Electoral Violence as a Side Product of Democratization in Africa

The Cases of Nigeria, Kenya and Zimbabwe

Teemu S. Meriläinen

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Department of World Cultures
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ABBREVIATIONS

AC	Action Congress
ANPP	All Nigeria People's Party
CDD	Ghana Center for Democratic Development
CIPEV	Commission of Inquery into the Post Election Violence
EA	(Census) Enumeration Area
ECK	Electoral Commission of Kenya
EFCC	Economic and Financial Crimes Commission
EU	European Union
FTPT	First-Past-the-Post
GNU	Government of National Unity
HRW	Human Rights Watch
ICG	International Crisis Group
IDASA	Institute for Democracy in South Africa
IFES	International Foundation for Electoral Systems
IMF	International Monetary Fund
INEC	Independent National Electoral Commission
JOC	Joint Operation Command
KADU	Kenya African Democratic Union
KAMATUSA	Kalenjin, Maasai, Turkana and Samburu ethnic groups
KANU	Kenya African National Union
MDC-M	Movement for Democratic Change - Mutambara
MDC-T	Movement for Democratic Change - Tsvangirai
MoU	Memorandum of Understanding
NARC	National Rainbow Coalition
NCA	National Constitutional Assembly
NELDA	National Elections Across Democracy and Autocracy
NSD	Norwegian Social Science Data Services
ODM	Orange Democratic Movement
ODM-K	Orange Democratic Movement - Kenya
PDP	People's Democratic Party
PNU	Party of National Unity
PPPS	Probability proportionate to population size
PSU	Primary Sampling Unit
PTDF	Petroleum Technology Develoment Fund
SADC	Southern African Develoment Community
US	United States
ZANU-PF	Zimbabwe African National Union - Patriotic Front
ZEC	Zimbabwe Elections Commission

1 INTRODUCTION

1.1 AIMS OF THE RESEARCH

Elections and democratization are nothing new as research topics in the field of political science, and neither is political violence a neglected subject among sociologists, yet their convergence—electoral violence and its implications to the democratization process—has received much less attention from academics, perhaps because large scale political violence is commonly associated with autocratic regimes, whereas the emergence of regular multi-party elections is commonly thought of as an indication of successful regime transition and democratization. For the past two decades, Africa has been amid a wave of democratization, but in recent years it has become more apparent that the transition may not necessarily follow along the traditional trajectory of modernization theories. After a multitude of competitive electoral cycles, elections in Africa still often feature many non-democratic elements—electoral violence included. But is the prevalence of electoral violence in Africa an indication of a setback in the democratization process?

The aim of this research is three-fold: (1) to understand the role of elections in shaping the hybrid regimes of Africa, (2) to explore the dynamics of the political struggle between (and within) the incumbents and the opposition in these hybrid regimes, and (3) to analyze the influence of popular perception of the electoral struggle and its outcomes.

The main research question is

> *Under what conditions are elections in Africa at high risk of being marred with electoral violence?*

I will argue that several contributing factors can be identified that may increase the risk of electoral violence in Africa's non-consolidated democracies. Among them are

- a diminishing popularity of the ruling party,
- a democratic deficit,
- limited/blocked opportunities for (moderate) election fraud or
- an excessively blatant and unveiled attempt of electoral manipulation,

- unresolved ethnic grievances,
- internal splits within the main political rival parties, and
- an inconclusive constitutional reform prior to the elections

The secondary research question is

> *How do unfair/violent elections affect popular democratic aspirations in Africa's electoral authoritarian regimes?*

I will argue that while several consecutive unfair and/or violent elections may have a negative impact on popular democratic aspirations, individual failed elections do not seem to decrease democratic demand in any noticeable way. However, the perceived democratic supply is likely to increase as a consequence of unfair/violent elections, which will increase the democratic deficit in these countries, potentially adding pressure for demands of democratic reform. Unfair and violent elections are also highly likely to decrease the popularity of the ruling party if they are perceived to be responsible of the electoral irregularities, increasing the likelihood of a regime change in the long run.

1.2 THE THIRD WAVE OF DEMOCRATIZATION IN AFRICA

In the year 2011, multiparty elections were scheduled to be held in 27 of the 54 independent states in Africa[1] —an indication that this has become a regular and common practice on a continent where military dictatorships and one-party systems had been the norm until the late 1980s. Before the end of the Cold War, a clear majority of African states were ruled by non-democratic regimes and less than one out of five African countries were holding regular competitive elections. Autocratic leaders were able to suppress democratic demands and continue receiving financial support from one of the two camps of the Cold War—either from the US or the Soviet Union—and again turn that support into patronage for buying domestic support or more effective repression of the opposition. Democratic demands were too weak or undeveloped to generate any kind of significant political pressure to push the incumbents into political concessions, and with a lack of international scrutiny, they could easily be suppressed by the ruling autocratic elite.

[1] South Sudan joined the family of independent African states on 9 July 2011 as the 54th sovereign country in Africa

A number of reformist/democratic movements emerged in Africa in the 1980s in the aftermath of the economic crisis (Bratton & Van de Walle 1992: 429–432). A collapsing economy caused dissatisfaction with autocratic governments, because they were held responsible for the economic hardships. Declining state revenues also reduced the moneys available for patronage and repression, thus improving the opposition's chances for challenging the incumbents. The end of the Cold War gave a major boost to the democratic movement in Africa. At the same time international financial support, especially from the World Bank and the International Monetary Fund (IMF), became more conditional. This meant that autocratic governments no longer had easy access to foreign support unless they made democratic concessions.

By the end of the Cold War foreign money flows to autocratic leaders shrank considerably as the Soviet Union ceased to exist and the Western block no longer needed to provide incentives to autocratic regimes in order to keep them from defecting into the Communist camp. The wave of democratization in late 1980s and early 1990s in many countries that had belonged to the Communist camp sparked a similar development in various parts of Africa, increasing internal pressure on autocratic regimes to open up and conduct political reforms. These internal democratic demands were reinforced by international pressure on autocratic African rulers to democratize in exchange for continued Western funding. The whole political climate among western donors started to shift from a development focused mind-set towards a democracy and human-rights paradigm.

Several scholars have associated the democratization wave in Africa with Samuel Huntington's (1991) *Third Wave of Democratization* that, according to Huntington, started with the Carnation Revolution of Portugal in 1974 and continued with the democratic transitions in Latin America during the 1980s and in Eastern Europe after the collapse of the Soviet Union. The first wave, according to Huntington (1991: 15–18), began in the early 19th century, having had its roots in the American and French Revolutions, and lasted until 1922 when Mussolini rose to power in Italy. The second wave began with the Allied victory in World War II and lasted until early the 1960s when a clear majority of the newly independent countries in Africa fell under an authoritarian regime (Huntington 1991: 18–20). It was not until after the fall of the Soviet bloc that the third wave of democratization finally started to sweep over Africa in full strength.

More multiparty elections were held in Africa during the 1990s than ever before. Over 180 legislative and executive (presidential) multiparty elections were arranged during this decade. Between 1945 and 1990 there had only been a total of 151 multiparty elections in Africa. In almost half of the countries multiparty elections were now arranged for the first time since founding elections. (Hyde & Marinov 2012.) By the end of 2000, the number of countries holding regular multi-party elections had quadrupled compared to the Cold War era (Van de Walle, 2002: 67). However, in almost 80 percent of the cases the incumbent party remained in power by winning these elections, and nearly two thirds of these elections were considered not to have been free and fair. It soon became clear that although there were more regular multiparty elections in Africa than ever before, a majority of these elections did not quite live up to democratic standards.

Faced with increasing internal and external demands for democratization, the autocratic African rulers were forced between a rock and a hard place. On the one hand, giving in to democratic demands and arranging free and fair multiparty elections was likely to get them displaced from power. On the other hand, attempts to suppress these demands could lead to financial sanctions which together with growing domestic discontent could make them vulnerable to coups and popular uprisings. Some of the autocrats were convinced that they enjoyed popular support and thought they could win their elections in a fair game, only to find themselves experiencing a bitter loss against their political opponents. Others soon learned from the mistakes of their colleagues and managed to turn the odds to their favor via skilful manipulation of elections they chose to enter into. Many did not even need to resort to dirty tricks in order to secure their victory due to the lack of any serious political competition from a weak and fragmented opposition.

Staffan Lindberg (2007) has done extensive research on the democratizing effect of elections in Sub-Saharan Africa. He has gathered data from 284 African elections between 1989 and 2006. Lindberg's data set shows that the first round of 118 multiparty elections during the 1990s in countries that had previously abstained from running elections, 50 elections were considered to have been flawed, and from the remaining 68 election that were considered to have been free and fair, only 26 per cent resulted in regime transition (Lindberg 2007: 38–40). Thus, regardless of consecutive rounds of multiparty elections, several autocratic rulers managed to maintain a steady grip to power.

Electoral violence is but one of the many illicit tactics available for both incumbent and opposition politicians alike in order to influence the election outcome. However, in conflict research literature it is generally considered a strategy of the weak, since the powerful usually have other and more sophisticated means for dictating results of the electoral process. These (often) illicit tactics include vote buying, banning of political rivals from the race, monopolizing media and state resources, violent intimidation of political rivals and/or their supporters, as well as conducting outright fraud (Cyllah 2010: 5).

1.3 WHAT IS ELECTORAL VIOLENCE?

According to Jeff Fischer (2002), the author of the IFES[2] White Paper on Electoral Conflict and Violence,

> *[e]lectoral conflict and violence can be defined as any random or organized act that seeks to determine, delay, or otherwise influence an electoral process through threat, verbal intimidation, hate speech, disinformation, physical assault, forced "protection," blackmail, destruction of property, or assassination (Fischer 2002: 8)*

Isaac O. Albert (2007), professor of African History and Peace Studies at the University of Ibadan, defines electoral violence as

> *[a]ll forms of organized acts or threats — physical, psychological, and structural — aimed at intimidating, harming, [or] blackmailing a political stakeholder before, during and after an election with a view of determining, delaying, or otherwise influencing an electoral process (Albert 2007: 133)*

What set Albert's definition apart from Fischer's is that he does not consider "random acts" to constitute electoral violence. Although in this thesis I will mainly focus on organized electoral violence as a tactic used by political contenders to influence the outcome of the electoral process, I do acknowledge that elections can also trigger random or spontaneous acts of violence among various stakeholders, particularly during the post-election phase. However, I would tend to assume that the random acts of electoral violence

[2] International Foundation for Electoral Systems

will follow a somewhat different logic than organized does electoral violence, and therefore I would consider it to fall beyond the scope of this research.

Perpetrators of electoral violence

Potential perpetrators of electoral violence can be divided into the following categories:

- The military
- The police force
- Private security forces, paramilitary/rebel groups
- Criminal gangs, cults, hired "thugs"
- Hardcore supporters of the political parties

Although not exhaustive, this list provides a good starting point for understanding the nature of the people that are involved in electoral violence and their motives. Because electoral violence is by nature politically motivated, the perpetrators are, in most cases, likely to be linked to party politics in one way or another. More often than not, electoral violence is directly orchestrated by one or more of the political parties involved, or it occurs with its/their assent. Thus, political parties, both those in power and those in the opposition, have a pivotal role in the emergence and continued occurrence of electoral violence. However, politicians do not always have full control over the perpetrators of political violence (listed above), even when they operate under the direct payroll of the politicians. Sometimes things get out of the politicians' hands and escalate. However, the more organized and trained the perpetrators are, the less likely they are to disobey the orders issued by a political authority.

Kristine Höglund (2010), an associate professor of Peace and Conflict Research at the University of Uppsala, has studied the links between political leadership and electoral violence. She argues that political leaders are, in most cases, key instigators of electoral violence and explains how their political leadership serves two main functions in the emergence of electoral violence. First, political leaders motivate electoral violence through *framing, i.e.* socially constructing certain identities for and images of supporters and rivals of the party that are often bipolar ("us" vs. "them") e.g. through militant rhetorics and hate

speech. The more exclusive the rhetoric and the constructed identity, the more likely it is to motivate acts of violence. The second function is *implementing,* which refers to the process of mobilizing perpetrators from deeds to acts in carrying out the actual violence. This includes creating concrete and selective incentives for those involved in carrying out the violence. According to Höglund, such incentives are often channelled in the form of patronage, e.g. cash payments, provisions of food, alcohol and drugs, or in the form of longer-term incentives such as expectations of getting employment for family members, gaining powerful positions or state contracts for various jobs etc. (Höglund 2010.)

Having better access to state resources provides incumbent politicians with an advantage over their opposition counterparts in that they can use these resources to create incentives for potential perpetrators of electoral violence and to mobilize them in order to advance their own political aims. Access to national resources may be subject to legal constraints, and the degree to which these constraints are followed might be determined by corruption, lack of transparency, etc. This leads us to the conclusion that the ability of a politician to orchestrate electoral violence against his/her political rivals or the voters *en masse* depends, to a large extent, on his/her ability to motivate and provide incentives (i.e. patronage) for potential perpetrators who would then get involved in the electoral violence.

However, politicians are not the only sponsors of electoral violence. For example, Human Rights Watch (2007a) accuses "political godfathers", i.e. wealthy and powerful individuals with political interests, of sponsoring and arranging campaigns of electoral violence on behalf of the less-resourceful politicians, in exchange for financial returns and political favors once the politicians have gained office (HRW 2007a: 6–7). Höglund also notes that non-constituted leaders—people with no formal (political) leadership positions but nevertheless having power and influence over specific processes—often have more room to maneuver than do top-level politicians with highly-visible roles in the society, and they can wield their influence more broadly than grassroots level leaders due to their resources and connections (Höglund 2007: 9). Religious leaders and influential businessmen are included in this category as well.

Victims

Victims of electoral violence can usually be divided into three categories:

- Political rivals and their election campaigners
- Potential supporters and voters of political rivals
- Election officials

Political rivals are often the most direct targets of electoral violence during the pre-election phase. After all, one of the most reliable ways to win an election is to knock other contenders out of the race. The incumbents usually tend to focus their intimidation efforts primarily on rival politicians rather than on other potential victim groups, since they often have other means for influencing election officials, and they often do not want to intimidate voters (unless absolutely necessary) in order to make the elections appear more legitimate in the eyes of the general populace. Political rivals do not necessarily have to come from the opposition, but they can also be fellow party members, i.e. people within the ruling party. For example in Nigeria, intra-party violence during the primaries of the 2007 gubernatorial, general and presidential elections was particularly fierce, causing several casualties (HRW 2007a). Intimidating or assaulting political rivals directly may have more straightforward implications than targeting their voters, firstly because it might be difficult to identify these potential voters of the rival candidates, and secondly, because targeting them could result in loss of votes from the swing voters that would otherwise give their vote to the potential offender. On the other hand, intimidating political rivals may cause them to retaliate, thus compromising the offender's own safety. Therefore, voter intimidation tends to be a safer route for devious politicians, and thus they might prefer to utilize electoral violence against voters rather than other politicians. This would mean taking fewer risks in terms of personal safety, although at the same time, political risks (in terms of popular support) might increase.

As Paul Collier & Pedro C. Vincente (2008) point out, voter intimidation may not be very effective in turning people into voting against their personal preference, mainly due to the fact that the ballot is cast anonymously and in secret, so it may be impossible to know for sure who the intimidated people actually will vote for, and in addition, the intimidated people might also decide not to vote at all. Although in the majority of cases people tend to be fairly confident about the secrecy of the ballot, Afrobarometer results show that in

Africa between 2008 and 2009 almost one out of four persons believed that it is somewhat or very likely that those in power could actually find out how they voted. Yet, as potential swing voters may be difficult to identify, their voting behavior—in terms of whom they vote for—may likewise be difficult to control. However, if potential supporters of the political rival(s) can be identified, devious politicians and their thugs can relatively easily monitor *whether* these people vote or not. It may be considerably easier to repel potential opposition/rival voters from the ballot box than to force them to vote against their preferred candidate. However, voter intimidation almost always leads into a decrease in voter turnout which in turn reduces the perceived legitimacy of the election. In authoritarian electoral regimes, the whole point of running elections, from the incumbents' point of view, is to legitimize the prevailing regime, i.e. the *status quo*. The goal is to secure an election victory, and at the same time to make the victory appear as legitimate as possible. Therefore, voter intimidation is more or less incompatible with the aims of the incumbents so long as there are other alternatives available for securing a victory in the elections. For the opposition, who often are the underdogs, undermining the legitimacy of the elections may be a worthwhile strategy, especially if they are likely to lose the elections anyway. So long as the incumbents are also playing unfair, they may even manage to turn the tide in popularity, should the incumbents resort to retaliation through the same violent tactics.

1.4 ELECTORAL VIOLENCE IN AFRICA

As defined by Fischer (2002) and Albert (2007), electoral violence consists of acts or threats of coercion, intimidation, or physical harm perpetrated in order to influence the electoral process or its outcome. What makes electoral violence stand out from other illicit tactics used by devious politicians, such as vote buying, is its non-political nature as it relies on coercive means rather than on persuasion. Electoral fraud relies on neither but makes use of the non-transparent element of elections, namely the secrecy of the ballot, so that the results can be manipulated. Yet, while being the ultimate form of engineering the desired election result—as it might virtually always guarantee a favorable result for the manipulator—it also carries the danger of compromising the sole purpose for which the autocratic elites signed up for the elections in the first place—namely to legitimize the continuation of their rule. Thus, it is often less likely to bring high legitimacy gains compared to other tactics. But if the party cannot otherwise secure enough votes to win the

election—and losing is not an option they are willing to accept—then they may have no other choice than to resort to election fraud.

Electoral violence has increased by 50 percent in Africa from 1990 to 2006 compared to the time between 1945 and 1989 (Hyde & Marinov 2012). According to the NELDA[3] dataset of national elections, ranging from 1945 to 2006, between 1945 and 1989 there were 352 election events, of which 66 or 18.75 percent were marred with electoral violence that involved civilian deaths immediately before, during, or after the election. Between 1990 and 2006 there were a total of 330 election events of which 93 (or 28.18 percent) involved electoral violence. (Hyde & Marinov 2012.)

Stakes

The incumbents in electoral authoritarian regimes usually have strong incentives for staying in power, but due to internal and/or external pressure for democratization they are forced to expose themselves to the uncertainties of elections. However, long years of autocratic rule may leave behind a legacy of deep-rooted cleavages and tensions within the society that may turn against the incumbents in the face of a regime change should they lose the elections. Losing would not only mean a loss of political power but also a loss of legal impunity as well as the loss of financial/material benefits the incumbency has provided. Sometimes a regime change can even lead to the death of a former autocrat despite any possible concessions he/she has made during his/her final years in power. From the opposition's point of view there is often much more to win than to lose in the elections since losing would most often just mean the continuation of business-as-usual whereas winning would promise tremendous changes and thus opportunities for both the opposition politicians and their constituencies.

Competitiveness

As the opposition strengthens and is allowed to operate more freely, the competition between the incumbents and the opposition is likely to increase. High levels of competition

[3] National Elections Across Democracy and Autocracy, a dataset of all national elections (both executive/presidential and legislative/parliamentary) held in independent states that have a population greater than 500'000 between 1945 and 2006. The dataset is upheld by Yale University.

mean that even small shifts in the share of votes can determine who will be the winning party. Thus, the contenders are likely to use any means available to boost their share of votes. When the stakes are high and competition stirs up, it may become increasingly tempting to resort to illicit tactics to win the electoral race. High stakes and competitiveness reinforce the political culture of winner-take-all that is usually associated with plurality/majority electoral systems that operate under the principle of first-past-the-post (FPTP)[4]. In Africa some 28 countries use the plurality/majority system in elections whereas proportional representation system is used by 15 countries (Atoubi 2008: 13).

2 THEORETICAL FRAMEWORK AND METHODOLOGY

2.1 ELECTORAL AUTHORITARIANISM — THEORETICAL FRAMEWORK

In recent years there has been a lively debate among scholars of contemporary African politics on whether the trend of not-fully-democratic elections in former autocratic African regimes is simply a transition phase that will eventually lead into full democratization of Africa or whether it indicates the birth of a new form of regime; a hybrid regime that incorporates democratic elements into (semi-)autocratic rule. These are what Andreas Schedler (2010b), one of the leading scholars in contemporary political research on electoral democracy and authoritarianism, among others has called *electoral authoritarian regimes*. Schedler defines electoral authoritarian regimes as regimes which conduct regular multiparty elections at all levels of government yet violate basic democratic standards in serious and systematic ways (Schedler 2010b: 69). On the surface, these systems have many of the characteristics of consolidated democracies: from constitutions to agencies of accountability and from independent media to regular multiparty elections. Yet they are ruled by authoritarian elites who remain in power through skilful means of manipulation and coercion. Although some of these hybrid regimes have in fact turned into relatively well functioning electoral democracies (Ghana being a prime example), most still stand a long way from becoming fully consolidated democracies.

[4] First-past-the-post means that the candidate with the greatest tally of votes will be elected and the candidates behind him/her will get no representation at all, regardless of their share of votes.

Another key debate deals with the question of what role elections play in a regime transition/reproduction process. Do regular multiparty elections have a genuine democratizing effect on (semi-)autocratic regimes or do they simply work as a vehicle for consolidating autocratic rule under a new "democratic" disguise? Staffan Lindberg is one of the main proponents of the idea that regular multiparty elections (even rigged ones) can indeed have a democratizing effect on the regime in the long run although in the short run it may seem that unfair elections are only harmful to democratic aspirations. To back his claim, Lindberg has gathered extensive statistics on African elections, showing that after each consecutive cycle of elections more countries are turning from (electoral) autocracy into electoral democracy (Lindberg 2007). However, he also admits that elections may in some cases actually sustain autocratic rule rather than reverse it. If elections work as a tool for autocratic elite to legitimize their rule and keep them in power, then it is likely to lead to regime reproduction (keeping the regime autocratic) rather than democratization. Having a democratic appearance on the outset may help autocratic regimes by decreasing external pressure towards democratization and even generate international support that will strengthen the regime against the opposition and help it suppress internal democratic demands. On the other hand, if an autocratic regime is unable to convince the international community of the freeness and fairness of their elections or to muster enough domestic political support to actually beat the opposition, it will have to consider the option of making concessions or handing over some (or all) of the political power to the opposition. Concessions (or toleration) often come with demands that may be extremely hard to swallow for the incumbents. In addition to diminishing the control of political power, it may also lead to a loss of economic benefits or legal impunity and sometimes even physical insecurity (Schedler 2010a: 6–7). If the incumbent elite is not ready to pay the costs of toleration it is likely to use all means necessary to stay in power. As any state power at the end of the day resorts to the threat of (monopolized) violence, when all else fails, (political/electoral) violence may turn out to be the only viable strategy for autocratic rulers so that they can stay in power amidst growing democratic demands.

Paul Collier and Pedro C. Vincent (2012) see electoral violence and political intimidation, along with vote buying and election fraud, as the main illicit strategies used by the incumbents so that they can hang on to power in electoral authoritarian regimes. Vote buying is politically the least risky illicit strategy, although it is also often the least

effective one. It relies on co-opting "soft" (non-hardcore) opposition supporters into backing the incumbents through an extended system of patronage. Incumbents most often have a direct access to state resources, which they can distribute to citizens in exchange for political support. Opposition parties rarely have access to financial resources that could in any way compete with the incumbents in vote buying efforts. The main problem with vote buying is that its effectiveness is often hard to measure or verify. As the ballot is cast in secret, vote buyers have little chances of knowing whether their vote buying effort actually had any significant effect on the voting behavior of the masses. Although not mentioned by Collier & Vincente, media manipulation, e.g. restricting the freedom of the press, is another illicit election strategy widely used by the autocratic incumbents around the world.

Electoral fraud, on the other hand, is much more effective in guaranteeing favorable election results for the incumbents. If the incumbents have a sufficient control over the national electoral commission, vote rigging is guaranteed to work almost all the time. However, with growing international pressure that forces incumbents to allow external election observation missions to monitor contested elections, it is increasingly difficult to pull off electoral manipulation schemes without getting caught. Vote rigging carries much higher political risks than vote buying. If exposed, it might trigger fierce protests among the opposition in addition to international sanctions and cuts to financial support etc.

In his famous book *Polyarchy* (1971), Robert A. Dahl notes that the likelihood of democratization in a non-democratic country depends very much on the absorption of certain crucial beliefs among the politically active populace (especially among the opposition). One of these crucial political beliefs is the support for democracy and its institutions (in an ideological sense) meaning that democracy is considered the most preferable form of government and elections the most preferable mode of selecting leaders (Dahl 1971: 129–140). Also, attitudes towards political authority are likely to matter: is the government considered to be like "a parent", and the people to be like "children", or is the government seen merely as "an employee" that is working for the people.

Other crucial beliefs concern the effectiveness of the current regime, mutual trust within the society, and attitudes towards political competition and co-operation: Is the government perceived to be doing a good job? How much do people trust their fellow citizens? Are

political parties expected to compete with each other under all circumstances or should they focus on co-operation instead? According to Dahl, politically too competitive societies may easily get stuck in winner-takes-all politics that raises the costs of toleration for the incumbents. On the other hand, strictly pro-cooperative societies discourage political competition and may easily end up as one-party states. Dahl argues that some (but not an excessive) amount of political competition is necessary for democracy to function properly (Dahl 1971: 160).

Furthermore, Dahl pays attention to how political beliefs/ideas are acquired and how these ideas are stacked up against competing ideas and previously held beliefs as well as personal experiences (Dahl 1971: 184–185). Dahl also talks about a period of receptivity (usually associated with young age), during which an individual is particularly receptive to new (political) beliefs. After this period, one's world view and political beliefs become crystallized and are likely to remain rather stable (Dahl 1971: 167). Changes may occur later, but they are often very gradual or associated with some kind of a crisis concerning previously held beliefs (e.g. *loss of belief*).

2.2 LINDBERG'S THEORY OF ELECTIONS AS A MODE OF TRANSITION

Rather than marking a failure in the democratization process, electoral violence may simply indicate another phase in this process. Most electoral violence occurs in countries that may be considered as *not fully democratic*. However, most of these countries have taken at least some steps towards adopting a democratic dispensation. The fact that multi-party elections are being held in countries that rarely held any elections until the 1990s is a case in point, although elections alone do not make a country democratic. Elections, however, are considered a necessary (albeit not a sufficient) precondition for a consolidated democracy.

There has been some academic debate on whether or not democratization increases the risk of political violence. By democratization, in this context, I mean any moves, both deliberate and unintentional, toward turning the regime into a more democratic one—even if these moves might not necessarily result in the process making it all the way. Democratization is driven by democratic reforms, and these are most likely to follow after

multiparty elections leading to a change in power. That reformers should be hardcore democrats by nature is not a necessary prerequisite of democratization. The main motive of the reformers may simply be to change the existing regime and to unseat the incumbent government. What matters, for the struggle to become one of democratization, is whether the reformers *speak* and *act* in such a way as to strive for democracy, regardless of their possible hidden agendas (Lindberg 2009a: 319).

Staffan Lindberg (2009a) presents a theory of elections as a mode of transition, arguing that elections can act as a vehicle for either democratization or regime reproduction or sometimes even for autocratization[5]. In this game-theoretical model, Lindberg regards elections in less-than-democratic countries as a *subgame* to a struggle for regime change he calls the *metagame*. According to Lindberg "the *metagame* is about the question of regime change, meaning changing the rules of how political power is distributed and exercised" (2009: 318). The "players" of this metagame are the ruling elite (often authoritarian and anti-democratic) and the reformers (often pro-democracy, sometimes simply anti-government). The reformers challenge the incumbent government/elite with demands for democratic reforms. As a consequence, the incumbents may feel threatened by these demands and might view their objectives being better served by regime reproduction or even autocratization. Being faced with demands for a reform, the incumbent government has two main strategies to choose from: either (1) to suppress the demands through oppression or (2) to make concessions through toleration. Both of these strategies have their costs and benefits which I will now discuss in more detail below.

The costs of oppression can be manifold: declining popular domestic or international support, sanctions, increasing financial costs of upholding patronage/clientelism or difficulties in maintaining the support of the military/security forces and the judiciary etc. The main benefit of using oppression is, of course, staying in power. Other possible benefits include having access to state resources, avoiding facing charges for human rights violations, etc. Lindberg fails to give a clear definition of what exactly is meant by "oppression" in his notion of the costs of oppression. Here, Collier & Vincente's (2011)

[5] Autocratization means, by definition, the reverse of democratization. It refers to any steps taken towards the other end of the democracy–autocracy scale, as opposed to democratization. Autocratization implies a process of centralizing or monopolizing state power into the hands of a selected group of people, or a process of democratic reversal or the denial of a democratizing regime's existence.

model of the three illicit electoral tactics becomes helpful as the oppression in this context may be considered to include not only electoral violence and intimidation but also electoral fraud and the misuse of state power and resources for personal political gains (e.g. through vote buying or media manipulation). The costs for toleration, on the one hand, may include a loss of power, wealth, status, protection etc. Sometimes toleration may even lead to the death of the dictator or his near circle. This may also be the case with too much oppression should it fail to keep the incumbent in power as we have seen with the case of Muammar Gaddafi in Libya. On the other hand, toleration in the form of concessions may bring popular support to the incumbents and sometimes help to compensate for the payload of past oppression. According to political theorist Robert A. Dahl, "the more the costs of suppression exceed the costs of toleration, the greater the chance for a competitive regime" (Dahl 1971: 15).

In his theory, Lindberg argues that as the costs of oppression continue to grow beyond a point deemed acceptable by the incumbent government, one expects liberalization to occur in the form of increased competition. Also, as the costs of toleration decrease so that they become acceptable to the ruling elite, political participation is expected to become less restricted. Yet in reality, the situation may often be far more complex. First, what counts as "acceptable costs" are for the most part subjective to the people in question. What some might consider acceptable may be unacceptable to others. For example, Kenneth Kaunda, a long-ruling autocrat of Zambia, yielded to the democratic pressure and allowed multi-party elections in Zambia in 1991 and agreed to step down after losing the elections to an opposition candidate, considering the costs of toleration as acceptable, whereas Laurent Gbagbo, the incumbent president of Côte d'Ivoire from 2000 until 2011, refused to accept the result of the vote count in the 2010 presidential election, clinging onto power until he was forcibly removed by the northern rebels in April 2011. Second, it has been noted that some measure of change may be required in both the perceived costs of oppression and costs of toleration for regime transition to occur, although not necessarily in equal amounts. For example, a ruling elite facing increasing costs of oppression would be *expected* to liberalize, but due to extremely high costs of toleration (for example leading to the death of the dictator) the liberalization is unlikely to happen. On the other hand, if the costs of toleration go down, the incumbents *should* be able to afford more political liberties

to the opposition, but if the costs of oppression, at the same time, remain low, they may not feel the need to choose this path. (Lindberg 2009a: 320–321).

In most cases neither the ruling elite nor the opposition should be seen as homogenous entities, but rather as coalitions (loose or firm) of factions united by mutual interests in the metagame of regime change/reproduction. The incumbent elite may include a varying combination of hard- and soft-liners and/or other factions. The opposition may also comprise of several different parties (including both democracy activists and "crooks") with varying objectives, brought together sometimes by nothing more than a joint wish to unseat the incumbent elite. Internal splits within either camp may prove significant for the outcome of the metagame. A conflict between the hard-liners and soft-liners within the ruling elite may lead to a stall in or reverse of the liberalization process, should the hard-liners gain the upper hand; or it may open up the possibility for more concessions to the opposition should the soft-liners prevail. Also some of the powerful state institutions such as the judiciary or the military that may have previously aligned with the incumbent coalition may decide for the first time to exercise independence from the incumbent government and cause a shift in the balance of power. Defection to the ranks of the opposition may be a tempting strategy for some members of the ruling elite in the face of a perceivably inevitable regime change, as it might bring down the perceived costs of toleration by inspiring hopes of avoiding penalties in the post-regime change trials. In much the same way, a split within the opposition may lower the costs of oppression for the incumbents and lessen the pressure for reforms, as a fragmented opposition rarely has the strength to push the government into reforms. (Lindberg 2009a: 322).

There are a number of factors that have been identified as increasing the costs of oppression or decreasing the costs of toleration. For example, a strong middle class with economic assets and independence from the state, large urban populations, a split within and defections from the authoritarian regime, a well organized civil society and the existence of strong opposition parties, as well as international attention and sanctions among others are factors that increase the cost of oppression (Lindberg (2009a: 329). Pacts between incumbents and reformers, guarantees of pardon for past human rights abuses, moderate opposition groups and leaders, and institutional and electoral rules that give the incumbent a better chance of staying in or returning to power have also been identified as

factors that decrease the cost of toleration. On the other hand, factors increasing the cost of toleration and making repression more acceptable for the ruling elite include e.g.: rent incomes from oil or other extractive industries, a revolutionary ideology, dispersed rural populations, strategic superpower involvement, and large-scale domestic economic ownership and investments by the ruling elite.

The perceived costs of toleration relate mostly to the stakes involved in the elections. The higher the stakes the more there is to win or to lose in an election. The costs of toleration, in the end, come down to the costs of losing the election. Mitigating the costs of toleration ultimately means making a potential defeat more bearable. The costs of oppression, however, relate to the capacity of the opposition to compete with the incumbent. The more competitive the opposition the more costly means of oppression the incumbent needs to pull out in order to outmaneuver its opposition rivals. External factors such as international scrutiny may add to the cost of heavy oppression, but without a competitive opposition the incumbent can easily outmaneuver its political rivals without significant financial or political expenses.

In addition to the fact that most of the perceived costs and benefits related to the two dimensions of the transition game are subjective, as discussed above, steps towards regime transition or reproduction may bring forward some unforeseen costs and benefits that are uncovered only as the process moves forward. For example, engaging in serious repression at one point in time may backfire later in increased costs of toleration, as members of the elite involved in the repression now have blood on their hands and are likely to be prosecuted, should the opposition later succeed in coming to power. Also, making significant concessions may result in more organized opposition parties, mobilizing significant domestic and international support, thus causing the costs of oppression to go up. The actors may also make miscalculations based on limited or distorted information. Lindberg notes that in some autocratic systems, messengers of unwelcomed news may end up being punished by their superiors for being stormcrows, so the subordinates may tend to filter the information that they send upwards. (Lindberg 2009a: 325).

How do elections affect the metagame? According to Lindberg “multiparty elections change the costs of both oppression and toleration and thus are key events that affect the

cost-benefit analysis for the incumbent as well as for reformers" (Lindberg 2009b: 88). In countries that are not fully established democracies, elections do not simply (or even mainly) function as devices for changing the government but also as a means for changing the rules of the game and moving the entire regime system towards more democratic or more autocratic direction. Lindberg presents multiparty elections as a *subgame* for the metagame of regime transition. In addition to the two main actors, the government and the opposition, this subgame also has a third principal actor, namely the collective of voters (the electorate). As it turns out, electoral turnout and voters' support may significantly alter the costs of oppression thus affecting the payoffs of alternative strategies available for both the opposition and the incumbent. A high turnout coupled with the voters' support for the opposition would require a massive scheme of fraud and excessive use of violence to keep the incumbents in power. Outsiders must also be kept in the dark when using illicit tactics, so that the risk of adverse reactions from the international community will be reduced, but when possible they must also be kept hidden from the general population in order to keep post-electoral protests and violent opposition from emerging. On the other hand, popular support for the incumbent in the elections might lower the costs of oppression and in some cases open a road to autocratization. Yet, it might also lower the costs of toleration as the incumbents are now better able to dictate the terms of political concessions without being subject to public pressure, thus paving the way for controlled democratization on the incumbents' terms. (Lindberg 2009a: 325–326).

Lindberg argues that the link between elections and democratization is not theoretically tied to the freeness and fairness of elections. Attempts of election fraud, political violence and intimidation of voters or political opponents during elections may stimulate activism in the society even more than free elections would do. (Lindberg 2009a: 328.) It has been found that in the long run, even flawed elections have, on average, had a positive effect on democratization in Africa (Lindberg 2009a: 331).

Democratization vs. Autocratization

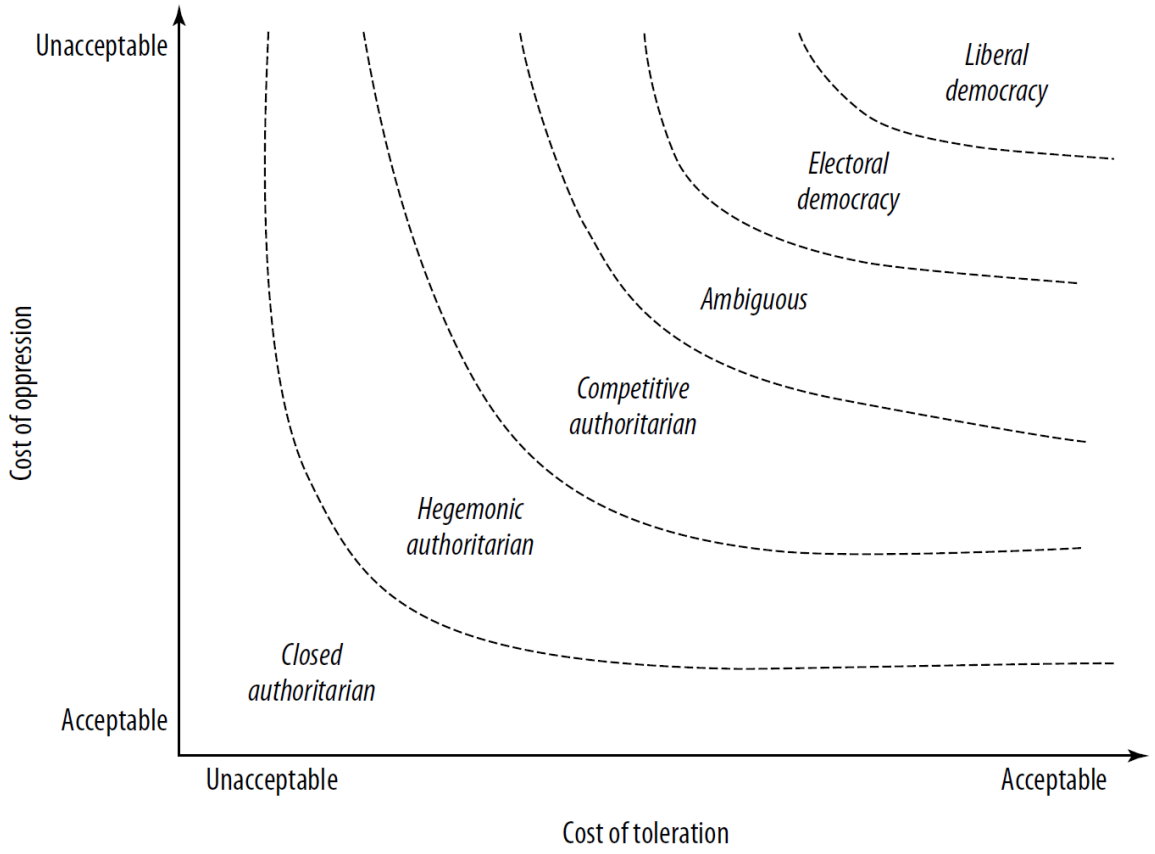

Figure 1: The two dimensions of the metagame of regime transition (Lindberg 2009: 321)

According to Lindberg, the function and significance of elections in Africa has changed dramatically in the period after 1989. With Cold War rivalries eased off, international actors no longer had incentives to back up non-democratic regimes in countries with little strategic relevance. Instead, support for democratic reforms became more active and autocrats could no longer count on the support of the superpowers in exchange for their ideological orientation. With strategic external interests prevalent, the costs of oppression decrease significantly, thus making autocratization more likely, as the incumbent elite is able to compensate for the weakening domestic and international support from majority of the international community with strategic support from other international actors who do not see democratization as a key priority. (Lindberg 2009a: 328–320).

Hegemonic electoral authoritarian regimes seem to be not only more stable, but they also seem to be the type of autocratic regimes that are less likely to democratize after

breakdown but instead tend to transform into other forms of non-democratic regimes. These regimes usually have relatively strong state structures, more centralized control of natural resources, clientelism and tight control of media. When the opposition is relatively weak, the incumbent elite may use elections for regime reproduction. A surprising finding by Lindberg shows that electoral manipulation is unrelated to the success of regime reproduction in electoral authoritarian regimes (Lindberg 2009a: 330). On the one hand, weak incumbents facing strong opposition may have no choice but to resort to election fraud in order to win the elections, but when the manipulation is too blatant, it will rarely go unnoticed and most often it will lead to fierce protests. On the other hand, incumbents in hegemonic positions (facing a weak opposition) have much better chances of winning elections without any kind of manipulation. According to Lindberg, "hegemonic regimes provide more effective means to guarantee the government in power and are thus less in need of blatant manipulation of elections" (ibid.). Controlling the media is also a probable factor behind many stable hegemonic regimes. Having rich reserves of natural resources is also a potential advantage for an incumbent government in lowering or compensating some of the costs of oppression as it lures the strategic and economic interest of other nations. (Lindberg 2009a: 330–332.)

Incumbents must be careful not to engage themselves in too much repression, though, as it may stimulate increased vigilance and unity among the opposition and draw international attention and support to the opposition, thus leading to increasing costs of regime reproduction in the repetitive rounds of the electoral game. Another advantage in having direct or indirect control over the distribution of state resources is the ability to provide economic opportunities for other politicians willing to be co-opted. Making friends with the enemy through a system of patronage can lower the standing of the opposition in the society, thus decreasing the cost of oppression against those who cannot be bought over. (Lindberg 2009a: 331–332.)

The costs of toleration in autocratization are often two-fold. On the one hand, increasing costs of toleration mean the incumbents have more to lose and they are less likely to hand over power despite high costs of oppression. On the other hand, rulers can also successfully minimize the costs of toleration *while* lingering in power. By successfully manipulating opposition parties' successes and failures through a mixture of legitimate and

illegitimate strategies, authoritarian governments are able to handle the increasing costs of toleration. However, there is also a strategy available, which, if successful, would allow the rulers to both decrease the costs of toleration *and* lower the need for costly oppression by gradually allowing the elections to become more competitive and adapting to the new context by building up a strong party organization and working to improve their image by legitimate means, thus turning to a path that leads towards democratization. (Lindberg 2009a: 332–334.)

As multiparty electoral systems are put in place, they often give several state institutions new rights and responsibilities. This may give the military, the police and other security agencies as well as the courts a chance to advance their status, and likewise with individual careers, thus gaining prominence through pro-democratic actions. According to Lindberg "when courts decide to insist on their autonomy and rule against autocratic incumbents in election-related disputes, the parallel struggle over the nature of the regime is directly affected" (Lindberg 2009a: 335). Reformers may take advantage of a more complex legal system by challenging the incumbents on multiple fronts. Having to fight a multitude of legal battles naturally increase the costs of oppression. Certain institutional provisions can contribute to creating pro-democracy expectations among the general population, thus increasing the costs of oppression in the transition metagame. One such key provision is term limits. It prompts a built-in expectation among the incumbents and the general population that after a maximum of two or three or however many consecutive terms in office the next elections are bound to change the individual (or the party) in power for at least a period of time. Other measures driving up the costs of oppression or decreasing the costs of toleration include e.g. effective elections monitoring and parallel vote counts, ambitious voter registration campaigns and credible and attractive promises given to the incumbents to lessen their fears of losing (Lindberg 2009a: 336.)

The metagame is not only affected by domestic factors, but incumbent governments may also consider and perceive increased costs of oppression as they witness what is happening in neighboring countries. Opposition parties are often quick to adopt successful strategies from their counterparts in neighboring countries, leading to similar developments across regions. The media also carries a high potential for being a force for democratization in the metagame. It acts as one of the main channels of putting pressure on the incumbent

politicians for democratic demands. Elections provide media entrepreneurs a favorable time to test, stretch and redefine the boundaries of both political rights and civil liberties, and thus influence the metagame of transition. By expressing popular demands for democratic reforms, publicizing clues about possible splits within the ruling elite, providing information on the international costs of non-reform and contributing to a sense that the ruling elite is vulnerable, the media causes the costs of oppression to go up. However, for a strong autocratic elite the media may become the stooge for regime reproduction by being harnessed into monitoring the citizenry and reducing or manipulating the flow of information to the public. (Lindberg 2009a: 337–338.)

Apart from trying to disarm the opposition through splits or manipulation, there are a number of strategies available for incumbent elites to decrease the costs of toleration in ways that contribute to the democratization process. A strategy that could keep the ruling elite in power despite democratization is to pursue a more cooperative route and try to gain legitimacy and popular support through "playing by the rules", making it more likely for them to be forgiven for their past deeds. Even if the majority of the incumbent elite would not be willing to make any concessions and continues to play hard, there may be some factions that consider the costs of oppression too high or wish to lower their costs of toleration. For example police or military commanders may refuse to use stark force against opposition parties during election campaigns. Some members of the ruling elite may even be tempted to defect and join the opposition in anticipation of a regime change, adding more pressure on the ones that choose to remain with the ruling elite. Power-sharing institutions have been found to be effective in reducing the costs of toleration for the incumbents, especially compared to winner-takes-all configurations. Providing members of the incumbent elite "ways out" and with a chance of still being important players in the new governing coalition is likely to bring down the costs of toleration considerably. (Lindberg 2009a: 338–340.)

2.3 METHODOLOGY

While Staffan Lindberg's theory mainly looks at things from the perspective of the incumbents in explaining the role of elections from the prospect of democratization in electoral authoritarian regimes, there seems to be no easy way of measuring the subjective

perception of the incumbents concerning the costs and benefits of oppression and toleration. However, as the electoral game always involves the voters and the anticipated popular voting behavior is likely affect any calculations of the electoral outcome made by the incumbents and the opposition, I believe it is possible to shed some light on the electoral strategy choices of the political competitors by studying the popular democratic aspirations, the party affiliations, and the political mood of the people through a series of surveys. Based on Lindberg's reasoning, I would assume that a high democratic demand and a popular support for the opposition are likely to raise the costs of oppression for the incumbents.

In order to study the popular democratic/political perceptions in the three case countries, I have used the Afrobarometer database and the excellent online data analysis tool that can be found on their website. I have analyzed the survey data from multiple survey rounds that have been conducted in Nigeria, Kenya and Zimbabwe between the years 1999 and 2009, but most of my research is based on the data from the Afrobarometer round 4 (2008–2009), which during the writing of this study represents the most recent Afrobarometer data available from these case countries. Most of the research is based on a quantitative analysis of the survey data using inferential statistics, with survey samples providing a basis for assumptions concerning the general population. In the following chapter I shall discuss the research data in more detail.

3 RESEARCH DATA

3.1 AFROBAROMETER

Afrobarometer is an independent Africa-based research project consisting of a comparative series of public attitude surveys in several African countries. The project is carried out by a joint effort of the Institute for Democracy in South Africa (IDASA), the Ghana Center for Democratic Development (CDD) and the Department of Political Science at the Michigan State University, together with a number of national partner-organizations. The first round of Afrobarometer surveys was carried out in twelve African countries between 1999 and 2001. Since then, there have been a total of four rounds with a fifth one expected to be

completed by the end of 2012. The number of countries included in the Afrobarometer has by now expanded to twenty-two. The project is publicly funded and the data is freely available through its website (http://afrobarometer.org) to researchers, policy-makers, journalists and anyone interested in this project. A typical Afrobarometer questionnaire includes approximately 100 questions, some of which are broken into further sets of more detailed questions. (Afrobarometer 2012.)

Afrobarometer utilizes a standardized set of questions in every survey round in each target country, making the results fully comparable across all countries included and over time. The questions relate to social, political and economic issues, including topics like democracy, governance, conflict and crime, and public participation. Democracy-related questions are meant to measure popular understanding of, support for, and satisfaction with democracy, as well as any desire to return to, or experiment with, authoritarian modes of rule. Questions about governance strive to indicate public perception about, and satisfaction with the performance of the incumbent government in delivering social services to the people. The conflict and crime section includes questions that aim at finding out how safe people feel and what their experience with crime and violence in their society is. Lastly, public participation is being measured, among other things, by looking at people's involvement in elections and their perceptions about the quality of the electoral processes. (Afrobarometer 2012.)

3.1.1 Sampling of data

The standard sample size in Afrobarometer surveys is ca. 1200 interviews per country per round. In bigger countries such as Nigeria, the sample size is 2400. Sampling is conducted using random selection methods that give every citizen of voting age an equal chance of being selected to the survey. The margin of error is given as ± 2.5 per cent. (Afrobarometer 2012.)

The sample is stratified based on certain key social characteristics in the population, such as geographical division (e.g. province/census enumeration area) and residential locality (urban/rural), but also based on *probability that is proportionate to population size* (PPPS), meaning that more interviews are conducted on densely populated areas than in sparsely

populated regions. Geographical stratification is hoped to reduce the likelihood that distinctive ethnic or language groups are being left out of the sample. Gender balance is guaranteed by selecting an equal number of men and women to the sample. (Afrobarometer 2012.)

The amount of interviews in the sample (1200 or 2400) is stratified across the country first by area (region/province) and then by locality (urban/rural). The sampling is divided into four stages: (1) selection of Primary Sampling Units (PSUs), (2) selection of sampling starting points, (3) selection of households and (4) selection of individual respondents within households. Random selection principles are applied in each stage, whenever possible. Primary Sampling Units usually correspond with Census Enumeration Areas (or EAs), which are the smallest geographical units from which census data is available. A maximum of eight interviews are collected from each selected PSU. In a sample size of 1200 this means150 PSUs[6] in a given country. The number of PSUs to be randomly selected among, e.g. rural areas of Region X, is determined by the proportion of national population living in those areas. If, for example, six per cent of the national population lives in rural areas of Region X, then the number of PSUs to be selected from those areas is nine (six per cent out of 150). (Afrobarometer 2012.)

When the PSUs have been selected (Stage 1) a field team consisting of a field supervisor plus four interviewers will be sent to the location. If a list of *all* households in the PSU/EA is available, the Field Supervisor may skip Stage 2 and randomly select eight households from the list and send an interviewer to each of them. However, if there is no complete list of households available to the interviewers, a sampling starting point is randomly selected (Stage 2), from which the field team will start selecting households (Stage 3) using a special walking pattern. A respondent is randomly selected among all adult men or women (of voting age) from each household (each time a person representing a different gender than in the previous interview) of the household, excluding domestic workers or visitors. When eight interviews have been gathered, the field team will proceed to the next PSU. (Afrobarometer 2012.)

[6] 1200 divided by 8

Interviewers usually hold a first degree in social sciences, and they are trained in a five-day training workshop prior to the field mission. Surveys are conducted in a number of commonly spoken languages in each country. In the case of Kenya the languages used in the interviews include English, Kiswahili, Kauba, Kikuyu, Kimeru, Kisii, Luhya, Luo, Somali and Turkana. In Nigeria the languages include English, Hausa, Yoruba, Igbo, (Nigerian) Pidgin, Tiv, Ibibio and Ijaw, whereas in Zimbabwe the languages being used are English, chiShona and isiNdebele. (Afrobarometer 2012.)

3.1.2 Outlining the research data

As already mentioned above, the Afrobarometer questionnaires typically consist of approximately 100 questions. Issues that I will focus on relate to (1) political and civil liberties, (2) democratic expectations of the people, (3) voting behavior, (4) perceived democratic performance of the country in question and (5) political support for various political actors and/or parties. Researchers of the Afrobarometer project have also identified a number of *democracy indicators* that I will use as an additional source for my data analysis. These democracy indicators are divided into four subgroups:

- The meaning of democracy (what does democracy mean to you?)
- The demand for democracy (support for multiparty democracy as opposed to military-, one-party-, or one-man-rule)
- Democratic institutions (support for elections, term limits, party diversity, parliamentarianism, rule-of-law etc.)
- The supply of democracy (satisfaction with democracy, political freedoms etc.)

Afrobarometer summary reports of democracy indicators for Nigeria, Kenya and Zimbabwe provide an excellent comparison of indicator variables over three or more survey rounds in each three of these case countries.

Questions that have been left out of the analysis relate mainly to (national) economic performance and personal living conditions or social participation/activism that is not political by nature. Also, questions about corruption (excluding vote-buying), local politics and the role of external actors, although interesting in their own right, are left out of the

analysis, as they do not seem to play a significant role in the conflict dynamics of the election-related struggles in Nigeria, Kenya and Zimbabwe.

3.2. ELECTION STATISTICS

In order to provide a possibility to compare the Afrobarometer data with official election data, I have included some official figures from elections in Kenya, Nigeria and Zimbabwe in this presentation. This will provide a further basis for my analysis. The data is derived from the African Elections Database (http://africanelections.tripod.com/), which is regarded as the most extensive and up-to-date dataset available on African election results from 1990 onwards and also considered fairly reliable by the Norwegian Social Science Data Services' (NSD) MacroDataGuide (2012). The African Elections Database also supplements the election statistics with political profiles of each country including a categorization of the country's political system. Kenya and Nigeria are classified as "emerging democracies" while Zimbabwe is considered to be a "restricted democratic practice". This categorization is supported by Freedom House ratings for the three countries, which classifies Zimbabwe as "not free" and Kenya and Nigeria as "partly free" with respect to political freedom in these countries (Freedom House 2012).

I will also present a few observations on some overall trends in African elections since 1990, based on the National Elections Across Democracy and Autocracy (NELDA) dataset which are being collected by the Department of Political Science at Yale University. NELDA covers almost every national election (legislative and executive) in the world from 1945 to 2006, including extensive details from each electoral event. The list of countries covered by NELDA includes all independent states that have existed for any period of time between 1945 and 2006, excluding microstates with a population smaller than 500'000. The African microstates excluded from NELDA are Cape Verde, São Tomé & Príncipe and the Seychelles.

3.2.1 The 2007 Nigerian Presidential Election

The official results of the Nigerian Presidential Election of 2007 gave the incumbent People's Democratic Party (PDP) and its presidential candidate Umaru Musa Yar'Adua a

landslide win with almost a 70 percent share of the votes. The two main opposition parties, the All Nigerian People's Party (ANPP) and the Action Congress (AC) received only a combined 26 percent of the total votes. However, an Afrobarometer survey (round 3.5) conducted only weeks before the April 21 polls predicted a much smaller winning margin for the ruling party. Only 33 percent of the Afrobarometer respondents claimed they would vote for the PDP, while the ANPP and the AC enjoyed a 24 percent and a 9 percent support respectively. In the Nigerian gubernatorial election, a clear majority of the governors' seats went to the PDP, but the opposition parties managed to win the election in a few states. In some states the elections result that placed a PDP candidate in the lead were later annulled and an opposition candidate was declared the winner.

21 April 2007 Presidential Election

Registered voters	61,567,036	
Total votes (voter turnout)	N/A	(approx. 58%)
Invalid/Blank votes	N/A	
Total valid votes	35,397,517	

Candidate (Party)	Number of votes	% of votes
Umaru Musa Yar'Adua (PDP)	24,638,063	69.60%
Muhammadu Buhari (ANPP)	6,605,299	18.66%
Atiku Abubakar (AC)	2,637,848	7.45%
Orji Uzor Kalu (PPA)	608,803	1.72%
Attahiru Bafarawa (DPP)	289,224	0.82%
Chukwuemeka Odumegwu Ojukwu (APGA)	155,947	0.44%
Pere Ajuwa (AD)	89,241	0.25%
Christopher Okotie (FRESH)	74,049	0.21%
Patrick Utomi (ADC)	50,849	0.14%
Asakarawon Olapere (NPC)	33,771	0.10%

Ambrose Owuru (HDP)	28,519	0.08%
Arthur Nwankwo (PMP)	24,164	0.07%
Emmanuel Okereke (ALP)	22,677	0.06%
Lawrence Adedoyin (APS)	22,409	0.06%
Aliyu Habu Fari (NDP)	21,974	0.06%
Galtima Liman (NNPP)	21,665	0.06%
Maxi Okwu (CPP)	14,027	0.04%
Sunny Okogwu (RPN)	13,566	0.04%
Iheanyichukwu Nnaji (BNPP)	11,705	0.03%
Osagie Obayuwana (NCP)	8,229	0.02%
Olapade Agoro (NAC)	5,752	0.02%
Akpone Solomon (NMDP)	5,664	0.02%
Isa Odidi (ND)	5,408	0.02%
Aminu Abubakar (NUP)	4,355	0.01%
Mojisola Adekunle Obasanjo (MMN)	4,309	0.01%

Table 1: African Elections Database 2012

3.2.2 The 2007 Kenyan Presidential Election

In Kenya, the pre-election polls predicted a close race between the incumbent president Mwai Kibaki and his main rival and a former cabinet member Raila Odinga, placing Odinga in a small but distinctive lead before the polls. However, the official election results showed a victory by a narrow margin for the incumbent, causing fierce and violent protests and accusations of an election fraud.

27 December 2007 Presidential Election

Registered voters	14,296,180
Total votes (voter turnout)	N/A
Invalid/Blank votes	N/A
Total valid votes	9,877,028

Candidate (Party) [Coalition]	Number of votes	% of votes
Mwai Kibaki (DP) [PNU]	4,584,721	46.42%
Raila Odinga (ODM)	4,352,993	44.07%
Kalonzo Musyoka (ODM-K)	879,903	8.91%
Joseph Karani (KPTP)	21,171	0.21%
Pius Muiru (KPP)	9,667	0.10%
Nazlin Omar (WCP)	8,624	0.09%
Kenneth Matiba (SSA)	8,046	0.08%
David Waweru Ng'ethe (CCU)	5,976	0.06%
Nixon Kukubo (RPK)	5,927	0.06%

Table 2: African Elections Database 2012

3.2.3 The 2008 Zimbabwean Presidential Election

The first round of the Zimbabwean Presidential Election was held on 29 March 2008, but the results were withheld by the Zimbabwe Electoral Commission (ZEC) for almost a month. Once released, they confirmed that the opposition candidate Morgan Tsvangirai had won the first round against the long-standing incumbent president Robert Mugabe of the ruling ZANU-PF, although he lacked the outright majority needed to avoid a second round. The run-off was scheduled to be held on 27 June 2008, but just a few days before the ballot Tsvangirai announced his withdrawal from the presidential race following a systematic campaign of terror against the opposition supporters by pro-Mugabe activists and ex-militants, which were backed by the state security forces. Nevertheless, Tsvangirai's party, the Movement for Democratic Change (MDC-T), did manage to win most of the seats in the House of Assembly, making Morgan Tsvangirai the Prime Minister of Zimbabwe.

March/June 2008 Presidential Election

First Round (29 March 2008)		
Registered voters	5,934,768	
Total votes (voter turnout)	2,537,240	(42.8%)
Invalid/Blank votes	39,975	
Total Valid votes	2,497,265	
Second Round (27 June 2008)		
Registered voters	5,934,768	
Total Votes (voter turnout)	2,514,750	(42.4%)
Invalid/Blank votes	131,481	
Total valid votes	2,383,269	

Candidate (Party)	First Round		Second Round	
	Number of votes	% of votes	Number of votes	% of votes
Morgan Tsvangirai (MDC)	1,195,562	47.87%	233,000	9.78%
Robert Mugabe (ZANU-PF)	1,079,730	43.24%	2,150,269	90.22%
Simba Makoni	207,470	8.31%	-	-
Langton Towungana	14,503	0.58%	-	-

Table 3: African Elections Database 2012

3.2.4 African Elections 1990–2006

The NELDA dataset shows that between 1990 and 2006 more than 330 national elections (presidential/parliamentary[7]) were held in 47 African countries[8] with population over 500'000. In more than 30 countries these were the first multi-party elections held in decades. However, in more than 50 percent of the elections there were significant concerns raised beforehand that the elections would not be free and fair. The incumbent party lost in

[7] Same-day elections are treated as separate events

[8] Cape Verde, the Seychelles and São Tomé & Príncipe were not included in the dataset due to their small size. Eritrea, Libya and Somalia did not hold elections during the period of 1990–2006.

less than one election out of five. Electoral violence was prevalent in almost 30 percent of these elections. (Hyde & Marinov 2012.)

4 NIGERIAN ELECTIONS 2007

This election is a do-or-die affair.

–Olusegun Obasanjo

4.1 BACKGROUND: FROM MILITARY RULE TO MULTI-PARTY ELECTIONS

Throughout its post-independence history Nigeria has faced several military coups and been under military rule for extended periods of time. Return to civilian rule in 1999 raised hopes of a rapid democratization both among the civilian population and the international community. The Afrobarometer survey from 1999 shows a record high optimism and aspirations for democratic development in Nigeria, and all indicators showed a strong support for democracy and a clear rejection of military, one-party and one-man rule. It also showed the people's confidence in good electoral conduct, as a clear majority of respondents (83.2 percent) viewed the 1999 elections as either quite or very honest.

However, the 2003 elections were marred with serious misconducts both by election officials and the political contenders. Electoral violence was also widely prevalent in the form of political intimidation, assaults against rivaling candidates and their election rallies, beatings of potential supporters of political rivals, etc. The transition from military rule to multiparty politics in Nigeria has not been particularly smooth or easy a process, but despite the electoral irregularities, major setbacks in the democratization process have been avoided.

4.2 THE 2007 ELECTIONS — A DO-OR-DIE AFFAIR

The elections in 2007 should be viewed against the backdrop of intra-governmental rivalry between outgoing President Olusegun Obasanjo (PDP) and Vice-President Atiku Abubakar (AC), where Obasanjo's attempt to change the constitution to allow him to run for third term as president was blocked by Abubakar. A prominent member of the PDP before 2006,

Abubakar left the ruling party due to a disagreement over Obasanjo's bid for a third term, and he set out to run for president in the upcoming elections with the newly founded Action Congress opposition party's ticket. Within the People's Democratic Party there was an informal gentlemen's agreement that the Presidency should rotate between predominantly Muslim northerners and Christian southerners every two terms. Obasanjo was a Christian with a southern Yoruba background. Abubakar as a Muslim from the northern state of Adamawa would have been a logical successor to Obasanjo after his second term in office. Instead, Obasanjo tried (but failed) to prolong his tenure by changing the constitution.

Blocked from running for another term in office, Obasanjo was forced to find himself a successor. Giving up power can be a tough call for an ex-military dictator like Obasanjo, especially after being deprived an extra term in office by a personal ally. Abubakar, otherwise a prime candidate for the job, was now seen as a traitor by Obasanjo and thus unlikely to be selected as the presidential candidate of the ruling party. Instead Obasanjo chose Umaru Musa Yar'adua, a previously unknown governor of the northern Katsina state, as his successor. However, he was now facing a difficult task in lifting Yar'adua above Abubakar as the favourite in the presidential race. In a pre-election rally addressing PDP stakeholders Obasanjo announced that this election is a "do-or-die affair" for him and the ruling party (Pambazuka News 2007, July 28).

Soon after Abubakar's announcement that he was running for presidency with the AC ticket, the Economic and Financial Crimes Commission (EFCC) released a report that accused the vice-president (Abubakar) of misappropriation of funds from the Petroleum Technology Development Fund (PTDF), which was managed under his supervision. Later the INEC disqualified Abubakar from the presidential race based on the EFCC report, but the Supreme Court overruled INEC's decision and allowed Abubakar to run in the elections. It has been widely speculated that the charges against Vice-President Abubakar were politically motivated and that both the EFCC and the INEC worked under the influence of the President's Office (ICG 2007b: 5–7). Political rivalry between outgoing President Obasanjo (PDP) and Vice-President Abubakar (AC) is also reflected in Afrobarometer data: over 77 percent of AC supporters considered the elections to be "not free" or "having major problems", whereas 53.6 percent of the PDP supporters thought the

same, and 28.4 percent of AC supporters said they were very afraid of political intimidation and violence during election campaigns, compared to 22.9 percent among PDP supporters.

The elections in 2007 were widely considered as one of the worst elections in Nigeria's history. While hopes were high for the elections to bring Nigeria one step closer to becoming a fully democratic state, they turned out to be a complete fiasco with blatant rigging and widespread violence (ICG 2007a). The International Crisis Group (ICG) has listed a number of ways in which the elections were flawed:

- intimidation of voters and, in some cases, election observers and monitors;
- under-age voting;
- hoarding of election materials by INEC officials, including ballots and result sheets;
- ballot-box stuffing by dominant parties, often with the connivance of INEC and security officials;
- theft of ballot boxes and ballot papers;
- announcement of results where there was no voting, especially in the South East, South-South and North East;
- refusal to make result sheets available to party agents, thus denying aggrieved candidates the chance to use them in arguing their petitions at the election tribunal;
- diversion of ballots and result sheets so that powerful politicians could falsify results;
- deliberate refusal to give certain polling stations adequate voting materials; and
- various partisan acts by the INEC and security agents. (ICG 2007a: 3.)

According to the ICG report on Nigeria's 2007 elections, the ruling party (PDP) and opposition were both involved in the rigging, although the PDP had better access to state resources and was thus, in most cases, better equipped in "out-rigging" other parties (ICG 2007a: 3). The PDP certainly had a great influence on the Independent National Election Commission (INEC) during the elections and was able to manipulate election results on state level in at least two states as well as on the national level in both presidential and

national assembly polls. However, it seems that the PDP's control over the INEC was not absolute on state level as opposition parties still managed to keep some of the state governor seats in the gubernatorial elections.

Due to the synchronized/(near-)simultaneous nature of the Nigerian electoral system, it may be difficult to distinguish between electoral violence linked to any particular round out of the three consecutive rounds of elections (gubernatorial, general and presidential elections) since electoral violence can take place in various stages of the electoral process. In the case of Nigeria, the post-election phase of the first round of elections (namely Gubernatorial/State Assembly Elections) overlaps with the pre-election phase of the second round of elections (namely National Assembly/Presidential Elections). However, due to the federal nature of Nigeria, state governors have a relatively high amount of power in local level politics within their respective states. Thus, election dynamics are likely to follow a slightly different pattern in gubernatorial elections compared to national elections (presidential and National Assembly). The PDP, although the ruling party on the national level, is in a somewhat weaker position to manipulate the electoral process in gubernatorial elections, especially in the states where the governor's seat is held by an opposition party, mainly because the vote count is conducted on state level where the (non-PDP) opposition was better positioned to supervise the process. Since the ruling party was less able to manipulate election results through the INEC on the local/state level, especially in the states where PDP did not control the governor's seat, it had to resort to other means in order to guarantee favorable results.

Results from Afrobarometer Round 3.5 in Nigeria, conducted between January 19 and February 2, 2007, i.e. just before the April 2007 election, show that Nigerians were more interested in gubernatorial elections than in any of the upcoming national elections—including the presidential election (Afrobarometer 2009b: 44–45). This interest may partly be explained by the fact that in gubernatorial elections the competition was more equally balanced and the election result could potentially have had more serious implications on the local level than the national elections where the outcome (a continued PDP dominance) and implications (business-as-usual) were perhaps easier to predict. The Human Rights Watch report from April 2007 points to the use of "thugs" by various PDP and opposition politicians in order to intimidate and attack political rivals during the election campaigns.

However, what is surprising is that many of the violent incidents that occurred before or during the April elections were related to intra-party rivalry within the ruling PDP and were typically linked to contests for PDP nominations to state governorships and seats in the national and state assemblies (HRW 2007a:13).

The HRW report seems to suggest that electoral violence prior and during the April elections was used by prominent Nigerian political figures for personal political gains rather than to bolster the standing of their party (HRW 2007a). Nevertheless, electoral violence was also used between the PDP and the opposition groups, but criminal investigations were rarely conducted against prominent PDP members. Thus, it is not surprising to find that, according to Afrobarometer data, the police is among the least trusted institutions in Nigeria with 44.5 percent of Nigerians not trusting the police "at all" (and an additional 29.6 percent trusting the police "not very much/just a little"). Among the AC supporters, the mistrust towards the Police is even higher at around 54.5 percent. The police is also considered the most corrupt of all the security and political institutions and the most prone one to be subject of manipulation during the elections. The police have been accused of partisan acts in favor of the PDP, e.g. by providing exclusive protection to PDP candidates in gubernatorial elections beyond any justified security needs and failing to arrest or press charges against those PDP candidates who are publically known to have sponsored electoral violence. Some incidents of harassment against opposition candidates by the police have also been reported.

Contrary to the HRW and ICG reports, Paul Collier and Pedro C. Vincente (2008) claim that violent intimidation during the April 2007 elections was "a strategy predominantly linked to non-incumbent groups" (Collier & Vincent 2008: 4). They base their claim on the results of an anti-violence campaign conducted by an international NGO, ActionAid, involving 1149 survey respondents and the diaries of various journalists. However, Collier & Vincente do not provide further information on *how* these results were arrived at, making it difficult to assess the contradiction between their findings as opposed to the ones presented in the HRW and the ICG reports.

Based on the model proposed by Collier & Vincente (2011), in cases of local level elections where an incumbent (of national level) face serious competition from the

opposition and the incumbent is unable to resort to vote rigging because he or she does not have full control of the vote counting process, he or she can either try vote buying or voter intimidation (besides conventional politics) in order to win the elections. As incumbency often involves direct access to state resources, incumbents are, in most cases, best positioned to pursue vote buying tactics during elections. However, the efficiency of vote buying in actually getting more votes is often doubtful as vote buyers rarely have any means to verify whether the voters actually voted for them or not. In fact, more than 40 percent of the Nigerian respondents[9] said they would take the money but vote for the candidate of their own choosing, should a candidate or a party official attempt to buy their vote. Nevertheless, 8 percent were ready to both take the money and vote according to their promise.

Although politicians may not have the means to find out *for whom* a citizen votes they can monitor *whether* he/she votes at all. When voting is based along ethnic, religious or regional lines, potential opposition/political rival supporters may be relatively easy to spot and target with intimidation. In Nigeria, the use of thugs and cult members for political intimidation was prevalent during both the 2003 and the 2007 elections. However, the apparent contradiction between the findings of Collier & Vincente (2009), on the one hand, and Human Rights Watch and International Conflict Group on the other hand, could be explained by that political intimidation by the PDP was mainly targeted towards their political rivals (both within and outside the ruling party) whereas what Collier & Vincente call *voter intimidation* occurred more in connection of the opposition parties. The HRW report (2007b) also notes that political figures orchestrating electoral violence through cult members and criminal gangs may have to some degree lost control of the gangs they hired to intimidate political rivals and/or voters (HRW 2007b: 22–23).

Another point that both the HRW and the ICG mention as encouraging electoral violence is the *impunity* enjoyed by the architects and sponsors of political violence in Nigeria (HRW 2007a: 19; ICG 2007a: 14). Although some of the perpetrators of electoral violence (mainly gang and cult members) were brought to justice, Nigerian authorities failed to press charges against many of the politicians that had hired the perpetrators in the first place. Impunity may indeed turn out to be one of the key elements in explaining the

[9] in Afrobarometer Round 3.5, 2007

prevalence of electoral violence in Nigeria. However, it may hardly come as a surprise that members of the ruling party generally enjoy much higher levels of impunity than their opposition counterparts. In Nigeria, opposition politicians and their supporters were much more likely to be on trial for electoral misconduct than PDP members (ICG 2007a: 14). Impunity lowers the costs of oppression significantly, but it is often closely tied to staying in power. Losing power could mean losing impunity, not only with regard to future election campaigns, but also with regard to crimes committed in the past. Leveraging on impunity during elections (e.g. through hiring thugs) may backfire if/when former incumbents no longer enjoy immunity from prosecution. Although impunity offers incumbents the opportunity to use dirty tricks to win elections, it also raises stakes for the next elections, because losing impunity would mean facing criminal charges, and thus it is likely to be avoided at all costs. Therefore, impunity, while lowering the costs of oppression in the short run, is likely to increase the costs of toleration in the long run.

But if it is only the incumbents who benefits from impunity merely, why should the opposition resort to electoral violence? As already discussed above, the incumbents have an advantage with regard to many of the electoral strategies available to politicians. Incumbents are in a better position to use vote buying or electoral fraud to win elections. The opposition, on the other hand, may have the advantage in conventional politics, because they often enjoy popular support from the voters beyond the potential bias caused by the vote buying efforts of the incumbent. In Nigeria, however, the ruling party *did* (genuinely) enjoy greater popular support than any single opposition party albeit not to the extent that the official election results would seem to suggest. One of the few strategies with regard to which the opposition actually had a somewhat equal starting point with the ruling party was voter intimidation. Because incumbents want the elections *to seem* legitimate, they would not want to scare off the biggest bulk of voters from the ballot box, since low voter turnout is often perceived as a sign of low legitimacy. Rather, they would like to win the elections with as high a voter turnout as possible. The opposition, on the other hand, has much less to lose in the elections than the incumbent. In some situations, electoral victory by the incumbent may seem inevitable, so the best thing for the opposition to do is to make it look like the outcome is nothing but legitimate. Blaming the incumbent of ballot fraud is a common practice but often an ineffective one due to lack of proof. Collier & Vincente (2008: 4) suggest that when an opposition party is unable to turn the

popular vote to its advantage (either through vote buying or by conventional means), the best it can do is to maximize its share of votes by intimidating the voter turnout to be as low as possible (by targeting potential voters of their political contenders). They argue that this was also the case in Nigeria during the 2007 elections.

4.3 NIGERIA AS AN ELECTORAL AUTHORITARIAN REGIME

By definition, electoral authoritarian regime means a regime that holds regular multiparty elections but falls short of the democratic standard in other respects such as freedom and fairness of the elections. Nigeria returned to civilian rule in 1999 and has held multiparty elections on a regular basis ever since. The presidential election of 2007 marked the very first transition of power from one publicly elected (civilian) president to another in Nigeria's history. Yet, the same party remained in power, and the elections were far from perfect.

How did the 2007 elections affect Nigeria in terms of regime transition? The Afrobarometer data shows clearly that prior to the 2007 elections, Nigerians wanted more democracy than they were actually getting. The demand for democracy, although down from its highest figures in 2000, was still above 70 percent in four out of five indicators: (1) support for democracy; (2) rejection of military rule; (3) rejection of one-party rule; and 4) rejection of one-man rule. At the same time, the perceived supply of democracy, measured as percentage of respondents satisfied with the way democracy works in Nigeria, was 32.2 percent.

4.4 KEY FINDINGS FROM THE AFROBAROMETER DATA

The Afrobarometer data gives us an excellent opportunity to test some of the theoretical underpinnings by Dahl and others into our case study of Nigeria. I will now look into some of the political beliefs among Nigerians, as revealed by Afrobarometer, and see how well they resonate with the reasoning of Dahl in *Polyarchy* (1971).

The Afrobarometer data shows that among Nigerians, support for democracy as the most preferable form of government has remained high at 73.5 percent, being highest among the PDP supporters (81.4 percent). Multiparty democracy is clearly seen as a more legitimate form of government than military rule, one-party rule or one-man rule. Yet only 41 percent of all respondents *both* support democracy *and* reject all forms of autocratic regime. Also, elections still enjoy widespread (69 percent) support among Nigerians as the primary mode of selecting leaders, although not as high as in 2001 (85 percent). Comparison of the data

3.1 Variable: Choose leaders through elections vs. try another form

Question: Which of the following statements is closest to your view? Statement A or Statement B.

A: We should choose our leaders in this country through regular, open and honest elections.

B: Since elections sometimes produce bad results, we should adopt other methods for choosing this country's leaders.

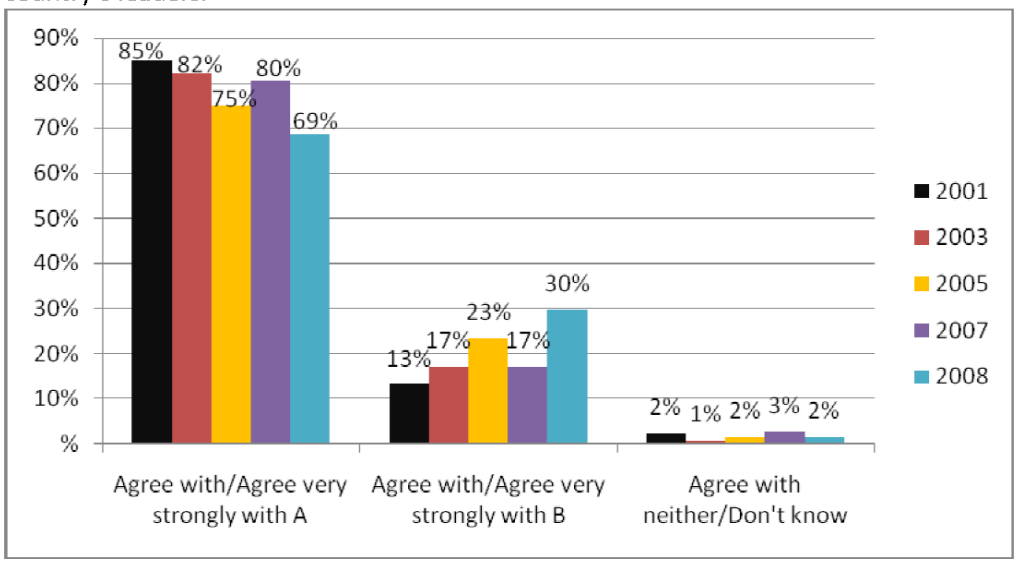

Figure 2: Elections vs. other methods for choosing leaders in Nigeria (Afrobarometer 2009a: 5)

from 2007 and 2008 show that support for elections has suffered a major blow after the 2007 elections, with almost one third of the respondents thinking that Nigeria should adopt some other method than elections for choosing its leaders. A similar drop seems to have occurred during the 2005 elections which also suffered from major problems, but confidence in the elections seems to have improved in 2007 in the run-up to the elections.

Nigerians also support other democratic institutions, such as term limits for incumbent presidents, the multiparty system and parliamentarism, with a clear majority of respondents. However, they seem to have little trust in the government agencies that are supposed to safeguard many of these institutions. For example, only 29.4 percent of the

respondents trusted the Independent National Electoral Commission (INEC). In general, Nigerians have fairly little trust in their fellow citizens. 69.7 percent of respondents stated that they trust other Nigerians "just a little" or "not at all". What is surprising is that 54.4 percent do not even trust the people they know (besides relatives).

Although a clear majority of Nigerians think that multiple parties are needed to provide a real choice in politics and equally many reject one-party rule, still almost two thirds of Nigerians think that opposition parties should rather focus on cooperating with the government than regularly examine and criticize the government's policies and actions. In addition, more than three out of four Nigerians think that political competition will often or always lead to (violent) conflict. Rather, it is the task of the media and the civil society to question the actions of the leaders. Although public opinion in Nigeria would seem to favor political cooperation instead of competition, the mutual distrust within the society is likely to discourage political cooperation and reinforce a view of politics as a zero-sum game. All in all, there seems to be a slight bias towards an excessively competitive political culture in Nigeria, which, according to Dahl, favors autocratization (Dahl 1971: 151). The least trusted among state agencies in Nigeria is the police, which 75.1 percent of the respondents found not trustworthy. Furthermore, 61 percent of Nigerians were dissatisfied with the performance of the police during the 2007 elections and 38 percent named the police as the security agency most subject to manipulation[10] during the elections in Nigeria. State governors and party officials were most widely perceived as being responsible for the manipulation of the state agencies.

BASE=1150		Country	
		Total	Nigeria
Q71. Elections free and fair	Not free and fair	40.3 %	40.3 %
	Free and fair, with major problems	26.4 %	26.4 %
	Free and fair, but with minor problems	25.3 %	25.3 %
	Completely free and fair	7.2 %	7.2 %
	Do not understand question	0.9 %	0.9 %
	Total	1150 (100%)	1150 (100%)

Table 4: Perceived freeness and fairness of the 2007 election in Nigeria (Afrobarometer 2012)

[10] By comparison, the military was named by only 4 percent

With so much distrust in the society, it is no wonder that Nigeria is prone to winner-takes-all politics, as the "do-or-die" comments by former President Obasanjo seem to suggest. A "do-or-die" mentality combined with the uncertainty that is naturally inherent in an electoral game may be too much for political actors to handle, particularly if there is more to lose than to gain. When the stakes are high, using illicit tactics to win elections may be a highly tempting avenue to choose. The Afrobarometer data reveals that two thirds of Nigerians perceived the April 2007 elections to be either "not free or fair" or "having major problems". Even a majority of the PDP supporters considered the elections as not free or fair. Among supporters of the two main opposition parties the percentage was higher: PDP: 53.6%, ANPP: 60.8%, AC: 77.3%. Nigeria in general was considered to be a non-democratic country or a democracy with major problems by 56.4 percent of the respondents, with more than two thirds not satisfied with the way democracy works in Nigeria. Over 45 percent reported being at least somewhat afraid of political intimidation or electoral violence. On average, the PDP supporters were as afraid as the opposition supporters. This provides further evidence that voter intimidation was not solely orchestrated by the ruling party.

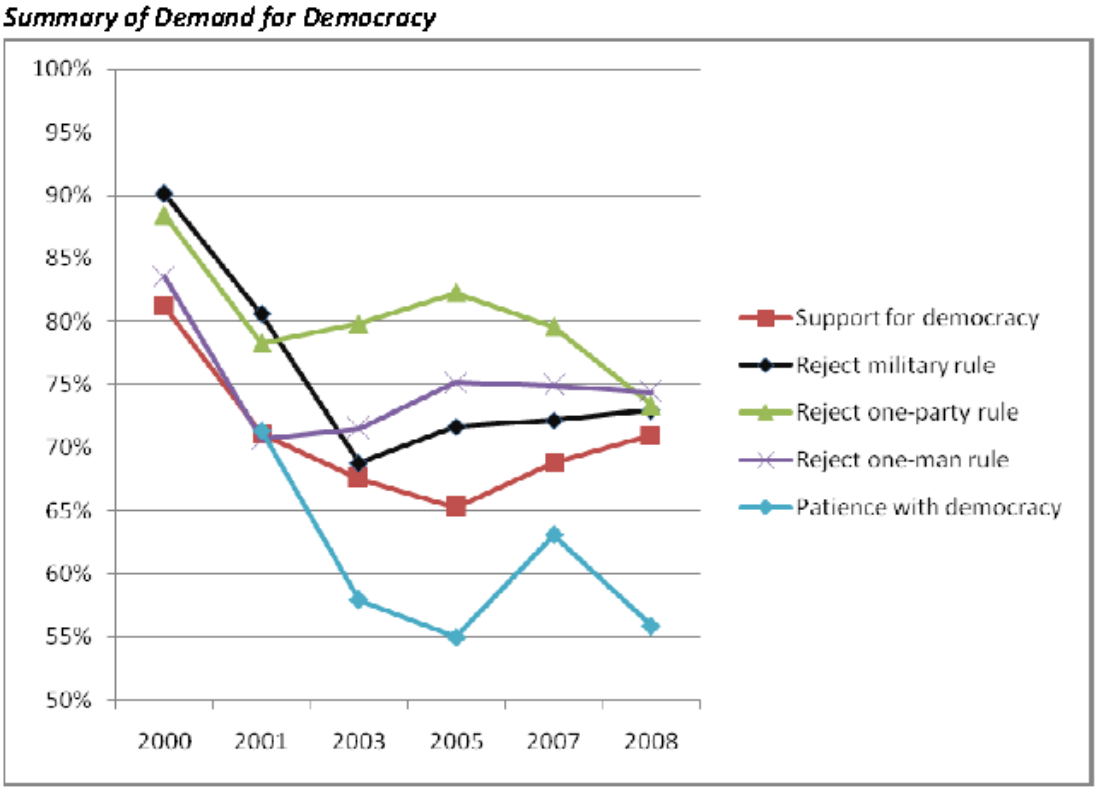

Figure 3: Demand for democracy in Nigeria (Afrobarometer 2009a: 4)

Although the demand for democracy is relatively high in Nigeria, the supply side has been dragging far behind, causing a clear democratic deficit. In a comparative study on African hybrid (electoral authoritarian) regimes, Michael Bratton and Robert Mattes conclude based on Afrobarometer data that most political regimes in Africa are *unconsolidated hybrid systems*, meaning that neither democratic supply nor demand are high enough for the regime to be considered a consolidated democracy[11], nor are they low enough to be called a consolidated autocracy[12] (Bratton & Mattes 2009: 2). This notion of an unconsolidated hybrid system corresponds broadly to Schedler's and Lindberg's notion of an electoral authoritarian regime. What is interesting to note is that in almost all African countries that have suffered from electoral conflicts in recent years, the demand for democracy is higher than the perceived supply. In Nigeria the perceived supply for democracy has come down considerably from 1999 to 2008, but at the same time the demand for democracy has also dropped in equal measure, making the trajectory look like

[11] Bratton & Mattes assume that a regime can be called a consolidated democracy when both perceived supply and demand for democracy are above 70 percent (Bratton & Mattes 2009: 14)
[12] A regime can be called a consolidated autocracy when the equilibrium of supply and demand for democracy is below 30 percent (ibid.).

a distinct move towards autocratization. However, on a closer look we can see that from 2005 onwards there has been, on average, a growing trend in the demand for democracy, save the exception of the curves for "patience with democracy" and "reject one-party rule". Also, the supply for democracy has improved slightly in some indicators from 2005 to 2008, but not as much as the demand. Thus, in other words, while a mid-term (10-year) trend in Nigeria up to 2008 suggests a trajectory of autocratization, a short-term (3-year) trend would hint towards a reversed trajectory (i.e. democratization). It is still too early to say whether the latest two cycles of elections in Nigeria (2007 and 2011) have reinforced the mid-term autocratization trend or the short-term democratization trajectory.

Why then did electoral violence break out just in the middle of an upward democratization trend? It resembles, to some extent, a classic J-curve hypothesis by James Davies (1969), where in relatively closed societies a period of improving conditions and openness generate rising expectations among the population that often grow faster than the conditions are actually improving, causing declining satisfaction and leading to higher levels of instability in the society, thus potentially triggering violent conflicts (Davies 1969). Some indications of this can be seen, for example, in the level of patience that Nigerians have with democracy. When asked about how patient they are with the present system of elected government (i.e. electoral democracy) in solving the problems prevalent within the system, almost 40 percent of the respondents agreed with the statement saying "if our present system cannot produce results soon, we should try another form of government". Out of the biggest parties, the ANPP supporters were the least patient with the prevailing system of democratic elections, with 46.9 percent agreeing with the statement above.

When compared to Kenya and Zimbabwe, Nigeria differs from the other two countries in that the ruling party has still managed to a maintain relatively strong political support compared to its rivals, despite the inflated election results. This begs the question: why did Obasanjo resort to the do-or-die rhetorics and the use of illicit tactics if the PDP was likely to maintain its position as the ruling party even without resorting to any dirty tricks? There are a few possible explanations: Maybe Obasanjo underestimated the actual political support the PDP was enjoying among Nigerians. After all, he must have known of several examples of former African rulers who had entered elections with a misguided belief that

they could easily win the elections using only conventional election tactics. Maybe he simply did not want to risk any chances that the PDP or his chosen successor Yar'Adua might lose the elections. It is reasonable to assume that there was a potential danger of a major internal split within the PDP due to the rivalry between Obasanjo and Abubakar. Although Obasanjo may have been confident about his own position within the PDP as the party leader, he may not have been so sure about how he could persuade all the northern PDP members to support Yar'Adua instead of Abubakar who was seen as the natural successor to Obasanjo before the third term incident.

After the third term incident, Obasanjo had a strong motive to prevent Abubakar from becoming the next president of Nigeria. First of all, his political, material and physical security could depend on it. He could lose impunity and might have to face criminal charges, should Abubakar gain power. Secondly, it seems likely that, due to the third term incident, Obasanjo took the presidential race quite personally and wanted to demonstrate his political power by helping his hand-picked successor to a clear-cut victory against his political rivals. And a narrow second-round win would not do. It had to be a landslide win—and the most certain way to guarantee a landslide win would be to rig the ballot.

Although the presidential election of 2007 was marred by an alleged electoral fraud, electoral violence seemed to be more endemic in gubernatorial elections. In a huge country like Nigeria, pursuing a landslide win in federal/national elections by resorting to vote buying or voter intimidation would often require a massive effort and could become too costly for the incumbents. For the incumbents, electoral fraud may be a cheaper solution than voter intimidation, both financially and politically, especially if politics in general is deemed to be a fishy business by the majority of citizens. However, in gubernatorial elections, the size of the constituency per each candidate is smaller and thus illicit means for affecting voting behavior of an individual voter become more effective in terms of increase in vote share. At the same time, opposition parties may be better positioned to monitor the vote count, making it more difficult (or politically costly) to rig the ballot in local level elections. Therefore, vote buying and voter intimidation are likely to be the two main (illicit) strategies used in gubernatorial elections whenever the opposition has a strong support base within the constituency. According to Collier & Vincente (2012: 119), an incumbent is usually more likely to prefer vote buying as its main strategy over

electoral violence, mainly because incumbents usually have direct access to state resources and thus have more money in their possession. The opposition candidates, however, may rely either on conventional politics, trusting they have enough hardcore supporters to outweigh any possible vote buying attempts by the incumbent, or resort to voter intimidation hoping that a low voter turnout would turn the ballot to their advantage.

In the case of the Nigerian gubernatorial elections, it seems that neither the PDP nor the opposition candidates had a fool-proof way of securing electoral victory in many of the highly contested areas of Nigeria without resorting to electoral violence. Furthermore, there was not only fierce competition *between* political parties but also *within* them during the primaries before the actual election. Much of the electoral violence involving the ruling PDP was related to intra-party rivalry and directed — not against voters — but directly against in-party rivals. After the primaries, many of the notorious politicians who had won the party ticket by intimidating and forcing their main competitors out of the race were now likely to try some of the same tactics against the opposition candidates in the actual elections. As a countermeasure, many competing politicians were compelled to hire their own "boys" for security against attacks or retaliation by their rivals (HRW 2007a: 28).

What makes violent tactics worth considering is the low cost of oppression within the Nigerian legal/political system that is fed by the culture of impunity and the inefficiency and lack of professionalism within the Nigerian police force. For incumbent state governors seeking re-elections, the costs of toleration (namely losing the governor's seat) may be somewhat painful in terms of having to give up many of the acquired benefits, but for challengers the potential gains of winning the election often outweigh the risks involved using dirty tricks. Electoral violence, although not the least risky of all illicit election tactics, is the one readily available to incumbents and challengers alike.

4.5 DISCUSSION AND REMARKS

In the case of the Nigerian elections in 2007, we can see how an internal split within the ruling party can have serious implications to the stability of an upcoming electoral process. For the first time since Nigeria's return to civilian power in 2001, the PDP leadership felt its hegemonic position being threatened by a defected former party member that joined the

ranks of the opposition. Electoral autocrats seem to be fairly sensitive to electoral uncertainties, especially when the stakes are perceived to be high. As Schedler (2010a) and Lindberg (2009a) have pointed out, internal splits/defections and high stakes both play a significant role in the electoral metagame of regime transition, although not necessarily a parallel one. High stakes lead to high costs of toleration, which tends to hinder democratization and increase the likelihood of unfair competition through the use of illicit tactics such as sponsored electoral violence. Splits within the ruling party are likely to increase the competitiveness of the opposition, which may improve the prospects for democratization, since the incumbent can no longer afford to continue the autocratic business-as-usual without facing serious competition from the opposition.

In the case of Nigeria, though, it may not be so plausible that the two main opposition parties (the AC and the ANPP) might actually be trying to make Nigeria any more democratic than the PDP is. Rather, it is the political competition itself that is likely to provide the main drive for democratization in Nigeria. Democratization is likely to even the odds for the opposition parties in their efforts to effectively challenge the incumbent party, regardless of their true motives for regime transition. Thus, it would be logical for the opposition to pursue democratization, because it is likely to help them compete with the ruling party. Also, for the incumbent who is now facing serious competition from the opposition (and is likely to keep doing so in future elections), allowing democratization to take place may be a worthwhile strategy for bringing down the costs of toleration (i.e. the high stakes)—if democratization also includes a system of checks and balances that will restrict the winner-takes-all nature of elections in African electoral authoritarian regimes. In the short run, however, the incumbents rarely react to increasing competition by making concessions but rather by playing harder than before.

Collier and Vincente's (2011) research, although based on their own field study in Nigeria during the election period in 2007, seems to contradict somewhat with (or ignore) many of the remarks found in the Human Right Watch (2007a; 2007b) and International Crisis Group (2007a; 2007b) reports. Particularly the intra-party violence mentioned in the HRW reports seems to be totally ignored by Collier and Vincente, although it is, for the most part, associated with the local (gubernatorial/state assembly) elections and not with the national level (presidential/national assembly) elections, which Collier and Vincente's

research mostly concerns. However, Collier and Vincente do raise the issue of vote buying which, according to the Afrobarometer data, has the potential to affect the voting behavior of at least eight percent of the voters. Collier and Vincente also acknowledge that the national and the local level elections do not necessarily follow the same trajectory in terms of illicit strategies available to the incumbent and the opposition politicians. On the one hand, electoral violence may have a higher cost-benefit ratio in local level elections compared to the national elections. On the other hand, electoral fraud may only be feasible on the national level. This seems to be somewhat consistent with what appears to be the case in the Nigerian 2007 elections, in which election fraud was used in the presidential election but electoral violence was more prevalent in the gubernatorial election.

The Afrobarometer data corresponds seemingly well with Robert A. Dahl's line of though in his book *Polyarchy* (1971: 150–152) concerning the importance of democratic beliefs and perceptions, and trust in fellow citizens, for the prospects of democratization. While a clear majority of Nigerians perceive democracy as the only acceptable form of government and elections as the most preferable way of choosing leaders, the government still is perceived more as "a patron" than "a servant of the people", and the opposition is expected to cooperate with the government rather than to scrutinize it. Furthermore, "patience with democracy" has been on a downward trend since the early 2000's, and more than two thirds of Nigerians have "a little or no trust" at all in their fellow citizens. According to Dahl (1971), mutual trust within the society is one of the key ingredients of democracy. Without an increased level of mutual trust among the Nigerian people, it is hard to imagine the country taking any major leaps towards democracy in the near future.

5 KENYAN ELECTIONS 2007

No Raila, no peace!

– A slogan used by pro-opposition protesters during post-election riots in Kenya.

5.1 BACKGROUND:

In late December 2007, after a controversial announcement of disputed election results placing the incumbent President Mwai Kibaki as the winner of the presidential race with a

narrow margin against his main competitor Raila Odinga, Kenya slid into chaos that led to the death of more than a thousand Kenyans and left up to 500 000 persons displaced (HRW 2008a: 2). The region most affected by post-election violence was Rift Valley, with almost 75 percent of all reported election-related deaths (Dercor & Gutiérrez-Romero 2011: 6)

Kenya gained her independence in 1963 in much the same way as most other states in Africa—through a process led by an independence movement that later turned into a political party, in this case the Kenya African National Union (KANU)—and the country turned into a *de facto* one-party state. In 1978, the political opposition was suppressed with an amendment to the constitution that made Kenya also a *de jure* one-party state, banning all other parties from competing against KANU in any elections. After the end of the Cold War in 1991, the incumbent regime was forced to re-introduce multi-party elections. The ruling party managed to win the first few cycles of multi-party elections in the 1990s, albeit amid electoral irregularities and violence. After nearly 40 years of one-party rule, KANU finally lost the presidency in 2002 when a coalition of opposition parties united as the National Rainbow Coalition (NARC) behind a single presidential candidate, Mwai Kibaki, and won the presidential election. (Dercon & Gutiérrez-Romero 2012: 732.)

NARC pledged to correct many of the underlying problems of the existing political regime, including the settlement of long-standing land grievances dating back to the end of the colonial era, when some of the land seized by the British colonists ('the white highlands') was handed over (or sold) to the Kenyan government instead of giving these lands back to their original owners. The government then sold the land to those willing to buy them—ignoring the customary land use practices—and much of these lands ended up in the hands of the Kikuyu, the ethnic group of the first President of Kenya and KANU leader Jomo Kenyatta (Kanyinga 2009: 330; HRW 2008a: 12–13). There was a fierce competition concerning land rights between the two largest ethnic groups of the region, the Kalenjin and the Kikuyu, in the Rift Valley Province in particular.

Despite political liberalization of the early 1990s, the ruling party (KANU) had originally no intention of letting go of the political power in favor of the newly formed opposition. Thus, the first cycles of multi-party elections in 1992 and 1997 were marred with state-sponsored pre-election violence. Now facing the risk of losing control of the centralized

Kenyan state, the incumbent government under President Daniel arap Moi resurfaced an old debate about *Majimbo*[13], this being a federalist system of governance in which regions would enjoy high levels of autonomy. Majimbo was originally advocated by KANU's main rival party during the independence era, the Kenya African Democratic Union (KADU), the constituency of which consisted mainly of the Kalenjin, Maasai, Turkana and Samburu ethnic groups (also known as the KAMATUSA). KADU lost the 1963 elections and its leadership was soon co-opted into KANU. President Moi himself had a Kalenjin background, and he was one of the founders of KADU before joining the ruling KANU in early 1960s.

According to Karuti Kanyinga (2009), a researcher at the University of Nairobi, the 1991 re-introduction of the multi-party system was perceived by many of the Kalenjin as a potential threat of a renewed Kikuyu/Luo dominance in Kenya, so they rallied once again for the Majimbo system like they had done in the 1960s in order to secure their regional interests (particularly what comes to land rights) within the Rift Valley Province (Kanyinga 2009: 336). The prospects for renewed Majimboism encouraged some KANU supporters (mainly Kalenjin) to resort to electoral violence, which was aimed at driving out "foreign" ethnic groups as well as forcing potential opposition voters (namely the Kikuyu) back to the regions of their origin and claiming back the land they considered to be part of their customary home land (Kasara 2009: 5).

In the 2002 presidential election, Daniel arap Moi could no longer run for another term due to the constitutional two-term restriction, so the KANU chose Uhuru Kenyatta, son of former President Jomo Kenyatta, as their presidential candidate to run against Mwai Kibaki of NARC. With both candidates having a Kikuyu background, there was practically no room for ethnic confrontation in the election. The appeal of a multi-tribal NARC to voters was based on the idea of national unity rather than on specific ethnic interests, and in its campaign it promised to address the land issue and decentralize presidential powers by creating a prime minister's post that would share some of the powers formerly vested in the president's seat. Post-election power-sharing and a constitutional reform agenda were agreed upon in a signed memorandum of understanding between the participant members of the NARC coalition (ICG 2008a: 2). The NARC won the election overwhelmingly, and

[13] Swahili word for "regions"

by all standards the general election of 2002 was deemed to have been highly successful, with less reported rigging or electoral violence than in any of the previous multi-party elections since 1991. For the first time in Kenya's history, a relatively free and fair election also resulted in a peaceful handing of power from one democratically elected president to another one that represented a different (and most notably non-incumbent) political party. The prospects for further democratization in Kenya looked bright.

However, once elected, the Kibaki administration failed to implement many of the promises made during the election campaign. The ruling coalition soon found themselves in internal disputes about the constitutional reform. Kibaki was driving for the concentration of political power to the presidency and for the weakening of the regional governments, while other prominent coalition members, such as Raila Odinga, sought to establish a prime minister's position to reduce the power of the president through power-sharing. The final draft of the constitution, dictated by President Kibaki and his allies, was to be ratified in a constitutional referendum in 2005, in which Kibaki and his allies campaigned for a "yes" vote and Odinga among others campaigned for a "no". Kibaki's side lost the referendum with 42 percent ("yes" vote) against 58 percent ("no"), which led to Kibaki sacking his entire cabinet and appointing new ministers mainly from his own circles—leaving Raila Odinga and other "no" proponents excluded from the new cabinet. The block that had campaigned against the new draft constitution formed a new party called the Orange[14] Democratic Movement of Kenya (ODM) and prepared to challenge Kibaki in the upcoming elections of 2007. However, in August 2007, just four months prior to the election, the ODM split into two separate factions over a disagreement on who should run for president with the party's ticket in the upcoming election. One of the two factions, that is, the ODM, was headed by Raila Odinga, while the other (ODM-K) was headed by Kalonzo Musyoka. Also, the former ruling party KANU had supported the Orange block in the referendum, but subsequently opted to align themselves with Kibaki's party and chose to support his re-election in the 2007 presidential election. After the 2005 referendum, it had seemed clear that Odinga's ODM would beat Kibaki in the 2007 election, but after the ODM split and KANU jumped on the Kibaki bandwagon, the setting before the election looked like it was going to be a close two-horse race.

[14] Orange was the symbol of the 'no' vote in the constitutional referendum as opposed to a Banana symbol of the 'yes' vote. The fruit symbols were meant for helping illiterate Kenyans to express their voting preference in the referendum.

5.2 TWO STEPS TOWARDS DEMOCRATIZATION, ONE STEP BACK

The 1991 re-establishment of a multi-party system provided a good starting point for the democratization process in Kenya. Despite several flaws found in the first cycles of multi-party elections in 1992 and 1997, the opposition parties soon learned the craft of coalition building and managed to challenge the incumbent party successfully in the 2002 election. The incumbent president Moi's decision to respect the constitutional two-term limit and to withdraw from the presidential race also played a significant role in the peaceful transition of power from the incumbent KANU to the opposition, the National Rainbow Coalition. The level of electoral violence in the 2002 elections was significantly lower than in the previous elections, and ethnic confrontation was this time mostly absent, as both of the two main contenders, Uhuru Kenyatta (KANU) and Mwai Kibaki (NARC), came from the same ethnic group, namely the Kikuyu. The seemingly independent and neutral Electoral Commission of Kenya (ECK) under the leadership of Chairman Samuel Kivuitu was widely given credit for keeping the election free and fair.

The 2005 constitutional referendum can also be seen as a victory for democratic aspirations over an autocratic scheme to centralize more political power into the hands of the president. Not only was it the second time in a row when an incumbent government was forced to accept defeat by ballot in Kenya, but also the second peaceful polling in a row without serious accusations of vote rigging. The 2005 referendum was an indication of yet another looming defeat for the incumbent president in the upcoming presidential election of 2007. However, the internal disputes within the ODM, which eventually led into its breaking into two factions, gave the incumbent regime a glimpse of hope of a re-election. The decision by the KANU leadership to support Kibaki in the presidential race may have polarized the constituencies along ethnic lines, as the two prominent Kikuyu party leaders (Mwai Kibaki and Uhuru Kenyatta) were now on the same bandwagon.

Although not completely desperate the situation looked rather challenging for Kibaki, as the pre-election polls indicated a small but distinctive lead for Odinga. Given that Kibaki had deliberately ignored the promises he had made prior to the 2002 elections, that once elected, he would make Odinga prime minister, and that he had failed in his attempt to amend the constitution to his personal gain in 2005, the stakes in the upcoming presidential

election seemed much higher than they would have been had Kibaki implemented the memorandum of understanding signed by the members of the NARC coalition in the run-up to the 2002 elections. Then again, it seems that Kibaki was already preparing to rig the election two months prior to the ballot by appointing five new ECK commissioners without consulting the other parties—a clear violation of a 1997 inter-party agreement (ICG 2008a: 6).

According to the ICG report No. 137 on Kenya's electoral crisis, all the major national and international election observers reported that

> *[w]hile the voting and counting of ballots at polling-station level was orderly and satisfactory with a few exceptions, the tallying and compiling of the results was manipulated, dramatically undermining the credibility of the results Kivuitu [Chairman of the Electoral Commission of Kenya] announced on 30 December. (ICG 2008a: 6)*

There is little doubt that the 2007 presidential election was blatantly rigged in favor of the incumbent, President Kibaki. The ODM had been warning about potential election rigging several times, both before and during the vote count. Speculations of a possible manipulation of election results increased on 29 December, when the announcement of the election result was postponed. When the official results were finally announced on 30 December, the ODM denounced the announcement and accused Kibaki of stealing the election. Many of the hardcore ODM supporters had prepared themselves for this possibility and were swift to express their outrage on the streets. According to Dercon & Gutiérrez-Romero (2012: 735), violence spread across much of the country within hours of the announcement that Mwai Kibaki had won the election. There are indications that in Rift Valley some Kalenjin politicians had been urging the Kalenjin youth to begin a campaign of violence against the Kikuyu, should there be any indication of Kibaki trying to steal the elections (HRW 2008a: 37). The Kalenjin-based radio station Kass FM was reported to have aired inflammatory anti-Kikuyu statements prior to the election (ICG 2008a: 13). The police was also accused of using brutal force in attempts to suppress the street protests that resulted in dozens of casualties.

5.3 KEY FINDINGS

It is commonly perceived that the main trigger of the 2007–2008 post-election violence in Kenya was the blatant rigging of the election results in favor of the incumbent president Kibaki. This idea is widely shared by researchers who have studied this instance of post-electoral violence in Kenya (see e.g. Dercon & Gutiérrez-Romero 2012). It is also a common belief among Kenyans that the violence erupted mainly because it was perceived that the election had been rigged (ibid., p. 2). However, the underlying root causes of the violence are likely to run much deeper. As indicated by Dercon & Gutiérrez-Romero and reports by the International Crisis Group (2008), the Human Rights Watch (2008) and the Waki *Commission of Inquiry into the Post Election Violence (CIPEV) Final Report* (CIPEV, 2008), land disputes, sometimes running back to the colonial era, have provided a fruitful soil for ethnic agitation, and it has been a populist theme for politicians to leverage on in their campaigns. In an Afrobarometer study in 2003, one out of three Kenyans (33.6 percent) named "boundary and land disputes" as the main cause of conflict between communities/ethnic groups in Kenya (Afrobarometer 2012). "Animals/lifestock" was the second most common cause of conflict at 11.8 percent.

Majimbo aspirations appealed to many of the Kalenjin, particularly because regional self-determination was seen as a solution to the land issue and as a way to regain control over the "ancestral land" from the "outsiders". The ODM was very much aware of these aspirations as its leadership included prominent Kalenjin politicians, but due to the negative undertones that majimboism raised in the minds of other Kenyans who associated majimboism with the ethnic clashes of the 1990s, the ODM tried to distance itself from the concept while still advocating the idea of decentralizing state power, knowing that the confusion would help it gain a maximum amount of votes in the KAMATUSA (Kalenjin, Maasai, Turkana and Samburu) communities (ICG 2008a: 4–5).

The CIPEV report, along with the ICG and the HRW reports, point to the fact that, although much of the post-election violence erupted as a spontaneous reaction to the announcement of the (rigged) election results, there are indications that in some locations the violence erupted already prior to this announcement. There is also evidence of pre-planned violence, designed to be unleashed at any indication of the ODM losing the elections when the votes are counted (CIPEV 2008: 41). The Kenyans in general did not sympathize with the use of violence "in support of a just cause"—according to the

Afrobarometer study of 2005 more than 80 percent agreed with the statement that "the use of violence is never justified in Kenyan politics". However, among Kalenjin and Maasai[15] respondents, more than 30 percent approved the use of violence to support a cause that was perceived to be a just one.

From the incumbent's (i.e. Kibaki's) perspective, the 2007 election may have seemed like a zero sum game after they had lost the referendum in 2005, but they may not necessarily have considered it to be a high-staked one, such as e.g. the first cycles of multi-party elections in Kenya during the 1990s. Kibaki, for one, did not have a heavy payload of past atrocities that could prove to his disadvantage in the face of an election defeat. Nor did he rely on a long-established system of patronage for political support, since it was his first term in office. In the pre-election polls, Kibaki was not too far behind Odinga, and thus it was possible for him to be able to beat Odinga without resorting to illicit tactics in the actual ballot. Why, then, did Kibaki resort to election fraud in order to secure his second term? A plausible explanation would be that in his mind the cost–benefit ratio of oppression (in the form of vote rigging) out-weighed the cost–benefit ratio of toleration. If playing fair was likely to mean a defeat at the polls, then the prospect of securing a second term without anyone noticing the fraud (or even despite the possible implications if someone did) may have seemed rather tempting. Maybe Kibaki simply underestimated the potential implications of getting caught of stealing the election. Maybe his hunger for power overcame his respect for the rule of law. Nevertheless, during Kibaki's first term in office, he may have begun to think that toleration would be more likely eventually to cost him the next elections, and the result would be a regime change.

Firstly, Kibaki's decision to reap the benefits of incumbency and to ignore the Memorandum of Understanding (MoU) signed by the opposition parties of the NARC coalition prior to the 2002 election—expecting Kibaki to create a prime minister's post for Odinga after he had been elected as president—must have been a huge disappointment for Odinga and other politicians who sought to reduce the powers vested in the presidency (CIPEV 2008: 29). Instead of bringing about a transition towards a more democratic regime he had promised, he seems to have opted for a regime reproduction (or even

[15] Yet, it should be noted that the sample of Maasai respondents in the Afrobarometer survey was so small (17 out of 1253) that it may not adequately represent the whole Maasai community.

autocratization) with his attempt to change the constitution in order to centralize power even more in the hands of the president. The turncoat policy also contributed to a rising cost of the political oppression, as the opponents of the draft constitution scheme were now uniting against Kibaki in the upcoming elections and they seemed to be enjoying wide popular support, as indicated by the result of the constitutional referendum of 2005. Implementing oppression tactics (in the form of ballot rigging) led to a further increase in the costs of toleration; a former ally, now a turncoat who is trying to steal the election, is not likely to be treated nicely by his political rivals. As the stakes for Kibaki were getting higher, so was also the bitterness among many opposition supporters, particularly the Kalenjin, who—like many other Kenyans—perceived that the president is biased towards his own ethnic group, the Kikuyu, with whom the Kalenjin have an uneasy relationship in Rift Valley, their home province. Furthermore, according to the Afrobaromerer data, three out of four Kalenjins thought that "since leaders represent all of us, they should not favor their own family or group" whereas more than 40 percent of the Kikuyu (and the Luo) agreed with the statement: "once in office, the leaders are obliged to help their home community", indicating that the Kalenjin were less tolerant of ethnic clientelism than the Kikuyu (or the Luo) (Afrobarometer 2012).

The Afrobarometer data reveals that the trust in the presidency has suffered a major decline during Kibaki's rule, from 81.4 percent in 2003 to 56.3 percent in 2008, although still remaining relatively strong compared to many other African countries. At the same time, the trust in the Electoral Commission of Kenya (ECK) was growing steadily from 54.5 percent in 2003 to 60.4 percent in 2005—thanks to well conducted elections and referendum in 2002 and 2005—but crashed heavily after the 2007 elections to only 25.4 percent in 2008. According to Afrobarometer (2012), the support for democracy has remained high throughout the early 2000s at above 85 percent. However, the public perception of the state of democracy in Kenya shows that in 2008 only 46.2 percent of Kenyans saw their country as "a full democracy" or "a democracy with minor problems", and almost 55 percent were not satisfied with the state of democracy, whereas in 2003 almost 80 percent had considered Kenya a democracy *without* any major problems and 82.9 percent had been satisfied with the democratic situation in the country. (Afrobarometer 2012.)

Unsurprisingly, a clear majority of Kenyans considered the 2007 election to have been "not fair". The Kalenjin, on average, had the most critical stance towards the freeness/fairness of the elections with more than 90 percent claiming the election to have been either "not free or fair" or "having major problems". Although less critical, almost two thirds of the Kikuyu considered the election to have been generally not free or fair. According to the Afrobarometer data, the voting during the 2007 elections went, for the most part, along ethnic lines. The Luo, the Luhya and the Kalenjin tended to vote overwhelmingly for Raila Odinga's ODM, whereas the Kikuyu and the Meru voted mostly for Mwai Kibaki's Party of National Unity (PNU). On the province level, the ODM should have gathered the majority of votes in six out of eight provinces, excluding the Central and the Eastern province. In the official results, Kibaki won the ballot in four provinces including the Central, Eastern, North Eastern and Nairobi provinces (ECK 2007). (Afrobarometer 2012.)

Afrobarometer data also reveals how different ethnic groups experienced to the electoral violence during and/or after the 2007 elections or how they reacted to it. In the Rift Valley Province, 54.5 percent of the Kikuyu respondents were greatly afraid of political violence and intimidation during the elections. By comparison, in the Central Province—where the majority of the Kikuyu in Kenya reside—only 26.7 were very afraid of electoral violence. In Rift Valley, also the Kisii and the Luhya feared there would be violence, whereas only 25.2 percent of the Kalenjin reported being very afraid. Of the Luo in the Nyanza Province, more than 60 percent were very afraid. (Afrobarometer 2012.)

5.4 DISCUSSION AND REMARKS

Unlike in Nigeria, the electoral crisis of Kenya was predominantly a post-election one, triggered by an election fraud that gave the incumbent a narrow victory in the polls, against the odds and the expectations of the majority of the Kenyans. Having a respectable track record from the past two ballots, the ECK, under the leadership of Samuel Kivuitu, was expected to guarantee the fairness of the election. Failing to do so was a huge disappointment to the opposition and its supporters. The fact that Kibaki had only been in office for five years and was not accustomed to the use of brute force to suppress his political rivals, may have encouraged the opposition supporters to express their outrage

about the election fraud more openly and perhaps violently than they would have done in the past.

Past grievances were, to some extent, used as a pretext for mobilizing opposition supporters into protests. Land disputes in the Rift Valley Province have a long history of causing ethnic tensions between the "indigenous" Kalenjin and other ethnics groups that have migrated to the region more recently. High hopes for gaining more regional autonomy—thus more power to their own ethnic group, which forms the majority within their home province, in case the ODM won the presidential race—is likely to have motivated the Kalenjin in Rift Valley to protest fiercely against the alleged election fraud by Mwai Kibaki.

From Kibaki's point of view, there would not seem to have been any compelling reasons to cheat so boldly in the elections other than either hunger for power or some kind of a miscalculation of the costs of oppression and/or toleration. However, at the end of the day, Kibaki did manage to negotiate himself a second term in office. Yet, merely the inclusion of an agreement of power-sharing in the draft constitution of 2005 might have been sufficient to grant Kibaki a second term without the need to resort to vote rigging. In any case, there is something in the Kenyan electoral crisis that cannot simply be explained by Lindberg's notion of the costs of oppression/toleration without the complementary notion of the *benefits* of oppression/toleration that is absent in Lindberg's original theory.

Collier & Vincente's (2012) notion of the three illicit electoral tactics comes helpful when analyzing the Kenyan case. When winning the election by conventional means seems unlikely, the autocratic leader will most often resort to one or more of the three illicit tactics presented by Collier & Vincente, namely vote buying, voter/opponent intimidation and election fraud. The problem with voter/opponent intimidation strategy is that it requires either a large base of hardcore supporters capable of unleashing an intimidation campaign or a strict control over the state monopoly of violence (the police and/or the military) and a willingness of those who represent the latter to step beyond the rule of law. Kibaki, lacking a history of autocratic rule and a hardcore support base (save the outlawed

Kikuyu Mungiki sect[16]), must have considered the odds to be more favorable if he engaged himself in election fraud than if he went for intimidation.

Kibaki may have underestimated the high democratic demand that has remained constant among Kenyans throughout the first decade of the 21st century. With more than 85 percent of the Kenyans supporting democratic ideals at the time when the incumbent president decides to rig the elections, it is quite surprising that Kibaki still got away with a second term in office. Nevertheless, such a strong reaction to election rigging may be interpreted as a somewhat firm commitment by the Kenyan population to the democratization process, albeit the high level of violence that followed the perceived vote rigging may at the same time undermine some of the democratic credibility of the Orange Democratic Movement and its leader Raila Odinga.

6 ZIMBABWEAN ELECTIONS 2008

> *We are not going to give up our country for a mere X on a ballot. How can a ballpoint fight with a gun?*
>
> *–Robert Mugabe*

6.1 BACKGROUND:

The Zimbabwe African National Union – Patriotic Front (ZANU-PF) has been the hegemonic ruling party in Zimbabwe since its independence in 1980—at least until 2008, when the Movement for Democratic Change – Tsvangirai (MDC-T), to the surprise of many, won the parliamentary election and was about to beat Robert Mugabe also in the presidential election, forcing ZANU-PF to form a Government of National Unity together with the MDC-T. Zimbabwe's economy was doing very well during the first decade of Mugabe's reign, but started to decline in the 1990s, causing rising political and social discontent in large sections of the population (Onslow 2011: 4). The Movement for Democratic Change (MDC) emerged in 1999 as a product of this discontent.

[16] See ICG (2008: 9).

The ZANU-PF suffered its first defeat in a constitutional referendum in 2000, in which its draft constitution that would have extended presidential powers was rejected. The MDC rallied against ZANU-PF's draft constitution while advocating a counter-draft from the National Constitutional Assembly (NCA), a civil society organization aiming at initiating a democratic constitutional dialogue in Zimbabwe. Baffled by the unexpected defeat, Mugabe responded with a wide scale state-sponsored violence against MDC activists and supporters in the parliamentary election of 2000 and in the presidential election of 2002. The government tried to compensate its diminishing support by letting the "war-veterans"[17] invade and seize white-owned farms, and by later using them as a proxy to terrorize and intimidate opposition activists (Kebonang 2012: 11). Mugabe's regime also introduced new repressive legislation, directed against the opposition, such as the Public Order and Security Act (POSA) and the Access to Information and Protection of Privacy Act that were used to curtail basic freedoms and to stifle opposition activities (Onslow 2011: 8; ICG 2008c: 3).

The international community reacted to these repressive measures by placing economic sanctions on Zimbabwe. Mugabe, in effect, blamed the sanctions for the economic crisis in the country, which in reality had much more to do with the poor policy decisions of the Mugabe regime in the 1990s and the increasingly disastrous monetary and fiscal policies of the ZANU-PF (Onslow 2011: 6). After the 2005 elections, Mugabe launched Operation Murambatsvina[18], an eviction campaign in the high-density urban areas of Zimbabwe, to punish the urban population, who mostly voted for the MDC in the elections (HRW 2008b: 11). Another major crackdown against the opposition occurred in March 2007, when the MDC leader Morgan Tsvangirai and several other MDC and civil society activists were brutally beaten by the police (HRW 2008b: 12). The incident prompted the Southern African Development Community (SADC) to launch a mediation process in Zimbabwe led by Thabo Mbeki, then President of South Africa (Badza 2008: 6). Although criticized of being overly sympathetic towards Mugabe and the ZANU-PF, Mbeki managed to bring the two parties to a common table and agree on some minor reforms to the repressive legislation before the upcoming elections. The opposition had high hopes that a

[17] Many of the so-called "war-veterans" were allegedly too young to have fought in the liberation war. It is suspected that Mugabe's regime was simply using younger men led by the real war-veterans as proxies for intimidating opposition activists.
[18] Murambatsvina means "Clear the Filth"

constitutional reform would take place prior to the elections, but despite promises made to the MDC, Mbeki failed to persuade Mugabe to adopt the new jointly agreed constitution before the March 2008 elections or to postpone the elections so that there would be more time to set up a national constitutional referendum (ICG 2008c: 7).

One of the major problems undermining the prospect for a free and fair election in Zimbabwe was the fact that practically all the heads of Zimbabwe's security service agencies — namely the military, the police, the central intelligence organization and the prison service — were openly partisan towards the ZANU-PF. One of the army generals stated that the army would not support or salute any other president than Mugabe after the upcoming elections (HRW 2008b: 18). The heads of the security services comprise a secretive council known as the Joint Operations Command (JOC), which is known for having orchestrated repressive action against the opposition and the civil society throughout the 2000's (Sachikonye 2009: 5). Although not necessarily directly involved in the political intimidation, the military and the JOC have provided logistical support to the "war-veterans" and the youth militia (the Green Bombers), who are most often seen as the main perpetrators of political violence in Zimbabwe.

6.2 THE RUN-UP TO AND THE AFTERMATH OF THE 29 MARCH ELECTIONS

Much like in the previous few elections, the run-up to the 29 March 2008 polls was marred by voter intimidation and election irregularities. For the first time in Zimbabwe's history, all the major elections (presidential, house of assembly, senatorial and local government elections) were "harmonized", i.e. to be conducted on the same day. The ZANU-PF had insisted on the harmonization of the elections during Mbeki's inter-party talks in hopes that Mugabe's anticipated victory in the upcoming presidential race would help the party get more seats also in other elections (Badza 2008: 6). The MDC had accepted the harmonization because of Mbeki's promise that a constitutional reform would take place before the elections (ICG 2008c: 2). The Constitutional Amendment No 18, which made simultaneous elections possible, was important to the ZANU-PF also because it gave the two Houses of Parliament the power to appoint a successor to the president for the remainder of his term in case he steps down or is unable to complete his term e.g. due to illness or death. It has been widely speculated that the ZANU-PF was seeking an

opportunity to select a successor to Mugabe without risking a failure in the elections. Should all go to plan, Mugabe could hand-pick a successor after the elections and retire without the fear of the MDC taking over before the next scheduled elections. Thus the successor could get a head start with the presidency before the next elections and would be in a good position to compete for re-election. However, a two-thirds majority in both Houses of Parliament would have been needed for Mugabe to be able to hand-pick his successor. The ZANU-PF clearly was not expecting to lose that majority.

Both the MDC and the ZANU-PF suffered internal splits prior to the 2008 elections. The MDC was split into MDC-Tsvangirai and MDC-Mutambara factions after the 2005 senatorial election, following a disagreement on whether the party should participate in future elections or boycott them until they would be perceived free and fair. In the run-up to the March 2008 elections, Simba Makoni, a prominent member of the ZANU-PF politburo, announced he was challenging Robert Mugabe and running in the presidential election as an independent candidate. There had previously been speculations about Makoni being a potential successor/replacement for Mugabe (ICG 2008c: 13). With the MDC factions failing to reach an agreement on a single MDC candidate, the MDC-Mutambara decided instead to back Makoni in the presidential race. Although the ZANU-PF may have been confident that this time it could easily defeat the divided MDC opposition, the Makoni challenge was likely to cast a shadow of doubt on Mugabe and the ruling party.

Like most of the previous elections in Zimbabwe since the 2000 constitutional referendum, the 2008 elections were expected to be flawed to some extent. Morgan Tsvangirai stated prior to the announcement of the election results that even if the ZANU-PF admitted their defeat the elections would still not have been free or fair (Badza 2008: 9). Although not as violent as some of the previous elections, the run-up to the 29 March 2008 elections were being characterized as being far from “a fair competition”. The incumbent was shamelessly leveraging on state resources and the control of the media to its advantage in the election campaigns. The state media had a clear anti-opposition editorial policy. As mentioned before, the heads of state security services or the Joint Operation Command were openly biased for the ZANU-PF. Also the impartiality of the Zimbabwe Elections Committee (ZEC) had been questioned.

The election day of 29 March 2008 was relatively peaceful and surprisingly the preliminary results indicated that the MDC-T was about to win both the House of Assembly election and the first round of the presidential election. This raised hopes among the opposition that Tsvangirai might win the first round of the presidential election with an outright majority, which would make him president without the need for a run-off. The ZANU-PF then refused to accept the preliminary results and demanded a recount. The official results were held back for more than a month by the ZEC, but when announced, they confirmed that the opposition had indeed won a majority of seats in the House of Assembly and Tsvangirai had won the first round of the presidential election, although lacking the outright majority.

Losing the majority in the House of Assembly was a major blow to the ZANU-PF which now could not appoint a successor to Mugabe without facing new elections. The ZANU-PF was also in danger of losing the presidential run-off should Tsvangirai manage to maintain his lead. Conventional election tactics clearly had failed to bring ZANU-PF the electoral victory it needed. There are strong indications that Tsvangirai indeed won a narrow outright majority in the 29 March polls, which led Mugabe to order the ZEC to withhold the results so that the ZANU-PF leadership would have time to consider their next move (ICG 2008b: 3). One of the possible strategies was to rig the results enough to deny Tsvangirai an outright majority and fight for a run-off. Another strategy was to negotiate a power-sharing deal with the MDC and concede the presidential race to Tsvangirai. While some members of the ZANU-PF politburo where willing to accept the latter strategy, many of the hardliners, particularly within the Joint Operation Command (JOC), preferred the former and persuaded Mugabe to hold onto power while they would unleash an unprecedented campaign of violence and intimidation against the opposition activists, polling agents, perceived MDC supporters and "sell-outs", in order to secure Mugabe's re-election in the run-off (ICG 2008b: 4–5).

The crackdown turned out to be so brutal that it led to the withdrawal of Tsvangirai from the presidential race just few days before the ballot. According to the Human Rights Watch (2008b: 1), at least 36 people were killed and thousands were beaten between 29 March and 28 June 2008, when the second round ballot took place. Much of the violence was carried out by the "war-veterans" and the youth militia, and was concentrated particularly

on the rural areas that were traditionally considered to be ZANU-PF strongholds, but were now perceived to be showing increasing support to the opposition.

6.3 KEY FINDINGS

In general, Zimbabwe has long been seen as one of the most undemocratic countries in Africa. Having an autocratic ruler that is backed by the state security apparatus and that is unwilling to step down or give away political power to the opposition even in the face of a popular vote, is hardly an easy basis for a democratization process. Yet there are many positive features in the Zimbabwean political landscape in terms of prospects for genuine democratization. Firstly, despite the uneven field, many of the recent elections and referendums in Zimbabwe have shown relatively little indications of election fraud. Although the ZANU-PF has dominated the political contest through various conventional and illicit tactics, such as media control and political intimidation, it has also suffered some political setbacks in the polls, showing that although autocratic, Mugabe's regime cannot always dictate the electoral outcomes in Zimbabwe. Secondly, the opposition has grown stronger—despite some internal disputes—and passed the ruling party in popularity. According to the Afrobarometer data from 2005, more than 62 percent of the Zimbabwean respondents affiliated with the MDC, as opposed to the 37.5 percent who affiliated with the ruling party, the ZANU-PF (Afrobarometer 2012). In 2009 more than 80 percent of the respondents affiliated with the MDC. Most importantly, the democratic demand among Zimbabweans has remained strong throughout the 2000s, despite the fact that the perceived supply of democracy has remained low. The Zimbabweans also have a fairly high level of trust in their fellow citizens: 55.3 percent of the Afrobarometer respondents[19] in 2009 said they trust other Zimbabweans "somewhat" or "a lot". As Dahl (1971) argues, a high level of mutual trust within the society favors democratization. The clearest difference in voting behavior came with the "age" and "locality" (urban/rural) divide, as older people (50^{+}) in rural areas tend to vote more for the ZANU-PF and the young and the urban people tend to vote more for the MDC.

[19] By comparison, 40.2 percent of the Kenyans and only 30.3 percent of the Nigerians trusted their fellow citizens.

The economic turmoil in Zimbabwe, on-going since the 1990s, has taken a heavy toll on the ZANU-PF's popularity and benefited the opposition considerably. While Mugabe has done his best to lay the blame for the economic crisis on the "malicious" sanctions by the West (the EU, the US, etc.), the Afrobarometer data from the years 1999, 2005 and 2009 show a relatively constant 72 to 76 percent disapproval rate among Zimbabweans towards the performance of the President. An interesting exception to this trend was the year 2004, when more than two-thirds of the respondents *approved* of the way Mugabe had performed as president during the past twelve months. As Mugabe's popularity started to decline in the late 1990s, he needed to compensate for the diminishing popular support by finding a new support base, which consisted of fellow war-veterans. In exchange for addressing their grievances on small pensions and the lack of land, Mugabe was able to mobilize the war-veterans (and associated men from the younger generation) for anti-opposition political intimidation. Didmus Dewa (2009) from the Midlands State University of Zimbabwe argues that also the economic sanctions imposed by the Western powers on Zimbabwe and the track record of the Mugabe regime changed the voting behavior in the country considerably in favor of the MDC-T—not because the MDC-T was considered a better party than the ZANU-PF, but simply because people were fed up with the economic hardships and the MDC-T was considered the main alternative to the incumbent regime and that their coming to power was hoped to bring to an end the external economic sanctions imposed by the West (Dewa 2009: 491–492).

The intimidation tactics, in addition to a strict media control, were fairly effective in securing the incumbents a sufficient advantage to win the elections up until 2008 when the MDC finally managed to out-compete the ZANU-PF, despite the disadvantaged position of the opposition party. The beating of several prominent MDC politicians in 2007 that prompted the Southern African Development Community (SADC) to send Thabo Mbeki to facilitate inter-party talks between the ZANU-PF and the MDC may have been a turning point as far as the MDC's prospects for winning the upcoming elections were concerned. Although criticized of being too friendly with Robert Mugabe, Mbeki's facilitation brought some small reforms to the legislation, including the new Electoral Act, which may have proved significant for the MDC's success in the elections. Mugabe and the ZANU-PF were clearly more convinced that the piecemeal reforms would benefit the incumbent more than they would benefit the opposition. The most substantial reform discussed and agreed upon

in the inter-party talks—namely the constitutional reform—was deliberately left unimplemented by Mugabe before the elections, against the promises made by Mbeki to the MDC. Dewa (2009) points out that the new Electoral Acts allowed the opposition to use the public media for the first time in their election campaigns and also to access areas in Zimbabwe where opposition political activity during elections was previously prohibited or restricted (Dewa 2009: 492).

Mugabe knew that as long as he enjoyed the full support of the Joint Operation Command, there was no fear of him being forced to give up the presidency against his will, regardless of the electoral outcome. It is very likely that Mugabe genuinely believed that he still had (or at least deserved) the popular support of the majority of Zimbabweans and would be once again be re-elected as president in 2008. A defeat in the first round was clearly unexpected, as suggested by the fact that the ZEC had to withhold the result for almost a month before Mugabe and the ZANU-PF could decide on their next move. A logical step would have been to forge the first round results to show a narrow victory for the incumbent, but apparently the ZEC refused to manipulate the results in a way that would

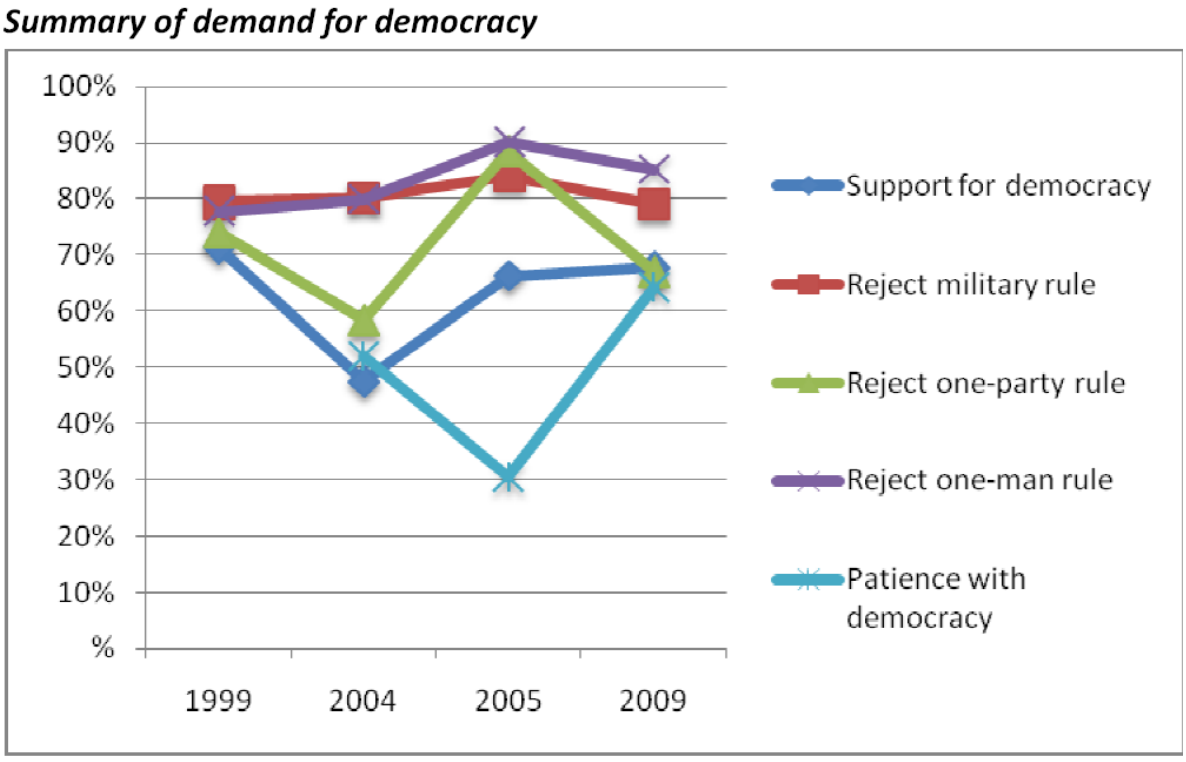

Figure 4: Democratic demand in Zimbabwe (Afrobarometer 2009c: 4)

have seriously undermined its credibility given that—due to the new Electoral Act—the ballots were already counted at the polling stations, with the results posted publicly outside (ICG 2008b: 2). When there was no way for Mugabe to avoid a run-off, and it began to look apparent that he might lose if there was no change in tactics, the JOC effectively took over Mugabe's run-off campaign and unleashed a violent *Operation Makavhoterapapi?*[20] in order to coerce people to vote "the right way" in the second round (HRW 2008b: 14; Kebonang 2012: 14). Kebonang argues that the JOC members' main motive for the launching of a violent campaign in order to keep Mugabe in power was "self-preservation", as they were safeguarding their own impunity with respect to past atrocities they had committed under Mugabe's regime (Kebonang 2012: 14).

The Afrobarometer data indicates that those Zimbabweans who reportedly voted for the MDC in the previous elections tended to perceive the development of the country's economic conditions over the past 12 months more negatively than those who voted for the ZANU-PF. Likewise, in 2004, when Mugabe's performance as president was rated positively by more than two-thirds of the respondents, a majority also perceived the

***4.2 Variable:* Satisfaction with democracy**

Question: Overall, how satisfied are you with the way democracy works in Zimbabwe?

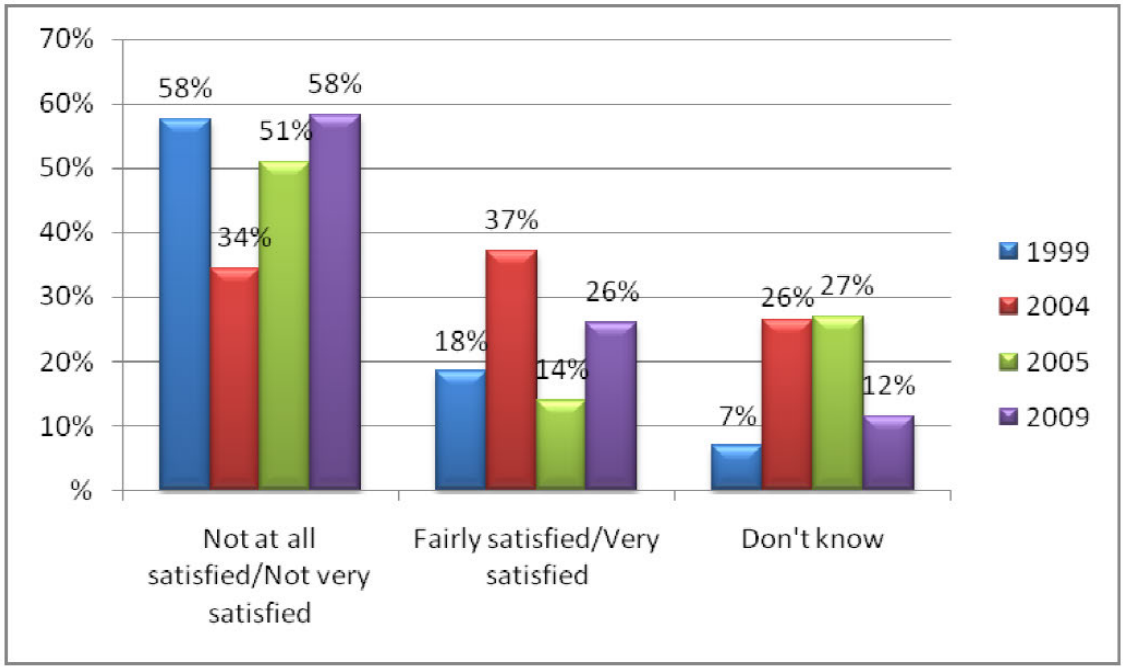

Figure 5: Democratic supply in Zimbabwe (Afrobarometer 2009c: 9)

[20] Operation "Where Did You Put Your Vote?"

economic conditions of the country to be improving over the past 12 months. Most notably, the tension between the popular democratic aspirations and the autocratic attempts to retain power can be seen in the perceived "democratic deficit"—i.e. the difference between democratic supply and demand—that can be seen in the Afrobarometer data from Zimbabwe prior to and after the 2008 elections. We can see that in 2005 the demand for democracy was on the rise, while the patience of the people and their satisfaction with the political system were decreasing. The establishment of a government of national unity (GNU) after the 2008 elections has clearly restored the patience towards the system, but the uneasy relationship between the rival parties which now form the government coalition reflects the inability of the GNU to produce any major results and thus contributes to a continued dissatisfaction towards the political system and results in a slight decrease in some of the indicators for democratic demand.

6.4 DISCUSSION AND REMARKS

A high democratic demand together with a low perceived democratic supply and a general dissatisfaction with the performance of the incumbent government are probably some of the key underlying factors that contributed to the increasing tension in the run-up and the aftermath of the 2008 elections in Zimbabwe. As Dahl (1971) argues, the democratic beliefs and a desire for change are crucial ingredients for democratization in non-democratic regimes. But when the democratic pressure towards the incumbent grows beyond a certain point, the incumbent is likely to react in one of two ways: either through concessions or by increased oppression (Lindberg 2009a). The internal splits within both the opposition (MDC-Tsvangirai vs. MDC-Mutambara) and the incumbent (Robert Mugabe vs. Simba Makoni) have also played a major role in shaping the prospects and the expectations in the run-up to the elections.

Looking at the potential costs and benefits related to the two main strategies available to the incumbent—namely the toleration versus the oppression—the benefit of toleration in the face of a looming defeat in either the first or the second round of the presidential election, there might have been a chance to negotiate a transitional period somewhat similar to the current power-sharing arrangement where a government of national unity would have been formed without the need for a violent crackdown during the run-off phase

of the elections. Then again, it may be unlikely that the MDC-T would have settled for a GNU if they were officially recognized as the winner of both the House of Assembly and the presidential elections. Thus the minimum cost of toleration would most likely have been the loss of presidency, which Robert Mugabe clearly was not ready to accept. In a worst case scenario (from Mugabe's perspective), he would have probably been placed on trial, should he have given up his incumbency. As for the costs and the benefits of oppression—violence has never been an issue for Mugabe. He has even joked that he has a degree in violence. The JOC was more than willing to fight for his cause and even to take over in a coup, should the intimidation campaign fail (ICG 2008b: 4). The cost of oppression was most likely going to be continued external sanctions and a decrease in popular support, but Mugabe could always try to bargain with the opposition and make some moderate concessions to mitigate the sanctions, or even agree to a power-sharing deal on more favorable terms than might have been possible should he have admitted his defeat after the first round of the elections.

The way the incumbent regime resorted to repression in Zimbabwe seems to comply with Collier & Vincente's (2012) model of illicit tactics used by autocratic rulers in electoral authoritarian regimes where repression becomes a primary strategy for an incumbent with a large base of hardcore supporters in a situation where neither vote buying nor election fraud is a viable option (Collier & Vincente 2012: 137–138). The refusal by the ZEC to overtly manipulate the election results rendered election fraud out of question, and with an unprecedented hyperinflation and an economic turmoil going on in Zimbabwe during the elections, vote buying was not likely to work either. Thus, intimidation and violence seemed to be the only viable options for Mugabe to retain power even after the second round of the elections.

Despite a deeply flawed run-off phase in the presidential election of 2008, I would argue that the prospects for a democratic transition in Zimbabwe look much better now than they did prior to the 2008 elections. The power-sharing deal with the MDC has provided the ZANU-PF a softer landing into competitive multi-party politics, in which they eventually must be prepared to face the prospect of losing the incumbency. Although many prominent members within the ZANU-PF may be ready to enter their party in a genuinely democratic contest, it is still unclear whether Robert Mugabe himself is willing to step down from the

presidential seat any time soon or whether the heads of the state security services will desist from politics in the future.

7 CASE COMPARISON

Nigeria, Kenya and Zimbabwe each represent a prominent African state within its respective region. Apart from being formal British colonies, they share relatively few cultural, historical or demographic features beyond that which is typical to most Sub-Saharan African countries, such as vast ethnic diversity[21] and a largely rural but rapidly urbanizing population. Yet, within a relatively short time frame they have all faced major electoral problems including wide-scale electoral violence. In this chapter I will compare the three case countries and present some remarks on their differences and similarities.

As noted in chapter 1, electoral violence can occur before, after, or during the voting period of the election. In the case of Nigeria, much of the violence occurred during the pre-voting phase, but the official election day(s) and the post-election period were relatively peaceful. In Kenya, violence erupted almost immediately after the announcement of the election results, or in some places already before the announcement as the delay in the announcement generated rumors of a possible election fraud. Here again, the actual election day was relatively peaceful. In Zimbabwe, however, there was electoral violence present on some levels already during the pre-election phase, but a systematic campaign of violence and intimidation against opposition activists and perceived supporters started only after the announcement of the results of the first round (of the presidential election) and intensified towards the end of the run-off phase.

It should be noted that in Nigeria, despite outgoing President Obasanjo's statement of "do-or-die" elections for the ruling party, much of the electoral violence was in fact intra-party violence that centered around the PDP primaries. It seems that personal and local level interests played a more central role as motivators for electoral violence than orders coming from the party's top leadership. Because of the ruling party's hegemonic position, the opposition parties were rarely able to challenge the PDP in the federal elections (namely

[21] Even here Zimbabwe marks an exception with a relatively homogenous ethnic population, including only two major ethnic groups, the Shona and the Ndebele.

the national parliamentary and the presidential elections), but on the local level the opposition candidates could sometimes compete with the PDP candidates on a more even ground, and they had the opportunity to use many of the same legal and illicit tactics as their PDP rivals.

In Kenya, many of the perpetrators of electoral violence were hardcore supporters of the opposition, but apparently the intrinsic motivation for the violence, especially in the Rift Valley Province, had more to do with ethnicity and land rights than with partisan politics. The element of election fraud has been widely recognized as the main trigger of the post-election mass protests, often leading to violent confrontations with the police. However, in some places the inability of the local police to control protests resulted in a collapse of state authority and created a state of lawlessness that enabled the perpetrators of electoral violence to act unchecked. Unlike in Nigeria and Zimbabwe, the Kenyan police and military had no historical ties to the incumbent regime that had only come to power in 2002. In Nigeria, the military has traditionally not been able to distinguish between "the ruling party" and "the government", making it prone to a partisan bias during elections. In Zimbabwe, the security sector's role in facilitating and orchestrating electoral violence was pivotal and not too surprising, given the open partisanship of many of the top people in the state security services (the police, the military and the prison service).

One of the common features in all three cases is the diminishing popular support for the incumbent party in favor of its closest political rivals in the elections. In Nigeria, the PDP still retained its hegemonic position (at least according to the official election results) but was clearly less secure about its winning margin than in the previous elections. The Afrobarometer data shows a nearly 20 % decrease in popular support for the PDP (from 54.5 percent to 34.6 percent) between 2005 and 2008. In Kenya and Zimbabwe, the Afrobarometer data from 2008–2009 indicates a clear lead for the ODM and the MDC-T, respectively, over their political rivals: the ODM leads against the PNU with 52.9 percent to 20.8 percent, and the MDC-T leads against the ZANU-PF with 79.9 percent to 13.5 percent. However, the most recent figures from the yet unpublished Afrobarometer round 5 from 2012 indicates shrinking gap in popularity between the MDC-T and the ZANU-PF, predicting another close race in the 2012 elections, with a high risk for renewed electoral violence. (Afrobarometer 2012.)

Some other common features can be found in all three cases. From figure 6 we can see that Nigeria, Kenya and Zimbabwe all suffered from a "democratic deficit", meaning that the perceived demand for democracy is higher than the perceived supply. All three countries also have a previous history of election-related violence. In Kenya, almost every election since the early 1990s has been marred with electoral violence, albeit not in as large a scale as the 2008 elections. In Nigeria and Zimbabwe, electoral violence has also occurred in elections throughout the 2000s.

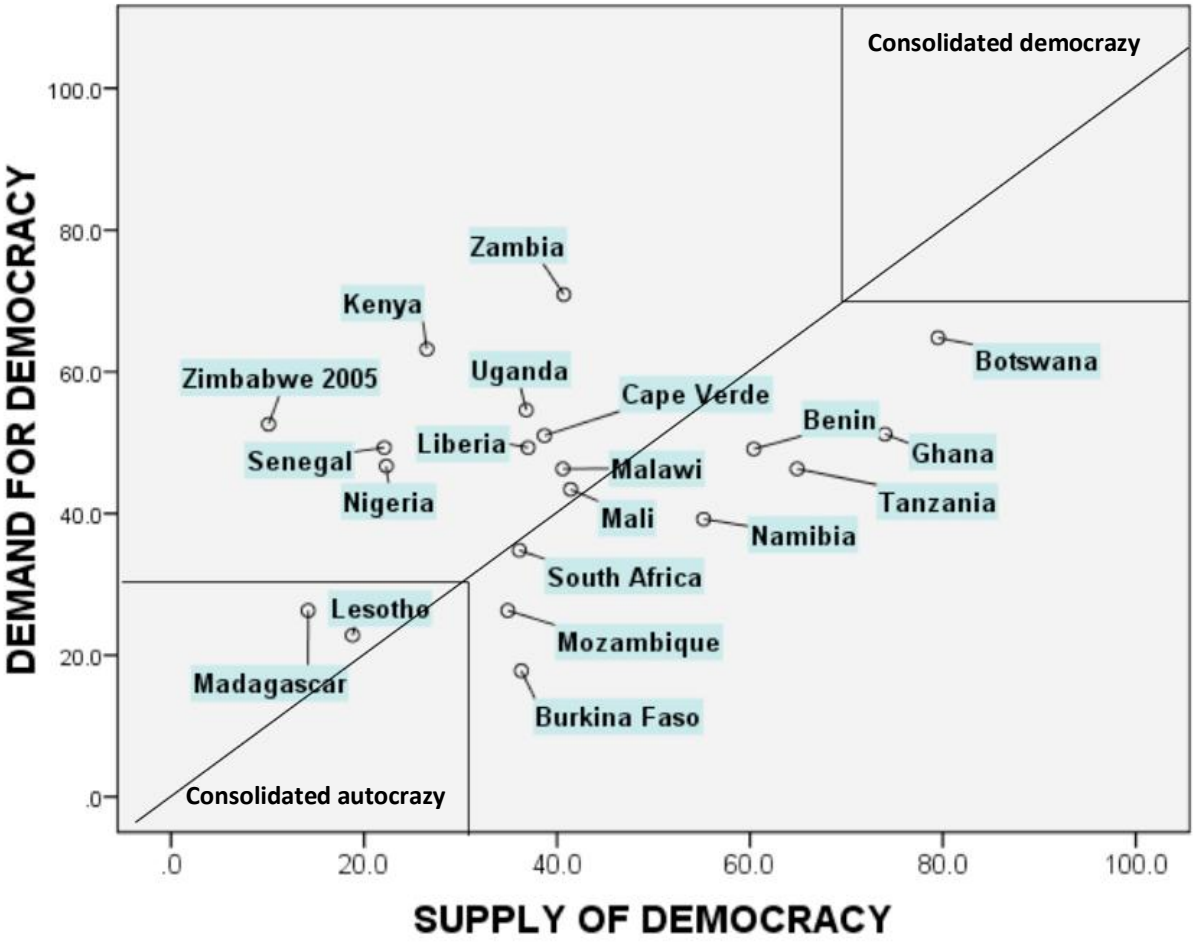

Figure 6: Consolidation of political regimes (Beatton & Mattes 2009: 15)

Another common feature that has not been subject to much research among scholars of African electoral conflicts is the prevalence of internal splits within the incumbent and/or opposition parties shortly prior to elections. In both Nigeria and Zimbabwe, a prominent member of the ruling party challenged the official presidential candidate of the party by joining forces with an opposition party. In Kenya and Zimbabwe, also the opposition suffered from fragmentation, as the leaders of different factions of the opposition coalition

failed to agree on a single presidential candidate. The divisions among the incumbents and the opposition have often appeared to tighten the presidential race and may have contributed to the unwillingness of the rival party to admit defeat or give up the election struggle.

There is generally a relatively low level of trust in the national electoral commission among the citizens in all of the three case countries. In Kenya, the trust in the electoral commission fell drastically after the 2007 elections, from 60.4 percent to only 25.4 percent. In Nigeria, the trust in the electoral commission was already extremely low at 21.6 percent and actually improved to 29.4 percent after the 2007 elections. In Zimbabwe, too, there was a slight improvement in the trust rate for the electoral commission from 30.7 percent to 33.8 percent, although the percentage of people not trusting the electoral commission *at all* increased from 36.7 to 48.0 percent. This mistrust in the national electoral commissions correlates with the public perception of the freeness and fairness of elections. In all three case countries, the majority of the population perceived the elections as "not free or fair" or as "having major problems". Even the supporters of the ruling party in each country tended to have a critical view on the electoral conduct. In all of the three countries people generally felt they needed to be careful concerning what they might say about politics. In Zimbabwe, 85 percent of the people felt that they "often" or "always" need to be careful about what they could say. In Nigeria and in Kenya, respectively, the same was true for 64.1 percent and 54.6 percent of the population.

In terms of what has been the effect of unfair for popular democratic aspirations in Nigeria, Kenya and Zimbabwe, the Afrobarometer shows mixed results. In Nigeria, the democratic deficit has largely remained the same, but both the perceived supply of and demand for democracy have decreased—indicating that the country would be sliding towards autocratization. In Zimbabwe, the perceived supply of democracy increased after the 2008 elections compared to the situation in 2005, presumably due to the positive public reaction to the post-election power-sharing agreement that historically ended the long-standing one-party rule in Zimbabwe, although leaving Mugabe on the president's seat. However, at the same time the demand for democracy in Zimbabwe decreased.

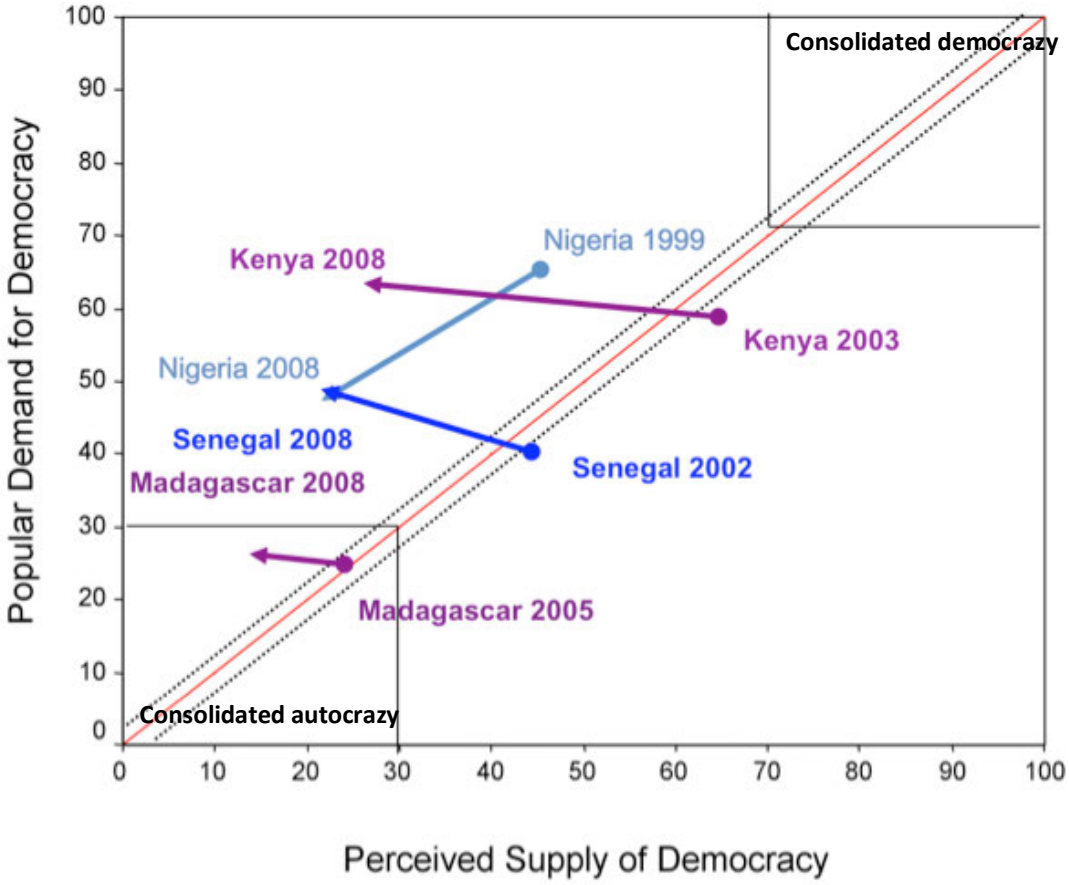

Figure 7: Democratic decline of regimes in Africa (Bratton & Mattes 2009: 17)

In Kenya, despite a similar power-sharing agreement, the perceived supply of democracy, as measured by the level of satisfaction with the prevailing state of democracy, fell from 62.7 percent to 45.4 percent, possibly due to the failed expectations generated by the encouraging advances in the democratic process that took place in Kenya in the early 2000s, namely with the peaceful transition from the long-standing KANU rule to a government formed by the seemingly pro-democratic National Rainbow Coalition, and the successful "No" campaign in the 2005 constitutional referendum, both of which increased the people's trust in the electoral/democratic process. The elections in 2007 marked a failure for the Kenyan democratic institutions, most notably the Electoral Commission of Kenya, which had previously been hailed as the vanguard of the democratic transition in Kenya.

Lindberg's theory of elections as a mode of transition, while extremely helpful in understanding the violent crackdown in Zimbabwe, has some trouble explaining many of the features in the other two cases examined in this thesis. Even though the incumbents in

Nigeria and Kenya certainly played a crucial role in the electoral processes that involved massive amounts of electoral violence, Lindberg's theory fails to address the role of both the opposition and the local level politicians in orchestrating electoral violence. Here Collier & Vincente's model of illicit electoral tactics becomes helpful in explaining how the availability of different electoral tactics (both conventional and illicit) and the strategy choices made by political rivals are likely to affect which election tactics will be used during the electoral process. In Kenya, the incumbent resorted to election fraud rather than electoral violence in order to win the election, and the hardcore supporters of the opposition responded with violence, lacking the opportunity to resort to counter-fraud. In Nigeria's gubernatorial elections, none of the competing parties often had access to election fraud, so the main illicit tactics at hand were electoral violence and vote buying.

Yet, the theoretical models of neither Lindberg nor Collier & Vincente are particularly easy to match with the Afrobarometer data that has been the focal point of analysis in this thesis. In fact, the Afrobarometer data seems to match most closely with Robert A. Dahl's (1971) notions of democratization, as it deals mainly with the public democratic aspirations, which Dahl has found crucial for democratization processes. Fortunately, the Afrobarometer is a very rich source of data, and the excellent user interface of the online data analysis tool (which is provided at the Afrobarometer website) makes it possible to analyze the data against the backdrop of many different kinds of theoretical models, including the ones provided by Lindberg and Collier & Vincente, although the theory and the data may not always make an ideal match.

8 CONCLUSIONS

In consolidated democracies, the electoral process is designed to be highly predictable, while the electoral outcome (the election results) is usually somewhat unpredictable. In electoral authoritarian regimes, the electoral outcome tends to be predictable—the incumbent stays in power—while the electoral process can be highly unpredictable, often involving varying degrees of vote buying, intimidation, violence and fraud so that the intended outcome can be achieved. From the point of view of democratization, elections that result in something other than a clear-cut victory for the incumbent are often the most interesting ones.

The focal point in this study has been to find out *under what conditions are elections in Africa at high risk of being marred with electoral violence*. Apart from being commonly associated with electoral authoritarian regimes, where the incumbent is not willing to give up power and is only using elections in an attempt to legitimize the existing regime, electoral violence is an illicit strategy that is actually readily available for both the incumbent and the opposition alike, and it is often used in situations in which conventional or other illicit election tactics, such as vote buying and election fraud, are deemed to be insufficient, too costly or too difficult to implement by the political contender. In Nigeria, electoral violence was orchestrated mainly by individual politicians on the local level, representing both the (national) ruling party and the opposition parties. The violence was often sponsored by "political god-fathers", i.e. powerful individuals who feel a need to use their power to secure their own political interests and prefer not to get personally involved in local level politics. In Kenya, the main perpetrators of electoral violence were hardcore opposition supporters who unleashed the violence in response to the perceived election fraud by the incumbent.

On the basis of the Afrobarometer data, it seems evident that the risk of electoral violence occurring is bound to increase in Africa's electoral authoritarian regimes, when the popularity of the main opposition party (or a coalition of opposition parties) surpasses that of the ruling party, making it increasingly difficult for the incumbent party to win the next elections without large-scale voter/opponent intimidation or election fraud. A sufficiently independent and unbiased national electoral commission, supported by constitutional safeguards that prevent the incumbent from interfering in the vote counting process, is likely to prevent at least large-scale election fraud from taking place. The presence of national and international election observers is also likely to make it more difficult to attempt to carry out election fraud—or any illicit election strategy for that matter. However, the operability of the election observers is often severely restricted by the autocratic incumbent. When election fraud is not a viable strategy, electoral violence often becomes the strategy of choice. Zimbabwe is a prime example of a country in which a diminishing popular support forced the incumbent to resort to electoral violence, as election fraud was not a viable option. Also in Nigeria's gubernatorial elections, election fraud was presumably more difficult to carry out than other illicit election tactics, and thus

it became less used option, whereas vote buying and electoral violence were widely adopted as the chosen election strategies.

A high democratic demand coupled with a low perceived supply of democracy, which constitute to what I have called "democratic deficit", is another potential indicator of a risk of electoral violence. In all three case countries democratic deficit is noticeably high. In Nigeria and Zimbabwe, the democratic deficit has remained high throughout the 2000s, whereas in Kenya democratic supply and demand were in balance in 2003, but the supply side has subsequently plummeted in the 2008 Afrobarometer survey, evidently because of the failed elections. A high democratic demand may also hamper any potential vote buying attempts during elections, as high democratic demand is likely to produce a high sell-out price for the average citizens, something that politicians with limited economic resources may not be able to afford.

Staffan Lindberg's theory, in which elections are seen as a mode of transition in the political landscape, suggests that the costs of toleration might be the main reason why incumbents in electoral authoritarian regimes resort to illicit election tactics and violence in their attempts to win elections. The costs of toleration often translate into high stakes in the elections. The higher the stakes, the more there is to win and to lose, and the more tempting illicit tactics become, if they are perceived as a potential way of securing a favorable electoral outcome. Sometimes the perceived cost of losing an election may simply be unacceptable to the incumbent. In Zimbabwe, electoral violence evidently took place because the costs of toleration outweighed the costs of oppression in the second round of the presidential election. In Kenya, however, it seems more plausible to presume that the costs of oppression (in this case the costs of an election fraud) were simply underestimated by the incumbent—demonstrating that the cost/benefit calculations of both oppression and toleration are always based on a subjective assessment and do not necessarily correspond to reality.

In the case of Kenya, ethnic rivalries and land disputes were arguably significant underlying factors in the outbreak of violence in the Rift Valley Province. It serves as an example of how unresolved social/ethnic grievances may catalyze a violent social reaction towards electoral malpractices. In Zimbabwe, according to the Afrobarometer data,

ethnicity did *not* play a major role in party affiliation, and surprisingly even the urban–rural divide that traditionally had produced strong rural support for the incumbent ZANU-PF now placed the opposition MDC-T in a clear lead in popularity across the board—both in urban and rural areas.

The three cases that were examined in this study share two features that are likely to result in volatile elections in non-consolidated democracies, but in order for us to be able to assess their significance in this respect, further research is still needed. These two features are: (1) an indecisive constitutional reform and (2) internal splits within the incumbent and/or the main opposition party during the run-up to the elections. Both of these are likely to alter the stakes and the odds in upcoming elections, potentially increasing both dissatisfaction and uncertainty, which may be reflected in what choices the political contenders make as far as their election strategies are concerned. In Nigeria, the then Vice President Atiku Abubakar effectively blocked the incumbent President Obasanjo's constitutional reform that would have allowed him to run for a third term. Subsequently Abubakar was forced to split from the ruling party, and he decided to run for president in the ranks of the opposition. In Kenya, the watered-down constitutional reform was successfully rejected by the opposition in a constitutional referendum, but the opposition coalition subsequently failed to agree on a single presidential candidate for the 2007 elections, causing the ODM to split into two separate fractions, while another member of the opposition coalition, namely the former ruling party KANU, joined forces with the incumbent party. In Zimbabwe, a constitutional reform was agreed upon in the inter-party talks between the ZANU-PF and the MDC, but Mugabe refused to implement the new constitution prior to the elections. Much like in Kenya, the two MDC factions failed to agree on a single presidential candidate, causing the smaller faction to join forces with the ZANU-PF renegade Simba Makoni in the presidential election of 2008.

As for the effects of unfair and violent elections on popular democratic aspirations in Nigeria, Kenya and Zimbabwe, it seems apparent that democratic demand continues to remain high in these countries despite violent and unfair elections. At the same time, the popularity of the main opposition parties has been constantly rising, as compared against that of the incumbents, making a regime change—if not imminent, then at least—highly plausible in the near future. Yet it still remains to be seen how the power-sharing deals in

Kenya and Zimbabwe will affect the popularity of the former opposition parties that now share the government responsibility with their main political rivals.

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