction.⁶³ The uncertainty as to whether criticizing particular government policies, or highlighting suspected instances of intimidation and harassment, will provoke a response from the authorities serves to shape the type and level of advocacy by civil society activists. Acceptable identity is that which conforms to the RPF vision of Rwandan-ness, denying differences of experience between groups in Rwanda particularly when defined by ethnicity. If we consider analyses of civil society in Rwanda prior to the genocide, we can see a similar pattern has re-emerged since 1994. Silva-Leander argues that prior to genocide Rwanda displayed many of the 'trappings of democratic state – such as an active civil society, an inquisitive media and a vociferous opposition'⁶⁴ but argues these did not really fulfil their functions as democratic checks and balances or hold the government to account. They failed to fulfil the role required for what he terms 'substantive democracy.'⁶⁵ Despite the continuation of such a system since the genocide, the lack of political space has rarely been challenged by Rwanda's aid partners and supporters. The dominance of the RPF is largely accepted as inevitable and even potentially as beneficial as it allows the government to better enact donor-favoured neoliberal reform in other areas, such as macroeconomic policy.⁶⁶ There is a real sense when interviewing key aid partners of the Rwandan government that Rwanda is regarded as fundamentally different to other states due to its experience of genocide, and that it therefore necessarily adapts concepts such as democracy and associated institutions and practises to suit its own needs.⁶⁷ Indicative of this attitude, the 2002 USAID Conflict Vulnerability Assessment of Rwanda argued that:

(t)he concept of a Rwandan exceptionalism and the need for a managed transition in a post-genocidal context remain valid and will doubtless continue to do so for some time. But there is a countervailing fear, which is this need may serve to mask an attempt to secure a long-term RPF stranglehold on political power.⁶⁸

The holding of peaceful elections in 2003 was seen as a political milestone for Rwanda and, having successfully secured their first term in office, it was hoped the RPF would relax their limitations on political activity in Rwanda and, as a 2004 Christian Aid report suggested, 'open up'.⁶⁹ However, the analysis presented above indicates that the USAID observation above is still as relevant now as it was in 2002. Despite some notable advances, including the issuing of independent radio station licences and willingness to engage with civil society organizations in non-politically sensitive areas, political space has in many arenas remained static or indeed narrowed since 2003. The impact on civil society reflects the contention of a long-term observer of Rwanda, interviewed in Kigali in 2006, that there are accepted 'rules of play' governing political debate. Civil society activists can operate only if they are willing to forego work on politically sensitive issues.

This has produced a situation whereby the RPF is extremely intolerant of criticism and of attempts by civil society organizations to act outside of the narrow confines it assigns to them. This is illustrated in a report by Frontline, demonstrating that the Federation for Activists Against Torture (FACT) concentrates primarily on sexual and gender-based violence rather than more politically sensitive instances of torture by police and local defence authorities.⁷⁰ It is also borne out by the recent work of Burnet on organizations promoting the rights of women. The political empowerment of women is feted as a key success of Rwanda's political development, but Burnet's analysis suggests they are only successful when their objectives are precisely aligned with those of the RPF.⁷¹ These observations on the hostile environment in which civil society operates are particularly relevant for our consideration of the treatment of the most prominent Batwa rights organization, CAURWA, discussed in the following section.

'Divisionist' or just different? Advocacy challenges for the Batwa post-genocide

This section analyses one particular chain of events which occurred in 2005–2006 in the lead up to, and aftermath of, a peer review of Rwanda. The process and outcomes effectively illustrate not only the tightly managed nature of Rwanda's political arena outlined above but also the difficulties faced by the Batwa and the organizations which attempt to advocate on their behalf as a direct result of government attempts to manage identity and its policy of national unity.

In 2005, Rwanda became only the second African state to be peer reviewed as part of the African Peer Review Mechanism, an initiative of New Partnership for Africa's Development (NEPAD).⁷² The process by which Rwandan officials compiled the initial self assessment report and the meetings with the NEPAD-appointed country review team were however dominated by representatives and supporters of the government. Jordaan describes how during the self assessment process 'voices favourably disposed towards the government predominated, while dissenting political voices were marginalized'.⁷³ Human rights groups and media representatives who had been critical of the government were not invited to take part, while those seen as more pro-government were included as representatives of broader civil society.⁷⁴ The unwillingness to allocate key roles in the process to civil society representatives, particularly those critical of the government, was especially pronounced in the area of political governance. League of People's Rights in the Great Lakes (LDGL), an umbrella organization for human rights groups in the Great Lakes Region, points out that 'all four members of a technical team supporting the subcommittee on democracy and political governance were civil servants (the African Peer Review Mechanism (APRM) coordinator, an official from the Ministry of Local Administration, a senator and an official from the Ministry of Foreign Affairs)'.⁷⁵

Despite government dominance of the process, the report by the NEPAD country review team identified a range of problems with political governance in

Rwanda. These ranged from the lack of a level playing field for political parties to compete and government influence over the judiciary, to concerns about press freedom and the government's attitude towards the indigenous minority, the Batwa. The broader experience of peer review and Rwanda's response is covered in detail elsewhere,⁷⁶ but for our purposes it is useful to consider the report's highlighting of the marginalization of the Batwa and analyse the government response to this in light of the features of post-genocide politics explored in the previous section. These build up a picture of careful control of debate on political identity, as suggested earlier, and demonstrate the resulting difficulties for the Batwa in organizing politically and drawing attention to their marginalization.

The review report on Rwanda discussed government policy towards the Batwa under Objective 9 of Category 1: 'To promote and protect the rights of vulnerable groups, including internally displaced persons and refugees.' The report found that, in the case of the Batwas: 'the approach adopted by the authorities was based on a policy of assimilation' further commenting that '[t]here appears to be a desire to obliterate distinctive identities and to integrate all into some mainstream socio-economic fabric of the country'.⁷⁷ As discussed earlier this is largely a product of government legislation, intended to prevent discrimination by effectively prohibiting Rwandans from identifying themselves, or others, by their ethnicity, or treating one another differently on that basis. However, there is considerable evidence that this policy has disadvantaged the Batwa. In 2006, Matthews recalled how a government official defended the policy outlawing discrimination, whilst acknowledging the following:

It is against the law to make ethnic jokes in Rwanda. . . If another person overhears you make a joke about the Hutu or Tutsi, you can be reported to the authorities and tried for promoting genocidal ideologies. . . (but) no one cares if you make Batwa jokes. It is common if someone does something stupid to say, 'Oh, you are becoming Batwa.'⁷⁸

As discussed in the first section of this paper, the social and economic marginalization of the Batwa is clearly not being redressed simply through legislation. They continue to be disproportionately likely to be illiterate and to drop out of school,⁷⁹ and are under-represented in decision-making bodies. The prominent Batwa rights group CAURWA argues that the government's policy of denying difference between Rwandans actively disadvantages the Batwa, delegitimizing the uniqueness of their situation as compared to other Rwandans. Batwa groups refer to themselves as indigenous peoples, or as Rwanda's original inhabitants, using the Kinyarwanda term *Abasagwabutaka*. In a state where discourses of identity, origins and citizenship have been manipulated to fuel genocide, the government will not allow any group to identify itself in this way. Since acceding to the peer review mechanism in 2003, it has demanded that CAURWA change its name which, it argued, by identifying Batwa specifically and through references to indigenosity promotes division between Rwandans.

A representative of one international non-governmental organization (NGO) that has worked extensively with CAURWA, *Trocaire*, argued that one solution

to the dispute might be to append indigenous peoples to the category of vulnerable groups, allowing for specially allocated representation in decision-making bodies. Such a solution was said to be favoured by the government during negotiations as it would allow the interests of the Batwa to be accommodated without challenging existing legislation on divisionism.⁸⁰ This attitude is also reflected in the government's preference for identifying the Batwa as 'historically marginalized', a status which, in a perhaps more positive development, saw one of their members appointed to the senate in one of eight seats reserved for such groups in 2006.⁸¹ However, reclassifying the Batwa as a vulnerable group would also serve to disempower their representatives, removing their ability to identify as Batwa. Women, survivors of genocide and children are similarly recognized to be particularly vulnerable and disadvantaged in contemporary Rwanda, but organizations and collectives have formed to lobby on behalf of their specific needs and to raise awareness of their particular situations. By highlighting the difficulties of this specific group, the APRM review team forced the government to address the issue. As will be shown, the government's efforts to force CAURWA to rebrand, backed up by threats to disrupt its funding, were, if anything redoubled after the peer review's highlighting of the situation.

The Rwandan Ministry of Justice (MINIJUST) in 2004 threatened to 'stop NGOs from funding programs specifically targeting the Batwa if they insist on being designated as such'.⁸² CAURWA responded by offering to discontinue use of the term *Abasagwabutaka*, but insisted that continuing to identify specifically as Batwa was necessary to allow other NGOs and donors to target assistance to their marginalized community.⁸³ This partial compromise offered to address the government's concerns about identifying any particular group as indigenous, given the use of this discourse to justify displacement and persecution of Tutsi in the past, but it did not conform to the government policy of avoiding ethnic labels. According to a European donor representative, MINIJUST therefore refused this offer on the grounds that identifying one group for particular support is divisionist, and promotes and reinforces ethnic difference.⁸⁴ The tension between CAURWA's agenda of supporting the Batwa and the regime's policy of denying ethnic difference was a crucial test for the government and for peer review. The Rwandan authorities fiercely rejected the appraisal of their policy towards the Batwa as tantamount to assimilation. Interviewed by the author, the Executive Secretary of NEPAD Rwanda characterized it as a result of the review team not understanding Rwanda's unique situation, adding that it was also a price of being amongst the first 'guinea pigs' for the process.⁸⁵ However, in its response to the APRM criticism, appended to the final report, the Rwandan government had little choice but to acknowledge the failure of its overall social and economic policies to empower the Batwa or enhance their life chances.⁸⁶

This could have led to an opening for productive engagement with groups like CAURWA and civil society more generally. Indeed, the initial response of the government was encouraging, with the state offering to assist Batwa families and children with health insurance and school materials.⁸⁷ However, subsequent

actions once again highlighted the government strategies discussed earlier: accusing critics of divisionism, working to co-opt potential challengers and to force changes in their political behaviour to maintain the integrity of the government's vision of national unity.

Some were optimistic in assessing the impact of the peer review. The *Trocaire* representative argued that although school equipment and health insurance for some members of a group comprising only around 30,000 in total seems a small step, it does represent compromise and is therefore of great significance.⁸⁸ Others, however, were less optimistic, recognizing a familiar pattern of co-optation and harassment in the government's policy towards CAURWA after peer review. One human rights observer recalled the experiences of other groups who had challenged core facets of government policy, including the human rights organization Rwandan League for the Promotion and Defense of Human Rights (LIPRODHOR).⁸⁹ He argued that since 1994 the government had systematically harassed outspoken and critical leaders, often accusing them of ineptitude or more recently of harbouring 'genocide ideology'. In each case new leaders took over and a voice critical of regime policy was silenced. He confided in March 2006 his pessimistic fear that CAURWA would disappear, replaced with a broader 'organization for the disadvantaged'.⁹⁰ This proved somewhat prophetic. In May 2007, threatened with losing its license to operate as an NGO, and thus its funding, CAURWA became COPORWA: *Communauté des Potiers Rwandais* (Organization of Rwandese Potters). The new name highlighted a traditional Batwa activity but removed all mention of both indigeness and ethnic identity. One interviewee close to the organization confirmed that some among its leaders felt that they could no longer operate on an 'ethnic' basis due to government pressure. The changing of CAURWA's name was characterized as a reluctant but necessary compromise to allow their programmes to continue.⁹¹

The experience of CAURWA has disheartened members of Rwandan civil society, many of whom had high hopes for peer review as a way of opening up political space.⁹² Furthermore, the government pressure on CAURWA arguably demonstrates the very policy of assimilation criticized by the peer review team. The continuation of this policy is indicative of the way the Rwandan government responds to criticism where it challenges the basis of their authority, in this case by attempting to force the recognition of ethnic difference as real, at least in the case of the indigenous Batwa. The careful management of narratives of identity in contemporary Rwanda is central to the regime's legitimacy and its narrative for Rwanda's future. It is therefore likely that organizations which seek to target the particular needs of the Batwa will continue to find this policy a significant challenge for their activities.⁹³

Conclusions

This paper has argued that Rwanda's indigenous minority population, the Batwa, has experienced a history of marginalization and discrimination. It is also suggested, through the discussion of post-genocide politics in general and the

experiences of CAURWA in particular, that this trend has if anything accelerated under the national unity policies of the current ruling party. Given the history of ethnic division and conflict, and the tensions over political representation in post-genocide Rwanda, it is perhaps understandable for the government to seek to control political debate to ensure security and stability. As Snyder⁹⁴ has demonstrated, democratization is a dangerous process to embark upon in fragile and often divided post-conflict societies, and one which can lead to polarization, the hardening of identities, and even renewed conflict. This paper does not seek to conclude that attempts to manage political identity and debate are always necessarily negative, though these have certainly manifested in Rwanda as a relatively closed political environment with little tolerance of dissent. However, it does seem that while one can construct a reasonable rationale for down-playing Hutu and Tutsi identity in favour of Rwandan-ness, this policy does not work for the Batwa. In fact, it reduces the ability of groups who represent the Batwa to campaign on behalf of their specific needs. The strict management of identity by the Rwandan government, and the use of legal and shadow methods to discipline groups and individuals who question these policies, actively disadvantages Rwanda's already most disadvantaged group. Unless some degree of flexibility can be found in the RPF's approach to identity, it is likely that eradicating discussion of ethnicity in Rwanda will continue to ensure that Rwanda's 'first people' remain 'a largely invisible minority'.⁹⁵

Notes

1. The number of victims of the genocide, whether Hutu, Tutsi or, as we shall see later, Batwa, remains highly contested. The Rwandan government estimate is over one million, whereas the more commonly cited United Nations figure is around 800,000. See 'Genocide', Official Website of the Republic of Rwanda, http://www.gov.rw/page.php?id_article=19 (accessed June 17, 2010) and United Nations, *Report of the Independent Inquiry into the Actions of the United Nations during the 1994 Genocide in Rwanda*.
2. Those involved in carrying out the genocide.
3. For a discussion of the specific events which precipitated these conflicts see Prunier, 'The Great Lakes Crisis'.
4. Prunier, *The Rwanda Crisis*, 111.
5. See for example: Beswick, 'Managing Dissent in a Post-genocide Environment'; Hintjens, 'Post-genocide Identity Politics in Rwanda'.
6. CAURWA is the *Communauté des Autochtones du Rwanda*. It is the most prominent Batwa rights organization and was formed in 1995 from three groups: Association for the Promotion of Batwa, Association for the Global Development of the Batwa of Rwanda, and Association for the Protection of Unaccompanied Children in Distress.
7. Matthews, 'The People Who Don't Exist'.
8. See Lewis, *The Batwa Pygmies of the Great Lakes Region*.
9. Igoe, 'Becoming Indigenous Peoples'; Hitchcock and Vinding, 'Indigenous People's Rights in Southern Africa'.
10. Lewis, *The Batwa Pygmies of the Great Lakes Region*, 5. It should however be noted that some authors quoted in this paper use terms Twa and Batwa interchangeably, and their points should be regarded as applicable to the Batwa as a group, even where they use the singular term, 'Twa'.

11. *Report of the United Nations High Commissioner for Human Rights on Indigenous Issues*, 1.
12. There are relatively few academic works on the Batwa. Notable exceptions include a recent article by Thomson, 'Ethnic Twa and Rwandan National Unity and Reconciliation Policy'; and Klieman, *The Pygmies were our Compass*. There are however brief mentions of the Batwa in more general works on Rwanda and the genocide such as Vansina, *Antecedents to Modern Rwanda*.
13. See for example the work of Christopher Taylor on the importance of the 'Hamitic hypothesis', a theory expounded by Rwanda's Belgian colonial rulers which considered Tutsi as racially superior to both the Hutu and Twa. Tutsi were regarded as being stereotypically more 'Nilotic' in appearance and purportedly more intelligent. See Taylor, *Sacrifice as Terror*. Most observers agree that it was under Belgian rule, via a Tutsi monarchy, that primarily socio-economic divisions between the Hutu and Tutsi, and to a lesser extent the Twa, acquired greater political significance and became more entrenched. Colonial rule also entrenched the idea of Hutu and Tutsi identities as monolithic and defined chiefly in relation (or opposition) to each other. Tutsi were considered to be significantly superior to Hutu, based on physiology and intellect, receiving preferential access to employment and education. By contrast, Hutu were regarded as inferior and, to some degree, naturally subservient. The Twa, which make up less than 1% of the population, were also marginalized as a 'pygmy group', defined as having less social status than Hutu. See Prunier, *The Rwanda Crisis*.
14. 1994 speech by head of a Batwa rights organization, Charles Uwiragiye. Quoted in IRIN, 'Minorities Under Siege: Pygmies Today in Africa', 11.
15. Matthews, 'The People Who Don't Exist'.
16. Klieman, *The Pygmies Were our Compass*.
17. Vansina, *Antecedents to Modern Rwanda*, 36.
18. *Ibid.*
19. Huggins, 'Land Rights and the Forest Peoples of Africa', 3.
20. Prunier, *The Rwanda Crisis*, 5.
21. Vansina, *Antecedents to Modern Rwanda*, 48.
22. Thomson, 'Ethnic Twa and Rwandan National Unity and Reconciliation Policy', 3.
23. Vansina, *Antecedents to Modern Rwanda*, 36.
24. Thomson, 'Ethnic Twa and Rwandan National Unity and Reconciliation Policy', 3.
25. Klieman, *The Pygmies Were our Compass*.
26. Forest Peoples Programme, *Submission*, 10.
27. Huggins, 'Land Rights and the Forest Peoples of Africa', 8.
28. IRIN, 'Minorities Under Siege', 8.
29. Huggins, 'Land Rights and the Forest Peoples of Africa'.
30. *Ibid.*, 5–9 and 12–16; Jackson, 'Rwanda: Dispossessed Twa People Press for Recognition'. As an anonymous reviewer for this paper has pointed out, Batwa are not the only people who have lacked legal title to land in Rwanda. However, analysis by groups such as the Forest Peoples Programme and Minority Rights Group International suggests that indigenous groups are particularly disadvantaged in the process of establishing claims to land during any formal process of registration. This is often due to factors such as high levels of illiteracy, a lack of citizenship papers or historical documents supporting claims to land ownership, and the negative view of their lifestyle and livelihoods as less modern and less valid than that of agriculturalists and even pastoralists.
31. Thomson, 'Ethnic Twa and Rwandan National Unity and Reconciliation Policy'. For an excellent example of the disaggregation of experiences of individual Hutu during the genocide see Fujii, *Killing Neighbours*. More detail on the experiences of the Batwa during genocide, including the devastating effect of the killings on the

- number of male Batwa and on Batwa livelihoods can be found in Lewis, 'The Batwa Pygmies of the Great Lakes Region', 23.
32. Lewis, 'The Batwa Pygmies of the Great Lakes Region', 23.
 33. Lewis (see preceding note) estimates 14% of all Rwandans were killed during the genocide, this is based on an estimated total of one million Rwandans killed during the genocide. As set out in note 1, this total figure is contested and others use the more conservative estimate of 800,000. However, even if the lower total estimate were used, the proportion of Batwa killed based on Lewis' estimate would remain higher than that of the general population.
 34. Forest Peoples Programme, *Submission*, 10.
 35. Thomson, 'Ethnic Twa and Rwandan National Unity and Reconciliation Policy', 6.
 36. Frontline, *Rwanda: Disappearances, Arrests, Threats*, 41–2 and 59.
 37. Kinzer, *A Thousand Hills*.
 38. Reyntjens, 'Rwanda, Ten Years On'; Uvin, 'Difficult Choices in the New Post-conflict Agenda'; and Hintjens, 'Post-genocide Identity Politics in Rwanda'.
 39. Government of Rwanda, 'Decision of the General Assembly'.
 40. Hayman, 'Rwanda: Milking the Cow', 160.
 41. The Government of National Unity officially continued until 2003, but this label reflected the inclusion in the government of key Hutu politicians. However, the government's claim to be cross-party and cross-ethnicity was undermined by the resignation of prominent moderate Hutu figures – Minister of Interior Seth Sendashonga and Prime Minister Faustin Twagiramungu in 1995, and the President Pasteur Bizimungu in 2000.
 42. Pottier, *Reimagining Rwanda*.
 43. Eltringham and Van Hoyweghen, 'Power and Identity in Post-genocide Rwanda'.
 44. This has been perhaps most effectively demonstrated in research on approaches to justice in post genocide Rwanda. See for example: Tiemessen, 'After Arusha'; Buckley-Zistel, 'Remembering to Forget'.
 45. Republic of Rwanda, *The Unity of Rwandans*.
 46. Beswick, 'Managing Dissent in a Post-genocide Environment'.
 47. This contention is found in much contemporary criticism of Rwanda's ruling party by human rights organizations within Rwanda and beyond. In reality, it is difficult to establish how frequently the charge of genocide ideology has been officially levelled against individuals in Rwanda. This author asked for figures on prosecutions under legislation on genocide ideology during an interview with police spokesman Theos Badege in February 2006. The information, though promised, was never provided.
 48. Government of Rwanda, *The Constitution of the Republic of Rwanda*, Article 52.
 49. See Beswick, 'Managing Dissent in a post-Genocide Environment'.
 50. This states that 'discrimination occurs when the author makes use of any speech, written statement or action based on ethnicity, region or country of origin, colour of the skin, physical features, sex, language, religion, or ideas with the aim of depriving one or a group of persons their human rights. . . The crime of sectarianism occurs when the author makes use of any speech, written statement or action that causes conflict that causes an uprising that may degenerate into strife among people.' Chapter 2, Article 3 of Law number 47/2001 of 18/12/2001 instituting punishment for offences of discrimination and sectarianism. *Official Gazette of the Republic of Rwanda*, February 15, 2002, 12–15.
 51. This has been adopted by parliament and the senate but at time of writing has not yet been gazetted.
 52. See also Human Rights Watch, 'Law and Reality'; Freedom House, *Country Report – Rwanda*; Amnesty International, 'Rwanda: Deeper into the Abyss'.
 53. Frontline, *Disappearances, Arrests, Threats*.

54. JGA, *Rwanda: Joint Governance Assessment Report*, 33.
55. Interview, anonymous international human rights observer, Kigali, March 2006.
56. Interview with human rights activist, Kigali, March 2007. State Department, 'Rwanda: Country Report on Human Rights Practices: 2004', Section 4.
57. Waldorf, 'Censorship and Propaganda in Post-genocide Rwanda'.
58. Rwandan Parliamentary Commission, *Report on MDR – 2003*; Frontline, *Rwanda: Disappearances, Arrests, Threats*, 74–5.
59. Reyntjens, 'Rwanda, Ten Years On', 184. Also, Human Rights Watch and Christian Aid are amongst those who suspected that the banning of MDR was actually intended to reinforce the position of the RPF in the upcoming elections. Human Rights Watch, 'Rwanda: Preparing for Elections', 6; Christian Aid, *It's Time To Open Up*, 7.
60. Waldorf, 'Censorship and Propaganda in Post-genocide Rwanda', 404.
61. Beswick, 'Managing Dissent in a Post-genocide Environment'.
62. Amnesty International in 2004 highlighted the cases of three missing individuals, believed to have been close to former President Bizimungu or involved in one of Rwanda's banned political parties. Tellingly, the Amnesty report also stated that 'Local human rights groups fear (they) are all dead as it is unusual for there to be no news of their whereabouts after such a long time. The Government of Rwanda has not made public any investigation into their "disappearances" in the face of international pressure for them to do so.' Amnesty International, 'Rwanda: Further Information on Fear for Safety/Possible "Disappearance" /Incommunicado Detention', 38.
63. Hayman, 'Rwanda: Milking the Cow'.
64. Silva Leander, 'On the Danger and Necessity of Democratisation', 1604.
65. *Ibid.*, 1604.
66. Beswick, 'Managing Dissent in a Post-genocide Environment'.
67. This is arguably nothing new, Bayart's work on extraversion convincingly demonstrates that such broad and internationally backed concepts have frequently been adapted and manipulated by local/national leaders to suit various purposes. See Bayart, 'Africa in the World'.
68. USAID, 'Rwanda: Conflict Vulnerability Assessment', 5.
69. Christian Aid, *It's Time To Open Up*.
70. Frontline, *Rwanda: Disappearances, Arrests, Threats*, 38.
71. Burnet suggests women's groups have been most successful when aligning themselves with the political agendas of the RPF, gaining high level support and some notable advances in women's rights and political representation. However, despite their seemingly strong platform to carry out advocacy, the same groups have shied away from some politically sensitive topics. This, in Burnet's analysis reflects an understanding of the RPF's conceptualization of civil society as an 'extension of, rather than a counterbalance to, the state... (f)rom this perspective, the "correct" relationship between civil society and the state is one where civil society serves the ends of the state'. Burnet, 'Gender Balance and the Meanings of Women in Governance in Post-genocide Rwanda', 375–6.
72. The New Partnership for Africa's Development.
73. Jordaan, 'Inadequately Self-critical', 339.
74. *Ibid.*, 40–1; Also Frontline, *Rwanda: Disappearances, Arrests, Threats*.
75. Ligue des Droits de la Personne dans la Région des Grands Lacs, 'Critical Review of the African Peer Review Mechanism Process in Rwanda', 14.
76. Jordaan, 'Inadequately Self-critical'; Jordaan, 'Grist for the Sceptic's Mill', 338.
77. NEPAD, *Country Review Report of the Republic of Rwanda*, 51.
78. Matthews, 'The People Who Don't Exist'.
79. Forest Peoples Programme, *Submission*, 23.

80. Interview, Patrick Osodo, Manager of Civil Society Development and Advocacy Programme, Trocaire Rwanda, Kigali, 24 February 2006.
81. 'Sebishwi Fills Mpayimana's Senate Seat'. *New Times* (Kigali), March 1, 2009.
82. 'Threat: Government to Stop Funding for Batwa Over Name Change'. *Focus* (Kigali), March 2006, 2.
83. Ibid.
84. Interview, representative of a European state development agency in Rwanda, Kigali, March 2006.
85. Interview, Charles Gasana, Executive Secretary of NEPAD Rwanda, Kigali, 2 March 2006.
86. NEPAD, *Country Review Report*, 136–7.
87. Since March 2006, the Rwandan government has offered to provide health insurance under the nation-wide scheme, *Mutuelle*, for all the Batwa. They also contacted CAURWA to ask for details of Batwa children without means to attend primary school, indicating that they will supply school materials.
88. Interview, Patrick Osodo, Manager of Civil Society Development and Advocacy Programme, Trocaire Rwanda, Kigali, 24 February 2006.
89. The 2004 Frontline report documents in considerable detail the harassment of LIPRODHOR staff and various strategies employed to limit the organization's ability and willingness to challenge the government on aspects of human rights. See Frontline, *Rwanda: Disappearances, Arrests, Threats*, 45–56.
90. Interview, anonymous international human rights observer, Kigali, March 2006.
91. Interview, a representative of a European state development agency in Rwanda, Kigali, March 2006. This is also reflected in a statement on the homepage of the website of COPORWA, <http://www.coporwa.org/>.
92. Interviews with two heads and one senior representative of Rwandan NGOs focused on human rights. Kigali, November 2005 and March 2006.
93. Eltringham and Van Hoyweghen, 'Power and Identity in Post-genocide Rwanda', 221–30.
94. Snyder, *From Voting to Violence*.
95. Hintjens, 'Post-genocide Identity Politics in Rwanda', 14.

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‘Well, what can you expect?’: donor officials’ apologetics for hybrid regimes in Africa

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Most sub-Saharan African countries are neither liberal democracies, nor fully authoritarian. Officials from Western governments that provide assistance to these ‘hybrid regimes’ often become apologists for their lack of democracy. Rather than cogently arguing why democracy promotion activities should not be a priority, such donor officials frequently claim either that their host country is more democratic than it actually is, or that it could not be any more democratic for the time being. Drawing on some 70 interviews with donor officials in three African countries – Kenya, Malawi and Rwanda – over a period of more than a decade, this paper examines numerous individuals’ common use of three methods to deflect criticism of the democratic credentials of their host countries: (1) focusing on election day, rather than the campaign and conditions as a whole; (2) setting the standard very low (do not expect too much); and (3) setting a long time horizon (do not expect it too soon). Perhaps equally important, the paper also explores the various reasons why these donor officials make such excuses for authoritarian practices.

Introduction

Donor officials frequently make excuses for the lack of democracy in the country where they are posted, particularly in sub-Saharan Africa. In one sense, this is understandable, as donor governments and institutions may extol the virtues of democracy, but still have a significant number of reasons other than democracy promotion to work in less-than-democratic developing countries. Moreover, international actors cannot easily bring about democratization in a country.¹ Very often, other priorities will and arguably should prevail, including national or regional security, stability and economic growth, especially in countries recovering from

violent conflict – even if there is no consensus on how best to sequence these goals.²

Curiously, locally based donor officials rarely explain in a cogent manner why democracy promotion is not a top priority for their own government in their host country, nor do they frequently raise the inherent limits of external pressure or even convey frustration with the country's non-democratic practices. Instead, they often express sympathy for autocratic behaviour – and when they do so, they use a remarkably limited set of faulty arguments and clichés.

In this paper, I ask how and why numerous donor officials try to explain away deficiencies in democratic governance in 'hybrid regimes' in sub-Saharan Africa (that is, countries that are neither fully democratic, nor outright authoritarian). I use the term *donor official* as convenient shorthand for representatives of Western countries' diplomatic and aid agencies based in the African country in question. The term can also include the staff of multilateral organizations, such as the World Bank or United Nations agencies, though other than the European Union, few have explicit policies on promoting democracy per se. A key distinction between donors and donor *officials* must be kept in mind throughout the paper. The former refers to Western governments or international institutions that make and sometimes break policies; the latter, to *individuals*, the employees of donor organizations who work in some capacity with the hybrid regime and whose functions include explaining and justifying their employer's policies to researchers or to the national and international media, that is, for the public record. Though donor organizations and their policies are widely studied, donor officials themselves are not.

After a brief exploration of the notion of hybrid regimes and their prevalence in sub-Saharan Africa in general and in Kenya, Malawi and Rwanda specifically, this paper analyses the methods of casuistry many donor officials deploy to become apologists for regimes that regularly hold less-than-free-and-fair elections, systematically restrict civil and political freedoms, abuse human rights and otherwise exclude themselves from even the most minimalistic definitions of a procedural democracy. They do so by: (1) focusing on election day (free elections), rather than the campaign and conditions as a whole (fair elections), and ignoring civil and political rights more generally; (2) setting the standard very low (do not expect too much); and (3) setting a long time horizon (do not expect it too soon). I then examine factors that help explain why these donor officials are generally disinclined to be critical of the government of the country where they are posted. The main ones are: short postings with a steep learning curve; the difficulties of effective, coordinated action; career disincentives and concerns over the impact of criticisms on aid allocations; and the need of donor officials to feel good about their own work.

The findings draw heavily on interviews with some 70 donor officials from a range of Western governments posted in three African countries between 1997 and 2010. I am not suggesting that such officials invariably behave as apologists. Many of them, in fact, demonstrate a great capacity for nuanced analysis of local

politics and are indeed very fair in their assessment of their host government. There are also numerous valid reasons not to criticize publicly a host government. Private pressure in some instances might truly be more effective. Moreover, democratization need not and in fact should not always be the top donor priority in Africa or elsewhere. Nonetheless, rather than cogently argue why the hybrid nature of a regime is less important than other considerations, donor officials frequently resort to a small repertoire of faulty rationales to justify authoritarian practices and discredit valid criticism.

Hybrid regimes and the cases of Kenya, Malawi and Rwanda

According to Freedom House, only 10 out of 48 sub-Saharan African countries could be classified as ‘free electoral democracies’ in 2009.³ Fewer still have experienced an alternation of power between political parties. Though one can certainly quibble with the exact count and classification of individual countries, a stark fact remains: the vast majority of African countries are neither liberal or consolidating democracies, nor straightforward autocracies, but rather ‘hybrid regimes’ somewhere between the two extremes of the continuum.⁴ There is an extensive literature on the classification of hybrid regimes, in which scholars propose various terms to describe variants, including numerous types of democracy-with-adjectives and authoritarianism-with-adjectives.⁵ The actual terminology matters little. This paper’s argument theoretically applies to all forms of hybrid regimes, despite the important variations observable in Africa, as it addresses apologetics for the absence of freer, more liberal democracy. The countries need only have some form of multi-party election for the argument to potentially apply.

This paper focuses on three countries: Kenya, Malawi and Rwanda. Together, they illustrate the full range of hybrid regimes, from electoral authoritarianism (Kenya 1992–2002 and Rwanda since its first post-conflict elections in 2003) to illiberal democracy (Kenya 2003–2007), with intermediary stages (Malawi since its founding elections in 1994), as well as a confounding case of power-sharing (Kenya since 2008). They all claim legitimacy derived from multi-party elections, though none can be considered a liberal democracy (or even clearly headed in that direction), nor is any an outright authoritarian regime (one-party state or military dictatorship).

I have made between two and seven research trips to each of these countries between 1997 and 2010, during which I interviewed donor officials on, among other things, the nature of the regime and their relations with it. The donor officials’ statements I cite below are from semi-structured interviews I held with them in their country of posting.⁶ Not all of my interviews with Western officials were designed to address these issues directly, so I do not have an equal amount of data on the same themes from the three countries. Still, the consistency in donor officials’ discourse in those three countries suggests that my findings are much more broadly applicable, regardless of the variant of the hybrid regime, the period being discussed, or the country of origin of my interlocutors.

Since the early 1990s, the three countries have been hybrid regimes, though they may have moved one way or the other along the continuum from authoritarianism to democracy. The reasons they cannot be considered procedural democracies, including unfair elections and the lack of respect for basic civil and political rights, have been chronicled in a large number of scholarly works, a few of which I cite below, as well as reports by reputable international human rights organizations (such as Human Rights Watch, International Crisis Group and Amnesty International) and local non-governmental organizations (NGOs), which I do not cite for lack of space. Here, I merely try to illustrate how these countries constitute hybrid regimes.

Kenya

From the legalization of multi-partyism in 1991, through the rigged 1992 and 1997 elections, right up to the opposition finally winning in 2002, Kenya was a liberalized electoral authoritarian regime.⁷ Though the former single-party regime had permitted opposition parties to form, it did not allow them to operate freely or hold campaign rallies across the country. It intimidated and disenfranchised voters, not least by state-induced violence that killed almost 2000 people and displaced hundreds of thousands more between 1991 and 1998, almost all of whom belonged to ethnic groups that generally supported the opposition, but lived in zones dominated by the ruling Kenya African National Union (KANU).⁸ After the opposition National Rainbow Coalition (NARC) came to power in early 2003, Kenya could more accurately be labelled an illiberal democracy.⁹ Since the disputed election of 2007 and the 2008 power-sharing agreement – that ended the crisis and accompanying violence but undermined the notion of justice and subverted democratic procedures¹⁰ – it now is particularly hard to be clear on what Kenya has become exactly and some have described the result as ‘the politics of collusion’.¹¹ Regardless, the Kenyan government has clearly been a hybrid regime for the duration of the period discussed here, though the country’s new constitution, approved in a referendum in 2010, now contains additional checks and balances that could curb some remaining authoritarian practices.

Malawi

Malawi quickly transitioned from one of Africa’s most authoritarian regimes to a multi-party democracy where the opposition won the ‘founding’ elections in 1994. Subsequent elections in 1999, 2004 and 2009, however, were somewhat free but rather unfair and returned the incumbent president or party to power. The ruling United Democratic Front (UDF) showed little commitment to democratic principles in the 1999 and 2004 elections, with high levels of intimidation prevailing,¹² constituting at least an illiberal democracy. The legitimacy of the 2009 elections has also been contested, notably for the state-owned media’s bias in favour of

the incumbent.¹³ However, as it is not clear if the electoral results would have been significantly different if the playing field had been more level, it is debatable whether multiparty Malawi is or has been an ‘electoral autocracy’, and how close it is to being an illiberal democracy. Its status as a hybrid regime, however, is difficult to contest.

Rwanda

Rwanda was a dictatorship from independence from Belgium in 1962 until 1993. The 1993 accords, which temporarily ended a civil war, installed a transitional power-sharing government, but plans for multi-party elections were aborted by the genocide.¹⁴ After the Rwandan Patriotic Front (RPF) invaded Rwanda from its base in Uganda and ended the genocide, it set up a RPF-led coalition government. Presidential elections were held in 2003, but the opposition’s main contenders were either imprisoned or forced into exile, giving the incumbent Paul Kagame a staggering – and hardly credible – 95% of the vote.¹⁵ The US State Department’s annual report to Congress cites international observers’ findings that these elections ‘were marred by numerous serious irregularities... and fraud. There were also numerous credible reports that during the 2003 presidential and legislative campaigns, opposition candidates and their supporters faced widespread harassment and intimidation, including detention.’¹⁶ The scenario has been remarkably similar for the 2010 presidential elections, in which Kagame won 93% of the votes, according to official figures.¹⁷

The ruling party does not tolerate criticism, be it by opposition parties, NGOs or the media. Critics’ organizations are shut down and they themselves are silenced, imprisoned or exiled, frequently accused of the crimes of ‘divisionism’ or ‘genocide ideology’ (an almost Orwellian thoughtcrime).¹⁸ The crackdown that preceded the 2010 presidential elections brought increased international attention to growing repression, though donors remain loath to criticize publicly the government, which does not hesitate to play the ‘genocide guilt card’.¹⁹ One official from a Western government described Rwanda as having ‘a one-party system with aspects of democracy’.²⁰ Rwanda may thus be classified as a hegemonic electoral authoritarian regime, rather than an illiberal democracy.

Donor apologetics

Donor officials working with the governments of Kenya, Malawi and Rwanda generally have good relations with them and, as a result, often downplay the deficiencies of these regimes. Donor officials sometimes thus become apologists for partner governments that do not meet their self-professed democratic norms. They do so in at least three major ways. First, their assessment of the quality of the multi-party elections focuses primarily on election day, stressing order and compliance with procedures, to the detriment of often decidedly unfair campaign conditions and the violation of basic civil and political rights. Secondly, they use

ad hoc standards that are far lower than international norms of free-and-fair elections. Thirdly, they invoke the need for more time and patience, asserting that the country is making its way to a democratic destination as fast as it can, ignoring evidence of movement in the wrong direction and that a long time horizon is not always necessary. The first two approaches involve overstating the country's democratic credentials, while the third argues that the country could not democratize any further for the time being.

Remarkably, even though donor organizations have embraced democracy promotion to different extents, both over time (as a result of learning, as well as changing circumstances and priorities) and compared to each other, and even though their relationships with the three countries analysed here also varied greatly, the discourse of the numerous apologists among the 70 donor officials I interviewed is surprisingly consistent across time and space. For that reason, I make no particular distinction based on which donor government or organization officials work for, in which African country they are posted, nor the year in which the comments were made. Below, I explore in turn each of the three forms of casuistry, beginning with the privileging of the polls themselves and the relative disregard of the campaign conditions.

(1) Focus on election day

As all hybrid regimes depend on some degree of electoral competition to legitimize their rule, elections are key to the identification of procedural democracies. The belief that good elections are sufficient to constitute a democracy is known as the 'electoralist fallacy'.²¹ What many donor officials appear to be prone to forgetting – or choose to underplay – is that elections may be free on election day, but take place under patently unfair general conditions and thus fail the test. Donor assessments of elections tend to focus primarily on the vote itself at the expense of the fairness of campaign conditions and broader civil and political rights.

Typically, these donor officials echo electoral observers' emphasis on how voters queued in an orderly fashion, often for hours under a blazing sun. (Do they expect Africans to rush the polling station rather than form a line?) Such commendations on behaviour at the polls and on the day of the election distract from the equally crucial issue of the fairness of the vote.²² No matter how impeccable the voting procedure, the count and the reporting of results, an election may fail the fairness test before voting even begins. For instance, the ruling party may systematically interfere with voter registration so that the electoral rolls disenfranchise opposition supporters or allow dead or non-existent people to vote for the incumbent; it can deliberately use gerrymandering and disproportionate constituency sizes in its own favour; it may prevent opposition parties from having meaningful access to the media or from campaigning, including holding rallies; it may prevent individual opposition politicians from filing their candidacy papers or reject them arbitrarily; it may harass, threaten or detain opposition candidates and supporters, and even resort to 'ethnic cleansing'. This list is not exhaustive, but all of these

techniques have been used in at least one of the three countries being studied here.²³

Donor officials often shift the blame for subpar elections from the ruling party to a divided opposition or an immature ‘tribalist’ electorate. If all opposition parties had united behind a single presidential candidate, the argument goes, electoral results suggest that they would have prevailed through a democratic contest. What these donor officials tend to ignore is that, had the elections been any closer, the ruling party had the means to make sure that the count would have been in its favour anyway – or that it could have prevented a transition through unconstitutional means. The ‘tribalist’ epithet evokes an understanding of Africans and more specifically African voters as identifying primarily with their ethnic group, which they let dictate their voting behaviour instead of policy preferences – ‘tribalism’ as the cause, rather than an effect, of the political elite’s neopatrimonial strategies that undermine democracy.

Most of my discussions with donor officials in Kenya took place in 1998, soon after President Daniel arap Moi, in power since 1978, had won his second multi-party election. At the time, almost all the Kenyans I interviewed, whether working in academe, for NGOs or for the private sector, believed that there was no way Moi would have allowed his party, KANU, to be defeated. However, only a couple of donor officials out of the 20 I interviewed agreed with this assessment.²⁴ Among those who did not, one Western diplomat asserted that the election results ‘confirmed that Kenya is a tribal society and no one can put together a better coalition than KANU’.²⁵ A former Western official stated that, ‘The opposition could have won in ’92 if it had not split’ because KANU was caught off-guard.²⁶ However, she recognized that in 1997 KANU officials were better prepared, stating that they ‘wouldn’t have accepted the results because the stakes were too high. There would have been a self-coup’.²⁷ Likewise, another Western diplomat recognized that KANU’s four-seat majority in parliament may not have been legitimate, but argued that it was ‘meaningless because, had it been any less, they [KANU officials] could have bought a few MPs’²⁸ – as if that made the election rigging any more acceptable.

Despite these admissions, most donor officials – and many Kenya scholars – argued that the Kenyan opposition threw the elections by splitting the vote. However, as recognized above and argued in greater detail elsewhere, KANU had the means and the will to win, even if the opposition had formed a united front in 1992 and 1997.²⁹ In both cases, the divided opposition simply rendered additional measures unnecessary. The fact that the Kenyan opposition was far more united in 2002 helps explain its victory, but KANU’s implosion over who would lead the party after Moi retired was the crucial factor.³⁰ By adopting a specious argument, based on the hypothetical possibility of a firmly united opposition’s supposed capacity to win, numerous donor officials minimize the importance of the ruling party’s abuses and apportion a significant amount of blame to the victims instead, both opposition politicians and the electorate. This

contributes to a weakening of the criteria for assessing elections and democratic behaviour, the subject of the next section.

(2) *Set the bar very low*

Even if elections cannot be said to be free and fair, many donor officials regularly invoke reasons why they are still ‘good enough’. Like international election observers, as Thomas Carothers notes, they ‘sometimes take the attitude, “Well, what can you expect?”’.³¹ Just as Séverine Autesserre describes donor officials in Democratic Republic of Congo as viewing the country as inherently violent, which prevents them from taking more proactive conflict resolution measures,³² so, too, seem some donor officials’ ‘frames’ regarding ethnicity in Africa to filter their perceptions and limit their actions in the area of democracy. Some donor officials’ understanding of Africans as primarily ‘tribal’, including the example cited above, naturalizes the ethnically based neopatrimonial behaviour of African political elites as almost insurmountable impediments to democratization, rather than something that could change over time – or indeed something that the donors themselves can actually foment, as one donor official explicitly recognized.³³ A large number of donor officials repeatedly downplay concerns regarding human rights and fundamental freedoms and the minimum standards of democracy one should expect in Africa, despite evidence from elsewhere in Africa that high standards of free-and-fair elections and democracy can be reached.

Instead, these donor officials emphasized the achievement of stability, security and order and the (usually exaggerated) spectre of chaos and civil war, often citing a favourable comparison with the country’s neighbours and its history of conflict.³⁴ In Rwanda, a remarkable number of Western officials, while recognizing the authoritarian nature of the Rwandan regime, told me something to the effect that ‘At least they [the Rwandans] are not killing each other anymore’ or ‘Things are far better here than next door in the Democratic Republic of Congo.’ With a bar that low, the Rwandan government enjoys almost complete *carte blanche*.

Many donor officials whom I interviewed in all three countries repeatedly fell back on arguments that the government in question simply lacked capacity or that the abuses were not sufficient to warrant antagonizing governments. In 1997, for instance, a Western aid official in Malawi told me, ‘We have to work with governments, not against them. Some countries deserve the hard line; Malawi is not one of them.’ He recognized the regime’s shortcomings, but felt that they were minor: ‘Donors tolerate [government] weaknesses, but are not unnecessarily soft on them.’³⁵

A Western ambassador, while recognizing the importance of democracy in bilateral relations, suggested that donors should not raise issues of democracy at all: ‘Democracy is why [my country] is strongly supporting Malawi. Donors are not to play a watchdog role, even if domestic checks and balances are very weak. [Our] role is to assist Malawians in ways that they request.’³⁶ This of course fails to problematize which Malawians get to make this request – top-level

government officials, presumably the president or cabinet ministers – and how legitimate and representative their views are. It is hard to imagine an autocratic government requesting donor pressure for democratization.

One unusually critical Western aid official in Malawi told me that Western diplomats grew ‘complacent’ after the first democratic elections in 1994, that ‘Donors rested on their laurels’ and ‘didn’t allow criticism of the government until [an] issue surfaced’ that was ‘too glaring’ to ignore.³⁷ Another made the same point using almost the same terms: ‘Donors are sitting on their laurels till something really bad happens.’³⁸ This was however contradicted by a diplomatic official of the same Western government as the first aid official, who claimed that ‘Donors are doing as much as they can to encourage democratic survival.’³⁹

In Kenya, numerous donor country officials invoked various forms of feeble reasoning to legitimize the deeply flawed 1997 elections. The two most common clichés were ‘the elections were better than last time’ and ‘it was a step in the right direction’. For instance, a Western embassy official in Kenya made both of these points when he argued that ‘The ’97 elections were better than the ’92 ones, so we are moving in the right direction.’⁴⁰ Jon Abbink has called the expression ‘a step in the right direction’, when used to endorse ‘faulty’ elections, ‘one of the worst most worn-out metaphors in this field’.⁴¹ An official from another Western embassy used that exact cliché to describe the ’97 elections.⁴² The British high commissioner similarly called the elections ‘a further step in Kenya’s development towards greater democracy’, even if they did not meet ‘normal democratic standards’.⁴³ Rachel Hayman identifies a similar donor consensus in Rwanda: ‘Although Rwanda is not considered to be ideal with regard to democracy, it is still viewed as going in the “right direction”’.⁴⁴

Though the observations may be accurate, this type of argument represents a clear shift of the goal posts, since the international standard is free-and-fair elections (admittedly hard to define), not somewhat more democratic elections than the previous ones.⁴⁵ They also give the impression of the inevitable forward march of democratization. In 2003, a Western diplomat expressed great optimism for Kenya’s democratic future, since ‘Each election gets better. Institutions are stronger: the Electoral Commission, NGOs, etc.’ – even though he recognized that the opposition’s victory was due to numerous last-minute defections of high-level KANU officials. This, he admitted, prevented the re-emergence of ‘ethnic clashes’ similar to those that had accompanied the last two elections: ‘Had the vote been any closer, there would have been more violence, shenanigans.’⁴⁶ The closeness of the vote in 2007 and the collapse of the Electoral Commission triggered the massive violence that once again shook Kenya, directly contradicting his scenario of ever-improving elections and ever-stronger democratic institutions.⁴⁷

A Western diplomat recognized in 1998 that Kenya was in many ways ‘moving back to ’91–’93 instead of moving ahead’, yet simultaneously maintained that ‘With the ’97 elections, democracy in Kenya was consolidated. It is now the only game in town. Moi was freely re-elected without massive rigging. His

presidency is legitimate, even if KANU's majority in parliament is not.⁴⁸ That he made the latter remark on the record was surprising, not because it was not true – the donors' internal joint election observation report documented that finding – but because donor officials had actually deleted any reference to that from the publicly released version, choosing to suppress the evidence.⁴⁹ As Carothers notes, this kind of 'diplomatic massaging' of technical reports is common.⁵⁰ Another embassy official argued self-servingly that the lack of objections in the local media justified donor inaction.⁵¹

A Western consultant who wrote election observation reports for a Western donor country stated that Kenya's 1992 elections 'were obviously not free and fair', but in 1997 KANU had learned that:

they did not need to be so draconian. The playing field was very unlevel, but there was not as much vote-stealing as most people think. Moi would have won the presidential elections anyway. The opposition could have won 21 [additional] seats if it hadn't split the vote. Even with half of those, the opposition would have majority in parliament.

When I asked if KANU would have allowed that, she answered, 'No, they would have fiddled with the count and added [stuffed ballot] boxes.' Even if not free and fair, she still considered the 1992 and 1997 elections 'acceptable'.⁵² This example perfectly illustrates the shift in goals from free-and-fair elections to elections deemed 'good enough' for a large number of donor officials. Very often, as I argue in the next section, they hypothesize that, regardless of current imperfections, the country is not able to be more democratic at present, elections will keep improving in quality and over time democracy will take root.

(3) Set a very long time horizon

Cautioning against impatience with the slow pace of democratization in Africa, Western officials often invoke the well-worn cliché that 'it took democracy 500 years to take root in Europe' – even if it is unclear to what and whose 500-year period they are referring.⁵³ Scholars such as Philippe Schmitter and Terry Karl argue that new democracies will not reproduce most European democracies' 'gradual historical progression', but rather 'live in "compressed time"' and leap-frog over the stages that their predecessors went through.⁵⁴ There is no *a priori* reason to believe that African countries will require centuries, or even decades, to democratize – just as capitalism did not take centuries to develop elsewhere just because that was its initial gestation period in Western Europe.

Nonetheless, while espousing the ideals of democracy promotion, numerous donor officials constantly repeat that 'democratization takes time'. Of course, one cannot expect democracy to emerge fully formed, like Athena out of her father's head. In most cases, it will advance in fits and starts or fall prey to resurgent authoritarianism. Democratization does indeed take time. Moreover, according to

what Carothers calls the ‘developmental approach’ to democracy assistance, many development actors adopt a vision of democracy that

encompasses concerns about equality and justice and the concept of democratization as a slow, iterative process of change involving an interrelated set of political and socioeconomic developments. It favors democracy aid that pursues incremental, long-term change in a wide range of political and socioeconomic sectors, frequently emphasizing governance and the building of a well-functioning state.⁵⁵

That is a legitimate argument to make, albeit a debatable one. It should not be invoked, however, to justify inattention to the democracy and governance field, nor should it be used as an excuse for donor officials to justify blatant autocratic abuses by self-professed democrats.⁵⁶

Western officials often repeated arguments to me to the effect of ‘It is too early to tell if the problem is a lack of capacity or of will’ or ‘you have to give the government a chance’, regardless of which country we were discussing, even if the country’s poor record could be clearly established, and no matter how many ‘chances’ the government had already been given – or even if conditions were moving in the wrong direction, as is mostly the case in Malawi since 1994 and Rwanda after 2003, as well as Kenya in 1998–1999 and arguably since 2008. Despite successful ‘electoral revolutions’ elsewhere, to borrow the term from Valerie Bunce and Sharon Wolchik,⁵⁷ an aid official in Kenya told me in 1998 that one had ‘to think of small steps that take time, not everything-or-nothing, immediately. They must have incremental change because they do not have political support for more radical change.’⁵⁸

Sometimes Western officials invoked the lack of an alleged prerequisite to describe the quasi-futility in promoting democracy. A certain level of education or a sizeable middle class, one Western ambassador told me, was ‘necessary in my experience’.⁵⁹ This may have satisfied Seymour Martin Lipset a half century ago,⁶⁰ but hardly a scholar of democracy since then believes that there are such prerequisites. Even if certain conditions may make the survival of democracy more probable, including the ones the ambassador mentioned, democracies can emerge and potentially survive anywhere.⁶¹ In this debate, however, that fact and the examples of successful democratization in Benin, Ghana and Mali were clearly incompatible with his conception of African countries as structurally or ‘naturally’ authoritarian, rendering attempts to promote democracy premature in his view. Setbacks seem just to confirm donor officials’ belief that ‘Africa is not ready for democracy’, on which authoritarian rulers can capitalize.

In Malawi, a donor official informed me that, ‘We must look ahead 30–40 years to a viable middle class, [in order to] to improve prospects for democracy.’⁶² I was also told that ‘democratization is a process that takes time... We cannot expect immediate results.’⁶³ In the meantime, instead of harping on insufficiencies, one should have faith in quasi-inevitable improvements: ‘Progress will come over the long term. It is not always visible. Institutions will get stronger.’⁶⁴ As if

authoritarianism could never return, several Western officials presented the problem as mainly being a lack of experience. One diplomatic official stated, 'The government is new at the [democratic] system, sometimes [government officials] must unlearn old ways.' Donor officials' efforts were hampered by the lack of 'governmental capacity to absorb more'. In line with a long tradition of Westerners infantilizing Africans, he compared the Malawian government to a 'little kid in a candy store', stating that 'it couldn't define exactly what it wanted' and that there 'was a lot of learning on the job'. He provocatively added, 'Maybe we should even pare back to make [democratization] more manageable, but donors won't.'⁶⁵ While recognizing that, given the structural weaknesses of the parliamentary opposition and civil society, 'We [donors] are the checks and balances', many donor officials felt that 'Malawi is a young democracy and therefore shouldn't be punished.'⁶⁶

In Rwanda, one donor official not only raised the cliché of the 500 years Europe required to democratize, but also warned against donors imposing democratization prematurely. She suggested that the RPF government was right to restrict democracy and that Rwandans should not be allowed to vote freely, as they would not be mature enough to make responsible decisions: 'It is not wise to have a full democracy, [the Rwandan] people are not used to it. It would allow extremists to get the upper hand. They would have a lot of appeal. The wounds are too fresh.'⁶⁷ Another Western diplomat also invoked the country's post-conflict status: 'We must be realistic about how open the country can be 13 years after a genocide.' Though he suspected that the government 'would not allow a count that would show RPF losing', he still hoped the dominant RPF would 'open [political] space'.⁶⁸ The trend in the past few years, however, has been in the opposite direction.

Donor officials are correct that democratization often takes a long time. Nonetheless, the conviction held by many of them that a very distant time horizon is always required flies in the face of successful experiences of democratization elsewhere in Africa, despite the initial lack of supposed prerequisites. Concretely, this translated into and explained their acceptance of authoritarian government practices. Having illustrated *how* donor officials justify working with hybrid regimes and justify their undemocratic ways, I now turn to the question *why* they do so.

Donor officials' motivations

A significant number of scholars have explored why donor governments, international organizations and election observers choose to endorse what Judith Kelley calls 'D-minus elections' (that is, the lowest passing grade possible) and discard concerns for democratic governance.⁶⁹ Many point to priorities more important to donor governments and multilateral institutions than democratization, most notably economic reform, political stability and security,⁷⁰ the latter being especially important to donors in the post-September 11 era. Compliance with donor preferences – even if temporary or merely promised – usually wins governments donor leniency when it comes to political conditionality, though donor behaviour is far from consistent in this matter.⁷¹ Carothers notes that the US generally

pursues more aggressive democracy promotion when its relations with a country are poor, while it adopts a 'highly indirect, nonconfrontational approach to democracy aid' with countries with which it enjoys more positive relations.⁷² In a similar vein, Laurence Whitehead observes that 'Western democracies attempt to celebrate the progress achieved in the countries closest to their control, and to castigate the political deficiencies of those regimes they disapprove of for other reasons', all the more since 2001, while Kelley finds that donors are more lenient on countries to which they provide large amounts of foreign aid.⁷³

Few scholars, however, have examined why so many donor *officials* – as individuals and not merely conduits of their government's policy – are so quick to justify the undemocratic nature of the country where they are posted. Of course, rather than being ill-informed or naïve, many officials could simply be toeing their employer's line on foreign policy priorities and the need to avoid sully the host government's reputation, regardless of personal beliefs.⁷⁴ Still, not all donor officials are uncritical mouthpieces for their governments and they do have a certain degree of autonomy. Nonetheless, many go to great lengths, mobilizing implausible arguments and silly clichés, to argue that a country is more democratic than critics contend it is or that no greater degree of democracy is possible in the short and medium term – rather than recognize that other donor priorities (security or economic reform, for example) actually are more important than democracy promotion, even if that is what one can conclude from an analysis of donor policies.

In many African countries, domestic actors such as the media or civil society organizations are relatively weak, often deliberately kept so by autocratic regimes. In such cases, donor officials constitute the main checks and balances on government, whether they embrace that role or not. Especially under such circumstances, these officials' behaviour matters, including their public pronouncements. Donor officials become actors in the domestic politics of the country where they are posted.⁷⁵ Their ostensible belief that further democratization is not desirable or even possible can, like a self-fulfilling prophecy, make it less likely to take place, as autocratic leaders can exploit such statements to their advantage.

I offer here four reasons, based on my interaction with donor officials, which largely explain why they frequently make facile excuses for democratic shortcomings. First, embassies and aid missions tend to have very short memories, mainly due to the relatively short postings of their officials. The typical tour of duty lasts two to four years. Hardly any international staff members will have been present for more than one presidential election in his or her country of posting, since they are typically held every five years. This makes it much harder to witness first-hand a pattern of abuse or track how the situation may be worsening. A succession of new officials is often inclined to favour 'giving the government a chance' and 'the benefit of the doubt'. Of course, careful research could go a long way to provide the necessary background and many officials actually do have a nuanced understanding of the political situation, but the exigencies

of 'hitting the ground running' at the new posting and meeting urgent deadlines often preclude spending a lot of time seeking out and reading background information. Thus commonly held clichés can replace more historically informed political analysis.

Secondly, it is easier to tolerate abuses than to make systematic efforts to prevent them. Unilateral action is, in most cases, unlikely to have an important impact. Although donor officials do talk to each other, as suggested by their shared clichés, donor coordination is a difficult and time-consuming task. Donor officials often disagree amongst themselves on the diagnosis, prognosis and recommended action. A consensus might never be possible. There can also be disagreement between the aid and diplomatic wings of the same donor government. In Malawi, for instance, a Western aid official criticized the ambassadors and high commissioners for being 'unwilling to address the issues head on'.⁷⁶

Thirdly, career incentives in the foreign service and aid agencies discourage officials from 'rocking the boat'. It is also the path of least resistance. Donor officials earn rewards, including promotion, by 'getting the job done', not creating diplomatic incidents or worsening relations with the host government by condemning elections or the lack of democracy rights. Kenyan presidents Moi and Kibaki and Rwandan president Kagame have publicly upbraided several ambassadors, most often the British high commissioner in the case of Kenya, while the Rwandan government has closed the French embassy and expelled a Swedish UN official for publishing a report that it considered too critical. Donor officials therefore prefer to discuss sensitive matters in private and engage in 'quiet diplomacy'.⁷⁷ It is no coincidence that Smith Hempstone, the 'rogue' US ambassador who played an important role in Kenya's return to multi-partyism, was a political appointee and not a career diplomat, sometimes ignoring instructions from his boss back in Washington, DC.⁷⁸ Likewise, Sir Edward Clay, best remembered for his condemnation of corrupt Kenya politicians, whose 'gluttony causes them to vomit all over our shoes', only made such a harsh public statement during his last year as British high commissioner to Kenya, his final posting before retiring from his country's diplomatic corps.⁷⁹

Such cases are rather exceptional. More typically, a Western aid official in Malawi described her country's bureaucrats as being 'stuck in the rut of spending allocations'.⁸⁰ Another Malawi-based official from a different Western country confirmed that, 'Concerns over disbursement rates do influence decisions and make [my government] more tolerant in the D/G [democracy and governance] area.'⁸¹ In Rwanda, most donor officials prefer to keep working in other sectors, where they feel they can achieve concrete development results, than make democratization a priority.⁸²

At times, such concerns can make a Western country's aid officials act as stronger apologists for hybrid regimes than its embassy staff. I noticed this in Rwanda for one of the most important donors. In Kenya, Western aid officials told their consultant 'tone down the statements' in her election observation report 'on how the elections were not free and fair, so that [the aid agency] would not have its

funding reduced' and jeopardize its 'good programs with NGOs'.⁸³ This partly explains why, as mentioned above, her report deemed the elections 'acceptable', even if they fell demonstrably short of free and fair. This phenomenon occurs elsewhere, as well, including using some of the same language. Carothers notes that, in 'important transitional elections', embassy officials from major donor countries 'often attempt to persuade observers to tone down their criticisms' because, in their words, the elections were 'not that bad considering the country's atrocious history'.⁸⁴ In so doing, they manifest the low-bar syndrome described in the previous section.

Different donor officials can interpret differently their role in the local democratization process. A Western official in Kenya recently wondered what part donors should play in 'forcing democratic changes' in a recipient country.⁸⁵ One ambassador, cited above, declared that donors should not tell the government what to do. In many instances, however, they have done exactly that. For instance, in the early 1990s, donors collectively suspended new aid to Kenya and Malawi as a means of promoting political and economic reform. In both cases, this led quite rapidly and directly to the end of one-party systems, enhanced political and civil rights and multiparty elections and – though still within a hybrid regime framework.

Fourthly, donor officials – like most human beings – feel a strong need to feel good about their work. They want to feel that their efforts are having a positive impact, that they are at least potentially making a difference. This makes it harder to condemn outright a government as non-democratizing or impervious to donor influence, especially for officials working in the area of democracy promotion and good governance. This contributes to them becoming apologists for the government. One could even go as far, in some instances, as calling this a form of 'Stockholm Syndrome', whereby donor officials over-identify with the government with which they work to the point where they defend autocratic behaviour in the name of a broader goal, most notably in the case of Rwanda's means of achieving short- and medium-term stability.

Conclusion

To try to avoid being seen as too one-sided, I must be very clear about what I am arguing and what I am not. This paper analyses how and why many officials from various Western governments, posted in one of the three countries I discuss – Kenya, Malawi and Rwanda – often act as apologists for their host government's hybrid regime. I do not mean that all such officials do it all the time, nor do I suggest that no defence from excessive or unwarranted criticism is justified. There are numerous valid reasons why democracy promotion may not be a donor priority in an African country. However, rather than explain why other areas should be considered more important or reject the goals of democracy promotion, donor officials often maintain that the country is more democratic than it actually is or that the country cannot reasonably be expected to be more democratic in the foreseeable future.

This paper has examined the faulty arguments and clichés donor officials invoke when they do so. I have found that the three main ones are: (1) an excessive focus on the polling day, to the detriment of the period leading up to the elections and fundamental civil and political rights; (2) a shifting of the goal posts so that free-and-fair elections are no longer a requirement; and (3) the emphasis on ‘baby steps’ and need for patience and (a lot?) more time for democracy to be possible. I have also considered why many Western officials use such unsound reasoning, above and beyond the requirements of defending their own employer’s position. I have identified four explanations: (1) their quasi-permanent newness on the job, which promotes naïveté and short-sightedness; (2) the strength of inertia and the lack of political will that prevents more vigorous, concerted action; (3) distinct career disincentives from taking a more critical approach; and (4) a psychological need to feel that their work with the host government is having a positive impact.

Neither of these lists is exhaustive, nor do I claim that these findings hold for all donor officials in all hybrid regimes in all of sub-Saharan Africa. They are the ones I have observed in my interactions with some 70 donor officials in Kenya, Malawi and Rwanda during multiple field visits between 1997 and 2010. I strongly suspect, however, that many of those who have engaged in similar interactions with donor officials in other hybrid regimes will recognize the patterns of apologetics that I have documented and analysed.

I hope that other scholars will be able to build on the arguments I make above, not only to advance our understanding of the phenomenon and how it might undermine pressure for democratization and reinforce authoritarian rule, but also to help others engage donor officials in a productive dialogue on the possibilities of and strategies for supporting the struggle for democracy in Africa. Where lacking, this would include sharpening their analysis and considering how to work more effectively with local actors. Though it would probably be career suicide for donor officials to criticize their employers openly, they could avoid publicly making fatuous arguments in defence of autocratic practices. Armed with a better understanding of democratization in Africa and elsewhere, such officials might even join the ranks of donor officials who already argue internally for better informed and more coherent policies and practices.

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Notes

1. See Brown, 'Foreign Aid and Democracy Promotion'. In fact, as Julia Leininger ('Bringing the Outside In', 76–7) notes, 'the intense interaction between donors and local actors[...] may undermine or even prevent democratization'.
2. See, for instance, Carothers, 'The "Sequencing" Fallacy'; Mansfield and Snyder, 'The Sequencing "Fallacy"'.
3. Namely Benin, Botswana, Cape Verde, Ghana, Lesotho, Mali, Namibia, São Tomé and Príncipe, Seychelles and South Africa (Freedom House, 'Electoral Democracies 2009').
4. van de Walle, 'Africa's Range of Regimes', 68.
5. See Collier and Levitsky, 'Democracy with Adjectives'; Bogaards, 'How to Classify Hybrid Regimes?'.
6. With one exception, a Western ambassador to Malawi speaking under Chatham House rules at a workshop in his home country's capital city. All interviewees agreed to their comments being cited, though many preferred not to be identified by name. In most cases, the interview was the occasion on which I met the official for the first time. I had met a few of the officials prior to the interview, but they were merely casual acquaintances.
7. See Barkan, 'Kenya'; Barkan and Ng'ethe, 'Kenya Tries Again'; Brown, 'Authoritarian Leaders and Multiparty Elections in Africa'; Holmquist and Ford, 'Kenya'; Rutten, Mazrui and Grignon, *Out for the Count*; Southall, 'Re-forming the State?'; Throup and Hornsby, *Multi-Party Politics in Kenya*.
8. Brown, 'Quiet Diplomacy and Recurring "Ethnic Clashes" in Kenya'.
9. Murunga and Nasong'o, 'Bent on Self-Destruction'.
10. Brown, 'Donor Responses to the 2008 Kenyan Crisis'.
11. Cheeseman and Tendi, 'Power-sharing in Comparative Perspective'.
12. See Brown, 'Born-Again Politicians Hijacked Our Revolution', 713–7; Englund, *A Democracy of Chameleons*; Phiri and Ross, *Democracy in Malawi*.
13. Smiddy and Young, 'Presidential and Parliamentary Elections in Malawi', 663.
14. Lemarchand, 'Consociationalism and Power Sharing in Africa', 4–7.
15. Reyntjens, 'Rwanda, Ten Years On', 186.
16. US Department of State, 'Rwanda', n.p.
17. Rwandan National Election Commission, 'Presidential Elections of August 9, 2010', 1.
18. Beswick, 'Managing Dissent in a Post-genocide Environment', 236–41; Reyntjens, 'Rwanda, Ten Years On', 184.
19. See Brown, 'The Rule of Law and the Hidden Politics of Transitional Justice in Rwanda'; Hayman, 'Going in the "Right" Direction?'; Reyntjens, 'Rwanda, Ten Years On' and 'Post-1994 Politics in Rwanda'; Silva-Leander, 'On the Danger and Necessity of Democratisation'.
20. Author's interview with a Western embassy official, Kigali, Rwanda, August 2007.
21. Karl, 'Imposing Consent?', 34.
22. See Carothers, 'The Observers Observed', 22, 30; Elklit and Svensson, 'What Makes an Election Free and Fair?', 36, 38.
23. For a more systematic examination of how elections are rigged, see Calingaert, 'Election Rigging and How to Fight It'.
24. Author's interview with two Western officials, Nairobi, Kenya, March–June 1998.
25. Author's interview with a Western embassy official, Nairobi, Kenya, March 1998.
26. Gisela Geisler ('Fair?', 628) cites the US ambassador saying the same thing immediately after the 1992 elections and argues that that is beside the point, since 'monitors...ought surely to have called a flawed election a flawed election'.
27. Author's interview with a former Western aid official, Nairobi, Kenya, July 1998.

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28. Author's interview with a Western embassy official, Nairobi, Kenya, May 1998.
29. Brown, 'Authoritarian Leaders and Multiparty Elections in Africa'.
30. Brown, 'Theorising Kenya's Protracted Transition to Democracy'.
31. Carothers, 'The Observers Observed', 25.
32. Autesserre, 'Hobbes and the Congo'.
33. Author's interview with a Western official, Nairobi, Kenya, January 2010.
34. Donor officials, as Carothers ('The Observers Observed', 25) argues in the case of international observers, will 'soft-pedal their findings' if they believe a more honest condemnation 'could precipitate serious violence or political instability'.
35. Author's interview with a Western aid official, Lilongwe, Malawi, November 1997.
36. Author's interview with a Western ambassador, Lilongwe, Malawi, February 1998.
37. Author's interview with a Western aid official, Lilongwe, Malawi, November 1997.
38. Author's interview with a Western aid official, Lilongwe, Malawi, October 1997.
39. Author's interview with a Western embassy official, Lilongwe, Malawi, November 1997.
40. Author's interview with a Western embassy official, Nairobi, Kenya, March 1998.
41. Abbink, 'Introduction: Rethinking Democratization and Election Observation', 11–12.
42. Author's interview with a Western embassy official, Nairobi, Kenya, March 1998.
43. Quoted in Foeken and Dietz, 'Of Ethnicity, Manipulation and Observation', 146.
44. Hayman, 'Going in the "Right" Direction?', 72. Like the other two cases, it is not clear that Rwanda is actually liberalizing.
45. Moreover, Abbink ('Introduction', 12) argues that such statements of 'qualified support' constitute 'an effort in self-delusion and of justifying the effort of funding and observing itself: a form of damage control (if not downright cynicism in the eyes of voters in those countries)'. However, Elklit and Svensson ('What Makes an Election Free and Fair?', 43) appear to condone using this criterion in assessing an election's acceptability.
46. Author's interview with a Western embassy official, Nairobi, Kenya, June 2003.
47. Brown, 'Donor Responses to the 2008 Kenyan Crisis'; Throup, 'The Count'. On the enduring problems of democratization in Malawi, see Brown, 'Transitions from Personal Dictatorships'. Rakner, Rocha Menocal and Fritz ('Democratisation's Third Wave and the Challenges of Democratic Deepening', 20–1) make a stronger case on the decline of Malawi's democratic institutions.
48. Author's interview with a Western embassy official, Nairobi, Kenya, March 1998.
49. Brown, 'Authoritarian Leaders and Multiparty Elections in Africa', 734.
50. Carothers, 'The Observers Observed', 29. See also Kelley, 'D-Minus Elections'.
51. Author's interview with a Western embassy official, Nairobi, Kenya, March 1998.
52. Author's interview with a Western aid consultant, Nairobi, Kenya, April 1998.
53. The beginning and the end of a transition are often hard to identify and thus the duration of the process as well (Brown, 'Theorising Kenya's Protracted Transition to Democracy'). The British transition to democracy could be said to span over 600 years, from the signing of the Magna Carta in 1215 to the promulgation of the Reform Act in 1832. The timeframe in other European countries, such as France, was much shorter. Germany and Italy, important European democracies, did not even exist as countries until the nineteenth century. India required no transition period after decolonization and has been democratic since it achieved independence in 1947 (arguably with the exception of the 1975–1977 state of emergency). Several Eastern and Central European countries, such as Poland, Hungary and the Czech Republic, democratized very quickly and rather successfully after the collapse of the Soviet Bloc in 1989–1990.
54. Schmitter and Karl, 'What Democracy Is...and Is Not', 80.

55. Carothers, 'Democracy Assistance', 4.
56. For a discussion of sequencing and the case of Kenya, see Branch and Cheeseman, 'Democratization, Sequencing, and State Failure in Africa'.
57. Bunce and Wolchik, 'Favorable Conditions and Electoral Revolutions'.
58. Author's interview with a Western aid official, Nairobi, Kenya, April 1998.
59. Discussions with a Western ambassador to one of the three hybrid countries discussed in this paper, held in his capital city, October 2008.
60. Lipset, 'Some Social Requisites of Democracy: Economic Development and Political Legitimacy'.
61. Przeworski et al., 'What Makes Democracies Endure?'.
62. Author's interview with a multilateral organization official, Lilongwe, Malawi, January 1998.
63. Author's interview with a multilateral organization official, Lilongwe, Malawi, November 1997.
64. Author's interview with a Western aid official, Lilongwe, Malawi, December 1997.
65. Author's interview with a Western embassy official, Lilongwe, Malawi, November 1997.
66. Author's interview with a multilateral organization official, Lilongwe, Malawi, July 2003.
67. Author's interview with a Western embassy official, Kigali, Rwanda, August 2007.
68. Author's interview with a Western embassy official, Kigali, Rwanda, August 2007. The US Department of State ('Rwanda', 47) reported 'a contraction in civil and political space' after the 2003 elections, suggesting that the country was becoming more authoritarian, rather than more democratic.
69. Kelley, 'D-Minus Elections'. Joel Barkan ('Kenya') was a more generous marker than Kelley and gave Kenya's 2002 elections the grade of C-minus.
70. These include Brown, 'Foreign Aid and Democracy Promotion'; Brown, 'From Demiurge to Midwife'; Carothers, 'The Observers Observed'; Crawford, 'Foreign Aid and Political Conditionality'; Elklit and Svensson, 'What Makes an Election Free and Fair?'; Geisler, 'Fair?'; and Kelley, 'D-Minus Elections'.
71. See Brown, 'Authoritarian Leaders and Multiparty Elections in Africa'; Brown, 'Quiet Diplomacy and Recurring "Ethnic Clashes" in Kenya'; Brown, 'Foreign Aid and Democracy Promotion', 187–9; Crawford, 'Foreign Aid and Political Conditionality'; Hook, "Building Democracy" through Foreign Aid'; Olsen, 'Europe and the Promotion of Democracy in Post Cold War Africa', 366–7; Rose, 'Democracy Promotion and American Foreign Policy', 189.
72. Carothers, 'Democracy Assistance', 14.
73. Whitehead, 'Losing "the Force"', 234; Kelley, 'D-Minus Elections', 778.
74. Democracy promotion has differing degrees of importance from donor to donor, but this has had little or no impact on the observable behaviour of donor *officials*. Where democracy promotion is important rhetorically but less so de facto (for example, the United States), officials may be hard pressed to 'explain away' the democratic deficiencies so as to not appear to be in contradiction with donor's institutional priorities. This can be done by either arguing that the country is reasonably democratic or, acknowledging that it is not, that there are more pressing priorities (economic reform, stability, security, etc.). Where democracy promotion is more important de facto (for example, in Scandinavian countries), donor officials can feel strong pressure to become apologists for the host country to justify their being there. They can set the bar low, invoke long timeframes, etc., but they find it more difficult to make the argument for other, more important priorities, since their employer does not do so, at least not publicly. These are theoretical arguments or maybe even assumptions. As noted above, I did not in fact observe any difference from one donor official to the next.

75. Leininger, 'Bringing the Outside In', 74.
76. Author's interview with a Western aid official, Lilongwe, Malawi, October 1997.
77. Author's interview with a Western aid official, Nairobi, Kenya, April 2001.
78. See Brown, 'From Demiurge to Midwife'; Hempstone, *Rogue Ambassador*.
79. The full text of his speech is available on BBC News Online, <http://news.bbc.co.uk/2/hi/africa/3893625.stm>. It is not clear whose footwear he was referring to, donor officials' or Kenyans'.
80. Author's interview with a Western aid official, Lilongwe, Malawi, October 1997.
81. Author's interview with a Western aid official, Lilongwe, Malawi, December 1997.
82. Hayman, 'Going in the "Right" Direction?', 72, 74.
83. Author's interview with a Western aid consultant, Nairobi, Kenya, April 1998.
84. Carothers, 'The Observers Observed', 29.
85. Author's interview with a Western official, Nairobi, Kenya, January 2010.

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Democratic crisis or crisis of confidence? What local perceptual lenses tell us about Madagascar's 2009 political crisis

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This paper explores the extent to which democratic values and institutions propagated by the international community and measured by influential governance indices correlate with local perceptions of politics and democracy in one eastern region of Madagascar. A careful reading of the political crisis that erupted in Madagascar in 2009 highlights how 'undemocratic' behaviour – a 'coup' even – can have roots in democratic desires that have little to do with elections. I argue that local perceptual lenses, identifiable by characteristic competences and dispositions, have considerable interpretive significance regarding what might otherwise be labelled deviant behaviour in unconsolidated or hybrid democracies. Using qualitative data collected using an innovative methodology during five months of ethnographic fieldwork immediately preceding the crisis, this paper examines the interface between international democracy assistance policies and mass local political perceptions. It concludes that long-term prospects for deepening democracy in Africa and elsewhere depend in part on how – and *how well* – external experts strategically engage with the communities they propose to reform.

Introduction

When angry hordes took to the streets of Antananarivo in the early months of 2009, outside observers struggled to contextualize the scenes of unrest. Madagascar is, after all, most commonly associated with a popular animated film and the lemurs it made famous. When it comes to more substantial matters – issues of development, for example – Madagascar is often quite literally 'off the map'.¹ It is hardly surprising, therefore, that journalists covering the political upheaval in 2009 succumbed to the dogged demands of a 24-hour news cycle, proclaimed a 'coup' and swiftly moved on to the next (no doubt similarly truncated) news

item. This paper develops and deploys a novel methodology to transcend commonplace caricatures of Malagasy politics, offering instead an indication of how ordinary people living in an eastern coastal region of Madagascar understand their political world. In doing so it will raise questions about the international response to Madagascar's most recent political crisis² and, more generally, how we as outsiders assess democratic development.

Two common oversights mar contemporary democracy assistance and assessment efforts. The pervasive practice of 'grafting' nominally democratic solutions onto existing institutions often fails to consider how people interpret and experience their quotidian political context.³ At the same time, the dearth of empirical data on political culture(s) has led to the causal acknowledgement that 'whatever it is, it is there and plays a role, however unclear'.⁴ Mindful of these gaps, in this paper I narrowly investigate how ordinary citizens in the Antsinanana region of Madagascar interpret 'democracy' and whether these interpretations are compatible with those assumed by the global democracy assistance industry.

A careful reading of the political crisis that erupted in Madagascar at the beginning of 2009 highlights how 'undemocratic' behaviour – a 'coup' even – can have roots in democratic desires that have little to do with elections. I begin with a brief overview of Madagascar's recent political history, including the country's meteoric rise to the status of poster child for democratic development. I then suggest an alternative approach to analysing Malagasy politics, arguing that the concept of perceptual lenses has considerable interpretive significance regarding what might otherwise be labelled 'deviant' behaviour in hybrid democracies. Next, I identify and describe key perceptual lenses through which local Malagasy likely view their political system using qualitative data collected in the months immediately preceding the 2009 political crisis. The paper concludes that long term prospects for deepening democracy in Africa and elsewhere depend in part on how – and *how well* – democracy assistance experts strategically engage with the communities they propose to reform.

A shining beacon of democracy, dimmed

Madagascar is one of the poorest, least developed countries in the world. Its population remains largely rural, literacy rates outside of urban centres are low, and industrialization to date has been minimal.⁵ Approximately 85% of people live on less than \$2 per day.⁶ Despite these conditions, Madagascar has consistently scored relatively well on a number of highly influential democracy assessment indices, defying the predictions of theorists that economic growth must precede substantive democratic gains.⁷ Figure 1⁸ clearly illustrates that even poor, 'underdeveloped' countries are capable of realizing an approximation of democratic governance by industry standards.⁹ The BTI Political Transformation score, for instance, reflects a country's level of development in five key areas including stability of democratic institutions.¹⁰ In 2008, Madagascar qualified as having achieved an 'advanced' political transformation with a score of 7.45 out of 10.¹¹

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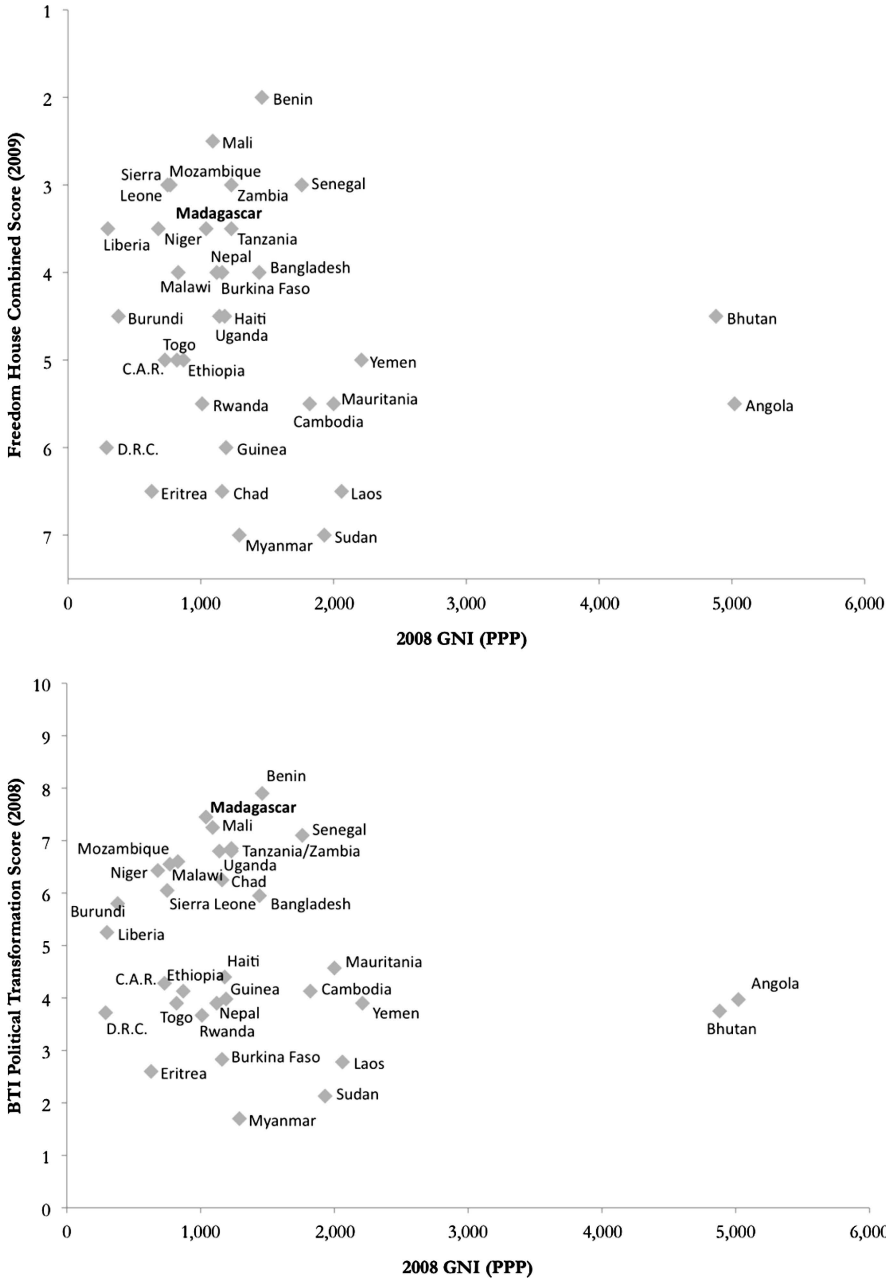


Figure 1. Democratic Development among LDCs.

Likewise, a combined political rights and civil liberties score of 3.5 places Madagascar towards the upper half of Freedom House's 'partly free' category and among the top third of least developed countries (LDCs).¹² Significantly, the rankings established by democracy assessment indices are not merely descriptive of the quality of governance in any given country, but are also *prescriptive* in that they help determine who will receive additional assistance funds.¹³

Survey data collected by Afrobarometer throughout the first decade of the twenty-first century further indicates a reasonably high level of citizen support for democracy in Madagascar.¹⁴ The 2005 Afrobarometer survey found, for instance, that 65.8% of urban Malagasy supported democracy; that figure rises to 88.8% among respondents who had completed secondary school.¹⁵ The same survey also found, however, that about half of those questioned could not explain what 'democracy' means and that only a quarter of people sampled were satisfied with how well democracy works in their country. The most recent survey results, compiled in 2008, are slightly less optimistic, finding that 58% of urban residents and 33% of rural residents think that democracy is the most preferable form of governance; 28% of those interviewed said that they did not know.¹⁶ That Malagasy citizens are generally open to the idea of democracy would not surprise some Madagascar country experts; a leading Malagasy historian, for example, asserts that 'there exists in Madagascar a history of political and popular democratic culture'.¹⁷

Not only have assessments of Madagascar's path toward good (or at least better) governance and democracy demonstrated slow but consistent progress in recent years, the international community had faith in the man forging the way. Despite a contentious rise to power in 2002, President Marc Ravalomanana's international reputation as a reformer was secured in April 2005 with the announcement that Madagascar would be the first country to receive development assistance from the new Millennium Challenge Corporation.¹⁸ Both the World Bank and IMF likewise heralded Ravalomanana as a 'good guy' in recognition of his stated political agenda of fostering democratic participation alongside economic reforms.¹⁹ The proliferation of media outlets in recent years has accordingly been interpreted as an indicator of democratic change and a facilitator of political accountability.²⁰ By the end of 2008, however, conflation of public and private sector interests had roused international concerns over corruption, provoking the EU and World Bank to suspend budgetary support.²¹ In spite of this reassessment, the international community remained largely unprepared for Ravalomanana's imminent removal from office.

The eruption of mass public demonstrations in the spring of 2009, therefore, seemed incongruous with the relative strength and stability attested to by democracy assessment indices, public opinion data, and the expert assessment of international financial institutions. International concern deepened when, in March 2009, President Ravalomanana resigned and power was unconstitutionally transferred to his young rival, Andry Rajoelina.²² Despite the rapid organization of a High Transitional Authority and the promise of elections by October 2010,

Rajoelina has been almost universally shunned on the international stage. Development assistance has dried up, and fledgling civil society organizations grapple ill-equipped with the crucial task of devising a national peace and reconciliation process. A tentative agreement on the construction of a unity government was reached through internationally mediated talks in early November 2009. This agreement was never fully implemented, however, and all indications suggest that prospects for the inception of an effective power-sharing agreement remain slim.²³

An alternative lens

This brief account of Madagascar's democratic development and most recent political crisis conforms to standard knowledge of the country's contemporary political history as well as to prevailing assessments of its democratic trajectory made by the international community prior to 2009. The remainder of this paper will attempt to demonstrate not that this view is inaccurate, but that it would be a mistake to accept its conclusions as impartial fact.²⁴ Indeed, Burnell and Schlumberger observe that empirical understanding of how democracy assistance efforts are viewed by the general populations of 'recipient' countries remains grievously inadequate.²⁵ Ethnographic fieldwork conducted in the Antsinanana region of Madagascar in the months immediately preceding the most recent political crisis revealed that the way local people understand their own political experience bears only limited resemblance to the expert assessments outlined above. Neither of these interpretations is wrong *per se*. Each represents a true account of Malagasy political life when viewed from an entirely different angle – through a particular lens.

Analytical framework

In the process of going about our daily business, we each make innumerable tacit conclusions that enable us to coherently and meaningfully comprehend the events we experience. In other words, we are habituated to 'select[ing] for attention a few salient features and relations from what would otherwise be an overwhelmingly complex reality'.²⁶ This habituation can, however, blind us to the vast plurality of other equally correct conclusions. The unconscious judgements that we make in order to understand our environment have been described elsewhere as an interpretive screen and a frame of reference.²⁷ Throughout the remainder of this paper, I will refer to this limited way of seeing and comprehending using the concept of perceptual lenses.

The conceptualization of perceptual lenses here remains tightly focused on three primary features: (i) they are tacit, (ii) they distinguish some elements of an idea or situation over others, and (iii) they determine the realm of possible or appropriate action. Most of the time we take the lens through which we view the world for granted.²⁸ There are, of course, exceptions to this rule; academics,

for example, often overtly subscribe to a particular paradigm or philosophy and deliberately interpret their subject accordingly. Generally, however, most people do not make this sort of conscious decision or distinction. Instead, interpretations of quotidian situations are based on learned beliefs and unconscious impressions that allow us to make sense of current phenomena based on past experience.²⁹ Perceptual lenses, therefore, tacitly influence the way an individual (or organization) interprets a situation by determining the very facts of the case.³⁰ Admittedly partial, the overview of Madagascar's recent democratic trajectory above roughly approximates the lens through which the international democracy assistance industry viewed unfolding events. As the analysis below demonstrates, however, this is but one of several possible interpretations of political life in Madagascar.

Finally, perceptual lenses enable us to recognize the scope and appropriateness of our own agency within a particular context; 'this sense of the obviousness of what is wrong and what needs fixing' is emblematic of the influence perceptual lenses have on human judgement and subsequent behaviour.³¹ After proposing an innovative methodology for identifying alternative perceptual lenses, I will demonstrate that what is obviously wrong to the international community differs substantially from what many Malagasy believe needs fixing in their political system. While it may seem from this brief description that the influence of perceptual lenses has been unduly exaggerated, it should be remembered that without them 'we could not see or value or respond to anything'.³²

Having accepted the theoretical premise that divergent, though not by definition mutually exclusive, perceptual lenses exist, we are faced with the inevitable methodological problem of identifying other people's tacit point(s) of view. While this may initially seem an insurmountable barrier to empirical research, reconstructive democratic theory sets a useful precedent. This novel approach to studying democracy contrasts implicit 'democratic software' (that is, what people think they are doing) with explicit 'democratic hardware' (that is, institutional prescriptions).³³ By emphasizing the competences and dispositions of individuals – what they deem possible and appropriate action or response – it becomes possible to at least partially identify the perceptual lenses through which other people interpret politics and democracy without being hopelessly hampered by one's own interpretive perspective.

Methodology: a modified thematic apperception test

Traditional interview techniques proved untenable in Madagascar given the tense, though not overtly heated, political climate in late 2008. Soon after my arrival, it became apparent that people were generally reluctant to speak about politics directly and were sometimes openly fearful of being overheard saying the 'wrong' thing. After several frustrating weeks, I decided to adopt a 'self-consciously eclectic' approach to research that incorporates terms and empirical tools from formerly disparate research communities.³⁴ The result was a modified

Thematic Apperception Test (TAT): an innovative, image-based technique that relies on the principle of projective interpretation.³⁵

The technique used in this research sits comfortably among other image-based research methods that have consistently demonstrated ‘significant untapped potential and vigour across a broad scope of disciplines’.³⁶ Visual research methods including photo elicitation,³⁷ participatory mapping,³⁸ photovoice,³⁹ and FotoDiálogo⁴⁰ are breaking new ground in disciplines ranging from sociology and anthropology to health science and education studies. Moreover, in addition to widespread adoption and adaptation within its native field of psychology,⁴¹ the Thematic Apperception Test⁴² (henceforth TAT) has previously been modified for interdisciplinary research projects in both the Philippines⁴³ and Madagascar.⁴⁴ This type of research has proven particularly useful for uncovering the way non-elites – particularly low-literacy level groups – perceive their social reality⁴⁵ as well as exploring themes across language cultures. The ability to ‘read’ a photograph or other visual image transcends educational and, to a point, linguistic barriers because it does not depend on fluency in a particular language or knowledge of grammatical rules. Therefore, although this particular method remains an eclectic research tool, the potential of image-based research techniques is well documented.

Projective techniques like the TAT (and other image-based research tools) work because what we perceive in the present is invariably influenced by past perception and experience organized and stored in our memories.⁴⁶ When research participants tell short stories about abstract images during the course of an image-based research procedure, they naturally construct narratives derived from their own personality traits and unique experience; this process is called apperception. Indeed, the process of *apperception* described here bears a striking resemblance to the concept of *appreciation* used by Schön and Rein in their definition of frames and by Vickers in his account of interpretive screens.⁴⁷ It is not unreasonable, therefore, that a modified TAT could prove useful for identifying the inherently subjective perceptual lenses people tacitly use to ‘name and frame’ their socio-political environment.⁴⁸ A modified version of the TAT not dissimilar to photo elicitation⁴⁹ proved to be an invaluable research tool, both for learning how ordinary people interpret commonplace socio-political situations and for creating an environment in which they felt safe to speak openly. The abstract nature of the modified TAT enabled me to approach political themes in a nonthreatening, roundabout way that was acceptable to most research participants and resulted in the collection of data that would not have been accessible via more direct questioning. This was possible because visual research techniques blur the traditional roles of interviewer and interviewee; the image invites research participants to identify what is meaningful and important while simultaneously imposing order on the information being gathered.⁵⁰ In other words, both participants become just two people trying to work out the meaning of an image together.⁵¹ Although the researcher and research participant may initially interpret an image quite differently, over the

course of the interview they should be able to reach a common understanding as ‘fellow travellers’ in the research process.⁵²

Indeed, visual research methods are often attributed with being collaborative and respondent-led, an aspect of image-based research with several advantages. First, image-based research tools like the one used here largely avoid an inherent difficulty with surveys and word-based interviews whereby the answers provided to questions mean substantially different things to interviewer and interviewee.⁵³ Additionally, because subjective perspectives are largely unconscious, it is difficult for people to ‘fake’ their interpretation of an image, a known weakness of survey methods.⁵⁴ Finally, the physical presence of the image can also aid in developing rapport with research participants,⁵⁵ something I found particularly beneficial in Madagascar. While guided by my broad research themes, the responses of research participants to my modified TAT images reflect distinctly local perceptions of democracy and genuine concerns about Madagascar’s political future.⁵⁶

When commissioning my modified TAT images, I discussed general themes of interest with a local artist (for example, elections, political authority, and freedom of speech), who was then at liberty to interpret these themes in a way she deemed locally appropriate. This collaborative process resulted in a set of five contextually relevant sketches that people of all socio-economic classes and educational backgrounds could interpret relatively easily; two of these images are discussed here.⁵⁷ Image 1 in [Figure 2](#) aims to prompt stories indicative of people’s attitudes toward voting and their expectations for electoral processes. Aware of the large-scale public protests, blockades, and strikes that characterized the 2001–2002 political crisis, Image 2 was originally commissioned to uncover how ordinary people interpret protest but often, quite unexpectedly, triggered stories about (restricted) free-speech rights. Despite never asking research participants for definitions of democracy outright, people often volunteered their views on democracy in the context of one or more of the stories that they told about my modified TAT images.

Modified TAT interviews were conducted with 51 people (27 men, 24 women) from two sites (one rural: 11 interviews, one urban: 40 interviews) in the Antsiranana region. All research participants were non-elites of various backgrounds and professions. Aware that class and age remain two particularly persistent social cleavages, I was careful to collect a sample broadly representative on these grounds.⁵⁸ Stories were generally told and recorded in French; when a research participant preferred to tell his or her stories in the local dialect, a research assistant provided simultaneous translation to French. The 244 short stories collected during modified TAT interviews were transcribed and analysed for competences and dispositions in the spirit of reconstructive democratic theory.⁵⁹ Competences and dispositions included in TAT stories were then sorted into cohesive themes using thematic networks.⁶⁰ In an effort to remain true to the original stories for as long as possible, I completed initial data organization and analysis in French, switching to English only after themes had been



Figure 2. Modified TAT images.

identified. Though analytical constructs, these themes nonetheless approximate the contours of the perceptual lenses through which different social groups in the Antsinanana region likely view the political sphere.

In the following section, I briefly describe five perceptual lenses that emerged from the stories research participants told about electoral participation and political protest contributing to three distinct notions of democracy. If scaled up, this analysis indicates that only a fraction of Malagasy society may have shared the perspective of the international community that Madagascar was a budding democracy prior to 2009. Additionally, the perspectives offered by people participating in this research suggest alternate interpretations for why events in the spring of

2009 unfolded as they did. The data also indicates that solutions to the political crisis currently promoted by the international community fail to address deep-seated grievances.

What does democracy mean here?

The stories told by research participants about the modified TAT images in [Figure 2](#) provide unique insight into how ordinary people in eastern Madagascar internalize elections, interpret their role in the electoral process and perceive (political) protest. While individual perceptions of the political sphere identified from TAT stories do not overlap or correspond perfectly, there are some unmistakable trends in the types of stories people told about elections and protests that reflect three distinct conceptualizations of democracy. Among people consulted for this research, democracy was generally conceptualized as (1) a particular set of rules, (2) an ambiguous aspiration, or (3) freedom of speech. Although research participants occasionally associated democracy with political life in Madagascar, they more often contrasted a democratic ideal with their own, less satisfactory political experience.

Rules-based democracy

A significant minority of research participants indicated that they understand democracy as a particular set of rules or a prescribed way of doing things. In the words of a middle-aged project manager for a local NGO: ‘In a democracy people can’t just do whatever they want. There are rules.’ Dispositions characteristic of the *positive* and *passivist perceptual lenses* analysed below suggest that these rules are likely to include: (1) citizens should vote and (2) disputes should be settled through discussion. Indeed, everyone whose TAT story about Image 2 provided evidence of the passivist lens also told a story about Image 1 reflecting the competences and dispositions of the positive lens. It is rather unlikely that most research participants whose stories indicated this particular worldview would be familiar with the democratic standards set by international organizations or foreign academics. That said, the liberal, rules-based definition of democracy maintained by the international community is nevertheless largely compatible with this local point of view.

Where elections are concerned, the democratic rules include taking part in transparent electoral processes. TAT stories indicative of what I have labelled for analytical purposes the positive perceptual lens provided evidence to suggest that people perceive elections as transparent and voting as a genuinely free choice. These people are not only confident about their role as voters, but in the reliability of electoral results as well. One research participant, known to be a staunch supporter of President Ravalomanana, spoke with enthusiasm: ‘During the elections we have democracy. The people are free to choose their candidate. Here, the opposition party is free [to participate]. To vote is to exercise free choice.’ This confidence in electoral transparency bears little resemblance to the

uncertainty expressed by research participants whose TAT stories provided evidence of alternative perceptions of electoral processes in Madagascar, discussed below.

Familiarity with elections coupled with an urge to participate reflects the sort of attitude anticipated by both democracy assistance policies and the vast literature on democratic development. Some have even dared to speculate that this sort of public affinity for elections could eventually lead to ‘an African derived formula for constructive political participation’.⁶¹ This implies, however, that people not only embrace the chance to partake in periodic polls, but that they imbue them with meaning. In this regard, the positive lens is somewhat less encouraging, as these research participants routinely described voting as a formal obligation or duty rather than an opportunity to influence political decisions that affect their daily lives.

It would seem that some Malagasy voters, though of a positive disposition toward elections in general, have become habituated to participating without also adopting a critical position on either the issues or the candidates. This scenario may be partially accounted for by the theory that African voters primarily value participation. Ake, for instance, suspects that in Africa ‘[m]ore often than not, it is the involvement in the process rather than the acceptability of the end decision which satisfies the need to participate’.⁶² Participation, when viewed from this perspective, puts greater emphasis on the act of taking part (for example, showing up at the polls) than any eventual outcome (for example, which candidate gets elected).

Research participants who offered a rules-based account of democracy or political order also often told TAT stories that painted public demonstrations or strikes as unequivocally bad, a position theorized here to indicate the passivist perceptual lens. In addition to stating that demonstrations and protests are inappropriate, these TAT stories were prone to the disposition that the church is influential on political matters. Specifically, people whose TAT stories demonstrated signs of rules-based democracy spoke about religion and religious leaders as a moderating force, in contrast to those who interpret religion as socially divisive (see, the social divisions perceptual lens, below). These research participants, for example, sometimes interpreted the priest/pastor in Image 2 as intervening to stop the protest and successfully dispersing the crowd. In this view, the church and religious leaders encourage people to show restraint and work out their problems peacefully.

The liberal rules based definition of democracy maintained by the international community is largely compatible with this local point of view; although, as noted above, it is rather unlikely that most research participants whose stories indicated this particular perspective would be specifically familiar with international democratic standards. Nevertheless, I suggest below that people espousing this interpretive worldview are most likely to accept the power-sharing agreement and subsequent elections endorsed by the international community for resolving the current political impasse.

Democracy is a big question mark

A plurality of research participants never took a definitive position on either the significance of elections or political protest in their stories prompted by the images in [Figure 2](#), instead saying that elections are *generally* worthwhile and protests are *sometimes* justified. Nevertheless, this combination of perceptual lenses largely indicates that people remain hopeful for Madagascar's democratic prospects even if they are unable to pinpoint what 'real democracy' might look like.⁶³

With regard to elections (Image 1), these research participants also told TAT stories indicative of the *positive perceptual lens*, which regards people as generally positive about voting. In their stories, these research participants described people who think of voting as a responsibility and demonstrate a reasonable understanding of electoral procedure beyond simply marking a ballot paper. Several research participants, for instance, initially identified the scene by the ballot box and went on to talk about candidates and the electoral campaign. Some further specified that voters reflect on their choice before casting their ballots. Only very infrequently, however, did any of these TAT stories refer to multiple political parties or ideologies, instead simply pointing out that multiple names would normally be listed on a ballot paper.

These generally positive characterizations of the voting experience were, however, sometimes offset by indications of voter fatigue and suspicion that electoral outcomes will make little real difference to daily life. For instance, although all of these research participants thought that people were generally positively inclined towards voting, several singled out one person in the voting queue depicted in Image 1 as less enthusiastic than the others. A secondary school student, for example, told a TAT story in which the woman (second in the queue) was very interested in voting while the man wearing a hat behind her thinks that voting is not very important. Likewise, the man at the front of the queue was described by some research participants as excited to vote and by others as not taking his responsibility seriously.⁶⁴

Moreover, although these research participants indicated that they thought positively about voting, their stories sometimes suggested the distinct possibility that they may simply be going through practiced motions when showing up at the polls. To illustrate, a roadside bicycle repairman explained in his TAT story that the last man in the voting queue was trying to decide what to do by watching the other voters. This speculation that some voters may not be able to make an informed choice is shared by a Malagasy political observer who notes that 'voting is like flipping a coin for most people'.⁶⁵ In all of these stories, there was an element of ambiguity about what elections are for despite the clear inclination to participate.

A similar trend emerged from responses to Image 2, indicating a *social divisions perceptual lens* that associates protest with socio-religious conflict. This impression contributed to the reluctance of these research participants to endorse strikes or demonstrations despite agreeing with the importance of free speech in

principle. Consequently, the depiction of a protest in Image 2 raised uneasy questions for individuals who retain genuine concerns that socio-religious divisions could escalate into widespread social conflict.

People who recognized social division between Catholics and Protestants in Image 2 sometimes focused on the presence of the priest/pastor in the lower left-hand corner (see Image 2, above).⁶⁶ Less common but still notable was the inclination for some of these research participants to state outright that ‘the church’ (either Catholic, Protestant or of an unspecified denomination) plays an active role in politics. A pharmacist said, for instance, that ‘religious [orders] are very active in politics here. It’s good because they have a lot of influence over people’. ‘The Catholics and Protestants often argue among themselves over political issues’, a day labourer concurred. Indeed, religious leaders have long played a central role in Malagasy politics. Although past regimes may have severely curtailed individual free speech, they could ill afford to suppress or ignore criticisms voiced by the Council of Christian Churches in Madagascar and its approximately three million followers.⁶⁷ Like the passivist lens discussed above, the political worldview expressed by this group of research participants continues to recognize the powerful influence of the church, in pronounced contrast to the dissident perceptual lens discussed below.

It is notable that there was no agreement among these research participants as to whether the church condoned or condemned the strike. While it is significant that some people made a connection between the church’s involvement in politics and the strike depicted in Image 2, others attributed the unrest to socio-religious tension, but were sceptical as to whether the priest/pastor endorsed it. Only rarely did research participants who likely view the political landscape through this particular perceptual lens explicitly state that the strike was against the president. This too, however, could be interpreted as a sign of socio-religious division. Although they were hesitant to say so while the recorder was running, some of these research participants were openly resentful that a Protestant Merina was president; by virtue of my research location, people available to take part in study were predominantly *côtier* and Catholic.⁶⁸

The qualification ‘sometimes’ further distinguishes the perspective of these research participants. Whereas other research participants stated definitively that protests were either never acceptable (the passivist lens) or an appropriate form of self-expression (the dissident lens), the people who told TAT stories characterized by social division indicated that the possible merits of the strike depended on particular circumstances. It is also notable that people included in this group most commonly identified the scene in Image 2 as a *strike*, in contrast to the language of protests and coups characteristic of the dissident lens below. While the likely existence of this particular point of view by no means entirely explains the political crisis that erupted in February and March of 2009, I will argue below that the apparently widespread notion that strikes are sometimes justifiable suggests an alternate perspective for interpreting these events that could render them somewhat less surprising.

A female retired schoolteacher stated outright that for most people ‘democracy is a big question mark’, an apt characterization of the interpretive perspective resulting from the positive and social divisions perceptual lenses. Indeed, one could say that people with this worldview are wearing bifocals. Particular circumstances (for example, who is protesting, how well elections are organized) help determine whether they perceive the political sphere broadly speaking – and democracy in particular – in a positive or negative light. The schoolteacher quoted above remained optimistic, however, that ‘little by little Madagascar is moving toward real democracy’ despite her inability, typical of people sharing this perspective, to describe what ‘real democracy’ in Madagascar would look like.

Democracy cannot exist without freedom of speech

Finally, at the far end of the spectrum, people whose TAT stories strongly indicated support for political protest (the *dissident perceptual lens*) were also most likely to have little or no faith in elections (the *tedious perceptual lens*). Slightly under half of the people I spoke to either strongly indicated that democracy cannot exist without freedom of speech or else explicitly defined democracy as freedom of speech.

TAT stories representative of this point of view characteristically depicted voting as a tiresome exercise, suggesting the presence of a tedious perceptual lens. One factor contributing significantly to this theme is the common notion that voting is an obligation, generally accompanied by an expression of extreme voter fatigue. Indeed, the dispositions most often attributed by these research participants to the voters depicted in Image 1 are weariness and discouragement. ‘It isn’t in their heart [to vote]’, an accountant confided, ‘because they know that the results will be changed by the party in power’. The sentiment expressed in these TAT stories contrasts starkly with the more positive accounts of voting discussed above.

In many of these stories, the tedium of voting was augmented by a clear conviction that elections in Madagascar are neither free nor fair. Both cheating and the belief that elections do not present voters with a real choice took prominence in these TAT stories. Research participants often described rigged elections, for instance, sometimes citing the denial of voter registration cards to known opposition supporters. Indeed, a handful of people who participated in this research said that they personally do not vote for precisely this reason, further speculating that the government asks local loyalists to identify people known to oppose the regime or support alternative candidates. Even if these people register to vote, they insist that either they never receive their registration card or their name does not show up on the electoral roll at the polling station. Whether or not this is what actually happens is, for the purposes of this study, irrelevant. In the minds of these people it is the truth. Moreover, this conviction shapes their behaviour (for example, they stop bothering to turn up at the polls), values (for example, voting is not worthwhile), and attitudes (for example, the ruling party is dictatorial).

Research participants without such specific ideas about how elections might be rigged similarly voiced scepticism about electoral transparency and the subsequent reliability of results. According to some of these research participants, lack of transparency facilitates cheating and enables the party in power to claim victory. A female university student concluded that the eventual outcome of elections never changes; ‘even if someone new comes to power it is always the same thing’, she confided. Although new elites may occasionally win electoral contests, the assessment offered by these research participants is that politicians inevitably resort to the same old tricks. One distinctly sceptical man, an urban shopkeeper, concluded his TAT story about Image 1 by saying: ‘Every time there are elections you have to go vote, but the result is already decided. It’s always the same story. In my opinion, the president is a dictator: it’s the government that decides, not the people.’ When viewed through this lens, the contribution that elections make to democratic governance is severely muted.

In contrast to meaningless elections, these research participants thought that it was possible to make a difference by engaging in political protest; though they sometimes lamented the illegality of public demonstrations. A male retired school-teacher, for instance, offered this explanation of Image 2: ‘They want to improve their life, that’s why they’ve organized a demonstration – for change. That’s why there is a revolution, we don’t have any other choice.’ Despite clearly approving of (political) protest, however, many people whose TAT stories indicate the dissident perceptual lens had specific concerns about barriers to freedom of speech and expression. Censorship most commonly caused palpable anxiety, although some of these research participants also worried about politically motivated imprisonment for saying the wrong thing or speaking out too strongly against the regime. Indeed, a small number of people who told TAT stories vehemently supportive of free speech rights said during their TAT interviews that they were afraid to speak openly for fear of being overheard; many more voiced similar concerns after the recorder had been switched off. A few of these research participants also explained with resignation that strikes and demonstrations, though effective, are forbidden.

The National Coordinator of KMF-CNOE, an indigenous NGO that focuses on election monitoring and improved civic education, further substantiated that fear was a rational response to the prevailing political climate in the autumn of 2008. He explained that people have to be very cautious when they talk about politics in public, which makes the work of organizations advocating civic education and political reform substantially more difficult. Whether the fear that prompts people to self-censor is actually justified or not, the fact remains that a significant proportion of the people I interviewed interpret their political environment through a lens tinted by fear, which has direct bearing on their behaviour. These TAT stories suggest a rupture between, on one hand, people’s desire to enact or even demand political change, and their tendency to believe that government sanctioned restrictions on free speech (for example, censors, political imprisonment, elite indifference) obstruct meaningful access to the political domain on the other.

Finally, although the passivist and social divisions perceptual lenses discussed previously indicate that religion has a strong hold on Malagasy society, TAT stories reflecting the dissident worldview provide reason to believe that the influence of the church might be waning. The people had turned their backs on the church, some of these research participants explained, before reiterating that the influence of the church had always been very strong in the past. Though rarely described in any detail, this interpretation of religion and religious influence is clearly at odds with the socio-political worldviews evoked by other people taking part in this research.

It is not surprising that democracy, when viewed through this composite lens, is more abstract – and thought by some to be unattainable. According to one Catholic Priest,

The President says ‘democracy this’ and ‘democracy that’ but the reality doesn’t match. The problem is that the President goes abroad and says things that bear no relation to life here, real life in Madagascar. Real democracy is when power is in the hands of the people. Here, people talk about democracy but we’ve never experienced it.

Another research participant similarly explained: ‘Democracy is the right to express yourself. People have the right to criticize their leaders when they have done something wrong. The people and the workers have the right to strike and reclaim their rights.’ These people distinguish freedom as elemental to democracy, including the freedom to vote in a transparent election and freedom to voice opinions in opposition to the ruling party. When democracy is defined in this way, appropriate behaviour may include opting not to participate in flawed electoral processes or taking part in political protests and rallies. Likewise, through this composite perceptual lens, the existing political system prevents genuine democratic development by denying ordinary people the freedom to speak out when they disagree with decisions made by powerful political elites. As I suggest below, attempts to mediate the current political stalemate that propose holding new elections without addressing or even recognizing these grievances will likely prove short-sighted.

Democratic crisis or crisis of confidence?

It is not difficult to understand why outside observers were surprised by the violence and discontent that gripped Madagascar in the early months of 2009. While almost anyone would admit that the political system was far from perfect, the country had seemed to be charting a slow-but-steady course toward democracy. Moreover, the results from Afrobarometer’s most recent survey, conducted in June and July 2008, indicated widespread support for President Ravalomanana.⁶⁹ So where did it all go wrong? I have sought to demonstrate here that the tools we commonly rely on to assess democracy in developing countries are useful but insufficient, and crucially fail to take into account how local people perceive

their own political environment.⁷⁰ The results of my qualitative study are neither as statistically representative nor as conclusive as conventional datasets; nevertheless, they go further than existing democracy indices in explaining *why* events may have unfolded as they did.

The analysis above demonstrates that some people (that is, those who perceive democracy as rules-based) were most likely broadly supportive of the existing political system prior to January 2009 when the first signs of unrest became apparent. People whose political outlook conforms at least somewhat to international expectations of democracy will probably accept the international assessment that the country is in the midst of a democratic crisis as well as subsequent mediation efforts and the new elections they endorse. Likewise, Malagasy citizens who remain somewhat unsure of what democracy means may go along with international mediation efforts despite any lingering reservations about the political status-quo prior to the most recent upheaval. Based on the analysis above, I suspect that neither of these groups, accounting for slightly over half of the people I spoke with, is likely to be convinced by the unilateral claims to legitimacy made by Rajoelina's High Transitional Authority.

People who see the world through the tedious and dissident perceptual lenses, by contrast, clearly indicated that they were disillusioned with President Ravalomanana's unfulfilled promises of democracy. This malaise can be attributed to at least two distinct causes. First, people for whom democracy means freedom of speech remain unconvinced by electoral processes and are unlikely to be persuaded by official election results. In their eyes, President Ravalomanana's legitimacy had long since been called into question. Secondly, this dissatisfaction was enhanced by the conviction that the regime stifled political speech and meaningful participation through censorship and, albeit to a lesser extent, by banning political protest. It may be significant, therefore, that protests first broke out after Ravalomanana temporarily closed Rajoelina's TV station for broadcasting an interview with exiled former President Ratsiraka. This could have been interpreted by some sectors of Malagasy society as a final hypocritical assault on their democratic freedoms. In which case, the protests that ensued may have been perceived as a democratic opening – a rare opportunity to voice pent-up dissatisfaction.

Finally, people who were afraid of speaking out against the government on their own may have been encouraged by the sight of thousands of their countrymen taking to the streets, causing the numbers of people turning up at rallies to escalate. This is not to say that the events as they unfolded in the early months of last year were rationally calculated. Quite the contrary, the competences and dispositions that emerged from TAT stories told in the months immediately preceding the crisis indicate that the interpretations of events, only briefly sketched here, could have been obvious, tacitly pointing to protest as an appropriate – and now suddenly available – avenue for addressing democratic grievances against an oppressive regime.

Crucially, people who interpret democracy as freedom of speech are unlikely to agree with the characterization of the current impasse as a democratic crisis, or to

be placated for long by the internationally mediated solution of a unity government and pending elections. In their eyes, the political sphere prior to 2009 was dominated by an authoritarian regime that limited free speech, suppressed supporters of the opposition, and undermined fair electoral procedures. In short, there was no democracy to preserve.

On a more technical point, there are few indications that concerns about electoral fraud will be addressed before new elections are held or that substantive safeguards will be instituted to protect free speech for opposition candidates and their supporters. Though not discussed in this paper, many research participants who I suspect see their world through the tedious and dissident perceptual lenses voiced serious concerns about the ability of opposition parties to organize, let alone campaign openly. Holding elections at the earliest possible opportunity, therefore, might increase the legitimacy of Madagascar's political leadership in the eyes of some (and the international community in particular), but are unlikely to address the very real concerns of disgruntled would-be democrats.

Continued failure to meaningfully address the hopelessly fractured party system and safeguard arenas for genuine political debate may lead to increased disenchantment with the promise of democracy, while failing to break the cycle of unrest and suppression that has characterized much of Madagascar's post-independence political history.⁷¹ Instead of interpreting the events of early 2009 as a democratic crisis with an abominable coup at its apex, this analysis suggests that it might be more instructive to interpret them as a crisis of confidence in both existing political elites and institutions – elections included – that many people no longer perceive as democratic.

Strategy v. doctrine: finding a new way forward

The above analysis identifies two contradictory interpretations of the political stalemate that has engulfed Madagascar since the spring of 2009. The international community has observed a democratic crisis, an assessment most likely shared by those Malagasy who likewise interpret democracy as rules based. From this perspective, setting Madagascar back on a course to democratic development will require the adoption of a new constitution closely followed by free and fair elections. The data presented here coupled with the dogged protests that eventually led to President Ravalomanana's sudden resignation endorses the possibility, however, that a significant portion of the Malagasy population might interpret political events from an alternate point of view. This contrasting perspective is coloured by uncertainties about past electoral procedure and perceived restrictions on free speech rights. Internationally brokered mediation efforts to date have completely overlooked these very real concerns. Before concluding, I will briefly propose how these divergent perspectives might be reconciled.

The differentiation between doctrine and strategy made by Kilcullen in the context of responding to counterinsurgency can be argued to also apply to democracy assistance policy.⁷² The almost formulaic reliance of international actors on

rapid ‘free-and-fair’ elections and the creation of power-sharing agreements or unity governments in recent years represents a rigid, doctrinal approach to addressing the complex, context-specific problems that have destabilized Madagascar.⁷³ In March 2010, the International Crisis Group published new policy recommendations for ending the political crisis in Madagascar that notably dismiss the potential of establishing an interim power-sharing agreement. Despite calling for a change of direction, however, the report nevertheless concludes that a new constitution followed by elections represents the ‘only realistic option’ for brokering a settlement among competing political elites.⁷⁴ This un-original solution blindly ignores the pent-up frustration and explosive agency of non-elite stakeholders whose street protests have not only undermined – but actually unseated – elected officials in the past.

In contrast, a strategic approach to addressing democratic deficiencies would include procedures for identifying and resolving local grievances and, according to Kilcullen, should be developed ‘on a local basis and in accordance with local standards’.⁷⁵ Whereas doctrine tends to be rigidly entrenched, strategy represents a creative and inventive process that skilfully combines specific expertise with context appropriate innovation.⁷⁶ With regard to the situation in Madagascar, a strategic approach to resolving the political crisis might include initiatives such as engaging presently sidelined civil society leaders and supporting civic education efforts, supervising a transparent voter registration process, and fostering an environment in which opposition parties have the right and *ability* to organize. Initiatives like these would build public confidence in constitutional negotiations and eventual electoral competition. Though not a quick fix, this sort of effort could result in a resolution acceptable to hitherto ignored non-elite stakeholders unlikely to be placated by yet another round of meaningless elections.

Conclusion

The purpose of this paper has not been to propound a conclusive explanation for Madagascar’s 2009 political crisis, but rather to raise questions about how such events are interpreted, whose point of view matters and why. What makes this approach distinctive is the overt acknowledgement ‘that the eyes of the beholders and the I’s of the beheld see things differently and see different things’.⁷⁷ Indeed, the realization that other lives create other worldviews contrasts starkly with the common expectation within the democracy assistance industry that democratic institutions will look the same and perform similar functions no matter where one finds them.

Over two decades ago, Sklar concluded that ‘[t]here are no reliable blueprints of developmental democracy, no models for third world development in the late twentieth century, democratic or otherwise’.⁷⁸ Despite the global reach of democracy’s value, the very possibility of a reliable democratic blueprint is precluded by our vast diversity. Consequently, democratic development in any society is predicated on the discovery and development of institutions uniquely suited to itself.

If they are to be successful, future democracy assistance efforts must eschew doctrinal promotion of liberal democratic institutions and instead take a more strategic approach that begins by asking local people what ‘democracy’ means to them.

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Notes

1. See Lambek, ‘Reflections on The “Ethno-” in Malagasy Ethnohistory’; Sharp, *The Sacrificed Generation*; Vanhanen, *Strategies of Democratization*, cover.
2. While the largest demonstrations took place in Antananarivo, protests were not restricted to the capital. Indeed, several research participants emailed me during this period with reports of local unrest and looting; one even wrote to say that he feared for his life. It seems reasonable, therefore, that perceptual lenses identified in this particular region could have interpretive relevance to the broader political crisis.
3. Browne, *Aid & Influence*, 137.
4. Decalo, ‘On Statistical Correlates of Democratization and Prospects of Democratization in Africa’, 313.
5. In recent years, there has been an influx of private capital to the mining sector, most notably by Rio Tinto and Sherritt.
6. Bertelsmann Stiftung, *BTI 2008 – Madagascar Country Report*, 2; Randrianja and Ellis, *Madagascar: A Short History*, 32.
7. See, for example, Apter, *The Politics of Modernisation*; Bates, *Prosperity and Violence*; Huntington, *Political Order in Changing Societies*; Inglehart and Welzel, *Modernisation, Cultural Change, and Democracy*.
8. The UN identifies least developed countries (LDCs) using measures of low income, weak human capital, and economic vulnerability. In 2009, the United Nations included 49 countries on its list of LDCs. The following countries are not included in [Figure 1](#) because they do not appear on the BTI index: Comoros, Djibouti, Gambia, Equatorial Guinea, Guinea-Bissau, Kiribati, Lesotho, Maldives, Samoa, São Tomé and Príncipe, Solomon Islands, Timor-Leste, Tuvalu, Vanuatu. Additionally, per capita purchasing power parity gross national income (PPP GNI) figures are not available for Afghanistan or Somalia, so they are not included in the scatter plots either.
9. Although PPP GNI alone gives only a partial account of a country’s economic development, it is the method favoured by the World Bank for measuring poverty and personal wellbeing. While national wealth (measured as GNI in US\$ using the Atlas method) can indicate the ability of the state to provide vital services (for example, education, basic infrastructure), Inglehart and Welzel have linked individual financial security to increased emphasis on human autonomy and democratic free choice. PPP GNI is, therefore, the more appropriate indicator of economic development in relation to democracy assessment. Inglehart and Welzel, *Modernisation, Cultural Change, and Democracy*.

10. Bertelsmann Stiftung, 'Bertelsmann Transformation Index 2008'.
11. Madagascar's 2008 combined score for political and economic transformations is somewhat lower at 6.23.
12. Freedom House, *Freedom in the World 2009*.
13. Erkkilä and Piironen, 'Politics and Numbers: The Iron Cage of Governance Indices'; Leininger, 'Bringing the Outside in'.
14. See, for example, Afrobarometer, *Briefing Paper No. 23*; Afrobarometer, *Briefing Paper No. 47*.
15. Afrobarometer, *Briefing Paper No. 23*.
16. Afrobarometer, *Round 4 Afrobarometer Survey in Madagascar*.
17. Randrianja, 'The Endless Quest of Caliban', 185.
18. Millennium Challenge Corporation, 'Millennium Challenge Corporation Board Approves First Compact with Madagascar'.
19. Bertelsmann Stiftung, *BTI 2008 – Madagascar Country Report*, 22.
20. Andriantsoa et al., 'Media Proliferation and Democratic Transition in Africa'.
21. Bobb, 'Citizens in Madagascar React to New Government'; IRIN, 'Madagascar: Deconstructing a Crisis – Part One'.
22. See, for example, Hogg, 'Deadly Power Struggle Lays Madagascar Low'; Iloniaina and Maina, 'AU Condemns Efforts to Oust Madagascar Leader'; Tighe, 'Madagascar Army-Backed Leadership Change Denounced by EU, US'.
23. BBC News, 'Madagascar Talks Hit by Boycott'; Clotey, 'Madagascar Appears Politically Split, Says Journalist'; Lough, 'Madagascar Government Gives no Guarantee on Vote'.
24. Leininger also makes this point, similarly suggesting a change of analytical perspective from that of the donor to the recipient. However, her empirical observations remain at the level of local elites. Leininger, 'Bringing the Outside in', 63–80.
25. Burnell and Schlumberger, 'Promoting Democracy – Promoting Autocracy?', 8.
26. Schön and Rein, *Frame Reflection*, 26.
27. Vickers, *The Art of Judgement*; Schön and Rein, *Frame Reflection*.
28. Vickers, *The Art of Judgement*, 82; Schön and Rein, *Frame Reflection*, 23.
29. This past experience does not have to be personal, but may come from historical communal experience or knowledge of how others have coped with a similar situation previously.
30. Vickers, *The Art of Judgement*, 187; Schön and Rein, *Frame Reflection*, 23.
31. Schön and Rein, *Frame Reflection*, 28.
32. Vickers, *The Art of Judgement*, 83.
33. Dryzek and Holmes, *Post-Communist Democratization*, 4; Dryzek and Berejikian, 'Reconstructive Democratic Theory'.
34. Sil, 'Problems Chasing Methods or Methods Chasing Problems?', 322.
35. In addition to the modified TATs, I conducted semi-structured interviews with senior project managers from CARE and KMF-CNOE, an indigenous non-governmental organization (NGO) that focuses on electoral monitoring and civic education. Written follow-up interviews were completed with 10 anonymous, non-elite research participants and I maintained frequent email contact with several primary contacts throughout data analysis. Restraints set by time and circumstances prevented more rigorous triangulation. That said, the information extracted from TAT stories, though incomplete, does provide a compelling portrait of how ordinary people in one region of Madagascar perceive democracy and politics, original data of value in itself. Clark-Ibáñez, 'Framing the Social World With Photo-Elicitation Interviews'.
36. Stanczak, *Visual Research Methods*, 3.
37. See, for example, Banks, *Using Visual Data in Qualitative Research*; Clark-Ibáñez, 'Inner-City Children in Sharper Focus'; Harper, 'Talking About Pictures'; Samuels, 'Breaking the Ethnographer's Frames'.

38. See, for example, Maman et al., 'Using Participatory Mapping to Inform a Community-Randomized Trial of HIV Counseling and Testing'; Margolis, 'Visual Ethnography: Tools for Mapping the AIDS Epidemic'; Medley and Kalibo, 'An Ecological Framework for Participatory Ethnobotanical Research at Mt. Kasigau, Kenya'.
39. Wang and Burris, 'Photovoice'; Wang et al., 'Flint Photovoice'.
40. Ramos, 'Imaginary Pictures, Real Life Stories'; Ramos, *The FotoDialogo Method*.
41. Aronow, Altman Weiss and Reznikoff, *A Practical Guide to the Thematic Apperception Test*; Dana, 'Cross-Cultural – Multicultural Use of the Thematic Apperception Test'; McClelland, 'How the Test Lives On'.
42. Murray, *Thematic Apperception Test*.
43. Nazarea et al., 'Defining Indicators Which Make Sense to Local People'.
44. Farnworth, 'Achieving Respondent-Led Research in Madagascar'.
45. Ramos, *The PhotoDialogo Method*; Wang and Burris, 'Photovoice'.
46. Eggert, 'Malagasy Commentary', 310; Pittenger, Hockett and Danehy, *The First Five Minutes*.
47. *Appreciation* here involves ascertaining the 'facts' of a situation by making 'mutually related judgments [of] reality and value'. Vickers, *The Art of Judgement*, 82.
48. Schön and Rein, *Frame Reflection*, 26.
49. Collier and Collier, *Visual Anthropology*, 123–6.
50. Harper, 'Talking About Pictures', 20.
51. Banks, *Using Visual Data*, 70; Collier and Collier, *Visual Anthropology*, 105.
52. Tully, *Strange Multiplicity*, 23.
53. Gilley, 'Is Democracy Possible?', 118; Mattes and Bratton, 'Learning about Democracy in Africa', 193; Theiss-Morse et al., 'Mixing Methods', 116.
54. Elkins and Simeon, 'A Cause in Search of Its Effect', 137.
55. Gold, 'Using Photography in Studies of Immigrant Communities', 145; Samuels, 'When Words are Not Enough'.
56. Harper, *Talking About Pictures*, 20, 23.
57. The other three images depicted (1) a man speaking in front of an audience, (2) a man speaking with a policeman, and (3) someone selling newspapers. I agree with an anonymous reviewer that it would be interesting to carry out a parallel research project in which professionals in the democracy assistance industry are asked to respond to the images.
58. Farnworth, 'Achieving Respondent-led Research'; Sharp, *The Sacrificed Generation*; Dina, 'The Hazomanga among the Masikoro of Southwest Madagascar'.
59. *Competences* include knowledge of and access to the political sphere. They also include beliefs or convictions about one's ability to act in particular circumstances and what those actions signify. They are known facts and available actions. *Dispositions*, by contrast, include feelings in addition to attitudes, inclinations, and tendencies. They are more emotive than competences and are only indirectly linked to action or agency. Also see Dryzek and Berejikian, 'Reconstructive Democratic Theory'.
60. Attride-Stirling, 'Thematic Networks'.
61. Bratton and van de Walle, *Democratic Experiments in Africa*, 141; Chazan, 'African Voters at the Polls'.
62. Ake, 'The Unique Case of African Democracy', 243.
63. Although these research participants may not have expressed a definitive opinion about either the quality or inclusiveness of national politics, they often indicated that they took an interest in distinctly local issues that have an immediate effect on their daily lives, an issue not discussed in this paper. Grugel, *Democratization: A Critical Introduction*, 87.

64. Interestingly, none of the three people in the image was singled out more consistently than either of the others, negating the likelihood that something particular about the image provoked these descriptions.
65. Raharizatovo, *Madagascar 2002*, 10.
66. While it is possible that the content of these stories was influenced by the presence of this figure in the image, it was still up to individual research participants whether and how to interpret him. Aware of a possible socio-religious cleavage, I wanted one of the TAT images to include a religious figure and conveyed this to the artist. The undeniable variation amongst stories about TAT Image 2 convincingly demonstrates that the image itself does not cue a particular response; not all research participants attributed the same level of importance to the priest/pastor, if, indeed, they singled him out for description at all.
67. Mukonoweshuro, 'State "Resilience" and Chronic Political Instability in Madagascar', 393.
68. For an in-depth account of life in this region, also see Cole, *Forget Colonialism*.
69. Afrobarometer, *Round 4*.
70. Koelble and Lipuma similarly argue that methods commonly used to measure democratic development fail to adequately consider particularities of the postcolonial experience that distinguish contemporary developing states from their Western counterparts. Koelble and Lipuma, 'Democratizing Democracy'.
71. Marcus and Ratsimbaharison, 'Political Parties in Madagascar'; Randrianja, 'The Endless Quest of Caliban'; Randrianja and Ellis, *Madagascar: A Short History*.
72. Wolf, 'The Rachel Maddow Show'; Kilcullen, *The Accidental Guerrilla*.
73. Power-sharing unity governments have also been endorsed in recent years as solutions to political crises in other polities, including Zimbabwe, Iraq and the Palestinian territories.
74. International Crisis Group, *Madagascar: Ending the Crisis*; Kroslak and Larbuisson, 'Madagascar's Crisis, One Year On'.
75. Wolf, 'The Rachel Maddow Show'.
76. See, for example, Paquette, *Strategy and Ethnic Conflict*; Mintzberg, *The Rise and Fall of Strategic Planning*; Mintzberg, Ahlstrand and Lampel, *Strategy Safari: The Complete Guide through the Wilds of Strategic Management*.
77. Cohen, *Signifying Identities*, 5.
78. Sklar, 'Developmental Democracy', 714.

Notes on contributor

Lauren Leigh Hinthorne was recently awarded her PhD at the University of York, UK. Her thesis was entitled 'S(t)imulation: a comparison of international democracy assistance objectives and non-elite perceptions of democracy in eastern Madagascar'.

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