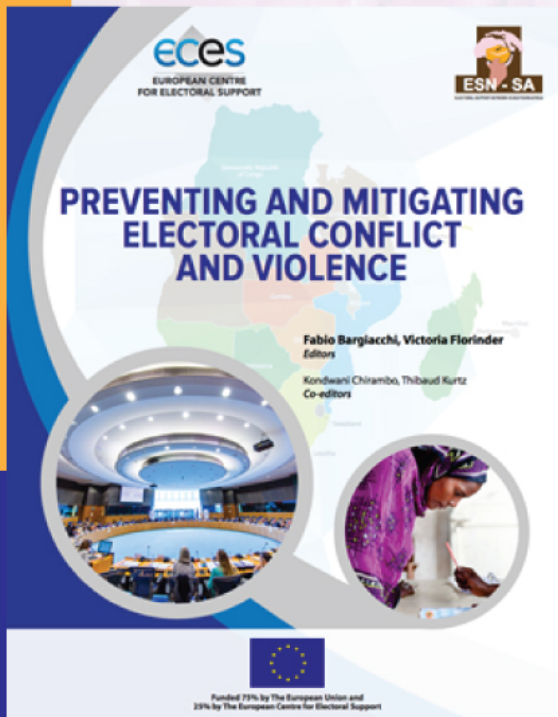


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## Reflections on Election Conflict and Violence Prevention: Lessons from Southern Africa

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## Introduction

Elections are often perceived as being synonymous with democracy and legitimate political institutions. However, recent electoral processes around the globe, in diverse countries such as the US, Tanzania, Kenya and the Democratic Republic of Congo have been marred by fraud or accusations of irregularities. Many countries still conduct elections with partisan electoral administrators, or electoral systems that are designed to consolidate historical election outcomes and conserve the political status quo, and others employ the electoral platform of referendums to legitimise the political views of a marginal majority of the electorate, as exemplified by the Brexit referendum. It is because elections and the myriad of political sub-processes that comprise them are so complex that they often become the battlegrounds for ideological, social and economic clashes, both endogenous and exogenous to the electoral process itself.

This is particularly visible in the SADC region that is on the one hand, relatively more peaceful and stable than the rest of the continent, but has recurrent issues with regular tensions around elections. Electoral processes in SADC countries are also often distinct in the various ways which political parties and citizens are connected by a strong moral bond that also passes through generations, originating from the liberation struggle. That said, SADC's democratic journey has never been smooth and recent elections have reignited a general climate of mistrust by broad sections of the public towards electoral management bodies that gives rise for concern. Countries historically seen as anchors of peace, such as Zambia and Tanzania has seen increased tensions and shrinking space for both civil society and media. This paper, best described as a summary of some of the main conclusions from a handbook on election conflict prevention produced by the European Centre for Electoral Support, will also reflect on some of the major trends in the emerging field of election conflict and violence research.

In a nutshell, being far from an academic article in standard and style, the paper will draw on the accumulated experience from having implemented the multi-country project entitled "Preventing Election Related Conflict and Violence in the SADC region" (PEV SADC). The PEV SADC project was funded at 75 percent by the European Union (EU) and 25 percent by ECES under the European Instrument for Democracy and Human Rights (EIDHR) and unfolded between 2013 and 2017<sup>1</sup>.

The overall objective of the project was to prevent election related conflict and potential violence in the Southern African region, through support to the regional umbrella organisation ESN-SA. The first specific objective of the project was to strengthen the capacity of member Civil Society Organisations (CSOs) and stakeholders in mitigating election-related violence and conflict prevention. The second objective was to support the establishment of an Observatory of electoral conflict and potential violence and carry out research and sensitisation in order to prevent and mitigate election related conflicts at all levels and advocate for legislative enforcement for electoral dispute resolution. As a result of the second objective, an ample handbook was developed featuring case studies from all 14 countries.

The handbook describes and analyses election-related conflicts that have been taking place in the SADC region in recent years and explores some of its root causes. It also suggests

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<sup>1</sup> The geographical scope of the project covered fourteen SADC countries namely: Angola, Botswana, Democratic Republic of Congo (DRC), Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, the United Republic of Tanzania, Zambia and Zimbabwe.

ways on how to prevent, mitigate and manage conflict arising during the electoral cycle focusing particularly on early warning mechanisms.

The regional handbook provides a comprehensive, up-to-date and practical guide that near-all electoral stakeholders and development partners involvement in combating election related conflict and potential violence will be able to make use of. It analyses root causes and triggers, outlines hands-on solutions for different types of violence and provides a range of case studies reflecting on the lessons learned by the SADC-ESN and other CSOs that have worked in this field.

It is our hopes that the handbook can serve as a solid reference tool for many electoral stakeholders and development partners that are, or are intending to become, involved in the field of promoting peaceful electoral and democratisation processes in the SADC and beyond.

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## Snapshot of the SADC region

There is a common history shared between SADC countries in terms of past political regimes. Nevertheless, southern African countries also have strong differences when it comes to its modern day political trajectory and where it seems to be heading. By 2017, only eight countries out of the fifteen (sixteen with Zanzibar) in the region have experienced a change in power through elections in the post-colonial era. By change in power, we refer to a different political party gaining the majority other than the incumbent party or adopting various power-sharing modalities (Zanzibar and Zimbabwe).

Country	Transfer of power through elections in post-colonial times
Angola	N/A
Botswana	N/A
DR Congo	N/A
Lesotho	2 times: 2012; 2015.
Madagascar	2 times: 2001; 2013
Malawi	3 times: 1994; 2004; 2014.
Mauritius	4 times: 1995; 2000; 2005; 2014.
Mozambique	N/A
Namibia	N/A
Seychelles	1 time: 2016
South Africa	N/A
Swaziland	N/A
Tanzania	N/A
Zanzibar	4 times: 1985; 1990; 2000; 2010
Zambia	4 times: 1991; 2001; 2008; 2011
Zimbabwe	1 time: 2008

This means that half of the SADC countries are still ruled by the party that came to power through the first elections just before or following independence (e.g. BDP since 1965 in Botswana, FRELIMO since 1975 in Mozambique, SWAPO since 1990 in Namibia) or since becoming a full electoral democracy (e.g. the ANC since 1994 in South Africa).

Three out of the fifteen SADC countries have had the same head of state for 30 years or more up until 2018: King Mswati III in Swaziland since 1986, President José Eduardo Dos Santos since 1976 and President Robert Mugabe since 1987. Although Zimbabwe elected a new President in July 2018, Mugabes ZANU-PF remained in power with a slim majority of 50.8%.

There are twenty-eight former heads of state and government alive in the SADC region from: Botswana, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, UR Tanzania (both continental and Zanzibar) and Zambia.

<b>Former and Alive Heads of State or Government</b>		
<b>Countries</b>	<b>Names of Former Presidents</b>	<b>Number</b>
<b>Angola</b>	N/A	0
<b>Botswana</b>	Mogae	1
<b>DR Congo</b>	N/A	0
<b>Lesotho (Prime Minister)</b>	Thabane	1
<b>Madagascar</b>	Ratsiraka; Zafy; Ratsirahonana; Ravalomanana;	4
<b>Malawi</b>	Muluzi; Banda; Mutharika,	3
<b>Mauritius (Prime Minister)</b>	Ramgoolam	1
<b>Mozambique</b>	Chissano; Guebuza	2
<b>Namibia</b>	Nujoma; Pohamba	2
<b>Seychelles</b>	René; Michel	2
<b>South Africa</b>	Mbeki; Motlhante	2
<b>Swaziland</b>	N/A	0
<b>Tanzania</b>	Mwinyi; Mkapa; Kikwete	3
<b>Zanzibar</b>	Mwinyi; Amour; Karume	3
<b>Zambia</b>	Kaunda; Banda; Scott	3
<b>Zimbabwe</b>	Mugabe	1

Only the Democratic Republic of Congo does not enter any of the two groups described above: the country has not had a single head of state for at least 30 years nor is any former head of state still alive. This might be changing following the decision not to opt for a third term by current President Joseph Kabila.

Mediation in electoral conflicts are trending and many international and regional organisations are increasingly promoting various councils and networks of high profile individuals, but there seems to be a persisting difficulty in finding a mediator or facilitator acceptable to all when it comes to regional mediators facilitating dialogue in the SADC. Much of the liberation struggles fraternity bonds seem to be kept well intact and possibly, the “deadlock” in some of the most notable conflict stemming from flawed elections in the SADC might be attributed to the lack of political will to resolve problems in a neighbouring country. Although there is a new and vibrant generation, in South Africa referred to as the “born free” generation, many hope that this can come to change the rules of the game, what can be expected in terms of political pressure from past and current leadership from within the SADC for elections that doesn’t comply to international and regional standards?

Since the early 1990s, there has been a regional trend in the countries politically dominated by the same ruling parties since independence. Their dominance is decreasing in the polls. This eroding situation shows a more competitive electoral environment for ruling parties.

See below a sample from Tanzania, South Africa and Botswana.

<b>General elections<sup>2</sup></b>	<b>1999</b>	<b>2005</b>	<b>2010</b>	<b>2015</b>
% of popular vote for the Chama Cha Mapinduzi (CCM) - Tanzania	65,19%	70%	60,20%	55,04%
<b>General elections<sup>3</sup></b>	<b>1999</b>	<b>2004</b>	<b>2009</b>	<b>2014</b>
% of popular vote for the African National Congress (ANC) – South Africa	66.35%	69.69%	65,90%	62,15%
% of popular vote for the Botswana Democratic Party (BDP) - Botswana	57,15%	51,73%	53,26%	46,50%

## SADC in a larger regional context

Albeit many new datasets are emerging, thanks to great initiatives seen by the Electoral Integrity Project (EIP), Varieties of Democracy (V-DEM) and Uppsala Conflict Data Programme (UCDP) hosted in the Department of Peace and Conflict research at Uppsala University, perhaps one of the most exhaustive data bases until a few years ago was the Social Conflict in Africa Data base (SCAD) which is part of a global research mechanism that tracks all forms of conflict across the world. It covers a 36-month period accounting for the pre-election, election and post-election phases, and encapsulates forms of conflict which, purportedly, other researchers do not normally track, such as strikes, riots, protests, inter-community conflict, state-sponsored violence against civilians in Africa, Mexico, Central America and the Caribbean (SCAD, 2015).

According to SCAD, there were 685 incidences of conflict on the African continent between 1990 and 2011 resulting from elections. Further, Bokoe (2012) asserts that violence characterised 60% of elections held in Africa in the year 2011 alone. The nature and levels of violence are varied (Lindberg, 2006) but ‘serious’ cases have been rare, constituting only 10% of all elections held in sub Saharan Africa in the 1990 and 2008 period (Strauss & Taylor, 2012: Small, 2015). Strauss and Taylor (2012) find that 42% of the elections between 1990 and 2008 experienced no violence; while there were 38% cases of ‘violent harassment’; 20% of ‘limited violence’ and 10% of ‘repressive violence’.

These studies also show that the early 1990s when African countries were experiencing transitions to multiparty democracies were the most violent, particularly in 1992/1993; and later in the 2000 and 2005 periods. The reasons for this, as stated earlier, are multiple.

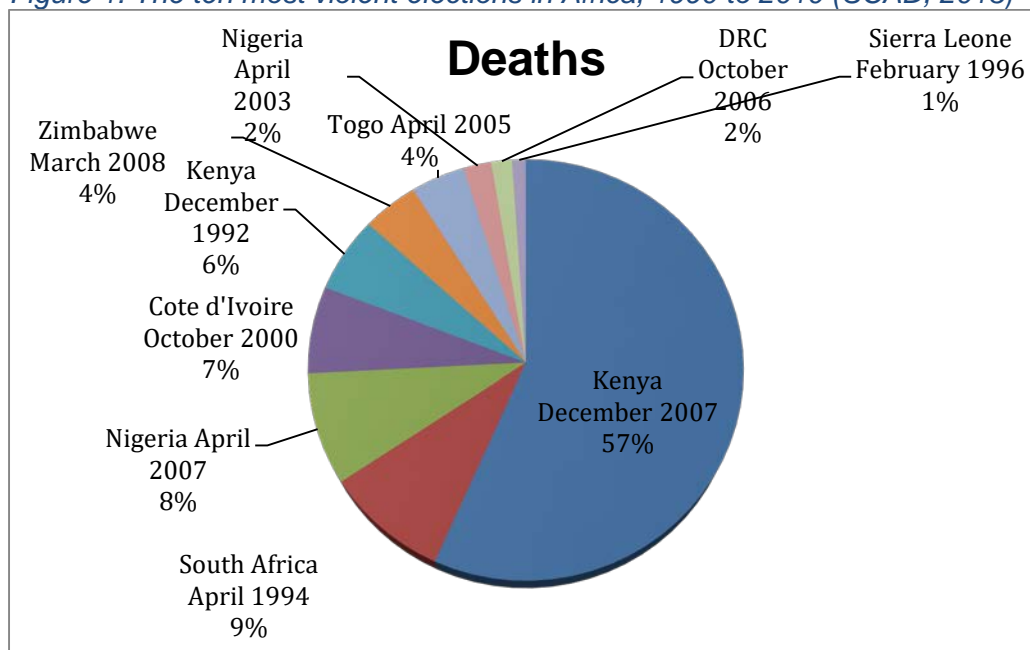
What is perhaps striking about the SCAD data base is the absence of SADC countries (except for three) on the list of the ‘*Top ten most violent elections*’ held between 1990 and 2010 (SCAD, 2013:4). Only South Africa in 1994 [239 deaths]; Democratic Republic of Congo (DRC) [42 deaths] in 2006; and Zimbabwe [114 deaths] in 2008; are part of the ‘*Top ten most violent<sup>4</sup> elections, 1990-2010*’ [SCAD, 2013] [See Figure 1].

<sup>2</sup>African Elections database, Tanzania Elections Results, <http://africanelections.tripod.com/tz.html>

<sup>3</sup> African Elections database, Botswana and South Africa Elections Results, <http://africanelections.tripod.com/bw.html>, <http://africanelections.tripod.com/za.html>

<sup>4</sup> ‘Violent elections’ signifying those acts physical of violence perpetrated during elections that result in fatalities.

Figure 1: The ten most violent elections in Africa, 1990 to 2010 (SCAD, 2013)



Source: SCAD, 2013: Small, 2015;

Figure 1 above, shows that Kenya with 1502 deaths in the December 2007 elections was by far the most violent election.

SCAD also reveals that the increase in electoral violence from 7% (as a proportion of all conflict) in the 1990s, to 10.1% by the turn of the century (2000), may be explained by the frequency of elections as the number of countries on the continent that embraced multiparty elections rose. There has of course been spontaneous violence occurring in the United Republic of Tanzania (URT) in 1995, 2000 and 2010. Zanzibar has had a continuous record of violence to varying degrees, owing largely to historical ethno-religious and political tensions between the Islamic opposition Civic United Front (CUF) and the ruling CHAMA CHA MAPINDUZI (CCM). Lesotho has had its intermittent reversals but has not experienced wide spread electoral violence.

Electoral violence in South Africa is a relatively remote phenomena going back to the pre-democracy polls of 1994 [Chirambo, [Sn]]; Botswana has no verifiable, significant incidences to note. The explanation of why Southern Africa is less susceptible to violent elections may reside in the nature of transitions from colonial rule to one party States and subsequently to democracy. For instance, while West Africa and parts of North Africa and the Horn have experienced military dictatorships which inculcated a culture of violence and thuggery, southern Africa, serve for Lesotho, has had virtually no significant exposure to these regimes. The characteristic feature of the southern African region rather, has been a preponderance of dominant party structures largely owing to the continuance of plural majority systems or enduring allegiances to liberation or nationalist parties. There is still tension as to whether these transitions on the whole approximate formal or substantive democracy (Danieal, Southall & Szeftel, 1999, Oseghae, 2004). On the whole, it is apparent from data and research in this field that there are some common factors that are regarded root causes of previous, current or future conflicts and they can be aggregated as follows:



- That countries with a history of civil war or civil discord will exhibit the highest levels of electoral conflict;
- That there is a wide range of causes of electoral-related violence, including: high youth unemployment, land disputes, ethno-religious tensions; nepotism; cronyism; patronage; partisan politics; competition over access to resources and horizontal inequality (Small, 2015; AU/IPI, 2015; PSC, 2015).

The Report of the Panel of the Wise [AU/IPI, 2010] and the proceedings of the AU Peace and Security Council (PSC, 2015), apart from acknowledging social and demographic antecedents of electoral-related violence, place in sharper relief institutional weakness; attempts at unconstitutionally extending presidential term limits; politicisation of state and security institutions; unequal access to state resources by political parties; inequality; social exclusion and lack of autonomy of the Electoral Management Bodies (EMBs) as additional root causes.

As much discussion seems to revolve around the structural aspects, including the inclusiveness (or lack thereof) of political institutions, it is perhaps useful to begin to unmask popular perceptions of these strategic institutions in order to determine the policy interventions required. It is this researcher's view that public opinion surveys can help both national and regional early warning systems to record the levels of confidence in democratic institutions and make timely remedial actions.

With the above, in sum, it is important to increasingly focus on conflict and what works in terms of conflict prevention and mitigation in larger terms with room for a generous definition of electoral conflicts and how it may vary across cultures on how it manifest itself as well as the consequences on short, mid and long-term. A violence-free election could otherwise then increasingly be seen as somehow a successful election. Narratives on electoral violence suggests that violence amongst people belonging to different ideological groupings is more difficult to heal than violence between people and state agents i.e. special security; military or police.

## Electoral Observation and fraud

Despite the importance attributed to election observation, and rightfully so, election observation might not reduce fraud but simply move it from an observed polling station to an unobserved one or employ less visible ways of tampering with the electoral process. That alone can justify the increased financial support to electoral assistance vis-à-vis election observation, taking the European Union as an example. Some scholars mean that election observation, in terms of preventing electoral fraud, have a negative spill over effect that would mitigate or negate the *positive direct benefits* of election observation. In 2012 on election day in Ghana, domestic observers were positioned at polling stations throughout the country. At polling stations where observers were stationed, there was a marked decrease in the rates of over-voting, in which multiple votes are tallied by one elector, and also a lower turnout rate<sup>5</sup>.

However, "observers increase the probability of over-voting at unobserved stations located within a two to five kilometre radius by 2.6 percentage points and 2.3 percentage points, respectively"<sup>6</sup>. This spill over effect was also evident during voter registration, when

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<sup>5</sup> Asunka, Joseph, et al. "Protecting the Polls: The Effect of Observers on Election Fraud." ` , 10 Dec. 2013.

<sup>6</sup> Ibid. Pg. 24.

registration centres visited by election observers saw “3.5 percentage point smaller increase in registration than electoral areas without registration observers”<sup>7</sup>. Fraud is quickly displaced geographically with political parties adapting to electoral observation, finding new ways to cheat. This means that electoral observers are solely the anathema to fraud but this is also reflected in the increased funding and importance to electoral assistance. Another risk brought up in the literature is that if election observers are not aware of the spill over effect they have, they can overestimate the fairness of the election. This would delegitimize disputes brought up by the non-offending party, making a rightly aggrieved party seen as a ‘sore loser’. This would also delegitimize election observers among the electors, possibly undoing any good that they have done. There is no reason to believe that this is unique to Ghana either. While observation and monitoring must play a role in data collection, its ability to actually inhibit electorally related violence is most likely overstated.

The same literature suggests that not only does electoral observation displace electoral fraud geographically, it also directly displaces electoral violence temporally. Non-democratic leaders have shown a willingness to strategically adapt electoral fraud, based on the costs associated with perpetration, and “as a result, effective forms of strategic manipulation should change with changes in the emphasis of election monitoring”<sup>8</sup>. If actors are willing to change the type of electoral fraud and place where electoral manipulation or intimidation occur, it reasons that they are also willing to change the time frame in which it occurs. Empirically, if there were electoral observers the “probability of [pre-election] violence increase 200 percent” in African elections between 1990-2009<sup>9</sup>. Therefore, while all observers can create spatial spill overs of fraud, short term international observers will also tend to create temporal spill overs of fraud, including violence. This would have the effect of causing international observers to be more likely to call fraudulent and violent elections legitimate, as they are only able to observe and monitor electoral violence in a shorter, and likely safer, period of the electoral cycle.

Election observers do not always agree either, creating a miscommunication of what is considered a legitimate election. In 2014, Mozambique was in the process of their executive election. The EUEOM to the country found several pre-electoral irregularities, and characterized the pre-election period as an “unbalanced electoral campaign disturbed by localized acts of violence”<sup>10</sup>. The Southern African Development Community’s observation mission (SEOM) declared that the election was “transparent; free and fair, and credible; thus, reflecting the will of the people of Mozambique”<sup>11</sup>. That two otherwise reputable bodies would disagree is not unique to the Mozambican electoral process. Rather, it is largely based on the amount of time electoral observers spend in country and what they choose to emphasize. The EUEOM’s report was mostly about the 43 day

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<sup>7</sup> Ichino, Nahomi, and Schündeln, Matthias. “Deterring or Displacing Electoral Irregularities? Spill over Effects of Observers in a Randomized Field Experiment in Ghana.” *The Journal of Politics*, vol. 74, no. 1, 2012. Pg. 302.

<sup>8</sup> Beaulieu, Emily, and Hyde, Susan. “In the Shadow of Democracy Promotion: Strategic Manipulation, International Observers, and Election Boycotts” *Comparative Political Studies* vol.42, no. 3, 2009. Pp. 410.

<sup>9</sup> Daxecker, U. (2014). All quiet on election day? International election observation and incentives for pre-election violence in African elections. *Electoral Studies*, 34(C), 238.

<sup>10</sup> EUEOM. “Preliminary Statement: Orderly Voting After Unbalanced Electoral Campaign”. 17 Oct. 2014. Pg. 1.

<sup>11</sup> Nkoana-Mashabane, Maite. “SADC ELECTORAL OBSERVER MISSION (SEOM) TO THE REPUBLIC OF MOZAMBIQUE”. 17 Oct. 2014. Pg. 6.

campaigning period, in which the detention of opposition supporters, the use of government vehicles and materials by the incumbent party, and the bias of state security forces were mentioned<sup>12</sup>. While this phase of the electoral cycle was flawed, the EUEOM did conclude that election day itself was an orderly and transparent process. The SEOM focused primarily on election day itself.

Therefore, they came to the same conclusion as the EUEOM in that regard. However, by not having a long term observation, the SEOM was unable to take a full scale electoral cycle approach. This tempered their ability to fully explain the democratic process surrounding the election, rather than simply the election itself.

This miscommunication between observers can lead to an inability to institute recommendations made. Quasi-democracies could simply cherry pick which reports view them favourably and use them to confer legitimacy to their election and inhibit democratic capacity building projects. Thus, the variance in electoral observation reports creates an environment that can further reduce their impact on the democracy of the observed nation. Lately, there has been coordination on press statements especially in elections where either violence or mischief was a prominent feature (Tanzania/Zanzibar 2015/16, Zimbabwe 2018). This might be very effective and legitimizes the messages passed, however, turning back to the previous chapter, what happens afterwards in terms of reversing an incorrect electoral process and implicitly delegitimize the result is has generated, require much more political pressure. In this instance, the regional bodies and SADC member states are under-delivering.

## Democratic Capital as a Subset of Social Capital

There have been many attempts to develop reliable conflict- and violence indicators that should give some guidance as to predicting the probability of elections turning violent. It seems that rather being a set “formula”, election violence can happen in most countries, even economically advanced established democracies. Democratic capital is an interesting concept with regards to this. It is the theory that a nation’s history of democracy should create a positive feedback loop of democratic ideals. Over time, democratic countries will increase their democratic output. Successive free and fair elections consolidate the previous democratic gains made. From a constructivist standpoint, it also makes sense that repeated fair elections would degrade a societal acceptance of fraud and electoral violence, making it no longer socially acceptable to cheat or intimidate in order to win the election. This therefore increases buy in among all electoral stakeholders and is evidenced by quantitative data which shows a correlation between historical democratic capital and perceived electoral integrity<sup>13</sup>. As electoral integrity increases, one would see a consolidation of “democratic practices, reinforcing civic cultures, and [the increased] capacity of electoral management bodies”<sup>14</sup>. An increased electoral consent would thus be accepted as democratic ‘losers’ would be unable to violently contest the election, as there would be too much democratic capital accrued. When looked at through the lens of rational decision making, democratic capital also makes sense logically when

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<sup>12</sup> EUEOM. “Preliminary Statement: Orderly Voting After Unbalanced Electoral Campaign”. 17 Oct. 2014. Pp. 1.

<sup>13</sup> Norris, Pippa, Richard W. Frank, and Ferran Martínez I Coma. "Measuring Electoral Integrity around the World: A New Dataset." *Political Science and Politics* 47, no. 4 (2014): Pg. 796

<sup>14</sup> Ibid.

understood as a repeated prisoner's dilemma. A repeated prisoner's dilemma game can become stable in cooperation, and also increase further cooperation as players build up a reputation for collaboration<sup>15</sup>. To apply this to our electoral context, repeated instances of electoral stakeholders working together should decrease the risk of one actor defecting and being a 'sore loser', spoiling the entire electoral process for their own short term gain. This is however somewhat contradictory since the competitiveness for elected positions are also a healthy component of democracy.

Democratic capital can also be approached as a subset of the social capital theory, as understood by Robert Putnam. Putnam describes social capital as "features of social organization such as networks, norms, and social trust that facilitate coordination and cooperation for mutual benefit"<sup>16</sup>. The organization of social capital necessitates trust and cooperation, which subsequently increases further trust and cooperation.

This positive feedback loop has further positive externalities of a robust and accountable civil society. Whereas social capital is happening on the personal scale between individual people and agents, democratic capital is social capital writ large; a successive communal experience that creates trust in the social system.

While both social capital and democratic capital seem to be the same exact theory simply on a macro and micro scale, there are some differences between the two. To begin with, social capital is much harder to increase through policy. Social capital is built on trust, and "We don't really know a great deal about how trust is established"<sup>17</sup>. This puts policymakers in a bind as it is unclear how exactly to build trust. Democratic capital however, can be built by a clear institutional mandate and competent follow through. Electoral audits, for example, can increase credibility in electoral results if done according to international standards. Election violence and conflict might be explained using both the democratic capital and the social capital theory since the relationship of importance is both the individual vis-à-vis elected institutions and electoral administrators and that between individuals.

However, while for example electoral audits (on the overall process or only voters roll) may increase the credibility of the individual election, if this activity is done in an ad hoc manner they can decrease overall trust in the impartiality of the managing body. To get around this issue, it is important for electoral management bodies (EMBs) "to conduct comprehensive scenario mapping and planning to set rules, contingencies and processes to prepare for the possibility of disputed results"<sup>18</sup>. Post-Election Audits are simply an example of how clearly laying out the rules and contingencies of each step up the electoral process is something that members of an EMB should do, as it will increase electoral integrity and indirectly boost social and democratic capital. Since both democratic and social capital essentially rely on trust, one can think of them as linked, and a subset of one

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<sup>15</sup> Andreoni, James, and John H. Miller. "Rational Cooperation in the Finitely Repeated Prisoners Dilemma: Experimental Evidence." *The Economic Journal*, vol. 103, no. 418, 1993, p. 570., doi:10.2307/2234532.

<sup>16</sup> Putnam, Robert D. "Bowling Alone: America's Declining Social Capital." *Journal of Democracy*, vol. 6 no. 1, 1995. Pg. 64

<sup>17</sup> Sander, Thomas, and Lowney, Kathleen. "Social Capital Building Toolkit". Saguaro Seminar: Civic Engagement in America, John F. Kennedy School of Government, Harvard University.

<sup>18</sup> Darnolf, Stefan, et al. *Election Audits: International Principles That Protect Election Integrity*. IFES, 2015, [www.ifes.org/sites/default/files/2015\\_ifes\\_di\\_election\\_audit\\_white\\_paper\\_0.pdf](http://www.ifes.org/sites/default/files/2015_ifes_di_election_audit_white_paper_0.pdf). Pg 2.

another. Regardless of the policy tools available to build that trust, the theory behind both remain. The difference largest difference is in the actors involved. Social capital is based on personal actors and agents who must trust and cooperate, while democratic capital is based on institutional trust and cooperation. While the actor may be able to change the actions necessary to build trust, it does not change the underlying nature of the trust involved. Therefore, for the purposes of this paper, we will look at democratic capital and social capital as one unified political economic theory.

## Namibia: A Case Study in Democratic Capital

Since independence in 1990, Namibia has had general presidential and legislative elections happening once every four years. The first election was one marred by electoral violence, as the South West People's Party (SWAPO) transitioned from the political wing of an armed guerrilla movement to a legitimate political party, while the apartheid regime faced their first real democratic elections. The first election was "dogged by major problems, especially widespread intimidation of the electorate"<sup>19</sup> before election day. Electoral violence was not perpetrated within the party structure to increase turnout, but rather outside of the party structure in order to suppress opposition turnout. Furthermore, the post-election period saw further electorally related violence, with a Koevet's, the apartheid counter-insurgency forces, member killed by SWAPO supporters after the election<sup>20</sup>. There were also other post-election murders, which were blamed on the Koevets<sup>21</sup>. This electoral violence can therefore be understood not as a suppression tactic but also a tool of revenge and retribution. It further proves that electoral violence can happen at any point during the electoral cycle and is not simply relegated to the run up to election day. The 1989 transitional election also makes sense with the democratic and social capital theories. There was not a consolidated norm and trust around democratic institutions in Namibia, as the country was new independent and therefore had new government institutions. Furthermore, the country was born out of a violent struggle, which might lead actors to the conclusion that violence and intimidation were the path towards political power. That the violence occurred on an inter-party level also points towards there being a lack of 'bridging' social capital, in which different groups have connections between them<sup>22</sup>. Since the political parties had strong intra-group social capital but weak inter-group social capital, there was not a sense of a national collective, making electoral violence permissible. A unified theory of social capital can therefore be a partial explanation for why the 1989 general election was so violent.

The theory can also explain why the subsequent election in 1994 was markedly less violent. While there were some issues with intimidation between the incumbent SWAPO and the opposition DTF party, there were no direct assaults or violence related to the 1994 elections. The 2004 regional, parliamentary, and presidential elections also had no reported instances of violence or intimidation<sup>23</sup><sup>24</sup>. This could partially be attributed to the democratic capital which had been accrued since independence. SWAPO had

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<sup>19</sup> Wallace, *A History of Namibia*, 306.

<sup>20</sup> "Former Koevoet Man Shot Dead by SWAPO Gunmen," *The Citizen*, November 17, 1989.

<sup>21</sup> "Koevoet Linked to Deaths in Namibia," *The New Nation*, December 1, 1989.

<sup>22</sup> Sander, Thomas, and Lowney, Kathleen. "Social Capital Building Toolkit". Saguaro Seminar: Civic Engagement in America, John F. Kennedy School of Government, Harvard University.

<sup>23</sup> Electoral Commission of Namibia, "Regional Councils Elections Report 2004," 2005, 31.

<sup>24</sup> Electoral Commission of Namibia, "Presidential and National Assembly Elections Report 2004," 2005, 48.

transitioned from a quasi-legal entity to a fully recognized ruling party. Furthermore, successive fair and democratic election created more democratic capital, with there being a reduction in violence in the next election. Furthermore, as individuals within society had more contact with each other in a democratic country, trust grew, increasing social capital. Both of these can be evidenced by an over 6.8% increase in turnout from the 1994 to the 2004 presidential elections<sup>25</sup>. This seems to suggest that as Namibia had more elections, the citizens and country accrued more social and democratic capital, creating a positive feedback loop and thus consolidating democracy in the country.

Another tool that the ECN uses to curb party behaviour is the code of conduct that each party signs. The code is a public recognition signed by all parties of the norms governing the electoral process in Namibia. At its core, it seems to be a prime tool for the creation of democratic capital. The code declares that the parties will not use intimidation or incite violence and hate towards the other parties<sup>26</sup>. Furthermore, the Code also calls for the ECN and the parties to “publicise this Code of Conduct throughout Namibia by all means at their disposal”<sup>27</sup>. By publicising the code, the parties of Namibia would further consolidate peaceful campaigns and elections among the general electorate. This would over time create the type of consolidated norms that would not accept any type of voter intimidation or violence. Finally, the code calls for there to be a designated liaison between all parties in order to communicate and avoid conflict<sup>28</sup>. In theory, having the parties sign onto the Code and the people aware of its existence should be a classic case of democratic capital at work. The first version of the code was drawn up in before the 1994 election. This would seem to fit with the lower rates of electoral violence and intimidation during the subsequent electoral cycle. By creating clear and public framework around political contestation, the ECN was able to create more democratic and social capital across the country.

While a broad definition of social capitals provides a neat narrative for increasing democratic norms in Namibia, it fails to provide an answer for the national elections of 1999, 2009, and 2014. In 1999, a group of SWAPO members broke off from the party and became the Congress of Democrats (CoD). While CoD only ended up with a small fraction of the vote, the Home Affairs minister accusing CoD of being a party of “traitors and spies... [who will return] the government of the white people”<sup>29</sup>. There were also 22 cases during the 1999 election of intimidation of opposition member, including the “assault of opposition party members and supporters”<sup>30</sup>. This is a marked movement away from the peaceful election in 1994. While one explanation might be that two national elections, and one peaceful one, did not accrue enough democratic or political capital to stop all forms of electoral violence or intimidation. However, this fails to explain the election related violence that occurred in 2004 or in 2014. After the peaceful 2004 election, the 2009 election included multiple instances of harassment, a fatal shooting and several stabbings in the run up to the national election<sup>31</sup>. The 2014 presidential election also saw cases of

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<sup>25</sup> Data from The Electoral Commission of Namibia. “Election Results from Previous Years”. 1992, 2004.

<sup>26</sup> ENC. “We Pledge Our Commitment to Free and Fair Elections: Code of Conduct”. 2014. Pp 1-16.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Lodge, Tom. “Heavy Handed Democracy: SWAPO’s Victory in Namibia” *Southern Africa Report*. Vol 15, no. 2. (2000)

<sup>30</sup> Ibid.

<sup>31</sup> Grobler, John. “Swapo Not Used to Competition.” *The M&G Online, Mail & Guardian*, 4 Mar. 2008, [mg.co.za/article/2008-03-04-swapo-not-used-to-competition](http://mg.co.za/article/2008-03-04-swapo-not-used-to-competition)

voter intimidation and violence by SWAPO supporters, including three women having stones thrown at them for wearing opposition party colours and a group of men threatening to burn down an opposition party member's house<sup>32</sup>. The theory behind democratic capital should mean that each successive election becomes more of a legitimate democratic exercise, as democratic gains are consolidated. Rather, Namibia exhibits semi-regular shifts between fully free election and inter-party violence and intimidation. While Namibia does have much lower incidences of violence compared to their neighbours, this does not excuse the violence that does take place. Thus, democratic capital may partially explain why for the most part Namibians vote in peace, it fails to explain the chronological irregularities of electoral related violence.

This seems to point to the political Party Code of Conduct not working as well as it could, either. Party officials still are inciting hate and violence towards opposing members, even if they themselves do not participate in the violence themselves. Parties repeatedly breached the code of conduct they signed, seriously calling into question the normative shaming of electoral intimidation that such a code hopes to create. One analyst concluded after the 1999 election that "The passivity of the Election Commission in the face of repeated violations of its own electoral code represented a serious flaw in its management of this contest"<sup>33</sup>. The lack of any real enforcement mechanism within the Code of Conduct inhibits the behaviour curbing effect that it hopes to create. As the code exists today, it is more of an educational tool about what a perfect Namibian electoral process would look like for party stakeholders. The direct effect the Code of Conduct has right now, however, is unclear and might not do much to curb inter-party violence in contentious elections.

While electoral related violence can happen at any point in the electoral cycle, electoral violence in Namibia tends to have the same actors involved. Electoral violence in Namibia tends to be perpetrated by party supporters, often times incited by party officials. Therefore, party dispute mechanisms would be the most direct policy to mitigate and prevent electoral violence in Namibia. Namibia has since put in place two conflict resolution mechanisms. Namibia also has a Political Party Liaison Committee (PLCs) Mechanism. Each political party has two representatives on the PLC, which meet and discuss inter-party disputes. It is important to note that the PLCs are not legally mandated and therefore act as a more informal meeting space. They therefore have no legally binding enforcement or arbitration mechanisms within them. This has the benefit of creating a more informal system in which parties and other electoral stakeholders can meet and share information, hopefully preventing avoidable violence between crowds of supporters. However, it should be noted that even after there was a PLC meeting in November 9th, 1999, there was still electorally related violence. In fact, more violence was documented after the meeting had taken place, calling into question whether parties are willing to settle disputes between themselves through liaisons<sup>34</sup>.

Starting in 2014, the Electoral Commission of Namibia (ECN) began to utilize Electoral Tribunals and a higher Electoral Court<sup>35</sup>. This is based off the South African model of electoral disputes. The court and tribunals can be used when legal mediation is required.

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<sup>32</sup> "Violence and Intimidation Monitor." Violence and Intimidation Monitor | Election Watch, 11 Nov. 2014, [www.electionwatch.org.na/?q=node%2F474](http://www.electionwatch.org.na/?q=node%2F474).

<sup>33</sup> Lodge, Tom. "The Namibian Elections of 1999," *Democratization* 8, no. 2 (2001): pg. 228.

<sup>34</sup> Lodge, Tom. "The Namibian Elections of 1999," *Democratization* 8, no. 2 (2001): pg. 207.

<sup>35</sup> Namibia. Electoral Act, 2014 (Act No. 5 of 2014). Chapter 5.

While the Electoral Tribunals do not adjudicate cases of electoral violence, they do oversee any alleged electoral fraud or irregularities<sup>36</sup>. The creation of these tribunals and courts should help to bolster electoral integrity and voter confidence. Furthermore, it gives a designated path for party supporters to resolve disputes about any “conduct attributable to a registered political party or registered organisation or office-bearer of a registered political party or registered organisation”<sup>37</sup>. These courts can help to resolve inter-party disputes by non-violent means. Furthermore, it clearly gives the ECN a legal mechanism to ensure electoral security and integrity, rather than having that as their mission with no policy in place to guard it. The courts can also provide a mechanism for directly enforcing the Code of Conduct and the conclusions of the PLCs. So long as electoral courts are used effectively, they can be effective instruments in preventing electoral violence.

## The Role of Electoral Systems in Electorally Related Violence

Majoritarian systems, whether absolute majority or single majority party, typically increase the electoral success of the largest political parties while electoral formulas of proportional representation and larger electoral ridings usually increase the representation of smaller parties. This representation gives a disproportionate advantage to the dominant party and leads minority parties to feel excluded and underrepresented in power. As this system is created to produce clear electoral winners the majoritarian electoral system tends to increase electoral stakes<sup>38</sup>. While majoritarian systems can create large tent parties following Duverger’s law, “majoritarian systems are [also] more prone to Election-Related violence than proportional representation systems, because the latter provide incentives for cooperation between parties and peaceful co-existence in the longer run”<sup>39</sup>. The PR system is largely viewed as a more democratic system that is effective in managing and accommodating ethnic as well as other social cleavages. While there is an ongoing debate at this point about the immutability of electoral systems, as no electoral system is immune from electoral violence, proportional representative systems have been shown to be more resilient<sup>40</sup>.

While the access of politicians and constituencies to economic resources is seen as closely tied to state power, and considering the fact that in majoritarian systems even significant political parties’ risk being without any representation in parliament, the high cost of electoral defeat could precipitate the use of violent electoral strategies. Therefore, electoral violence is associated with large electoral districts who are not able to be represented in winner takes it all systems. Across Africa, political coalitions that tend to be structured around ethnicity and ethnic lines have been some of the most effective groups when it comes to the political mobilization. As a result of following ethnic lines, political exclusion is more likely to reinforce resentment which encourages political

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<sup>36</sup> Ibid. 162 (1)

<sup>37</sup> Ibid. 162 (1.b)

<sup>38</sup> Lindberg, 2005. Consequences of Electoral Systems in Africa: A Preliminary Inquiry. Electoral Studies p.41–64.

<sup>39</sup> Lindberg, 2005. Consequences of Electoral Systems in Africa: A Preliminary Inquiry. Electoral Studies pg. 62.

<sup>40</sup> For more information about the flaws of Electoral Systems, please see “Arrow’s Impossibility Theorem”.



mobilization<sup>41</sup>. Although the makeup of the ethno-political groups varies across sub-Saharan and Southern Africa, it is not the composition of the group that is the main driver of electoral violence, but rather the risk of permanent exclusion that creates the incentive for violent electoral campaigns<sup>42</sup>. When large ethno-political groups are excluded from power, majoritarian electoral institutions are more inclined to use violent electoral approaches. The size of the groups that are excluded is also, important as it frames the perception of both the electoral constituency and the politicians who are in power on whether they can somehow become part of the winning coalition. It is mostly important to politicians that receive support from large excluded groups, especially when there is increased electoral competition within a single electoral cycle. Non-incumbent politicians are therefore more likely to increase the use of electoral violence than the government, particularly using forced detention, harassment or voter intimidation if they constitute more of an electoral threat to the government<sup>43</sup>.

## Zimbabwe: How Competition and Exclusion Incite Electoral Related Violence

Elections in Zimbabwe have shown that a relationship between political power and economic resources can contribute to violent elections. Political power is used to request economic resources. This is often because of the fact that future economic opportunities are more likely to be found in the government, public funds, other state apparatus. Opportunities in the private market remains relatively rare in Zimbabwe<sup>44</sup>. For example, land has been used a lot as a valuable asset in order to gain electoral support for the incumbent party. The government made forcible acquisition, violent evictions and resettlement schemes to mobilize support.

This was concretely seen in the 2008 elections in Zimbabwe, the incumbent Zimbabwe African National Union – Patriotic Front (ZANU PF) made it clear to the new elite immigrant class that had recently arrived in the country that if the opposition won the elections, they would be expelled. Their method of manipulation worked since it led to many of them participating in violence during the elections. By economically intimidating voters and people in the country, voters can be made to believe that their future relies on the outcome of the election. Politicians therefore can incite violence in all parties, as the election is now framed as a zero-sum game. While proportional representation systems can decrease these high tensions by dispersing the nodes of political power, the majoritarian system on the contrary reinforces them. The mix of majoritarian institutions and a narrow concentration of the wealth within government leaders is a leading factor of electoral violence and increases the high level of stakes. In Africa, for most countries, the land is the biggest source of income and it can be used as an indicator of the costs of the electoral defeat of the people in power<sup>45</sup>. A more even distribution of the wealth across society

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<sup>41</sup> Bates, Robert H. 1983. Modernization, Ethnic Competition and the Rationality of Politics in Contemporary Africa. Pp. 152–71 in *State Versus Ethnic Claims: African Policy Dilemmas*, edited by Donald Rotchild and Victor Olorunsola. Boulder, Colo.: Westview Press

<sup>42</sup> Cederman, Lars-Erik, Andreas Wimmer, and Brian Min. 2010. Why Do Ethnic Groups Rebel? *New Data and Analysis*. *World Politics* 62:87–119.

<sup>43</sup> Birnir, Johanna. 2007. *Ethnicity and Electoral Politics*. Cambridge: Cambridge University Press.

<sup>44</sup> Boone, Catherine. 2009. Electoral Populism where Property Rights Are Weak: Land Politics in Contemporary Sub-Saharan Africa. *Comparative Politics*, p.183–201.

<sup>45</sup> Boone, Catherine. 2009. Electoral Populism where Property Rights Are Weak: Land Politics in Contemporary Sub-Saharan Africa. *Comparative Politics*, p.183–201.

could influence the competition for political power towards less of a zero-sum perception of politics, regardless of whether this was done in a majoritarian system or proportional system of governance. However, in given the current political and economic context of Zimbabwe, the majoritarian system disproportionately rewards the winner and increases the cost of the defeat. This creates disincentives among the elite for further democratization as it rises inequalities, especially regarding land holdings <sup>46</sup>.

The theories made above are built by analysing the elections between 1990 and 2010 in sub-Saharan Africa. The data was taken from legislative and executive elections as recorded by the Social Conflict in Africa Database (SCAD). SCAD proved that the institutional framework of a country influences the risks of physical violence and violent intimidation related to the electoral process in the country. Most African countries still have a recent history of authoritarian regimes and only introduced multiparty systems in the 1990s <sup>47</sup>. These assumptions were made by observing instances of social disturbances such as riots, strikes and government harassment in Africa. The importance of identifying electoral violence by the motivating issue and not only by timing was raised as electoral violence can happen anytime during the electoral period. While some sort of violence can happen before the cycle of elections, for example candidate intimidation and displacement of voters, it could also be violence not related to the elections. To find strong theories regarding electoral violence these kind of factors and motivations need to be avoided <sup>48</sup>.

## **Institutional causes of Inter and Intra Party Conflict**

It is commonly known that the design of electoral systems in Africa has led to the fragmentation of political capital along ethnic lines for control of economic resources and the chance for one party to become embedded at the top of the hierarchy by manipulating the legal framework of the electoral system to their advantage. This manipulation of the legal framework fosters conflict and distrust not only in the electoral system itself but also a more general distrust and disuse of the judicial system as well as the conflict management bodies associated with the electoral process. The use of private militias in violent electoral campaigns and the bribing or perceived corruption of law enforcement agents by parties in power combine to form a general culture of impunity that discourages minorities or members of ethno-political groups that have less access to economic, military, and political resources from seeking recourse from the judicial or conflict management infrastructures<sup>49</sup>. Thus, there is little to no deterrent for parties or gangs to avoid electoral violence and the violence becomes an issue for which few ethno-political minorities see a reliable solution. Furthermore, conflict also arises within political parties when it comes to choosing how to organise internally and who should become the party leader. Many parties are run “Mafia style” wherein ‘political godfathers’ are essentially in control of internal party politics, such as who rises up through the hierarchy and who is chosen as party leader. These party elites are also essential in creating the perception of

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<sup>46</sup> Boix, Carles. 2003. *Democracy and Redistribution*. New York: Cambridge University Press, 2008. *Economic Roots of Civil Wars and Revolutions in the Contemporary World*. *World Politics*, p.390–43.

<sup>47</sup> Hyde, Susan, and Nikolay Marinov. 2012. Which Elections Can Be Lost? *Political Analysis*, p.191–210.

<sup>48</sup> Salehyan, Idean, Cullen S. Hendrix, Jesse Hamner, Christina Case, Christopher Linebarger, Emily Stull, and Jennifer Williams. 2012. *Social Conflict in Africa: A New Database*. *International Interactions* 38 (4):503–11.

<sup>49</sup> Nkwachukwu, Orji. 2013. Making democracy safe: Policies tackling electoral violence in Africa. *South African Journal of International Affairs*. 20 (3): 393-410.

who is seen as anti-party or should be expelled and subjected to political violence<sup>50</sup>. The lack of internal democracy can lead to the disinterest and potentially even disenfranchisement of voters within their particular ethno-political community which then leads to conflict within the group and can pose as a further threat to the empowerment of ethno-political minorities.

The independence of EMBs in the SADC is also a perceived point of contention for much the electoral violence in the region. EMBs across the region are declared as independent in all countries but Angola, Mozambique, and Namibia, where the EMBs are established by statute. Furthermore, the role of the EMB is enshrined in each state's respective constitution, which is what most international development workers advise for the impartiality of the EMB. This does not change the fact that many EMBs in the SADC are not perceived or can substantively be proven not to be functionally independent<sup>51</sup>. Those appointed to the EMBs are often of the same ethno-political community as the party in power, and voters of other ethno-political communities generally do not trust that the appointed officials will remain impartial in implementing the election. Issues of gerrymandering, voting fraud, tabulation and suffrage although common to practically any majoritarian/first past the post electoral system become heightened, reinforcing voters' concerns about the independence and impartiality of the EMB in question. Furthermore, the autonomy of the EMB is heavily influenced by the division of democratic and social capital within the national government; more liberalised political climates typically produce more autonomous EMBs whereas political climates with more concentrated political powers produce more politicised, unreliable EMBs<sup>52</sup>. Liberalised societies often have disembodied whichever ethno-political group was politically dominant, allowing for the political discourse to diversify and multiple ethno-political groups to be represented both in government and as a result in the EMBs as well.

Keeping this effect in mind, we should also consider that the liberalisation of political climates in Africa has been shown to contribute to increased levels of electoral violence<sup>53</sup>. This might seem counterintuitive at first but can be explained by the greater number of ethno-political units competing for power and resources and can thus contend for more political representation/influence, a goal that is much more achievable with an autonomous EMB. These aspirations combined with the sense that they might actually be achievable through an autonomous EMB can motivate political parties to stronger competition, but should private militias or gangs be involved the same motivation can lead to increased violence. The effects of liberalisation on EMB autonomy through each ethno-political group's aspirations of proportional representation oftentimes form a self-reinforcing cycle but the increase in violence should be taken into consideration to establish a sustainable balance between political accountability and public security. Over longer periods of time, as each successive election contributes to the overall democratic capital, more liberalised political climates in Africa do tend to see a decrease in electoral violence overall. In Nigeria for example, a long series of protests from urban centres

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<sup>50</sup> Ibid.

<sup>51</sup> Badala, Tachilisa Balule. 2008. Election Management Bodies in the SADC Region — An Appraisal of the Independence of Botswana's Independent Electoral Commission. *South African Journal on Human Rights*. 24 (1):104-122.

<sup>52</sup> Mamoudou Gazibo (2006) *The Forging of Institutional Autonomy: A Comparative Study of Electoral Commissions in Africa*, Canadian Political Science Association and the Société québécoise de science politique, 39:3, 611-633

<sup>53</sup> Ibid.

against the single party system and widely perceived as corrupt electoral commission lead to the installation of a multi-party regime. This multi-party regime was desired by many of the ethno-political units within Nigeria and over the course of two decades became so strongly legitimised that any attempt to change the composition or functioning of the electoral commission was met with widespread protest<sup>54</sup>.

## The case of Zimbabwe regarding intra-party electoral violence:

Since 1990, more than 50% of African elections are associated to harassment, intimidation and in some cases even death as a result of electoral process<sup>55</sup>.

During elections, violence is often used when one of the parties does not accept the outcomes or when there is a perception that the electoral process was marred with mischief. Delayed results or simply the waiting for results to be released is usually a high-tension and fragile moment prone to see election violence erupt. The Zimbabwe Peace Project (ZPP) recorded a high number of intra-political party violence within the opposition party Movement for Democratic Change (MDC-T) than in the ruling party ZANU PF. Prospects of peaceful elections are not guaranteed as there are many tensions between members of the party. Electoral violence in some instances is aimed at driving opponents out of the electoral race. Zimbabwe's electoral history has many candidates who have at the last minute withdrawn from the electoral race, including the late Edgar Tekere and Morgan Tsvangirai<sup>56</sup>.

In Zimbabwe, electoral violence intra-party seems tolerated by the people as well as the political parties. ZANU PF, as the incumbent and main perpetrator of electoral violence, was recognized during the election period this last spring (2018) for serious intra-party electoral violence<sup>57</sup>. In the period between 1980 and 1987, in the contest between the liberation parties, the Electoral-Related violence was more regional and ethnic in outlook. Zimbabwe African National Union (ZANU), led by Robert Mugabe, was believed to have supporters in Mashonaland. The Patriotic Front Zimbabwe African People's Union (PF-ZAPU), led by the late Joshua Nkomo, was largely believed to have its stronghold in the Southern parts of the country or Matabeleland. PF-ZAPU transformed from a liberation ally to a 'dissident party', then to a post-independence ally of ZANU in 1987 as the two signed a Unity Accord the same year. Then Prime Minister Mugabe, assumed executive presidential powers. The implications of the Unity between ZANU-PF and PF-ZAPU meant that there was no significant opposition to talk about. To many it seemed the establishment of a one-party state was well on its way. The merger is seen as having halted hostilities but did nothing to bring peace and reconciliation. The violence within political parties further encourages political supporters to use violence, which is a growing problem of a violent political culture in the otherwise relatively peaceful and moderate/low crime rates in Zimbabwe.

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<sup>54</sup> Ibid.

<sup>55</sup> Snyder, *From Voting to Violence: Democratization and Nationalist Conflict*,

<sup>56</sup> Raftopoulos, B., 2001, 'The Labour Movement and the Emergence of Opposition Politics in Zimbabwe' in B. Raftopoulos and L.M. Sachikonye (eds) *Striking Back: The Labour Movement and the Post-Colonial State in Zimbabwe, 1980–2000*, Harare: Weaver Press.

<sup>57</sup> Fischer, "Electoral Conflict and Voting: a Strategy for Study and Prevention."

The Constitution of Zimbabwe provides for free and fair elections in Sections 58 and 67.11 The Electoral Act, which guides the conduct of elections provides for how to respond to electoral violence whenever it occurs in Sections 133 and 134. It provides for definitions of malpractices, which include, among others intimidation, the prevention of a political candidate from campaigning, and undue influence. The electoral code of conduct directed to parties, members and supporters were reminded that:

- use violence, or threaten violence or incite or encourage the use of violence, against anyone on account of his or her political opinions or membership or support of a political party or participation in the election;
- intimidate, or incite or encourage the intimidation, of anyone on account of his or her political opinions or membership or support of a political party; act in a way that may provoke violence or intimidation' are strictly forbidden.

Intra-party competition in one party democracies usually takes the form of killings, intimidation. It tends to occur because of party nominations or to receive better position on the party lists. The intra-party violence is often a bigger problem in districts that believe they are assured to win. In one-party states, citizens and politicians often see electoral violence as the only way to take power. Moreover, it can push the population to fraudulent activities hoping to overthrow the ruling government<sup>58</sup>. The lack of checks and balances in such a system also tends to lead to corrupt governments. Another driver of electoral violence is the fact that perpetrators of violence are celebrated and are not made to account for their actions. Zimbabwe witnessed presidential amnesties that exonerated known perpetrators of electoral violence. This in turn creates a feedback that incentivizes further violence. Incumbent leaders usually shield perpetrators of violence after an election, and at the next election the same perpetrators' fingerprints are noted.

## Discursive Sources of Electoral Violence

It is a commonly accepted concept that our socialisation, upbringing, and consumption of media have very strong influence over our value systems and how we interact with others in society<sup>59</sup>. But we must also acknowledge that socialisation and media consumption do not end in our youth but rather, these are ongoing processes. It may be valuable to analyse further how these processes or forms of political communication can affect an individual's or group's values and the likelihood of violence arising therefrom in the electoral context.

One major topic to cover in current discourse analyses is the role of new technology and social media in reshaping the content, quantity and means through which we access

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<sup>58</sup> Fischer, Jeff, Electoral Conflict and Violence – A Strategy for Study and Prevention, International Foundation for Electoral Systems, 2002.

<sup>59</sup> Norris, Pippa and Ronald Inglehart. 2009. *Cosmopolitan Communications: Cultural Diversity in a Globalized World*. Cambridge University Press.  
<https://books.google.be/books?hl=fr&lr=&id=0dGqny6oAUMC&oi=fnd&pg=PR9&dq=pippa+norris+political+communication&ots=ghRGzWivQh&sig=FzTW3OXdG8mswU7GXHkoOvOam6k#v=onepage&q=pippa%20norris%20political%20communication&f=false>

information and socialize ourselves and each other. “Fake news” is a concept pointing to deliberate fact-manipulation to facilitate influence, often political and/or electoral. For a growing number of people world-wide, access to information has become practically instantaneous, and the ability to communicate with others over long distances just as instantaneously has become such an everyday experience that it barely even crosses our mind. As we have seen this ability to communicate with each other has played a key role in the organisation of protests, demonstrations and even revolution in cases such as Nigeria or the Arab Spring. Mass media has also become a key part of our everyday lives, so much so that it is now considered among the fundamental aspects and institutions of a functional democracy, should the media be freely accessible and independent of state control or censorship<sup>60</sup>. The mass atrocities in Kenya 2007 was said to be largely organised via hateful text messaging. If communication applications such as WhatsApp and Viber were largely used at that time, the mobilization might have taken another dimension. The use of the latter to mobilise mob groups in India against potential criminals, sometimes wrongfully accused, has evoked a debate as concerning possible limits of forwarding messages and the responsibilities of the developer.

Indeed, who controls access to and the content of the media and social media has become a political issue. Politically neutral media/social media has been an essential element of peoples’ political participation throughout the SADC, the necessity of which for the wellbeing of a nation’s democracy need only be proven by the current dispute over the United States’ 2016 Presidential elections<sup>61</sup>. Given the importance of media/social media in the socialisation processes of citizens, if a media source/social media platform were manipulated to the advantage of specific political interests the quantity, quality, and frequency of political communication agreeing with that certain perspective that people would be exposed to would certainly skew the beliefs of large portions of a society for an indeterminate period into the future.

With the intensification of political communication and communication technologies in general, socialisation has become more than just an ongoing process to shape and reshape how we see and understand the world; socialisation has taken on an accelerated form that can shift peoples’ entire worldviews or the makeup of a society in as little as a matter of days. These emergent worldviews and social models are usually somewhat coherent from one society to its neighbours’ which has given scholars reason to organise discourses into larger frameworks, namely: the Western model, the Eastern model, and the Southern/development model<sup>62</sup>. The Western model is defined by its pattern of issuing universal statements that ignore the particularities of local contexts in favour of free markets, democracy, and individualism. The Eastern model is often understood simply as the opposite of the Western model; however, advocating for planned economies, centralised states, and a collectivist society also results in the Eastern model issuing universal prerogatives. Lastly the Southern/development model is the most recent model to develop, and is still developing as a reaction or alternative to the two prior models, which focuses on local cultural histories, different types of societal organisation, and ways of knowing<sup>63</sup>.

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<sup>60</sup> Voltmer, Katrin. 2006. *Mass Media and Political Communication in New Democracies*. Routledge.

<sup>61</sup> Office of the Director of National Intelligence, USA 2017

<sup>62</sup> Ndhlovu, Finex. 2017. *Southern Development Discourse for Southern Africa: Linguistic and Cultural Imperatives*. *Journal of Multicultural Discourses*. 12 (2):89-109.

<sup>63</sup> *Ibid.*

The main issue that these discourses pose to democratisation and the electoral processes that go along with it is that the discursive model in use must be compatible with the social, cultural, and political histories of the society in which it is being applied. Due to the history of colonialism and European control of much of Africa, the historically dominant discursive model in Southern Africa has been the Western model. After colonisation it was clear that Southern Africa needed to change discursive models, and thus many of the more industrialised African nations began to adopt elements of the Eastern model. However neither of these models are well adapted to deal with the intricacies and long histories of the African context, therefore many current African scholars are focusing on the local development of what would better reflect an “African” discourse<sup>64</sup>. It is however important to acknowledge that these models, Western, Eastern, and Southern, are all very broad categories so we must consider that within the Southern model will develop an African model, and within that a Southern African model, and even within that there most likely will develop discursive models adjusted to the national, regional and local contexts. Therefore, for those working in development or voter and civic education in Southern Africa face the unique challenge of having to help establish a stable coherent political discourse for the region in which they are working, or to re-educate themselves in the local discourse to adapt their information in a way that is relevant and in concord with the already established local discourse in as much granularity as possible.

One issue that has risen out of locally developed political discourses is that of different variations of racism/xenophobia within and between Southern African states. Dominant ethno-political groups often develop derogatory terms or negative connotations for other ethno-political units which they see as foreign, inferior, or unwanted in greater society<sup>65</sup>. Oftentimes, as in South Africa and Zimbabwe there is a discursive imbalance in that the dominant ethno-political group has developed negative terms and understanding of others, but not vice versa.

In other contexts, such as those of Botswana, Malawi, or among the less dominant ethno-political groups of Zimbabwe, the xenophobic discourse has developed into a kind of infighting between ethno-political groups which, although both sides have developed this discourse, is a potential breeding ground for societal and inter-ethnic conflict especially in times when the socio-political order is put into question such as during elections<sup>66</sup>.

Furthermore, the Southern/development model of political discourse, in particular the discourse to emerge in Southern Africa during the 1970s, 80s, and early 90s, threw the very definition of democracy into question. The fact that national elections would happen in regimented cycles according to a specific electoral system was understood to be a projection of the Western model onto Southern Africa that fundamentally misunderstood the functioning of the socio-political order of most Southern African nations. One pertinent example would be the movement to establish a one party electoral system after the 1974 presidential election in Botswana. Botswana having had a long history of participatory democracy, a system in which citizens are active participants in political processes on a regular daily basis, was poorly adjusted to operate under a system in which active political participation only occurred once every few years; or rather the electoral system was poorly adjusted to operate in the Botswana context. Traditionally Botswana operated on a system

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<sup>64</sup> Ibid.

<sup>65</sup> Ibid.

<sup>66</sup> Ndhlovu, Flnex. 2018. Vernacular Discourse, Emergent Political Languages and Belonging in Southern Africa. *Africa Review*. 10 (1):86-100.

in which each ethno-political unit had one chief and a series of advisors to the chief. The Chief was responsible for the wellbeing of the ethno-political group as well as his work and that of his advisors (the Chief was male with only a few albeit temporary female figuring as Chief in the interim). Most people, although in near constant contact with these officials, would only intervene directly should they be displeased with the chief or to approve of a new chief should the old one die. Ethno-political groups essentially functioned as a party would, but elections were used to depose a leader rather than elect a new one<sup>67</sup>. Thus many considered a single party system in which everyone could participate in intra-party dialogues to establish the political discourse as a more true and acceptable form of democracy than the electoral system put in place to accord with the Western model<sup>68</sup>. This is not to say that the single party system is preferable in any way, yet the handbook and some of the narratives therein somehow confirms that the current model is “too manipulable” by strongmen, often-times backed by large parts of the population.

## Conclusions

While every developing democracy requires a different set of policies and prescriptions in order to make elections a more legitimate and fairer contest, there are some general recommendations available for mitigating electoral violence. Given the mix of successes and failures of previous democratization and electoral support instruments, we recommend that election conflict and violence mitigation is mainstreamed through near-all electoral assistance projects. Specifically, the following actions could most likely be effective across the region and possibly beyond:

- Develop an election conflict prevention multi-stakeholder, locally adapted methodology, in a similar spirit as the electoral cycle approach, namely a constant and evolving model that recognises the vulnerabilities of each phase of the electoral process;
- Shift focus on international election observation in favour of capacitating regional but mostly domestic observer groups;
- Consider a specific budget and with it, a robust framework for electoral assistance activities funded by the EU and EU member states;
- Strengthen national and/or regional early warning systems for electoral violence or intimidation;
- Build mediation capacity among key electoral stakeholders to adjudicate and diffuse electoral tensions while having reasonable expectations of the efficacy and political will of high level track 1 mediation to solve electoral crises;
- Ensure safe platforms for exchange between electoral stakeholders, including political parties and security structures;
- Promote and encourage the involvement of political parties in electoral assistance activities;
- Enable or create formal and informal national electoral dispute mechanisms, the informal which have the legitimacy to manage conflicts at the local level and to propose options of how to resolve electoral disputes of national scale;

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<sup>67</sup> Comaroff, John L. and Jean Comaroff. 1997. Postcolonial Politics and Discourses of Democracy in Southern Africa: An Anthropological Reflection on African Political Modernities. *Journal of Anthropological Research*. 53 (2):123-146.

<sup>68</sup> *Ibid.*



- Employing the political party liaison committee structures at national and provincial level;
- Recognize that certain dispute mechanisms can only work during certain phases of the electoral cycle;
- Sensitize all electoral stakeholders to international standards for conduct, in order to increase awareness of democratic norms among the population;
- Increase training and capacity enhancing activities of all electoral workers;
- Promote peer exchange and sharing of knowledge across the regional and international level.

## **End note**

Electoral violence remains one of the most damaging ways in which the electoral and democratic process can be influenced. Whether it is because of a lack of democratic capital, the perceived bias of EMBs, or even the very structure of the electoral system, it remains a relevant concern for democratic practitioners across sub-Saharan Africa and the world. While the theories exploring some of the main drivers of electoral violence can partially explain the causes and motivations of those who perpetrate electoral violence, there remains no unified theory for why the electoral process can be hijacked by violence. While no one recipe exists, we do know how to enhance and strengthen peaceful electoral processes. Through communication, mediation, and the consolidation of democratic norms, it has been proven elections can restore trust in democracy writ large and that other national institutions notably the courts and security has a vital role to play. Lastly, elections should certainly not be part of the problem, but it should neither be the only solution or cure-all.

## Authors

### **Fabio Bargiacchi**

*ECES Executive Director*

Fabio Bargiacchi is a member of the Management Board of ECES serving as Executive Director and Co-founder of ECES Management Unit since August 2011. His tremendous contributions have brought ECES to be nowadays an important actor in the electoral support sector at European and Global level.

Fabio started working in the elections field from the early 90's. From 1997 onwards, he began work in the field of electoral support at international level. Between 1997 and 2004, he held several posts in the field of electoral assistance and observation with the EU, UN and OSCE. He has worked for long term assignments in several African countries such as Central African Republic, Zimbabwe, West Bank and Gaza, Zambia, Kenya, Nigeria, Haiti, Tanzania, Democratic Republic of Congo Suriname and Indonesia serving as Senior Election Operations Expert, Training/Reporting Advisor and Coordinator of EU Election Observers among the various senior positions he held.

Fabio also developed a deep knowledge in project cycle management, particularly in the Democratic Governance field as explicitly shown by his experience working for the European Commission at the level of the Delegation of the EU in Maputo (Mozambique) from 2001 to 2003 and at the EU Headquarters (European Commission, EuropeAid) in Brussels between 2004 and 2006 as Election Specialist.

From January 2007 to December 2010, Fabio served as Coordinator of the "Joint EC UNDP Task Force On Electoral Assistance" (JTF) and Senior Electoral Assistance Advisor at the UN/UNDP Brussels Office. During this period, he contributed to the establishment of the same Joint Task Force and oversaw its activities for the identification, formulation and support for the implementation of all the EC-UNDP electoral assistance projects. From October 2004 to December 2006, he worked as Election Specialist at the Directorate for Operations Quality Support of the EuropeAid and he was the coordinator and main author of the "EU Methodological Guide on Electoral Assistance". Bargiacchi was, thus, involved in more than 70 UNDP projects amounting up to a sum of more than 600 million EURO from October 2004 till December 2010. Bargiacchi was also at the forefront of the conception and delivery of all the Joint EC UNDP IDEA effective electoral assistance, face-to-face and distance e-learning training from September 2005 till February 2011.

From January 2011 to February 2012, he worked as Chief Technical Advisor for the EU funded "Project in Support of the Electoral cycles for the six Portuguese Speaking Countries in Africa (Angola, Cabo Verde, Guinea Bissau, Mozambique, Sao Tome and Principe) and Timor Leste", implemented by UNDP ([www.propalop-tl.org](http://www.propalop-tl.org)). This was the first ever trans-national electoral assistance project that focused exclusively on capacity development.

Considering the experiences with OSCE, UN/UNDP, EU and ECES, Fabio has dealt with electoral and democratisation processes in over 50 different countries and worked on the

identification, formulation, implementation or evaluation of more than 100 electoral assistance projects since 1997.

Fabio was recently in 2014 appointed in 2014 as Vice President of the European Partnership for Democracy (EPD) and coordinator for the implementation of a joint strategy devised with the partners of EPD called “A European Response to Electoral Cycles Support”. EPD is one the most important network of European civil and political society organisations working on democracy assistance. In this context, the joint experiences of the relevant members of the EPD provide the needed knowledge and expertise to implement a robust European response to electoral support activities mainly funded by the EU and its Member States.

Fabio is a BRIDGE ACCREDITING training-facilitator and he is one of the main creator of the training curriculum “Leadership and Conflict Management Skills for Electoral Stakeholders, LEAD” conceived by ECES together and the Centre for Creative Leadership. He is a graduate of Political Science following his studies at the University of Florence (Cesare Alfieri) and at the “Universite Libre de Bruxelles”. He holds a Master of Arts in Society, Science and Technology after studies at University of Roskilde (Denmark) and University of Oslo (Norway). In the last 12 years has authored, coordinated, co-authored and contributed to a series of election-related publications and papers:

- “The potential of EU Funded electoral assistance to support the prevention of election related conflict and violence: Lessons from the Southern African Region”
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- Using International Standards. Council of Europe Handbook for Domestic Election Observers (2013)
- Essential Consideration of Electronic Voting published by International IDEA (2011)
- ISPI Working Paper on the Electoral Cycle Approach: Effectiveness and Sustainability of Electoral Assistance (2011)
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- EC-UNDP Operational Guidelines. Implementation of Electoral Assistance Programmes and Projects (2006 and 2008)
- ACE Focus on Effective Electoral Assistance (2007)
- UNDP Electoral Assistance Implementation Guide (2007)
- EC Methodological Guide on Electoral Assistance (2006)

## **Victoria Florinder**

*ECES Senior Conflict Management Advisor*

Victoria Florinder possesses over 10 years of experience in the democracy sector. She joined ECES in November 2012 after several years of international work, based mostly in West Africa, Caribbean region and Stockholm Sweden. Victoria is part of ECES coordination cell that is charged with the overall supervision and coordination of all ECES projects and activities globally, managing linkages between field activities and ECES headquarters.

Victoria’s field of expertise is election related conflict and violence, civil society organizations and mediation support in electoral contexts. Victoria was the lead team

member of ECES' most geographically diverse project entitled "Preventing Electoral Violence in the SADC Region (PEV-SADC)". Victoria developed and coordinated the research component of the PEV SADC project since its inception and delivered capacity enhancing activities to over 800 individuals.

Since 2014, Victoria held the position of Election Conflict Management Advisor. She spent close to 2 years based in the regional office in Antananarivo, Madagascar while delivering the PEV SADC project in near-all SADC countries. In 2015/16 Victoria was also the interim Project Director of the Project in Support of a Peaceful and Inclusive Electoral Process in Zanzibar – PROPEL that delivered mediation support and political dialogue during the 2015 elections. Victoria is based shuttling between Brussels and Africa, supporting the implementation of ECES activities in the region.

Since 2017, Victoria is ECES Senior Conflict Management Advisor and the dedicated Project Director of the project in support of the prevention, mitigation and management of election related conflict and potential violence in South Africa (PEV-RSA). The South Africa-project is implemented in close partnership with the Independent Electoral Commission and runs over 48 months.

Victoria is an accredited facilitator in the Building Resources in Democracy, Governance and Elections training programme (BRIDGE) and a certifying facilitator of the Leadership and Conflict Management for Electoral Stakeholder (LEAD) training methodology.

Victoria has an academic background in Development Studies from Uppsala University and in International Collaboration and Crisis Management from the National College of Defence in Stockholm, Sweden. She has also taken advanced courses in asymmetrical threats, terrorism and mediation/negotiation.

During her professional carrier, she has co-authored and contributed to a series of election-related publications and papers:

- "The potential of EU Funded electoral assistance to support the prevention of election related conflict and violence: Lessons from the Southern African Region"
- EURECS - A European Response to Electoral Cycle Support (2016)
- The Invisible War: War Experiences and Political Participation in Liberia' (2013) Department of Government, Uppsala University
- 'The Security – Development Nexus in Practice: A Human Security Approach to DDR. A Comparative Case Study of Liberia and Haiti' (2011) National Defense Colleague, Stockholm
- 'Poverty, Collective Action and Boarder Conflicts: A Case Study of Extreme Deprivation among Exile Haitians in the Dominican Republic' (2010) Nuestra Frontera Activity Report 2010 ([www.nuestrafrontera.org](http://www.nuestrafrontera.org))

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