

https://dspace.org/

Power, politics, and violence in post-colonial Africa: a comparative study of electoral violence in Kenya, Nigeria and Zimbabwe 1960-2008

Small, Michelle Ren

2017-12

https://hdl.handle.net/10539/26758

Small, Michelle Ren (2017) Power, politics, and violence in post-colonial Africa: a comparative study of electoral violence in Kenya, Nigeria and Zimbabwe 1960-2008, University of the Witwatersrand, Johannesburg, <http://hdl.handle.net/10539/26758>

Downloaded from a DSpace repository. https://dspace.org/

Power, Politics, and Violence in Post-Colonial Africa.

A Comparative Study of Electoral Violence in Kenya, Nigeria and Zimbabwe 1960-2008.

Candidate: Michelle René Small

Candidate Number: 9902206X

Supervisor: Dr Jacqueline De Matos-Ala

Submitted in fulfillment of the academic requirements towards a degree in Doctor of Philosophy (PhD) in International Relations, Faculty of Humanities, University of the Witwatersrand, December 2017.

Student Declaration

This is to certify that this thesis has been prepared by:

Michelle René Small

Candidate number 9902206X

towards the degree of:

Doctor of Philosophy (PhD) in International Relations

Entitled:

Power, Politics and Electoral Violence in Post-Colonial Africa: A Comparative Study of Electoral Violence in Kenya, Nigeria and Zimbabwe 1960 – 2008.

It is the candidate's own unaided work. No part of this thesis has been copied, plagiarized or cited without due acknowledgement.

Signature:

Date: 18/12/17

Dedication

For my parents.

Acknowledgements

It has been a very long and bumpy PhD road! Very special thanks must go to my supervisor and colleague, Dr Jacqueline De Matos Ala for getting me over the finish line. Your unwavering patience and belief in me over the past 14 years has kept me from veering off the academic path. Thank you. To Professor John Stremlau, thank you for your continued mentorship, belief and support. Thanks also to a number of colleagues for making sure this thesis gets done: Prof Gilbert Khadiagala, Prof Rod Alence, Prof Shahid Vawda, Prof Mucha Musemwa and Prof Ruksana Osman.

I could not have completed the fieldwork component of this research without the financial support of the Commonwealth Scholarships Commission, and the earlier academic guidance of Professor Patrick Chabal. A number of archivists pointed me in the right direction and offered invaluable assistance. Thank you to Hilary McEwan, archivist and records management officer at the Commonwealth Secretariat, Marlborough House; and Lucy McCann, archivist at Bodleian Library of Commonwealth & African Studies, Rhodes House, University of Oxford.

Finally, for their sacrifice, steadfast support, encouragement, and belief in me, my deepest thanks to my parents, Keith and Charmaine Small. You have changed the course of our family's history and I am forever grateful to you both for choosing a different path, and for giving me a different life. For your patience– thank you Nesh Dinat. And to my purpose in life, Cesária Small, I endeavour to keep striving, trying and learning.

Abstract

Election violence has been identified as one of the new sources of conflict in Africa, demonstrating resilience rather than transience. Lack of theorization about election violence means that it remains poorly understood as a phenomenon which has consequences in terms of policy formulation and the more practical task of 'prediction and prevention'. Due to the number of multivariate factors which are present and interact to produce electoral violence, previous attempts at theorizing often result in the problem of *equifinality*. This study examines the historical and contemporaneous *conditions* and *causes* of election violence in Kenya, Nigeria and Zimbabwe from Independence to 2008, a coinciding and ascendant violent election year. The study attempts to locate, identify and trace *conditions* and *causes* of election violence, and establish a trajectory and sequence of events that produce election violence, over time, across the three case studies. Comparative case study research of this kind allows for a bounded and in-depth study of causal inference of the select phenomenon over time. A central research question that guides this study is, why do some elections display recurrent violence? The qualitative study takes a historical '*past-in-the-present*' approach to understanding a manifest contemporary problem by using archival sources, election observer reports, and elite interviewing. Thematic content analysis of themes derived such as 'election/vote' 'violence/protest/uprising/riot' 'rigging/fraud' 'corruption/vote buying/patronage' 'ethnicity' 'youth' 'land' 'resources' 'youth wing/militia/gang', guide the gathering and analysis of the data. The main findings of the research are threefold. Firstly, election violence results predominantly due to *elite* factionalism and elite disputes whereby elections (process, institutions, campaign and supporters) are *politicized*. This may take the form of political elites declaring themselves the winner ahead of results being announced; political elites inciting/arming/stoking violence via youth wings, militias, or amongst supporter branches; political elites utilizing inflammatory rhetoric during electoral campaigns; and/or political elites disputing the electoral process, institutions or the final result. *Elites* are thus a significant factor in election violence. Secondly, election violence results whereby the electoral process and associated state and electoral *institutions* have been compromised or interfered with such as the political appointment of national electoral commission chairs, members and judges; the partisan deployment of the police and security agencies to repress/intimidate/hinder political competition; the 'tweaking' of election results or voter turnout; the enactment of restrictive laws; hegemony of state media; and the allotment of

state resources that favour partisan/incumbent sources. Thirdly, election violence results whereby *patronage* and/or *corruption* intersect and interact with *elites* and *institutions* in producing a violent outcome. This may take the form of buying off/rewarding voters, buying off/rewarding youth militias or violent outfits; buying off/rewarding political patrons. Only certain *conditions* are significant in the causal change in producing violent electoral outcomes, some such as ethnicity or identity, and land demonstrate durability across the case studies, while others such as unemployment or hunger or inflation are periodically germane. The outlook on election violence in Africa is bleak: in 2017, 6 out of 11 African states that have held elections thus far have been marred by some level of violence. The need to 'predict and prevent' the proliferation of this new form of conflict, and work against it becoming a norm, is pressing. This necessarily demands theorizing, knowledge building, and establishing where along the causal chain election violence is likely to break out so that targeted and lasting interventions can occur.

Keywords

Elections, Election Violence, Patronage, Elites, Institutions, Youth, Militias/Gangs

Acronyms

Action Congress of Nigeria's (ACN)

Action Group (AG)

Advanced Congress of Democrats (ACD)

All People's Congress (APC)

Arab Zanzibar Nationalist Party (ZNP)

African People's Party (APP)

African Union (AU)

Afro-Shirazi Party (ASP)

Conventions People's Party (CPP)

Election Observer Mission (EOM)

Electoral Monitoring Body (EMB)

European Union (EU)

Forum for Democratic Change (FDC)

Forum Party of Zimbabwe (FPZ)

Gross Domestic Product (GDP)

Kenya Party for National Unity (KANU)

Movement for Democratic Change (MDC)

Mouvement National Pour Le Revolution (MNR)

National Convention of Nigerian Citizens (NCNC)

National Liberation Movement (NLM)

National Resistance Movement (NRM)

Nigerian People's Congress (NPC)

Northern People's Congress (NPC)

Organisation for African Unity (OAU)

Patriotic Front (PF)

People's Democratic Party (PDP)

Sierra Leone People's Party (SLPP)

Southern Africa Development Community (SADC)

United Nations (UN)

Union des Populations Camerounaises (UPC)

United Progressive Grand Alliance (UPGA)

United Party for National Development (UPND)

United National African Council (UANC)

United National Federal Party (UNFP)

Zimbabwe African National Union (ZANU)

Zimbabwe's United People's Organization (ZUP)

Zimbabwe African People's Union (ZAPU)

Zimbabwe Unity Movement (ZUM)

Zimbabwe Congress Party (ZCP)

Zimbabwe Federal Party (ZFP)

Zimbabwe Aristocrats (ZA)

British South Africa Company (BSAC)

Zimbabwe African National Liberation Army (ZANLA)

Zimbabwe People's Revolution Army (ZIPRA)

Zimbabwe Congress Party (ZCP)

Zimbabwe Federal Party (ZFP)

Zimbabwe Aristocrats (ZA)

Table of Contents

Title Page **p.1**
Student Declaration **p.2**
Dedication **p.3**
Acknowledgments **p.4**
Abstract **pp.5-6**
Acronyms **pp.7-8**
Table of Contents **pp.9-10**

Chapter 1: Introduction **pp.11-41**
- 1.1 Literature Review: Elections and Election Violence in Africa
- 1.2 Problem Statement & Knowledge Gap
- 1.3 Research Question & Aims
- 1.4 Significance of the Study
- 1.5 Research Design
  - 1.5.1 Methodology
  - 1.5.2 Sources/Data
  - 1.5.3 Limitations
- 1.6 Discussion of Chapters

Chapter 2: Conceptual Framework: "On Violence" Power, Politics and Violence in Africa **pp.42-88**
- 2.1 The Iron Fist
- 2.2 The Velvet Glove
- 2.3 Power, Politics and Political Violence in Africa
  - 2.3.1 The Colonial State: Arbitrary Autocrats
  - 2.3.2 Elections and Participation in Colonial Africa
  - 2.3.3 The Post-Colonial State
- 2.4 Conceptual Framework of 'Weak States'

Chapter 3: Empirical Overview of Election Violence in Post-Colonial Africa **pp.89-121**
- 3.1 The Interregnum & 'First' Elections in Post-Colonial Africa
- 3.2 Semi-Competitive 'No Choice' Elections in Post-Colonial Africa
- 3.3 The Third Wave: Democratisation By Elections in Post-Colonial Africa
- 3.4 Looking Ahead: Elections and Election Violence on the Continent Today

Chapter 4: Kenya
"It's Our Turn to Eat". Land, Elites, Ethnic Politics and Election Violence 1963-2007 **pp.122-171**
- 4.1 Historical Overview of Power and Politics
- 4.2 Historical Overview of Elections and Election Violence
- 4.3 *Causes* and *Conditions* of Election Violence
- 4.4 Conclusion

Chapter 5: Nigeria:"A Do or Die Affair". God Father Politics, Resource Patronage and Election Violence 1959-2007 **pp.172-215**
- 5.1 Historical Overview of Power and Politics
- 5.2 Historical Overview of Elections and Election Violence
- 5.3 *Causes* and *Conditions* of Election Violence
- 5.4 Conclusion

Chapter 6: Zimbabwe: "Our Votes Must Go Together With Our Guns!" Incumbency, Patronage and Election Violence 1980-2008. **pp.216-291**

6.1 Historical Overview of Power and Politics
6.2 Historical Overview of Elections and Election Violence
6.3 *Causes* and *Conditions* of Election Violence
6.4 Conclusion

Chapter 7: Conclusion: Violent African Democracies? Comparing Electoral Violence in Kenya, Nigeria and Zimbabwe. **p.292-302**

7.1 Elites, Institutions, Resources and Patronage
7.2 Main Findings
7.3 Areas for Further Research
7.4 Policy Recommendations

Bibliography **pp.302-340**

Chapter 1
Introduction

This research sets out to explore what the historical and contemporary *conditions* and *causes* of electoral violence are in three case studies, namely Kenya, Nigeria and Zimbabwe, using the process-tracing method and elite interviewing. The following chapter provides an introduction to the study; it highlights the current gaps in knowledge regarding electoral violence in Africa and establishes the research questions and aims guiding the research. The design and methodology of the study are discussed and a chapter breakdown of the thesis is provided which serves as a roadmap for the study.

Electoral violence is broadly viewed as the use of physical violence, or threat thereof, to attack, kill, intimidate, harm, maim, harass, disrupt, and/or repress voters/the public, the opposition, the electoral process and institutions in order to influence an electoral outcome. Non-coercive violence include harassment, the sowing of fear and intimidation by the display of coercive force (i.e. the use of the police force, army, presidential guards, or violent non-state actors at rallies, polling stations, and at civic bureaus), negative campaigning (i.e. harmful and hate speech by radio, pamphlets, or short media/text services on cellular devices, and the closing down of newspapers), to vote buying (which combines the threat of force with benefaction).[1] Coercive violence includes detention, arson, looting, shooting, kidnapping, assassination, torture, armed raids, rape and the withholding of food/water/healthcare. Electoral violence often occurs alongside and coincides with electoral malpractices such as the non-registration or incorrect registration of voters; 'rigging' of votes or 'ballot stuffing' of boxes; non-delivery of ballot boxes or the disappearance of ballot boxes; the redrawing of constituency boundaries that favour or disadvantage a certain political party; the imprisonment or detention of political rivals; political assassinations and political 'hits'; and the mobilisation of non-state actor groups to carry-out acts of intimidation, disorder and disruption. Violence can be exchanged between actors (e.g. clashes

[1] Sisk, T.D. (2008) "Elections in Fragile States: Between Voice and Violence," Paper prepared for the International Studies Association Annual Meeting, San Francisco, California. University of Denver. http://www.humansecuritygateway.com/documents/ISA_electionsinfragilestates.pdf

between opposing supporters, candidates, voters) or it can be directed (e.g. suppression by state security services or employ of non-state actors by elites, parties and state). The spectrum of the conduct of *election violence* is wide, as are the actors/perpetrators, victims and motivations. *Election violence* can occur at various stages during the electoral cycle: during the *pre-election* phase (e.g. voter registration, nomination of candidates), the *campaigning stage* (e.g. rallies, candidates announced), the *election day(s)* (e.g. burning of election offices, rigging, disappearances of ballot boxes, intimidation of voters), and finally the *post-election phase* (outcome and results announced).[2]

In Kenya the political mobilisation of violence by way of ethnic militias was manifest in the run up to the 1961, 1963 and 1969 elections. An upswing in electoral violence occurred with the re-introduction of multi-party politics in 1992, coming to a head in 2007. In Zimbabwe, auxiliary forces and *mujibas* were used as instruments of violent compliance and control in the run up to the 1980 elections. The multiplication of violence actors employed by (mainly) the incumbent political elite has occurred with each successive election since 1980 in the form of war veterans, youth brigades and youth urban protection rackets such as *upfumi kuvadiki*. In Nigeria, political violence has ranged in expression from secessionist movements (1966), to elite coups (1966, 1975, 1976, 1983, 1985, 1986, 1990), ethno-regional militancy (e.g. *Odoua People's Congress*), and urban youth gangs (e.g. *Bakassi Boys)*, whose activism is oft centred and/or sponsored to ascendant levels around election periods. In all three cases, there has been a discernible trend towards the politicisation of non-state actor violence, whereby political elites have mobilised extra-governmental instruments of coercion to perpetrate violence on their behalf during elections. In a one-year period, 2007-2008, Kenya, Nigeria and Zimbabwe experienced pronounced violence and upheaval tied to elections. Media coverage depicted this sub-category of political violence as surprising, unsettling, and frenzied. Yet the mobilisation of violence in the run up to, during and aftermath of elections in these three countries is not new.

Electoral violence in Kenya, Nigeria and Zimbabwe exhibits recurrent historical patterns from their founding elections or 'first elections' of Independence, to 'second elections' in the early 1990's, ascending in 2007-2008 which was characterised as a year of ascendant electoral

[2] Bekoe, D. (2012) Voting in Fear: Electoral Violence in Sub-Saharan Africa. Washington: USIP, pp.2-3.

violence in Africa. This study is cognizant that electoral violence has persisted to differing degrees in each of these three countries beyond the study's 'end point' of 2007-2008. The 2007-2008 'end-point' allows for a bounded comparative historical and contemporary enquiry tied to a corresponding violent election year demonstrated by all three cases. The study uses the aforementioned 2007-2008 election year to work backwards and explore the varying occurrence, intensity and form electoral violence has taken in Africa.

The surge in the occurrence of electoral violence in the Post-Cold War period has practical implications, with the African Union (AU) labelling electoral violence as 'the new form of conflict' in Africa.[3] This is of particular concern given that historical legacies of conflict combined with episodic outbreaks of violence impact upon the socio-economic progress and political development of states in Africa.[4] While many academic studies focus on episodic violent election years and cases, no single study explores or traces electoral violence as either a continuum – being a *historical* phenomenon in Africa, or as a comparative historical phenomenon in Africa. As such, a general 'theory'[5] pertaining to this form of violence both in terms of causes and enabling conditions, is lacking, despite it being an observable and recurrent phenomenon. Given the range in actors, motives, activities, targets, timing and outcome, electoral violence remains poorly conceptualized which has implications for policy, legislation, pedagogy and knowledge-building about phenomenon and processes in Africa. Africa in International Relations (IR) has suffered from peripheral blindness, that is, conventional IR perspectives about the state, authority, power, spatialisation, society and violence have proven

[3] African Union Panel of the Wise (2010) "Election-Related Disputes and Political Violence" Strengthening the Role of the African Union in Preventing, Managing and Resolving Conflict," *The African Union Series*, New York: International Peace Institute. p.1

[4] Conflict and violence present formidable challenges to democratic consolidation, social cohesion and economic development on the African continent. While the exact interaction of the range in these variables is complex and imprecise, a positive correlation of the destructive effects of violence on state, societal and human development is well documented. See Aguirre, K., Iglesias, M., Laverde, C. & Restrepo, J.A. (2010) *Armed Violence and Development: An Exploratory Quantitative Analysis.* Small Arms Survey, Geneva; Cliffe, L., Jinifer, J. & Turner, M. (2005) *The Impact of Armed Violence on Poverty and Development.* Centre for International Cooperation and Security (CICS), Department of Peace Studies, University of Bradford: Bradford; Fields, C. (2010) *Statistical Report on MDG and Violence Indicators.* Small Arms Survey, Geneva.; Justino, P. (2006) *On The Links Between Violent Conflict and Chronic Poverty: How Much Do We Really Know?* HiCN Working Paper 18, Institute of Development Studies, Brighton.; (2008) African Development Bank "Chapter 2: The Consequences of Conflict" in *Conflict Resolution, Peace and Reconstruction in Africa.* African Development Bank Report, Oxford University Press: Oxford.

[5] Here theory is taken as a set of causal statements concerning the what, the why, and the when about a particular phenomenon.

inadequate, ignoring and marginalizing the voices and experiences of those outside the 'West', and/or adopting an 'add Africa and stir' disciplinary approach.[6] The result is events, processes and developments on the African continent, such as recurrent electoral violence, are under-appreciated and inadequately analysed. While elections have traditionally fallen under the domain of domestic politics, their relevance as an International Relations issue has been elevated given its use as a tool for diplomacy, conflict resolution and disbursement of foreign and donor aid.[7] Elections are now also firmly a conflict and security issue. This research aims to build upon studies that 'bring Africa in' so that the phenomenon of electoral violence in post-colonial Africa is understood and situated as part of knowledge building about Africa, and Africa's International Relations.

1.1 Literature Review: Elections and Election Violence in Africa

Between 1950 and1998, Africa was witness to 18 elections to constitutional assemblies, 186 presidential elections and 311 parliamentary elections. In addition there were 115 referendums.[8]

Elections are the norm rather than the exception in Africa. However the quality, function and effect of elections has varied quite widely. Two notable studies focus on elections generally in Africa at the time of Independence and in the early years, namely Hayward's *Elections in Independent Africa* and MacKenzie and Robinson's *Five Elections in Africa*. Hayward's *Elections in Independent Africa* examines the role of elections in eight African countries for the period 1960 – 1986, while MacKenzie and Robinson's edited volume considers elections 'as

[6] This wide ranging debate explored variously as 'Bringing Africa Back In' see Abrahamsen, R (2017) "Africa and International Relations: Assembling Africa, Studying the World," in *African Affairs*,116 (462); Acharya, A. (2014) "Global International Relations (IR) and Regional Worlds" in *A New Agenda for International Studies*, 58 (4); Harman, S. & Brown, W. (2013) "In From The Margins? The Changing Place of Africa in International Relations," in *International Affairs* 89, (1); Gruffydd-Jones, B. (2006) *Decolonizing International Relations*. Rowman & Littlefield: Lanham; Nkiwane, T. (2001) "Africa and International Relations: Regional Lessons for a Global Discourse," in *International Political Science Review*, 22; Dunn, K & Shaw, T. (2001) *Africa's Challenge to International Relations Theory*. Basingstoke: Palgrave.

[7] Small, M. (2015) "Calling a Spade and Spade: Electoral Conflict in APRM Reporting," *EISA* Occasional Paper, AP4, June.

[8] Nohlen, E.; Krennerich, M. & Thibaut, M. (1998) *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press, p.1. Though Golder and Wantchekon arrive at different figures of 321 legislative and 167 presidential elections between 1946 – 1996. Golder & Wantchekon's coding only considers where there is an alternation in power, so for example Botswana is not considered as the Botswana Democratic Party remains in power with each election cycle. This approach goes against many scholarly and policy works which view Botswana as a stable democracy, as measured on Freedom House scores and rankings.

institution building' in four African states during the 'interregnum' phase from 1956-1957.[9] These compendiums are instructive as they highlight the diversity in the meaning and experience of elections between African countries at Independence, and since Independence. Further, how violence ahead of, during and in the aftermath of the founding elections was tied to regional, ethnic, resource (mainly land), and local considerations. A number of observations on the significance of elections in Independent Africa are notable here. Firstly, the *salience* and *resilience* of elections under newly democratic and abruptly autocratic regimes is emphasized. Elections are resilient as they can be adapted to regime type and purpose, taking on new meanings per context. In this way, elections provide for multiple modes of governing while still according the essential component of participation. Further, the resilience of elections, as part of the institutional arrangement of the state, legal framework, and governance structures, is a repeated course to power. Secondly, the *legitimating* function of elections is underscored. This occurs on a number of levels. As a legislative instrument, elections legitimate the overriding sovereign and political order, thereby both the act of holding elections, and the act of voting reproduces the bureaucracy of the Westphalian and Weberian state.[10] Tied to this, elections accord external legitimacy of the state: peer recognition of 'proper' sovereign conduct via popular sovereignty is important in currying diplomatic relations, aid, assistance and investment. Domestically, elections garner electoral legitimacy by 'granting' participation, conferring legitimacy by presenting choice (even in elections without choice), and building legitimacy between political elites. The desire for legitimacy in elite circles is tied to an 'authority' to govern, as well as cohesion and reciprocity between elite agents. For the population, voting is a participatory and social act, as it is a political one. Elections provide legitimacy to an array of identities, under the political project. Importantly, state power is legitimated through elections. Thirdly, the importance of elections in generating, contesting, winning and/or holding onto *power* is central. Elections provide a foci of power to candidates and voters alike: relations of power are thus inherent in running for office and in exercising the vote.

The hiatus in the study of elections during the 'de-participation' phase is due to elections under one-party states or military regimes being viewed as a 'sham' and deemed irrelevant in academic

[9] These are Sierra Leone, Senegal, Botswana, Kenya, Ghana, Nigeria, Tanzania, and Zaire.
[10] The African state does not meet all of criteria of being a Weberian or Westphalian state: but defined by 'external recognition' attribute, see *Quasi States* by Jackson.

and policy circles for the period 1975-1989.[11] "For this reason, no noteworthy increase in the amount of scientific research into voting took place in Africa despite the temporary return to multi-party politics."[12] Where research did exist, it considered the limits or undesirability of elections under increasingly authoritarian rule.[13] One study stands out here, Chazan's (1979) *African Voters at the Polls: A Re-Examination on the Role of Elections in African Politics.* Chazan challenges the presupposition that elections were a 'non-phenomenon' by examining electoral activity in 26 African states from 1974-1978, whereby voters had cast a ballot 47 times.[14] Chazan shows that participation through elections, even if restricted, is an important component to the state's and elites drive for 'legitimacy' as authority to govern, and control of the population. Volumes documenting specific political histories of individual countries such as Bourrett's *Ghana, The Road to Independence,* Nair's study of the 1961 Nyasaland elections, Bennett & Rosberg's *The Kenyatta Election*, Cliffe's *One Party Democracy*, and Post's examination of the 1959 Nigerian Federal elections also bridge this gap somewhat.[15] The individual political history accounts are indispensable in providing insight into the political machinations of sovereign rule, framing electoral politics at Independence, and providing insight into the accompanying violence where present. A key theme that emerges between these studies is the importance of internal and external forces in 'first wave' political liberalization, and in the rise of authoritarian regimes during Cold War bi-polarity politics. Further, that violence accompanying early elections was pronounced, though intermeshed with the violence for self-rule and liberation. These singular histories however are limited by their juncture and locale in considering what impact and significance elections have had overall in the political history(ies)

[11] Collier, R.B. (1978) "Parties, Coups and Authoritarian Rule: Patterns of Political Change in Tropical Africa," in *Comparative Political Studies*, 11 (1).
[12] Nohlen, E.; Krennerich, M. & Thibaut, M. (1998) *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press, p.6.
[13] See Mackintosh, J.P. (1962) "Electoral Trends and the Tendency to One-Party System in Nigeria," in *Journal of Commonwealth Political Studies*; Post, K.W.J. (1965) "Nigeria's Un-Election," in *New Society*, 5; Kasfir, N. (1974) "Deparicipation and Political Development in Black African Politics," in *Studies in Comparative International Development*, 9.
[14] Chazan, N. (1979) "African Voters at the Polls: A Re-Examination of the Role of Elections in African Politics," in *Commonwealth and Comparative Politics*, 17 (2), p.137.
[15] See Hayward, F.M. (1987) *Elections in Independent Africa*. Boulder :Westview Press; Mackenzie, W.J.M. & Robinson, K. (1960) *Five Elections in Africa: A Group of Electoral Studies*. Oxford: Clarendon Press; Bretton, H.L (1973) *Power and Politics in Africa*. Aldine Publishing Company: Chicago; Bourret, F.M. (1960) *Ghana: The Road To Independence 1919-1957*. Stanford University Press: Stanford; Nair, L (1962) *The Nyasaland Elections of 1961*. Athlone Press: London; Post, K.W.J. (1963) *The Nigerian Federal Election of 1959: Politics and Administration in a Developing Political System*. Oxford University Press: Oxford; Bennett, G. & Rosberg,C.G. (1961) *The Kenyatta Election: Kenya 1960-61*. Oxford University Press: Oxford. Cliffe, L (1967) *One Party Democracy: The 1967 Tanzania General Elections*. Nairobi: East Africa Publishing House.

of Africa. Detailed academic studies focusing on habitual violent elections tend to focus on 'ethno-religious states' and regions of the world, such as India, Bangladesh, Sri Lanka, Myanmar, East Timor, Iraq, Serbia.[16] These studies are useful in understanding the broader nature, trends and framing of this particular form of political violence beyond Africa, but still do not assist in addressing the historical or recurrent nature of election violence on the continent.

Literature on election violence in Africa following the 'third-wave' is extensive and largely dominated by think-tank and research institutes.[17] Collectively these bodies have been active in disseminating awareness on violence that accompanies elections, as well as more general findings on the technicalities of elections and election management. This 'international election industry'[18] privileges studying elections as an instrument of transferring power, as a mechanism for conflict resolution and as a tool for building more inclusive polities and societies, thereby foregrounding the process and procedure over phenomenon. Research of this kind, while both useful and essential, tends to focus on topical election years or countries, documenting violent incidents but not interrogating the recurrent nature of election violence or providing clarity on its conceptualisation, measurement, or theorisation. As observed,

> …the object of research – analysis of electoral or political violence - is different from the concern of practitioners – election security.[19]

Most commentators on election violence note a linkage between ascendant violent elections and the (re-) introduction of democracy and multi-party politics in Africa following the end of the Cold War (Bratton & Van de Walle 1992, Strauss & Taylor 2012, Basedau, Erdmann & Mehler

[16] See Bastion, S. & Luckham, R. Can Democracy Be Designed? The Politics of Institutional Choice in Conflict. Zed Books: London; Sisk, T Between Terror and Tolerance: Religious Leaders, Conflict and Peacemaking. Georgetown University Press, Washington; Roeder, P.G & Rothchild, D.S. Sustainable Peace: Power and Democracy After Civil Wars. Cornel University Press: Ithaca; Gillies, D. Elections in Dangerous Places: Democracy and the Paradoxes of Peacebuilding. McGill Queen's University Press: Ottowa; Wilkinson, S.I. Votes and Violence: Electoral Competition and Ethnic Riots in India. Cambridge University Press: Cambridge; Kaldor, M. New and Old Wars: Organised Violence in the Global Era. Polity Press: Cambridge.

[17] Such as the Electoral Institute of Southern Africa (EISA), United States Institute of Peace (USIP), German Institute of Global and Area Studies (GIGA), International Foundation for Electoral Systems (IFES) and the Institute for Democracy and Electoral Assistance (IDEA) to name a few.

[18] Term borrowed from Leonard, D.K. (2010) "Elections and Conflict Resolution in Africa" in Matlosa, K.; Khadiagala, G.M. & Shale, M. (2010) *When Elephants Fight: Preventing and Resolving Election-Related Conflicts in Africa*. EISA: Johannesburg. The 'international elections industry' has grown out of the political liberalisation wave of the late 1980's and early 1990's accompanying the end of the Cold War. Bodies like IFES (1987), EISA (1996), IDEA (1995) were all established in this period.

[19] "Why Do We Study Electoral Violence?" Electoral Violence and Mitigation (EVER) Project, *IFES*. Accessed 30/11/2012. http://www.ifes.org/Research/Cross-Cutting/Election-Violence-Education-and-Resolution/Nav/Electoral-Violence-and-Mitigation/Why.aspx

2007). The thrust of other studies on elections and election violence focus on the effect of and impact on democratization (Lindberg 2006, Schedler 2001); on retention versus alternation in power (Howard & Roessler 2006, Schedler 2002); on the electoral process (Rapport & Weinberg 2001); on electoral tactics and instrumentality (Collier 2009, Kriger 2005, Lehoucq 2003, Chaturvedi & Mukherji 2005); on identity (Crook 1997); and on the political economy of violence (Boone 2011, Kriger 2010, Collier & Vincente 2012).

Electoral violence is a complex social phenomenon made up of a number of components, linked to multiple sets of conditions, contexts and actors. As such attempts to understand electoral violence suffer from three main problems. First, there is conflation in the literature between *conditions* versus *causes* of electoral violence. *Conditions* may be thought of as pre-existing, and enabling factors present within a given setting, for example poverty, corruption, high unemployment, identity marginalization and polarization, high criminality, cultures of violence, weak institutions, fractured and polarized elites, patronage and clientelism. Some of these factors are easier to measure (e.g. poverty rates) than others (e.g. patronage). *Causes* on the other hand may be thought of as 'triggers' that set in motion a sequence of events to produce an outcome, in this case electoral violence. *Causes* or as Huntington[20] emphasizes *caus**ers*** are irregular instances. For example, poverty cannot be argued to produce an outcome if it is a pre-existing condition, which is not to say that poverty is irrelevant to the sequence of events in the causal chain, but rather that as a condition, poverty is not a sufficient cause in producing a violent electoral outcome. *Causes* therefore require careful identification, but due to their 'irregular' criteria, they suffer from the problem of being limited in generalisability. As a result of this conflation, no single theory exists that accounts for electoral violence. Höglund's framework is perhaps the closest to theory building on election violence to date, whereby Höglund proposes that it is the nature of politics, the nature of elections and the nature of institutions that are correspondingly significant in producing violent electoral outcomes.[21] This is covered further in the review of *hypotheses* in the literature review.

[20] Huntington, S. (1991) "Democracy's Third Wave," in *Journal of Democracy*, 2 (2)
[21] See Höglund, K. (2009) "Electoral Violence in Conflict-Ridden Societies: Concepts, Causes, and Consequences," in *Terrorism and Political Violence*, 21 (3).

Electoral violence is largely subsumed and explained under existing macro-micro theories of war and conflict, such as environmental scarcity (Homer-Dixon), new wars theory (Kaldor), game theory/rational choice theory (Snidal); resource curse theory (Collier), or identity-based explanations (Fearon). Subsuming electoral violence under pre-existing theories fails to recognize electoral violence as a distinct form of political violence and a distinct form of conflict. Further, subsuming electoral violence fails to recognize that contemporaneous problems interact in more complex ways, with new sets of conditions, actors and contexts that cannot, and should not, be lumped under pre-existing frameworks that fall short in explaining fully the phenomenon at hand. Lack of theorization then hinders attempts to extrapolate *conditions* from *causes*, further hindering understanding the phenomenon, and hindering efforts to come up with lasting solutions. ***Figure 1.1*** depicts this quandary.

Independent Variable	***Intervening Variable(s)***	***Dependent Variable***
IV "Causes"	***IntV "Conditions"***	***DV "Outcome"***
Regime Type Transition Incumbents/Elites Democratisation Multipartyism Electoral Institutions Transplanted State	Poverty (Absolute/Relative) Inequality Corruption Armed Groups Youth Unemployment Marginalisation Polarisation of cleavages Fractured Elites Partisanship Patronage/Clientelism Resources (Scarcity/Abundance) High Criminality Weak Institutions Pre-existing Conflicts Legacies of violence Land Issue	Election Violence (Fraud, Rigging, Repression, Violence, Looting, Rioting, Arson, Beatings, Torture, Assassinations, Rape, Maiming, Harassment, Detention, Displacement)

Figure 1.1. *Electoral Violence Causal Chain*

As *Figure 1.1* demonstrates attempts to explain electoral violence suffer from the problem of *equifinality*, that is, multiple pathways produce the same outcome.[22]

[22] See Högland, K. (2009) "Electoral Violence in Conflict Ridden Societies: Concepts, Causes and Consequences," in *Terrorism and Political Violence*, 21 (3); Laakso, L. (2007) "Insights into Electoral Violence in Africa," in Basedau, M.; Erdmann, G. & Mehler, A. *Votes, Money and Violence: Political Parties and Elections in Sub-Saharan Africa*. Nordic Africa Institute: Uppsala.

Seven main hypotheses on election violence that dominate the field are reviewed below.

Hypothesis 1 – Multipartyism (IV)

Most commentators on election violence note a linkage between ascendant violent elections and the (re-) introduction multi-party politics and democracy in Africa following the end of the Cold War (Bratton & Van de Walle 1992, Strauss & Taylor 2012, Basedau, Erdmann & Mehler 2007; Cowen & Laakso 2002). Here, the multiparty form is argued to be the cause or IV. Multipartyism provides the site for competition, which in the context of new democracies with pre-existent cleavages, produces violent elections. While multipartyism is common to many states in Africa that have experienced electoral violence, multipartyism has not always produced violent elections. Further, the multiparty form is a constitutive feature of liberal democracy and in the presence of pre-existent conditions, it is unclear whether the multiparty form or other forms and factors continue to act as the IV in producing electoral violence. Instead, Goldsmith argues that, "the introduction of multiparty competition around the world following the Cold War raises the specter of rising civil violence during election periods in emerging democracies and hybrid regimes."[23] Here Goldsmith argues that multipartyism coinciding with the process of democratization and/or a particular polity form (hybrid regimes), is more likely to produce election violence. This brings us to hypothesis 2 and 3.

Hypothesis 2 – Democratisation/Transition (IV)

Literature on the effect and impact of 'third wave' democratisation in Africa is abundant (Huntington 1991; Clapham 1993; Bratton & Van De Walle 1997; Diamond & Plattner 1999). Within this literature a few authors (Lindberg 2006, Schedler 2001) focus specifically on the role of elections, and the interconnection between elections, democratization and violence. Some authors focus on the transition combined with multiparty elections that produce electoral violence (Rakner 2005), whilst others focus on the transition coupled with the process of democratization.[24] Importantly the transition from one polity type to another (e.g. from single party/one party/ military rule to democracy) tied to the process of democratization, in the presence of multivariate conditions, is argued to produce election violence. While this seismic

[23] Goldsmith, A.A. "Elections and Civil Violence in New Multiparty Regimes: Evidence from Africa," in *Journal of Peace Research*, 52 (5), p.607
[24] Rakner, L (2005) "Stuck in Transition: Electoral Processes in Zambia," *Democratization*, 12 (1)

shift may help explain 'third wave' electoral violence, it is limited in understanding what continues to produce electoral violence, post-transition. Lindberg's thesis of 'democratisation by elections', argues that while 4/5 elections in Africa were violent to some degree between 1990 and2003, repeated elections over time diminish the likelihood and intensity of electoral violence.[25] It is unclear exactly what about the process of democratization causes electoral violence, and why if democratization occurs across continents, electoral violence occurs in some countries, and in some elections, but not others . Further, how long democratization is as a process or period is not adequately defined leading to the problem of conceptual lumping. Rapoport and Weinberg argue that '*democratic violence'* is not particular or peculiar to Africa.[26] The emergence of 'modern elections' in England often entailed the 'bending of the rules' by candidates whereby by,

> "…1715 violence and intimidation were regarded as the most effective means of winning votes … a violence which political parties initiated and carried on for more than 150 years."[27]

This has led some commentators to argue that violence should be seen as part of the political process of democratization that recedes as polities and democracies 'mature'. So while elections may be flawed and violent, in sum, elections have a reinforcing and consolidation effect on the quality of democracy with each successive cycle, a notion that Sklar (1983) first advanced as 'unbuckling'.[28] A danger with this line of argument however is that it normalizes instrumental violence and violent political behavior. Staniland's study on militarized election alerts us to the danger of considering violence as an accompanying feature to democratisation arguing that;

> Regimes that are forced into political liberalization, often by international pressures, sponsor non-state violence as a substitute for direct state repression … Militarized elections emerge in weakly institutionalized democracies, as politicians restrain coercion against valuable armed groups … In response opposition parties acquire weapons, build

[25] Lindberg, S (2006) *Democracy and Elections in Africa*. Baltimore: John Hopkins University Press.
[26] Rapoport, D.C. & Weinberg, L. (2001) *The Democratic Experience and Political Violence*. London: Routledge. p.5
[27] Rapoport, D.C. & Weinberg, L. (2001) *The Democratic Experience and Political Violence*. London: Routledge. p.28
[28] Lindberg, S. (2006) *Democracy and Elections in Africa*. Baltimore: John Hopkins University Press.

armed wings, or cultivate armed actors – such as street gangs and insurgents – to compete with incumbent backed violence. [29]

Staniland's study points to the dangers of underplaying the violence proliferation dimension to elections and democratization, which can produce recurrent militarized elections. His study falls short in explaining why in some elections violence is apparent and mobilized, but in others violence and armed groups are not active. While democratization may result in more sites and means for contest, militarized elections are not typical of all regimes undergoing political liberalization. Mansfield and Snyder (1995) build on the 'democratization as a process' argument, arguing that countries in transitional or 'unstable' phases of democratization are more likely to experience violence and go to war.[30] While their study mainly examines democratization (IV) and inter-state war (DV), they also review instances of where democratization produces civil war/intra-state war. These studies are useful in thinking about how new political developments and shifts produce an outcome, but it does little to explain once again why electoral violence is produced in some countries, and not others. Further, the interacting variables are wide and varied.

Hypothesis 3 – Regime Type (IV)

Posner and Young (2007) show that incumbent presidents and parties are still re-elected 85 percent of the time in elections in Africa today, representing an institutionalization of elite and executive power.[31] Incumbent parties and authoritarian elites have been able to work within (and around) institutions and conventions, legitimizing their power through formal structures. In this way there is an inherent value in the holding of elections. "African leaders still possess the power to shape outcomes to suit their preferences" despite numerous changes to the political form.[32] Ake (1996) contextualizes what the implications of polity transition and regime type are for Africa when he argues that,

[29] Staniland, P. (2015) "Armed Groups and Militarized Elections," in *International Studies Quarterly*, 1 (2), p.2
[30] Mansfield, E. & Snyder, J. (1995) "Democratisation and War" in *Foreign Affairs*, May/June; & Mansfield, E. & Snyder, J. (2005)*Electing to Fight: Emerging Democracies Go To War.* Cambridge: MIT Press.
[31] Posner, D.N. & Young, D.J. (2007) "The Institutionalisation of Political Power in Africa," in *Journal of Demcoracy*, 18 (3) p.131.
[32] Posner, D.N. & Young, D.J. (2007) "The Institutionalisation of Political Power in Africa," in *Journal of Demcoracy*, 18 (3) p.134.

> Democratic elections are held to determine who will exercise the powers of the state with no questions asked about the character of the state as if it had no implications for democracy. But its implications are so serious that elections in Africa give the voter only a choice between oppressors. This is hardly surprising since Africa largely retains the colonial state structure which is inherently anti-democratic, being the repressive apparatus of an occupying power. Uncannily this structure has survived, reproduced and rejuvenated by the legacy of military and single-party rule. By all indications, it is also surviving democratization, helped by the reproduction of democracy to multi-party elections. So what is happening now by way of democratization is that self-appointed military and civilian dictators are being replaced by elected dictators.[33]

Ake astutely observes that anti-democratic elites, political forms and institutions have reinvented themselves under the banner of multiparty democracy. As such regime type variously titled "competitive authoritarianism" "illiberal democracies" "hybrid regimes" "pseudo-democracies" are the causes of election violence, as elections provide the periodic moment in which these regime types can be publicly questioned. Schedler (2006), Howard & Roessler (2006) and Zakaria (1997) argue that these incongruent regime types are more likely to utilize state repression, violence and fraud during election cycles. This creates 'high-stake' elections, whereby elections are a small window to challenge competitive authoritarian power or maintain competitive authoritarian power. Studies on competitive authoritarianism are mixed in their conclusions. Some argue that competitive autocracies are more stable and election violence is less likely than when compared to regimes in transition for example. The mixed findings in this strand of research does not therefore help answer, why are some elections violent and others not. Harish & Little (2013) do however offer an interesting thesis by arguing that elections in hybrid regimes have an 'intertemporal effect', that is elections displace civil violence that would have occurred and been regarded as social or civil conflict, to election times.[34]

[33] Ake, C. (1996) *Is Africa Democratizing?* Ikeja: Centre for Advanced Social Science. 5, p.6
[34] Harish, S.P. & Little, A.T. (2013) "The Political Violence Cycle," Paper presented at the Berkeley Political Economy Seminar, October. Accessed 23 November 2014. http://bcep.haas.berkely.edu/papers/Fall%202013/Little.pdf

Hypothesis 4 – Incumbents, Losers and Rational Choice (IV)

Election violence according to this strand of thought is instrumental and instrumentally wielded by incumbent elites, opposition actors, rebel/militia/armed groups in order to affect the electoral outcome. Here actor incentives to win an election produce violent electoral outcomes. Some scholars adopt a game-theoretic utility maximization approach in exploring incentives to use violence (Basedau, Erdmann & Mehler 2007; Collier 2009, Kriger 2005, Lehoucq 2003, Chaturvedi & Mukherji 2005); whilst others explore actor incentives in the context of ethnic and/or patronage cleavages (Wilkinson 2004; Fortman 1999). Elections create winners and losers, and whilst the game-theory approach helps to explain why actors engage in violence, it does little to explain why actors engage in violence some of the time, but not at other times. As Hafner-Burton, Hyde & Jablonski (2014) note, violence is an exception not the rule, and using force is often a gamble that can lead to a popular backlash or worse, civil war.[35] Further, it does not assist in explaining violence beyond the incumbent or opponent actor: why do other actors, such as citizens, partake in the violence? The gap between *structural, interpersonal* and *intrapersonal* motivations of violence here proves too wide to straddle in that they cannot consistently explain the outbreak of election violence across countries and years.

Hypothesis 5 – Identity cleavages (IV)

Ethnicity has often been used to explain war and conflict in Africa. Some studies on electoral violence consider electoral violence as part and parcel of communal and ethnic violence in divided societies (Horowitz, 1991; Horowitz, 2000; Sisk, 1996; Wilkinson, 2004). Attempts to depict identity as the cause of electoral violence fall short in explaining why identity as a pre-existing condition, does not in fact result in perpetual conflict, or why identity is prominent in explaining violence in some election years and not in others. Lewis in his somewhat controversial study *Politics in West Africa* argued that the 'natural' political party in Africa was one with an ethnic and regional base given that the sense of 'tribe' was stronger than nation at Independence.[36] Mamdani (1986) also contends that the nation-state's demise in Africa is a result

[35] Hafner-Burton, E.M, Hyde, S.D. & Jablonski, R.S. (2014) "When Do Governments Resort to Election Violence," in *British Journal of Political Science,* 44 (1).
[36] Lewis, A.W. (1965) *Politics in West Africa*. Oxford: Oxford University Press.

of bureaucratic and power politics not being 'detribalised.'[37] However, scholars such as Wallerstein are critical of accounts that reduce political violence to a 'tribalism versus nationalism' struggle resulting in a deterministic and primordial account of African political history.[38] Instead, ethnicity as a tool for instrumental mobilization around elections and as political strategy (by state, party, and colonial power) should be considered over linear and deterministic causality.[39] Azam's (2001) idea of "ethnic capital" combines the politicization and instrumentalisation of identity with political economy.[40] Ethnic belonging provides access to resources, capital and services; "the state and ethnic groups are connected by the participation of the elite of the latter in the former."[41] Yet ethnicity on its own does not determine a political outcome. Rather, it interacts with a wide range of pre-existing conditions, and other causes.

Hypothesis 6 – Electoral Institutions (IV)

Hoglünd (2009) provides the most advanced attempt at theory building on electoral violence.[42] Hoglünd divides her hypothesis into three areas: the nature of politics (e.g. incumbents, elite factionalism and domination, politicized ethnicity, regime type, patronage), the nature of elections (e.g. politicised ethnicity, democratization, multipartyism), and the nature of electoral institutions. The first two domains, namely politics and elections, are covered and support *Hypotheses 1, 2, 3, 4 & 5*. The third domain on electoral institutions refers to both the type of electoral systems and general electoral administration. Electoral systems refer to the distribution of government and political power within a political system, such as first-past-the-post (FPP) representation, proportional representation (PR), mixed member proportionality (MMP), and

[37] Mamdani, M. (1996) Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism. London: James Currey.
[38] Wallerstein, I. (1960) "Ethnicity and National Integration in West Africa," in *Cahiers d'Etudes Africaines*, 1 (3).
[39] See Hyden, G. (2006) *African Politics in Comparative Perspective*. Cambridge: Cambridge University Press.; Kasfir ; Berman, B.J. (1998) "Ethnicity, Patronage and the African State: The Politics of Uncivil Nationalism," in *African Affairs*, 97 (388).; Lemarchand, R. (1972) "Political Clientelism and Ethnicity in Tropical Africa: Competing Solidarities in Nation-Building," in *American Political Science Review*, 73.
[40] Originally coined by Borjas (1992) cited in Azam, J.P. (2001) "The Redistributive State and Conflicts in Africa," in *Journal of Peace Research*, 38 (4).
[41] Azam, J.P. (2001) "The Redistributive State and Conflicts in Africa," in *Journal of Peace Research*, 38 (4), p.430.
[42] See Höglund, K. (2009) "Electoral Violence in Conflict-Ridden Societies: Concepts, Causes, and Consequences," *Terrorism and Political Violence*, 21 (3).

majoritarian representation (MR).[43] Hoglünd and Krook & Schwindt-Bayer (2013) contend that electoral systems play a definitive role in shaping electoral outcomes, political dynamics and the level of competition between candidates.[44] Hoglünd and Khadiagala both find that the FFP electoral systems are more likely to induce 'high-stake' elections and result in violence, given the 'winner takes all' approach to political competition and representation.[45] Electoral administration refers to bodies such as the national electoral commission, as well as other administrative entities involved in the conduct of elections, such as the police, security agencies, judiciary, civil service and civil society groups, such as election observers.[46] Together, electoral systems and the electoral administration establish the rules, procedures and organization of elections (e.g. voter registration, constituencies, logistics of ballot boxes and stations, voter education). Where the electoral system and/or electoral administrative units show partiality, are manipulated or display political interference, violence is argued to then result.[47] In this way democratic institutions combined with illiberal practices skew advantages and the playing field.[48] As Jinadu argues, electoral governance (inclusive of systems and administration), was not well developed at Independence, indeed the electoral machinery,

> … was rudimentary and ad hoc, based on a narrow and restrictive franchise, in most cases, designed and contrived generally to ensure succession favourable to the colonial regimes … in this way electoral administration was politicized.[49]

The great variance in the quality and nature of electoral systems and electoral administrations has meant that attempts to address electoral violence by focusing on these specific areas, has been a

[43] Khadiagala, G. (2010) "Reflections On The Causes and Consequences of Election Violence in Africa," in *When Elections Become A Curse: Redressing Electoral Violence in Africa.* EISA Policy Brief, 1.

[44] Krook, M.L. & Schwindt-Bayer, L. (2013) "Electoral Institutions" in Waylen, G.; Celis, K.; Kantola, J. & Weldon, S.L. *The Oxford Handbook of Gender and Politics.* Oxford: Oxford University Pres.

[45] Höglund, K. (2009) "Electoral Violence in Conflict-Ridden Societies: Concepts, Causes, and Consequences," *Terrorism and Political Violence,* 21 (3).; Khadiagala, G. (2010) "Reflections On The Causes and Consequences of Election Violence in Africa," in *When Elections Become A Curse: Redressing Electoral Violence in Africa.* EISA Policy Brief, 1.

[46] Jinadu, A.L. (1997) "Matters Arising: African Elections and the Problem of Electoral Administration," in *African Journal of Political Science*, 2 (1).

[47] Höglund, K. (2009) "Electoral Violence in Conflict-Ridden Societies: Concepts, Causes, and Consequences," *Terrorism and Political Violence*, 21 (3)

[48] Opitz, C.; Fjelde, H. & Höglund, K. (2013) "Including Peace: The Influence of Electoral Management Bodies on Electoral Violence," in *Journal of Eastern African Studies*, 7:4.

[49] Jinadu, A.L. (1997) "Matters Arising: African Elections and the Problem of Electoral Administration," in *African Journal of Political Science*, 2 (1), p.2

case (and continues to be a case) of trial and error.[50] Höglunds hypothesis on electoral institutions is compelling as it caters for specificity whilst subsuming wide-ranging *conditions* as outlined earlier. Importantly, electoral institutions are not static or time-bound, and fluctuations in degree and quality of electoral institutions correspondingly demonstrate varying outbreaks of electoral violence and non-violence.

Hypothesis 7 - The transplanted 'alien' state (IV)

Young argues that Western designed electoral systems and the 'import' of the concept of national elections and associated institutions and processes is 'alien' to Africa, and has bequeathed a legacy of 'alien hegemony' and rule, thereby producing violence.[51] This supports Mackenzie & Robinson (1980) idea that the lack of an ideological basis of the nation-state in Africa (in terms of sovereignty and universal franchise), has meant that political authority has had to be constantly created and contrived.[52] Davidson (1992) pursues this 'alien' notion by contending that the violence and instability that followed Independence must be seen as the failure of the model of nation-state, rather than merely the type of polity introduced.[53] Because of this incompatibility or unsuitability, violence has come to define elections, democracy and the political experience in Africa. President Siaka Stevens of Sierra Leone, when reflecting on the violence that accompanied the 1982 elections, said that violence was a "consequence of the unsuitability of competitive elections to existing conditions in Sierra Leone."[54] Similarly, Amilcar Cabral, leader of the national liberation movements in Cape Verde and Guinea-Bissau, declared that, "the problem of the nature of the state created after independence is perhaps the secret of the failure of African independence."[55] Where democracy has been 'imported' 'inspired' or 'funded' from outside, the necessary pre-conditions for its establishment and/or

[50] For accounts of EMBs experience in this field see Mozzafar, S. (2002) "Patterns of Electoral Governance in Africa's Emerging Democracies," in *International Political Science Review*, 23 (1).; Opitz, C.; Fjelde, H. & Höglund, K. (2013) "Including Peace: The Influence of Electoral Management Bodies on Electoral Violence," in *Journal of Eastern African Studies*, 7:4.; Kerr, N.N. (2009) "Electoral Governance in Sub-Saharan Africa: Assessing the Impact of Electoral Management Bodies Autonomy and Capacity on Citizens' Perceptions of Election Quality," in *IFES* http://www.ifes.org/sites/default/files/manatt_research_nkerr_12march2010.pdf
[51] Young, C. (1994) *The African Colonial State in Comparative Perspective*. New Haven: Yale University Press, p.244
[52] Mackenzie, W.J.M. & Robinson, K. (1960) *Five Elections in Africa: A Group of Electoral Studies*. Oxford: Clarendon Press.
[53] Davidson, B. (1992) The Black Man's Burden: Africa and The Curse of the Nation-State. London: James Currey.
[54] Hayward, F.M. (1987) *Elections in Independent Africa*. Boulder: Westview Press,
[55] Young, C. (1994) *The Colonial State in Comparative Perspective*. New Haven: Yale University, p.1.

consolidation are argued then to be absent. Many continue to purport the idea that the 'alien state' is a foundational reason for the persistence of a wide range of Africa's ills: ethnic conflict, terrorism, civil war, corruption.[56] However, as Bayart (1993) contends, the state in Africa is no longer an exogenous structure; the African state and its institutions have undergone appropriation and re-appropriation, and acquired its own historicity.[57] Thus, rather than a focus on the transplanted colonial or Westphalian state as the *IV* of a host of Africa's insecurities and instabilities, it is important to look at the dynamics within the post-colonial state that perpetuates conditions of unrest. The prevalence and recurrence of electoral violence is one such kind, and is considered 'deviant' in terms of modernization and democratic theory. Lipset (1970), Rostow (1960), and Olsen (1968) variously show in their studies that a certain level of socio-economic development is required for democracy to take root in order to be free of 'tyranny' and violence.[58] Moore (1966) famously argued "no bourgeoisie, no democracy" while Hyden (1980) argued that political and economic development could not be effectively achieved without the 'capturing' of the 'peasant' class into the modern bureaucratic project.[59] Chabal and Daloz (1999) build on this idea by arguing that the state in Africa has failed to 'free itself' from society, so that the state has come to be relied upon as the chief source of resource, capital, aid and patronage.[60] Kasozi (1994) in their study on Uganda, argue that political violence has grown out of the need to seize and control state power as the only economic base of society: the creation of political elites meant that they were not a 'class' in and of themselves "…having no roots in commerce, agriculture or industry."[61] The failure of the state to 'institutionalise' coupled with enduring economic crises, has meant that the preconditions for the survival of competitive, open and peaceful democratic elections is wanting. Broadly, modernization theorists view inequality

[56] See Mentan, T. (2010) The State in Africa: An Analysis of Impacts of Historical Trajectories of Global Capitalist Expansion and Domination in the Continent. Bamenda: Laanga Research and Publishing.; Mohamoud, A.A. (2006) State Conflict and Post Conflict Development in Africa: The Case of Somalia 1960-2001. West Lafayate: Purdue University Press.; Ranger, T. & Vaughn, O. (1993) Legitimacy and the State in Twentieth Century Africa. London: St Anthony's/Macmillan Series.; Englebert, P. (2000) State Legitimacy and Development in Africa. London: Lynne Reinner.; Young, C. (2012) The Post-colonial State in Africa: Fifty Years of Independence 1960 – 2010. Madison: The University of Wisconsin Press.;

[57] Bayart, F.B. (1993) The State in Africa: The Politics of the Belly. London: Longman.

[58] Lipset, S. (1960) *Political Man: The Social Bases of Politics*. New York: Doubleday.; Rostow, W.W. (1960) *The Stages of Economic Growth: A Non-Communist Manifesto*. Cambridge: Cambridge University Press.; Olsen, M.E. (1968) 'Multivariate Analysis of National Political Development,' in *American Sociological Review*, 25. The author is aware of contending studies such as

[59] Moore, B. (1966) Social Origins of Dictatorship and Democracy. New York: Beacon Press. p.418 and Hyden, G. (1980) Beyond Ujamaa in Tanzania: Underdevelopment and an Uncaptured Peasantry. London: Heinmann.

[60] Chabal, P. & Daloz, J.P. (1999) *Africa Works: Disorder as Political Instrument*. London: James Currey.

[61] Kasozi, A.B.K. (1994) *The Social Origins of Violence in Uganda 1962 - 1985*. Kampala: Fountain Publishers.

(though measured and expressed differently), as the determining factor in regime repressiveness, political violence and the fate of democratic transitions.[62] Interestingly, *legitimacy* is a key component of the developmental and modernization argument, which links the distribution of goods, resources and services to political governance.[63] Attempts to introduce mass, competitive democracy where socio-economic inequality is present, alongside 'identity' inequalities (such as ethnicity, religion, language and regionalism) serve as cleavages for politicisation and conflict.[64] The 'transplanted state' school of thought while establishing the conditions under which violence and democratic failures coincide, still does not explain if the transplanted state is enduring and elections are episodic, how does the transplanted state specifically cause the election violence? Why in some election years and not in others? Why in some countries and not in others? If the transplanted state argument is accepted, this would mean perennial violence, yet perennial violence is not the case. The lack of specificity and lumping of multiple conditions and factors in the 'transplanted state' argument renders it too imprecise for measurable or observable application. This hypothesis also ignores the adaptability of the African state and of political elites.

An overview of the literature reveals that no single cause (IV) of electoral violence adequately encapsulates the nuances and instances of electoral conflict on the continent since Independence. Scholars who propose that multi-partyism or regime transition or early democratisation are key in determining violent electoral outcomes may do well to account for the 'third wave' period, but do not assist in understanding electoral violence 27 years after the ending of the Cold War. It is not clear why some African countries experienced election violence (e.g. Kenya) during the initial 'third wave' elections, but not others (e.g. Namibia) since many introduced multi-partyism, experienced regime transition and underwent democratization concurrently. Other factors such as the presence of peacekeeping missions (e.g. Namibia 1990) and/or electoral observer missions (e.g. South African 1994), as well as structural and contextual factors are key to understanding activation along the causal chain. Similarly, the transplanted state argument

[62] See Muller, E.N. (1985) "Income Inequality, Regime Repressiveness and Political Violence," in *American Sociological Review*, 50

[63] See chapter 2 in Kasozi, A.B.K. (1994) *The Social Origins of Violence in Uganda 1962 - 1985*. Kampala: Fountain Publishers. Kasozi shows how unequal distribution of resources in Uganda tied to regional, ethnic, religious and class disparities produced violence.

[64] See Huntington, S.P. (1968) *Political Order in Changing Societies*. New Haven: Yale University Press. Huntington argued that mass mobilisation and participation through the ballot box would engender chaos and instability in transitional fragmented states.

while useful in pointing to underlying structural deficits in Africa's experience of democratization and the consequences thereof, implies a high degree of path dependence. These path dependent 'self-reinforcing' sequence of events which set in motion institutional patterns, lead to the same outcome time after time. Importantly, it does not help account for when an outcome changes i.e. when there is no violence despite the existence of the transplanted state.[65]

Each hypotheses reviewed here provides a competing explanation that selects and privileges certain conditions and causes over others. But the exact interaction of these conditions and causes across election cycles, cases and years is not adequately developed in the literature, nor is it tested across *large-N* or *small-n* African case studies over time. Importantly, the hypotheses do not help predict why, when or where the next violent election will be. In other words, the hypotheses on their own do not help construct a theory on this 'new form of conflict' in Africa. The task at hand remains to identify which irregular events (IV causes) in combination with a number of variables (Int.V conditions) interact to produce election violence (DV outcome). Given that election violence has occurred in all three case studies to differing degrees, tracing what factors are present/absent is necessary to understanding what produces violent electoral outcomes.

1.2 Problem Statement & Knowledge Gap

Elections on the continent present both opportunity and challenge. On the one hand, they can spark violent contest and conflagration whilst on the other elections may be used as a mechanism to negotiate parties out of conflict and protracted civil war. Elections can reinforce legitimacy and reciprocity, but their competitive nature can also inflame ethnic divisions and difference. The holding of regular elections has not eliminated the specter of conflict on the continent instead elections serve as a fresh site for conflict. Election violence is therefore an empirical, conceptual and theoretical anomaly. The exact interaction of a wide-ranging set of conditions, actors and motives in generating conflict in the context of elections, is not clear. It is not clear why election violence is produced where some conditions are present, but not in others, or why conflict is prevalent in some election periods in particular countries, but not in others. Election violence thus remains under-theorised when compared to other forms of political violence such as civil war, genocide, insurgency, and coups d'état on the continent. While some research

[65] Mahoney, J. (2000) "Path Dependency in Historical Sociology," in *Theory and Society*, 29 (4).

alludes to the historical nature of election violence in post-colonial Africa,[66] no studies have explored this as an independent line of inquiry. Most of the 'historical' research that considers election violence uses 1990 as the starting point for research, embedding its study in discourses on 'third wave' democratisation and political liberalisation following the end of the Cold War. While this is an important global shift and the escalation is apparent, it significantly ignores episodes of violence that has accompanied elections in Africa since Independence.[67] This research is interested in tracing the *conditions* and *causes* of electoral violence since Independence in the three case studies in order to build knowledge of this 'new form of conflict' in Africa. Specifically, the study interrogates the recurrent and historical nature of election violence in post-colonial Africa, departing from the dominant focus on periodic contemporary violent election years or only violent single case study countries.

1.3 Research Aims & Questions

The study sets out to understand the historical and current *conditions* and *causes* of electoral violence in three post-colonial African countries, namely Kenya, Nigeria and Zimbabwe.

Three interrelated research questions guide the study:

1. What explains election violence in Kenya, Nigeria and Zimbabwe from Independence to 2008?
2. What explains the recurrence in election violence in Kenya, Nigeria and Zimbabwe?
3. What explains variations in election violence within, and across each case study from Independence to 2008?

[66] See Bekoe, D.A. (2012) *Voting In Fear: Electoral Violence in Sub-Saharan Africa*. USIP: Washington. Bekoe's work however focuses on the period 1990-2008. Country specific books such as Daniel Branch's *Kenya Between Hope and Despair, 1963-2011* while more comprehensive in taking historical view on violence that has accompanied elections in Kenya, the book's focus is not on the topic of election violence per se. Judith Kelley's 2012 book on *Monitoring Democracy: When International Observation Works and Why It Fails* (Princeton University Press: New Jersey), provides a global comparison on historical trends in election violence ranging from El Salvador to Indonesia. Aside from Kenya, countries in Africa prone to election violence are not given much attention.

[67] See Huntington, S. (1991) The Third Wave: Democratization in the Late Twentieth Century. University of Oklahoma Press: Oklahoma; and Bratton, M. & Van de Walle, N. (1997) Democratic Experiments in Africa: Regime Transitions in Comparative Perspective. Cambridge University Press: Cambridge.

The case-bound and time-bound study aims to establish specificity about election violence within and across each of the three cases, thereby generating and adding new knowledge-building about election violence as a social science phenomenon.

1.4 Significance of Study

It was observed in the 2010 AU Panel of the Wise report that, "elections have emerged as one of the major sources of conflict in Africa".[68] Further, that election violence occurs in the presence of;

> institutional weakness; issues of citizenship and voting rights; eligibility of candidates; attempts at extending the constitutional term limits; politicization of state institutions, including security institutions; lack of autonomy of electoral management bodies; an uneven playing field and highly restricted political spaces; issues of inequality; marginalization and youth unemployment.[69]

Given that elections are now the 'norm' in terms of normative and institutional political governance on the continent, promoted internationally by donors and linked to International Financial Institutions (IFI's), and that many divisive socio-political conditions remain, election violence is likely to continue into the near future, and must therefore be properly understood. Ascendant election violence must be interrogated in terms of its enduring legacy, its contemporaneous occurrence, and embedment to political power in Africa. Significantly, the study will contribute to disciplinary and practitioner knowledge on the subject of election violence, and use the study findings towards policy recommendations.

1.4 Research Design

> "The historian's most basic task is to choose *reliable* sources, to read them *reliably*, and to put them together in ways that provide *reliable* narratives about the past."[70]

---

[68] African Union Panel of the Wise (2010) "Election-Related Disputes and Political Violence" Strengthening the Role of the African Union in Preventing, Managing and Resolving Conflict," *The African Union Series*, New York: International Peace Institute. p.1

[69] PSC (2015) "PSC focuses on high-risk elections,' *AU Peace and Security Council Report*, 21 January. Access Date 22 July 2015. www.issafrica.org/pscreport/addisinsights/psc-causes-on-high-risk-elections

[70] Howell, M.C. & Prevenier, W. (2001) *From Reliable Sources: An Introduction to Historical Methods*. Cornell University Press: Cornell. p.2

The research is interested in understanding significant and observable phenomenon at the national and continental level in a comparative and historical way. Election violence is an empirical reality, tied to and rooted in a much larger and longer past. Locating the genesis of this particular and complex form of violence and how it has shaped the course of African political life necessarily requires situating the problem in the contexts of where it first took visible shape. Consequently the methodology of this study is informed both by historiography, a method of History, and process-tracing, a method frequently adopted in Political Science and International Relations.

1.4.1 Methodology

The "*past-in-the-present*"[71] historiographical research approach as set out by historian Stephen Ellis informs the research approach adopted. This approach aims to discuss present conditions by reflecting on past settings and events. The past-in-the present approach is comparative and relies on archival source, text, record, documentation, and data. Ellis argues that, "how we consider Africa's place in the world … is closely associated with how we assess the relationship between present and past more generally."[72] Historical research of this kind recognizes that there is a historical problem manifest in present circumstances and identifies the need for knowledge to be generated to aide an understanding of these apparent present anomaly(ies).[73] Further, research of this kind that 'works backwards' signals the need to build a narrative in explaining apparent phenomenon and anomalies where models are non-existent, lacking, or time bound. In this instance, the anomaly of seemingly habitual election violence demands a comprehensive and robust historical narrative that is currently wanting. Complementary to this approach, and more rigorous in its methodological application, is the use of process tracing. Process tracing is a qualitative tool that seeks to identify causal process observations (CSO's) by identifying and extrapolating the trajectory and sequences of independent, dependent and intervening variables.[74] Process tracing allows the researcher to identify novel or anomalous phenomenon and systematically describe them and their sequence components set in a causal chain. Further, it allows the researcher to 'trace' existing hypotheses and assess causal claims by situating it to

[71] Ellis, S. (2003) "Writing Histories of Contemporary Africa," in *Journal of African History*, 43. p.4
[72] Stephen Ellis, Seasons of Rain, p.18
[73] Ellis, S. (2003) "Writing Histories of Contemporary Africa," in *Journal of African History*, 43. p.4
[74] Collier, D. (2011) "Understanding Process Tracing" in *Political Science and Politics*, 44 (4).

recurring empirical regularities.[75] Process tracing of archival record, election observer data and event derived data-sets allows the researcher to explore election violence hypotheses both within country and across the three country cases. Three 'small-n' case studies allow for a more in depth study of causal inference of the selected phenomenon.

The research also employs a comparative case study method to explore the historiography of electoral violence in post-colonial Africa. As McKenzie and Robinson argue, political development is an area that invites comparative study.[76] Comparative case study research assists in developing historical and contemporary explanations and understandings applied to more than one event, over time: in this case explaining recurrent election violence over a fifty-year span in three countries.[77] Comparative case study research assists in tracing a number of variables/observations within a few cases over time. What has changed? What remains the same? What sequence of events has produced this particular outcome? What effect do outcomes have on subsequent sequences of events?

Case study selection was determined by three main factors. Firstly, all three countries have exhibited recurrent episodes of election violence since Independence. Secondly, in all three case studies, there was a peak in electoral violence in 2007/2008.Thus, 2007/2008 is used as the moment to 'work backwards' and trace the historical instances, variations, and alterations in electoral violence. Thirdly, all three case studies are former British colonies. Colonial heritage is important in controlling for the type of state, polity, power configuration and institutions inherited.

All of the data gathered for this research is subject to thematic content analysis. As a research method, thematic content analysis allows the researcher to record patterns and themes of meaning across the data associated with explaining and understanding the historical and contemporaneous conditions and causes of election violence. Theme development allows the researcher to group and categorise a range of issues into manageable and logical data chunks. Further it allows the researcher to associate meanings to these categorized themes. Themes are initially derived from the literature reviewed (i.e. deductive) and as data collection proceeds,

[75] Collier, D. (2011) "Understanding Process Tracing" in *Political Science and Politics*, 44 (4).
[76] Mackenzie, J.M. & Robinson, K. (1960) *Five Elections in Africa*. Clarendon Press: Oxford, p.1
[77] George, A.L. & Bennet, A. (2004) *Case Studies and Theory Development in the Social Sciences.* MIT Press: Massachusetts. p.5

theme identification is subject to elaboration, sub-categorisation (i.e. synonyms), and/or refinement (i.e. inductive).[78] Initial themes identified include: 'election/vote'; 'political violence'; 'violence'; 'protest/dispute'; 'rigging/fraud'; 'corruption'; 'militia/gang/'; 'political party(ies)'; 'politicking/politicisation'; 'vote buying/patronage/gifting'; 'youth'; 'land'; 'resources'; 'ethnic/ethnicity'; 'identity'. The end point to theme development occurs at the point of saturation, that is no new issues or meanings are identified in the data. Similarly, an issue's significance is signaled and captured if it is raised repeatedly across the data.[79]

1.4.2 Sources and Data

This research is underpinned by the use of multiple sets of data, the sourcing of varied record, and identifying themes for comparison across and between sources. The use of archives, elite interviews, election observer data, 'wikileaks' data cables, and conflict datasets informs this research. It is important to note that there is inconsistency in sources and data obtained across elections of the three case studies due to either lack of observers or eyewitness accounts, archives still being classified, and at times reports being withheld. In these instances, the research relies on sources that are accessible and existant.

Archives

For the period 1960-1980[80] archive sources have been used from four main repositories namely, the Kew National Archive, Rhodes House/Bodleian Library, the Commonwealth Library, and the Political Archives Project at Senate House Library all based in the United Kingdom. Travel and time constraints prevented the researcher attaining further archived evidentiary record from within the case study countries. The archive sources held at the four repositories contain private papers, parliamentary papers, intergovernmental cables, government reports, personal communication between political elites and leaders, speeches, mission reports, Foreign and Commonwealth Office (FCO) documents, intelligence briefings, newspaper accounts, election posters and manifestos and eyewitness accounts. For the most part, these documents tell an official and bureaucratic version of history from a British perspective. Use of archives located

[78] Hennink, M.; Hutter, I. & Bailey, A. (2011) *Qualitative Research Methods*. London: Sage, p.210.
[79] Hennink, M.; Hutter, I. & Bailey, A. (2011) *Qualitative Research Methods*. London: Sage, p.217.
[80] Given the 25-30 year restriction in accessing classified materials 1980 is the last year for which the researcher was able to attain primary source material from the national archives.

within one former colonial country faces the invariable challenge of being incomplete and biased, but also offers parity in sourcing a consistent set of data for the three case studies. The variety and diversity in type of record held within the archive is rich, and sourced from a number of origins. This in part makes up for only utilizing a former colonial archive. Here, the researcher is mindful of the motives and purposes that these documents served, that sources may "…contain what was fit for public consumption- what governments were prepared to reveal, what journalists could elicit from tight-lipped informants, what editors thought would gratify their leaders or MPs their constituents."[81] Cross-referencing on event occurrence and interpretation is strived for, and here consulting a variety of newspapers and periodicals have been instructive. The Political Archives Project at Senate House Library was particularly useful as it contained election manifestos, political party posters, pamphlets and speeches made by leaders and political elites within the case study countries at the time of Independence.

Election Observer Reporting

Election observer mission reports provide publically available reportage on elections, the electoral process and electoral incidents in country. Most election observer reports also contain statistical data on polling, voter turnout, demography of voters, political party participation and information, election results and listing of incidences of violence. Election observer bodies fall into two main camps: intergovernmental or regional bodies such as the Commonwealth, European Union (EU), African Union (AU), and South African Development Cooperation (SADC); and non-profit entities (such as National Democratic Institute (NDI), International Institute for Democracy and Electoral Assistance (IDEA), International Foundation for Electoral Systems (IFES), Freedom House, the Carter Center and the Electoral Institute of South Africa (EISA). This distinction is important, as election observer missions have not always reached the same conclusion as to whether an election is 'free and fair', nor have they consistently reached similar conclusions as to whether an election was free of violence. At times this has been due to the presence or absence of an observer mission at the time an incident, process or event (most observer missions are only in country for a 3-6 week period built around the official election date). However, at times broader politics are at play.

[81] Tosh, J. (2010) The Pursuit of History, Aims, Methods and New Directions in the Study of Modern History. Fifth Edition. Routledge: Oxon. p.87

Elite Interviews

In 'Writing Histories of Contemporary Africa,' Ellis alerts the reader that the main challenge when covering the most recent past in contemporary historical research is sourcing sets of coherent and comparable data that are not classified. Much of contemporary history has yet to be recorded, written down, or have the advantage of the passage of time. This is a methodological challenge. The recent past, which for the purposes of this research is treated as the period for which official documents remain classified 1980-2008, employs 'elite-interviewing' with select political elites to construct a narrative on electoral violence. Elite interviewing focuses on a select sample and sector, in this case politicians, political party members, holders of office (including members of the executive, cabinet, judiciary and legislature), and other political elites (such as military generals and intelligence chiefs).[82] The elite sample was purposive, based on those involved in politics, party-politics, electioneering and campaigning. Initial interviews entailed the researcher seeking out both current and former political leaders and elites. Many interviews benefited from 'snowballing', that is the process of elite referral and connection. Interviewees were provided with a sample set of questions before the interview, as well as an information sheet that detailed the process of informed consent and guaranteed confidentiality.[83] Verbal consent was obtained at the beginning of each interview and these interviews were recorded. Interviews followed a semi-structured format. In the absence of documentary record that the archives provide, interviews offer the best, if not the only alternative, in obtaining first-hand accounts, views, deliberations, and exchanges amongst elites and decision-makers. Ethics clearance was obtained from the University Ethics Board.[84]

Speeches and verbatim political elite interviews conducted by a variety of media sources are also used to supplement the absence of written record, and where interviews could not be obtained. The importance of transcripts, podcasts and radio interviews in conjunction with the use of archives and elite interviewing helps to provide for account and analysis for the entire historical period under study (1960-2008).

[82] Peabody, R.L.; Hammond, S.W.; Torcom, J.; Brown, L.P.; Thompson, C & Kolodny, R. (1990) "Interviewing Political Elites," in *Political Science and Politics*, 23 (3).
[83] These questions were submitted and passed by King's College London Ethics Board in 2010. Ethics protocol number **SSHL/10/11-19.**
[84] Ethics Clearance Number **SSHL/10/11-19.** Interview Data gathered when I was student at King's College London 2009-2014. The ethics clearance was provided by King's College London to undertake interviews.

Wikileaks Data Cables

In recent years a number of 'new media' technologies have arisen which make use of the Internet and cyberspace platforms to publish and share information. *Wikileaks* is one form of 'new media' that publishes mainly censored or classified source material of "political, ethical, diplomatic or historical significance" that has been leaked, arguing towards an "improvement of historical record and the support of the rights of people to create new history."[85] The *Wikileaks Data Cables* contain classified diplomatic exchanges between governments and political leaders around the world, oft centered upon particular controversial moments or decisions. Much ethical consternation and contention exists about the *Wikileaks Data Cables*, not particularly in terms of its authenticity, but in terms of the illegality in how the material is acquired and distributed. The information contained within these data cables presents an elaboration and specification on details often referred to in the press, mentioned in interviews or flagged in humanitarian reports.

Conflict Datasets

This study makes descriptive reference to a number of quantitative data sets that record incidents of election violence in Africa covering the period 1960-2008. These datasets are event driven meaning that data is derived based on news reporting, eyewitness accounts, non-governmental (NGO) reporting, field mission reporting, election observer monitoring and official accounts. Consulting a number of datasets is important in deriving a reliable account of election related violence across sources. For example, are the same events recorded? Do the datasets code an event in identical or comparable ways? Are the same actors, participants, casualties identified? Is the duration of the event consistent between sources? Where there is discrepancy in reporting, which source or sources matter more? These questions guide the use of the following conflict datasets. For the purposes of this research four main data sets are used namely, the *National Elections Across Democracy and Autocracy* (*NELDA)*, *Social Conflict in Africa Database* (*SCAD),* the *African Electoral Violence Database* (*AEVD*) and Lindberg's *Elections in Africa Database*. These datasets have been selected based on inclusion or focus on election violence as distinct from other forms of violence and conflict on the continent. It is important to note here that all of these datasets are works in progress; events are added as new information becomes available and as new election cycles and events unfold. Of importance to this research is that

[85] See 'About: What is Wikileaks?' Available at https://wikileaks.org/About.html

events can be verified.

Grey Literature

A large body of data that analyzes political parties, violence trends, informal politics, electoral processes, and election trends emanates from 'grey literature' sources. Grey literature sources include technocratic works from the United Nations (UN), UN bodies and agencies (such as the UN Department on Political Affairs), the International Criminal Court (ICC), think-tank publications (such as the International Crisis Group (ICG) and the International Peace Institute (IPI)), international Non-Governmental Organisation field reports and summaries (such as the ICRC); human rights organisations (such as Amnesty International), church bodies and judicial Commissions of Inquiry. Grey literature is an important source of information, as it tends to be original, recent, first hand, and contain primary data. It is particularly important in this regard when considering the lag that exists between research and publication in academia. Further, grey literature is instructive in analysing emergent norms, legislation, and policy frameworks responsive to pressing contemporaneous problems such as electoral violence. However, grey literature is not purposefully academic or methodical in design requiring the researcher to pursue bibliographical leads, confirm authorship and verify details contained within. Grey literature varies in access and frequency requiring the researcher to seek these sources out more purposefully and comprehensively than sources contained within archives or libraries.

The researcher's use of multivariate primary, secondary and grey literature sources attempts to construct a reliable historical and contemporaneous narrative, tracing events in their context and reconstructing sequences of events that establish causal mechanisms and causal chains.

1.4.3 Limitations

A key challenge to scholars of Africa is sourcing data and information where historical records are incomplete, have been destroyed, are restricted in access or are situated in multiple locations. By contrast, at times scholars may encounter the overwhelming task of managing an over-abundance in information. Determining the authenticity, scrutinising for partiality, and triangulating sources of data are important steps in the overall research process. A key limitation of this research is managing both abundance of information and incomplete record. This is managed somewhat in the iterative approach taken to the study. Another key concern that both

guides and overshadows this research is the extent to which generalisability is possible beyond the scope of the study. The study does not seek to make grand claims about electoral violence in *all* post-colonial countries in Africa, but it does attempt to identify causal mechanisms, causal chains, and sequences of events within country cases and across three country cases that produce violent electoral outcomes. As such the research is ideographic, that is, it seeks to generate knowledge of the local and particular, while attempting to tie into existing nomothetic studies, that is studies that consider knowledge of wide and general relationships.[86] The researcher acknowledges that her subjective experiences, interests and values have shaped the research in terms of topic selection and predilection towards Anglophone case studies. Topic selection however is not random but based on a survey of gaps in the academic field combined with observed empirical anomalies and data. While other post-colonial countries in Africa of Francophone, Germanic or Lusophone background have experienced electoral violence historically and in recent years and are worthy of research and explanation (e.g. Cotê d'Ivoiré; Central African Republic; Guinea Bissau; Cameroon; Democratic Republic of Congo, Burundi), language barriers would have presented a significant obstacle in data collection and interviews. The plurality of other case studies does however hold promise for further research following the outcome of this initial study.

1.5 Discussion of Chapters

The thesis is divided into seven chapters. This chapter, *Chapter 1,* provides an introduction to the study, it reviews the literature on elections and election violence in Africa and it establishes the aims, rationale and methodology for the study. *Chapter 2* attempts to unpack a number of concepts that frame the study that of power, politics and violence situated within an understanding of 'weak states' in Africa. *Chapter 3* provides an empirical overview of electoral violence and electoral conflict in post-colonial Africa which provides a contextualization for this study. *Chapters 4, 5 and 6* deal the case studies: namely, Kenya, Nigeria and Zimbabwe. Each case study chapter begins with an overview of power, politics and the state; an overview of elections; and then moves on to trace political and electoral violence from the interregnum period, to first elections of Independence, to multi-party 'second elections', to subsequent elections of 'democratic consolidation', ending with the ascendant violent elections of 2007-

[86] Karson, M (2007) "Nomothetic versus Idiographic" in Salkind, N.J. & Rasmussen, K, (2007) *Encyclopaedia of Measurement and Statistics*. Thousand Oaks, CA: SAGE Publications.

2008. Themes derived from the literature and data are discussed in understanding the *causes* and *conditions* of electoral violence in each case study. *Chapter 7* offers a conclusion to the study by reflecting upon the continuities, parallels, dissimilarities and alterations of election violence between each case study, and within each case study as a way of understanding why elections are violent. This chapter identifies areas for further research and makes some preliminary policy recommendations.

Chapter 2: Conceptual Framework "On Violence". Power, Politics and Violence in Africa.

The following chapter attempts to unpack and develop three main concepts that frame this study, namely power, politics and violence, situated within an understanding of 'weak states' in Africa. Elections are central to political power: elections allow for the production, reproduction and/or contestation of political power. Violence too is crucial to the political project, in a Weberian sense, as a tool of repression and as a tool to challenge or overthrow the political project. The chapter is divided into three main sections. The first section outlines the competing understandings on violence and political violence, framed around two dominant approaches the 'iron fist' versus the 'velvet glove'. The second section unpacks experiences of power, politics and violence under the colonial state versus under the post-colonial state, to account for how power has been produced and how the state 'works' in Africa. The third section develops the paradigm of 'weak states' as a framework for understanding how power, politics and violence has played out in the African context.

Like most concepts in the social sciences, violence is a contested notion. Understanding and analysing violence requires a contextualisation of the conditions in which it appears and is (re)produced. Violence is not static in time, form or use and best viewed on a spectrum. It can be direct or indirect, intended or consequential. Violence as a category of analysis is prone to dichotomous interpretation. Violence is thought of as good or bad, productive or dysfunctional, oppressive or liberating, rational or irrational, legitimate or illegitimate depending on our ethical compass.[87] The 'dichotomy default' in analysis is also apparent in how violence is studied in academia. Analyses of violence tend to focus either on the *structure* or the *agent* as the source or cause of the violent act. This 'levels of analysis' approach divides the study of violence into two main camps, the *macro* and *micro*, or the 'structure versus agent.' It serves analytical purpose in academia as the focus of research differs widely.[88] For example, sociologists tend to study how

[87] Riches, D. (Ed) (1986) The Anthropology of Violence. Oxford: Basil Blackwell, p.5 and Williams, R.S. (1981) "Legitimate and Illegitimate Uses of Violence: A Review of Ideas and Evidence," in Gaylin, W. (Ed) *Violence and the Politics of Research.* The Hastings Centre. New York: Springer.
[88] Dougherty, J.E. & Pfaltzgraff, R.L. (2001) *Contending Theories of International Relations: A Comprehensive Survey*. New York: Longman, p.192.

systems (capitalism, industrialization) impact and impinge on communities and individuals. Psychologists on the other hand focus on the individual, either how society or institutions have affected the inner psyche, or how internal disorders encroach upon society, the community, the state. The micro level of analysis takes into account the actions, behaviour and experiences of individuals and humans as a starting point for interrogation.[89] For this reason, it is often deemed a 'reductionist' approach to studying violence as it does not assist in understanding overall trends or patterns of violence within or between societies. Micro-level studies of violence may be further divided into the study of *intrapersonal* violence (e.g. violence within/of the self, such as psychological disorders) and *interpersonal* violence (e.g. violence committed between persons be it physical or psychological injury, harm or death). Interpersonal studies of violence (e.g. criminology, sociology, political studies) can bridge the gulf between micro and macro focused studies, as the interrogation looks at both structure and agent to arrive at an understanding of violent phenomena. A lack of integration on the levels of causal explanation (micro versus micro) to explain a violent phenomenon is what often keeps academic studies within their disciplinary boundaries. This study aims to uncover what the historical and contemporary causes and conditions of electoral violence are, which may reveal interaction across these spheres. General statements on violence such as the "intentional but unwanted infliction of physical harm on other humans,"[90] while useful in encapsulating the corporeal aspect, do not speak to the indirect, structural or non-physical experiences of violence. As Wikstrom argues, violence must be seen as the "interplay between individual and environmental factors," what Eisner terms 'the situational context'."[91] ***Table 2.1.*** taken from Eisner depicts the difficulties of generalizing about violence.[92]

[89] Keane, J. (2004) Violence and Democracy. Cambridge: Cambridge University Press, p.94
[90] Eisner, M. (2009) "The Uses of Violence: An Examination of Some Cross Cutting Issues," in *International Journal of Conflict and Violence*, 3 (1), p.42
[91] Wikstrom, P.O. (2003) "Crime as Alternative: Towards a Cross-Level Situational Action Theory of Crime Causation," in McCord, J. *Beyond Empiricism. Institutions and Intentions in the Study of Crime.* New Brunswick: Transaction, p.4.
[92] Eisner, M. (2009) "The Uses of Violence: An Examination of Some Cross Cutting Issues," in *International Journal of Conflict and Violence*, 3 (1). Eisner reviews various manifestations of violence across society and time and draws upon multiple disciplinary and scholarly views in order to try present a general theory of violence.

Table 2.1: Manifestations of violence to be covered by a general theory of violence

Childhood Aggression Bullying Fights	**Interpersonal Criminal Violence** Assault Rape Robbery Homicide Infanticide Child abuse Domestic violence	**Legitimate and Illegitimate State Violence** Assassination Torture Wars Massacres Concentration camps Executions Genocide Police use of force
Violence in non-state societies **Ritualized fights** Revenge killings Feuds Violent self-help Raids Battles Massacres Rape Assassination of outsiders Infanticide Torture Human sacrifice	**Organized Private Violence** Hitting Beating Raping Killing subordinates Organized piracy Organized robbery Assassinations Private warlords Gang wars	**Organized Political Violence** Assassinations Civil war Extortion of protection rents Terrorism Resistance/liberation wars Revolutionary violence Riots Lynching Vigilante violence Extremist and hate violence
	Punishments Parental Corporal State/capital Flogging Stoning	

Note: Grouping under subheadings serves illustrative purposes and does not imply a theory-based classification.[93]

Structuralist explanations of violence consider how overarching institutions, systems, and organizations such as the state, the market, the church, or civil society constrain, activate or direct violent behaviour.[94] Similarly, overarching ideologies or norms such as nationalism, racism, or sexism while unseen, are embedded within these structures and organizations and

[93] Eisner, M. (2009) "The Uses of Violence: An Examination of Some Cross Cutting Issues," in *International Journal of Conflict and Violence*, 3 (1), p.43.
[94] Dougherty, J.E. & Pfaltzgraff, R.L. (2001) *Contending Theories of International Relations: A Comprehensive Survey*. New York: Longman, p.192.

influence human behaviour. Johan Galtung, author of the notion of 'structural violence,' provides a comprehensive overview of how structure(s) impinge and impose multivariate categories of violence on populations.[95] This may range from state repression, torture, intimidation', to censorship, to the limitation of civil/political/social/economic rights; to the withholding of food, aid, medicines; to the undertaking of programmes which threaten livelihoods and lives (e.g. building a hydroelectric dam or adopting neo-liberal economic policies).[96] There are also taken for granted, implicit forms of structural violence that are embedded in the institutional fabric of the state and state system, such as the police force, intelligence agencies and the armed forces.[97] The very make up of these outfits is their threat of violence. The potential to enact violence via weaponry or instruments has a regulatory effect on nations, societies and individuals. These forms of structural violence operate (for the most part) within civilian limit and control, and use their structures to maintain order.[98]

Violence as a category of social action is rooted in prevailing social, political, ethnic, racial and/or economic cleavages and in the nature of the state.[99] The state remains the focal point of studies concerning violence as it is the supreme organization through which violence is organized, mobilized, employed, and managed. In Africa, there has been much debate about the state as the supreme organisation,[100] with the degree of state/government seen as an important factor in the variation of violence on the continent - too little government (weak states) or too much government (one party states/dictatorships), tending to result in violence.[101] Groups may seek to overthrow the state, seek autonomy from the state, seek resources from the state, reject the state as an organizational form, or organize themselves against the state to articulate discontent at real or perceived marginalization. Similarly groups may vie with one another within

[95] Galtung, J. (1969) "Violence, Peace and Peace Research," in Journal of Peace Research, 6 (3).
[96] Kalyvas, S.N. (2006) *The Logic of Violence in Civil War*. Cambridge: Cambridge University Press, p.19
[97] Nieburg, H.L. (1969) 'Violence, Law and the Informal Polity,' in *The Journal of Conflict Resolution*, 13 (2)
[98] Burton, J. (1997) *Violence Explained. The Sources of Conflict, Violence and Crime and Their Prevention*. Manchester: Manchester University Press.
[99] Keane, J. (2004) Violence and Democracy. Cambridge: Cambridge University Press.
[100] See Migdal, J.S. (1988) Strong Societies, Weak States: State Society Relations and State Capabilities in the Third World. Princeton, NJ: Princeton University Press; Bayart, J-F. (1993) The State in Africa: the Politics of the Belly. London: Longman; Clapham, C. (1996) Africa and The International System: The Politics of Survival. Cambridge: Cambridge University Press; Herbst, J. (2000) States and Power in Africa: Comparative Lessons in Authority and Control. Princeton, NJ: Princeton University Press; Young, C. (2012) The Post-Colonial State in Africa: Fifty Years of Independence 1960-2010. Madison: University of Wisconsin Press.
[101] This line of argument is developed further in the conceptual framework.

the framework of the state, to better access its resources. *Political violence* results when one group or more uses force to achieve a political or politicised end.[102] As such, Kelman argues that political violence is fundamentally an inter-societal act manifesting in multiple ways.[103] Political violence may take the form of a protest (e.g. South African Marikana miner strike 2012); armed rebellion (e.g. Maji Mjai rebellion 1905-1907 and Mau Mau rebellion 1952-1960; civil war (e.g. Sierra Leone 1991-2002, Liberia 1989-1997, 1999-2003); revolution (e.g. Zanzibar 1964, Arab Spring 2010); terrorism (e.g. Al Shabaab in Somalia, Boko Haram in Nigeria); insurgency (e.g. Lord's Resistance Army in Uganda 1989-ongoing), and electoral conflict (e.g. Burundi 2016, Lesotho 2007, Ethiopia 2005). Importantly, political violence events are complex and ambiguous often fostering "the joint action of local and supralocal actors, civilians, armies, whose alliance results in further violence that reflects their diverse goals … motives … [and] imperatives."[104] Two schools of thought dominate the debate on understanding the relationship between the state, politics and violence, referred to here as *The Iron Fist* versus *The Velvet Glove*.

2.1 The Iron Fist

> "All politics is the struggle for power; the ultimate kind of power is violence"[105]

Much of the writing on violence in the political realm has been dominated by realist thinkers such as Machiavelli, Hobbes, Tilly, Weber, Wright, Waltz, Schmitt and to a lesser extent Fanon.[106] Violence is viewed as an instrument of building, extending and exercising power in the social and political realm by "the sheer naked brutality of physical force."[107] Violence can be used to eliminate, overcome, defeat or co-opt rivals paving the way for uncontested rule. The notion of rule or governance is rooted to the notion of power: power to control, power to resist, power to triumph, or power to command. Power as the core of governance and politics rests on

[102] Kirwin, M.F. & Cho, W. (2009) "Weak States and Political Violence in Sub-Saharan Africa," *Afrobarometer*, Working Paper 111
[103] Dougherty, J.E. & Pfaltzgraff, R.L. (2001) *Contending Theories of International Relations: A Comprehensive Survey*. New York: Longman, p.193
[104] Kalyvas, S. (2003) "The Ontology of "Political Violence": Action and Identity in Civil Wars," in *Perspectives on Politics*, 1 (3), p. 475.
[105] Frazer, E. & Hutchings, K. (2008) "On Politics and Violence: Arendt Contra Fanon" in *Contemporary Political Thought*, 7 (90-108), p.92
[106] See Machiavelli The Prince; Hobbes Leviathan, Tilly War Making and State Making as Organized Crime; Weber Politics as Vocation; Waltz Man, The State and War, Schmitt The Concept of the Political; Fanon The Wretched of the Earth.
[107] Dudley, N. (1965) "Violence in Nigerian Politics" in *Transition*, 21, p.21

coercive capacity and capability. As Mao famously declared 'power grows out of the barrel of a gun.'[108] Political life is derived from the ordering of social life through the threat of, or use of, coercive means. Political realists therefore regard politics as 'a matter of rule and being ruled.'[109] The threat in use of violence or knowledge of comparative strength may serve as sufficient ground for rivals and the opposition to cede power.

At a more abstract level, the unseen 'idea' of violence conditions the compliance and obedience of social groups sufficiently to forge and maintain order. Sorel argued that the 'expectation rather than actuality' of violence determined, for the most part, conformity and harmony across societies.[110] Fanon furthered the idea of 'unseen violence' in *The Wretched of the Earth*, where he explored how language, economic systems, classifications of class and race, infused with power and violence terrorized populations into compliance.[111] Order as the basis to all social and political life is an idea strongly propagated by political realists.[112] Rule and order cannot proceed effectively unless all instruments of power (extractive, violence, labour) have been monopolised and brought under central control. Weber argued that the state could not 'exist' in a legal sense until it had attained a monopoly over its territory, people and most importantly violence.[113] Sorel and Fanon hold a more inter-subjective understanding of violence compared to Weber's hard top-down macro-structure. In *Wretched of the Earth*, Fanon makes the case for the productive use of violence in the Third World.[114] Violence is considered both at the macro level and at the micro level. The use of violence as a political technique by social actors is viewed as instrumental and justified in the face of overwhelming and illegitimate form(s) of government. Structural violence that is pervasive, present in the economic system of capitalism, the administrative systems of colonialism, and the rampant institutional corruption of new party elites can only be resisted through the employment of violent means below the state. In the face

[108] Frazer, E. & Hutchings, K. (2008) "On Politics and Violence: Arendt Contra Fanon" in *Contemporary Political Thought*, 7 (90-108), p.92
[109] Breen, K. (2007) "Violence and Power: A Critique of Hanna Arendt on the 'Political'," in *Philosophy Social Criticism*, 33 (343), p.351
[110] Dudley, B. (1965) "Violence in Nigerian Politics" in *Transition*, 21
[111] Fanon, F. (1961) *The Wretched of the Earth.* New York: Grove Press.
[112] Breen, K. (2007) "Violence and Power: A Critique of Hannah Arendt on the 'Political'", in *Philosophy and Social Criticism*, 33 (3), p.346.
[113] Weber, M. (1965) *Politics as Vocation*. Philadelphia: Fortress Press.
[114] The notion of 'Third World' to refer to developing countries is academically outdated, but used here to reflect the time-period in which Fanon's writings were produced.

of collapsing authority, a deterioration in legitimacy, and escalating levels of protest/violence, party elites deploy structural violence to shore up power. Here, violence is used to fight violence or as Arendt argues 'violence begets violence.'[115]

For political realists, violence and power are treated as inseparable concepts and they are inextricably bound up with political and social life.[116] These understandings of how violence; politics and power interact provides value in considering the dawn of social and political life, but are limited in explaining interchange as societies and establishments mature. In post-colonial Africa the use of violence in the social and political realm continues. For the most part, institutions are not robust enough to articulate, mediate, manage and act upon social grievances and political differences. In some cases, the strength of institutions is expressed violently, to deny access or to quell criticism. Social and political groups are excluded and repressed on the basis of ethnicity, religion, ideology or race. Violence is a medium through which the state, political parties and social groups interrelate. Schmitt's writing on political power and violence is of use here.[117] Schmitt argues that the political project as encapsulated by the state is to unify agents and actors. This is achieved through a process of differentiation against the 'other' be it national or local, enemy or stranger.[118] Violence results in the political realm where differentiation between actors intensifies; the source of enmity may be real or perceived, based on array of factors/sources. Most importantly, the appearance of violence in the social realm is political. When social structures of community, commerce or religion rely on violent interaction as a form of exchange, they have reached the political level, they have become 'politicized.'[119] This notion of the 'politicization of social interaction' is useful when examining violence and political power in Africa. Poverty, malnutrition, lack of access to healthcare, sanitation and water can no longer be understood as social issues affecting the population. They represent the inability

[115] Arendt 'Reflections on Violence' in Breen, K. (2007) "Violence and Power: A Critique of Hanna Arendt on the 'Political'," in *Philosophy Social Criticism*, 33 (343).
[116] Dougherty, J.E. & Pfaltzgraff, R.L. (2001) *Contending Theories of International Relations: A Comprehensive Survey*. New York: Longman, p0.209-2011
[117] Schmitt is more widely known for his work on 'states of exception' regarding the state's use of power and violence to impose total order (e.g. state of emergencies, totalitarianism). However his discussion of 'the political' and violence, a view that links the social to the political, is of more interest here.
[118] Schmitt, C. (1996) *The Concept of the Political*. in George D. Schwab, translation (University of Chicago Press), p.27
[119] Basedau, M.; Erdmann, G. & Mehler, A. (Eds) (2007) *Votes, Money and Violence: Political Parties and Elections in Sub-Saharan Africa*. Scottsville: UKZN Press, pp.194-245

or unwillingness of the state to redress structural deficiencies of the state. As such, social issues become politicized. The range of social issues and problems Africans face on a daily basis has allowed political parties and rebel groups to 'politicize' social interaction and exchange. While it is important and indeed necessary to distinguish between the violence of the state and the violence of the citizenry, it is not always clear-cut. The blur between violence of the state and violence of the citizenry is further obscured by the increasing use of non-state violence by both actors in conveying their social and political power.

The 'Iron hand' approach to understanding violence, power and politics implies that rule must be based on force to truly take root and hold. The failure of most African states to decisively extend their reach and power across territory is one of the key factors in the spiral of insecurity and violence across the continent.[120] Lacking a monopoly over the means of violence and territory is however a limited view to take of the intersection between violence, power and politics in Africa. Not only are there are examples of very strong military regimes being overthrown by violent means (e.g. Equatorial Guinea), but there are also instances of strong states gradually losing mandated power through the outbreak of sporadic social delivery protests, low level communal conflicts, electoral violence and/or widespread criminality (e.g. South Africa). It is here where notions of legitimacy have to be reconsidered in the understanding of the relationship between power, politics and violence.

2.2 The Velvet Glove

> "Power comes into being only if and when men join themselves together for the purposes of action"[121]

Unlike realist thinkers, scholars such as Hannah Arendt treat power and violence as separate conditions in the social and political realm.[122] Violence is viewed as an empty notion, as inanimate. It is a condition which comes 'alive' when actors utilize raw instruments (weaponry)

[120] Small, M (2006) "Privatisation of Military and Security Functions and the Demise of the Nation-State in Africa," in *ACCORD*, Occasional Paper, 1 (2).
[121] Breen, K. (2007) "Violence and Power: A Critique of Hanna Arendt on the 'Political'," in *Philosophy Social Criticism*, 33 (343), p.349
[122] Breen, K. (2007) "Violence and Power: A Critique of Hanna Arendt on the 'Political'," in *Philosophy Social Criticism*, 33 (343), p.350

to interact with one another. Violence is imbued with meaning only by rulers or subjects who wield violence objects. In and of itself, violence holds no power. Violence is thus a "physical mode of interaction relying on instruments without intrinsic relation."[123]

Violence is not equal to power for Arendt. The use of violence is viewed as indicative of the *loss* or absence of political power. "Violence appears when power is in jeopardy."[124] Power is a condition that is produced only when consent exists between ruler and ruled. As such, power is derived from legitimacy- the legitimacy or authority to govern. For Arendt, legitimacy is the essence of political power and of government.[125] Legitimacy that is rooted in trust, belief and mutuality provide the authentic basis of political authority.[126] As Frazer surmises, 'power relies on people whereas violence relies on instruments.'[127] It is in this sense that Arendt argues that violence is incapable of generating power, that all politics grounded in violence is in fact *anti-political*. To exercise power without authority is to rule on the basis of fear, terror, force rather than mandate and reciprocity.[128] While rule relies on the same centralised institutions and structures as imagined by political realists, the means of ordering society is derived through consent, not command. Arendt does concede that at times grievances between groups or against the state may be so extreme as to merit the use of violence. Violence in the political realm can be justified, but never legitimized. O'Brien argues that "violence is sometimes needed for the voice of moderation to be heard."[129] Violence in self-defence or to counter oppression is violence based on recourse rather than on a preferred medium of interaction. The intersection between violence, power and politics in this instance is a temporary rather than an inherent relational characteristic, as political realists assume. Violence is viewed as power generating only in the sense that actors work together, but this collective agency does not amount to the reality of power.

---

[123] Frazer, E. & Hutchings, K. (2008) "On Politics and Violence: Arendt Contra Fanon" in *Contemporary Political Thought*, 7 (90-108), p.92

[124] Frazer, E. & Hutchings, K. (2008) "On Politics and Violence: Arendt Contra Fanon" in *Contemporary Political Thought*, 7 (90-108), p.103

[125] Breen, K. (2007) "Violence and Power: A Critique of Hanna Arendt on the 'Political'," in *Philosophy Social Criticism*, 33 (343)

[126] Chabal, P (2009) *Africa: The Politics of Suffering and Smiling*. London: Zed Press, p.40

[127] Frazer, E. & Hutchings, K. (2008) "On Politics and Violence: Arendt Contra Fanon" in *Contemporary Political Thought*, 7 (90-108)

[128] Chabal, P (2009) Africa: The Politics of Suffering and Smiling. London: Zed Press, p.41

[129] Arendt 'Reflections on Violence' in Breen, K. (2007) "Violence and Power: A Critique of Hanna Arendt on the 'Political'," in *Philosophy Social Criticism*, 33 (343),

Arendt's understanding of power derived through legitimacy is important when discussing notions of violence, power and politics in Africa. Illegitimacy in rule and representation has played a significant role in the outbreak of violence, civil war, electoral violence and coups d'état. Power mediated through violence has been a standard feature of state building and state consolidation in Africa. This has however proved unsustainable. The 'new wars'[130] that have mushroomed in the past twenty years are rooted both in the crisis of the state in Africa and its crisis in governance. Legitimacy has eroded with the state's failure to extract, develop and/or provide resources, welfare and services consistently across all of its territory and to all of its populace. Violence is used as a tool to reclaim, redress, repossess or in extreme cases completely take over niche sectors or resources from the state in these 'new wars.' Arendt's thesis that 'violence begets more violence'[131] has rung true in many cases in post-colonial Africa. Violence has produced a condition of perpetual insecurity in which the state and social and political actors survive in a context of what Mehler terms 'imperfect competition.'[132] 'Imperfect competition' exists until such time the root(s) of insecurity between state and citizen are addressed. As long as the root causes of violence persist, violence continues to serve as a medium of interaction.

There are notable shortcomings in attempting to take a 'velvet glove' approach to understanding violence, power and politics in Africa. The main limitation is that consensus is almost always partial; it inevitably will exclude a few. In very few cases is legitimacy attained without the exclusion of 'others'. This would deny the realities of social and political life, especially so in Africa. Vast differences in race, ethnicity, religion, language, culture and class within one state produce multivariate notions of what is legitimate. Legitimacy in Africa has been complicated by its colonial history and inheritance of arbitrary borders, privileging of certain groups over others, and the unequal distribution of resources along such strata.[133] The state is not a product of consent between rule and ruled, the most basic precept of how power and legitimacy is derived. Reciprocity between rule and ruled have did not give rise to the state in Africa, nor has

[130] The notion of 'new war's is developed by Ellis, S. (2004) "Africa's Wars. The Historical Context," in *New Economy*.
[131] Arendt 'Reflections on Violence' in Breen, K. (2007) "Violence and Power: A Critique of Hanna Arendt on the 'Political'," in *Philosophy Social Criticism*, 33 (343)
[132] Mehler, A (2004) 'Oligopolies of Violence in Africa South of the Sahara,' in *NORD-SUD aktuell*, Quartal
[133] Lange, M. K. (2004) "British Colonial Legacies and Political Development," in *World Development*, 32 (6) & Shillington, K (2005) *Encyclopaedia of African History Volume 1-3*. New York: Taylor and Francis.

reciprocity sufficiently taken root to hold the state together post-independence. As the very organizational basis of 'the state' persists, it remains an object of dispute. Further, there are competing authorities to the state such as traditional leaders or chiefs who do possess legitimacy (or certainly contend for legitimacy), albeit at a more localised or limited level. This historically served as an avenue to build state legitimacy through state co-optation, incorporation, or patronage. In some instances the erosion of traditional authority and legitimacy is a result of their collaboration with political and state elites. Parallel structures of traditional authority have also served as a source of insecurity to the state. While the solution to insecurity in Africa may rest in developing legitimacy in governance, barriers exist towards its realisation based on its varied internal make-up and the inherited structures of administration that do not represent authentic forms of rule.

Realist thinkers and Arendt would agree that violence arises where power is lost or does not exist. It is how power is understood that differs. Political realists understand power as the show, use and arsenal of physical force while Arendt believes that power is only derived when reciprocity exists between leader and follower, rule and ruled, government and governed.

2.3 Power, Politics and Political Violence and in Africa

> "All politics is the struggle for power; the ultimate kind of power is violence"[134]

To understand the contours of political power in post-colonial Africa today and the role that elections play in (re)fashioning political power, it is necessary to understand how politics and power has been constructed. It is also necessary to understand how political power has been (re)produced, and how it 'works'[135].

2.3.1 The Colonial State: Arbitrary Autocrats

There is much variance in what the 'colonial state' looked like in Africa due in part to differences in approach adopted by the British/French/Portuguese/Belgians/Germans/Dutch/ Italian/Spanish, but also due in part to differences in levels of resistance/cooperation

[134] Frazer, E. & Hutchings, K. (2008) "On Politics and Violence: Arendt Contra Fanon" in *Contemporary Political Thought*, 7 (90-108), p.92

[135] As in how does the state 'work' in Africa as posited by Chabal & Daloz (1999) *Africa Works: Disorder As A Political Instrument.* Oxford: James Currey. This overview borrows from this framing.

encountered, territorial size seized, ethnic diversity of the populations brought under control, presence of natural resources and pre-existing local structures of order. The use of violence and terror accompanied colonial rule to varying degrees, with mass genocide and atrocities in some colonies like South West Africa (Germany), Angola (Portugal) and the Congo (Belgium), to selective terror in other colonies like Kenya (Britain), Tanganyika (Germany) and Algeria (France).[136] Similarly the presence of colonial armies and armed forces varied greatly in size and effectiveness across African colonies and often extra armed force was deployed in times of heightened resistance.[137] Coercive force was *key* to the construction of the colonial state: force was required to underwrite colonial hegemony.[138] This necessarily meant supplementing the 'thin white line' of colonial force with private force (in the form of trading companies)[139], and the creation of local security forces initially composed in an ad-hoc way of European settlers, seconded European officers, natives, and the private armies of chiefs which then evolved into armed units such as *Force Publique* (Belgium, Congo), *King's African Rifles* (Britain, Kenya), *Guerra Preta* (Portugal, Angola), *Chicunda* (Portugal, Mozambique) and *Schutztruppen* (Germany, South West Africa) to name a few.[140] Violent outfits played an instructive operational role in structuring and consolidating the authority of the colonial state by variously engaging in 'punitive expeditions', quelling revolts, checking banditry, and upholding daily civil law,

[136] See Hothschild, A. (1998) King Leopold's Ghost: A Story of Greed. Terror and Heroism in Colonial Africa. New York: Houghton Mifflin Company.; Olusoga, D. & Erichsen, C.W. (2010) The Kaiser's Holocaust: Germany's Forgotten Genocide. London: Faber and Faber.; Elkins, C. (2010) Imperial Reckoning: The Untold Story of Britain's Gulag in Kenya. New York: Henry Holt & Company.; Newitt, M. (1981) Portugal in Africa: The Last One Hundred Years. London: C Hurst.

[137] Such as the Maji Maji Rebellion (1904; 1917); Battle of Adwa (1896); Anglo-Zulu War (1879) to name a few; see Edgerton, R.B. (2002) *Africa's Armies: From Honor to Infamy. A History From 1791 to the Present.* Boulder: Westview Press, pp.45-71. By the 1970s Portugal had committed 130 000 soldiers to fighting colonial wars in Africa, this is roughly equivalent to the US troop size sent to Vietnam. See De Sousa Ferreira, E. (1974) *Portuguese Colonialism in Africa: The End of An Era.* Paris: UNESCO, p.20.

[138] Young, C. (1994) *The African Colonial State in Comparative Perspective.* Pennsylvania: Yale University Press, p.105.

[139] Such as The British South Africa Company, Moçambique Company, Dutch East India Company, United Africa Company/Royal Niger Company, Compagnie Francaise de l'Afrique Occidentale, Sociétê Commerciale de l'Ouest Africain who all employed their own violence outfits/coercive force, often labelled the frontier force, for penetrating inland and overcoming resistance. See Stapelton, T.J. (2017) *Encyclopaedia of African Colonial Conflicts*. Santa Barbara: ABC-CLIO. Chartered company para-military policing forces were involved in pacification wars, signing of treaties, collecting tax, coercing labour.

[140] Enloe, C. (1980) *Ethnic Soldiers: State Security in Divided Societies.* Athens: University of Georgia Press.; Coelho, J.P.B. (2002) "African Troops in the Portuguese Colonial Army, 1961-1974," in *Portuguese Studies Review*, 10 (1).; Berman, N., Meuhlhahn, K. & Ngagang, P. (2014) *German Colonialism Revisited: African, Asian and Oceanic Experiences.* Ann Arbour: University of Michigan Press. Mutinies within the forces were frequent given issues of forced recruitment, exacting labour and forced punishments, and overall illegitimacy. The 'Africanisation' of armed forces however increased over time.

obedience and order.[141] Over time colonial policing became more coordinated and regulated, overseen at the Commandant/Governor level and overseas office, and entailed a parallel system of colonial force and native force.[142] As Mawby argues, "pacifying the 'natives', protecting colonial economic interests, upholding the legitimacy of colonial political authorities, and maintaining basic essentials of law and order… " prompted the formalisation of policing in the colonies.[143] In this sense the colonial state was, "in every instance a historical formation … (whose) structure everywhere came to share fundamental features."[144] All colonial powers were faced the same dilemma on how to create an effective administrative structure given foreign minority rule extending over a large majority indigenous population, with inadequate local revenues and infrastructure.[145] Colonial rule and the colonial state were characterised by a great variety in 'administrative expedients' shaping how the state and government were run on the ground over time, varying between direct and indirect rule across colonial powers.[146] By in large, the colonial state in Africa was constituted and structured along the political and bureaucratic lines of its metropole. Administrative and bureaucratic structures were transplanted onto the colony, overseen by a skeleton of colonial administrators, missionaries, settlers, anthropologists, businessmen and industry specialists in what Sharkey terms the 'performance of colonialism enterprise'.[147] The colonial state was to a large extent vacuous, it lacked meaning, legitimacy and

[141] Rolandsen, O. & Anderson, D. (2015) "Violence in the Contemporary Political History of Eastern Africa," in *International Journal of African Historical Studies*, 48 (1); Anderson, D. & Killingray, D. (1992) *Policing and Decolonisation: Politics, Nationalism and the Police 1917-1945*. Manchester: Manchester University Press. The colonial police force of the Gold Coast (Ghana) for example evolved from an armed frontier force established in 1865. 'Hausas' were recruited/enlisted and deployed in various ways, such as taking part in the British conquest of the Asante and Northern Territories, breaking strikes and labour disputes, supervising convict labourers, guarding banks, acting as judges in local criminal cases see Sharkey, H.J. (2013) "African Colonial States," in Parker, J & Reid, R. *The Oxford Handbook of Modern African History.* Oxford: Oxford University Press, p.157.
[142] Anderson, D. & Killingray, D. (1992) *Policing and Decolonisation: Politics, Nationalism and the Police 1917-1945*. Manchester: Manchester University Press. The distinction between police and military action, and police and military functions was not always clear in the early years of the colonial state. Innocuously named 'labour bureaus' of the colonial state also applied force to coerce/recruit labourers, blurring the line between administrative departments.
[143] Mawby, R.I. (1999) Policing Across the World: Issues for the Twenty First Century. Oxon: Routledge, p.89.
[144] Mandami, M. (1996) Citizen and Subject: Contemporary African and the Legacy of Late Colonialism. New Jersey: Princeton University Press, p.16.
[145] Shillington, K (2005) *Encyclopaedia of African History Volume 1-3*. New York: Taylor and Francis, p.255.
[146] Shillington, K (2005) *Encyclopaedia of African History Volume 1-3*. New York: Taylor and Francis, p.257.
[147] Sharkey, H.J. (2013) "African Colonial States," in Parker, J & Reid, R. *The Oxford Handbook of Modern African History.*Oxford: Oxford University Press, p.151.

struggled to penetrate areas beyond metropolitan hubs normatively, bureaucratically and administratively.[148]

The French favoured a direct *mission civilisatrice* (civilising mission) in its approach to colonial rule, although there was much contradiction and inconsistency in its application in the colony due to diverse natural and cultural conditions.[149] France saw its oversees colonial dependencies as part of its territory, as part of a 'French Union' or 'Franco-African Community.'[150] French colonial administration was highly centralised in terms of bureaucratic control and decision making: each colony was administered by a Lieutenant Governor responsible to the Governor General for Africa who enacted policy issued by the Minister of Colonies from Paris.[151] African popular participation in the French colonial state was severely constrained: Africans bore no rights to vote, hold office, or own property. Native institutions were not recognised.[152] Local application of colonial administration was channelled through smaller administrative *cercles* (federations) and *cantons* (districts) overseen by a French *Commandant*.[153] Chiefs played an important role in conveying French colonial policy downwards: they were viewed as 'an auxiliary instrument' of France, but with no real power.[154] Their role was to collect tax and enact (forced) labour, and the state intervened directly at this local level undermining not only the role of the chief, but also the chieftaincy system. There was little regard for existing power relations or pre-existing governing conventions. Governor General Von Vollenhoven commented in 1917 that;

[148] See Deflem, M (1994) 'Law Enforcement in British Colonial Africa. A Comparison of Nyasaland, the Gold Coast and Kenya,' in *Police Studies*, 17(1) & Young, C (1988) 'The African Colonial State and Its Political Legacy,' in Rothschild, D & Chazan, N (Eds). *The Precious Balance: State and Society in Africa*. Boulder: Westview Press. There is of course variation in this.
[149] Gifford, P. & Louis, R. (1972) *France and Britain in Africa: Imperial Rivalry and Colonial Rule.* New Haven: Yale University Press.; Gann, L.H. & Duignan, P. (1975) *Colonialism in Africa 1870 – 1960.* Cambridge: Cambridge University Press. For example the *Four Communes* towns in Senegal, as a result of anti-slavery abolition, gained equal political rights to those in France which included the right to vote in parliamentary elections in France.
[150] Gann, L.H. & Duignan, P. (1975) *Colonialism in Africa 1870 – 1960*. Cambridge: Cambridge University Press, p, 128.
[151] Manning, P. (1998) *Francophone Sub-Saharan Africa 1880-1995.* Cambridge: Cambridge University Press.
[152] Mandami, M. (1996) Citizen and Subject: Contemporary African and the Legacy of Late Colonialism. New Jersey: Princeton University Press.
[153] Davidson, B (1994) Modern Africa: A Social and Political History. New York: Routledge.
[154] Maclean, L. (2010) Informal Institutions and Citizenship in Africa: Risk and Reciprocity in Ghana and Cotê D'Ivoire. Cambridge: Cambridge University Press.

> The native chief never speaks, never acts in his own name, but always in the name of the Commandant de Cercle and by formal or tacit delegation by the latter.[155]

Centralised control also entailed the use of the Franc currency in a strongly structured CFA Franc zone and the imposition of a closed trade circuit between the colony and metropole (*économie de traite)*.[156] The French system of direct rule treated the African population as passive subjects rather than as participants of the colonial state.[157] While the French promulgated a policy of acculturation and assimilation of African subjects in its colonies, it was selective. French language, training and education were reserved for the African elite, and later the administrative class.[158] African subjects did slowly win political freedoms such as the right to elect representatives in municipal government and onto the Grand Council of French West Africa (1946); the right of electing representation in the French Parliament (1946) and attaining voting power in the French parliament (1946) but this was at the latter end of the colonial period.

The Portuguese similarly, maintained narrow centralised rule over its African colonies, seeing colonies as provinces and part of Portugal as a 'pluricontinental entity', promoted in part through its social imperial policy of cohabitation and interracial liaisons.[159] Portugal and her colonies constituted, "only one state, one territory, one population, onecitizenship, one government…" based in Lisbon.[160] Administrative rule was at first directed through trading companies such as the *Moçambique Company* and *Zambezia Company*, and later through a contrived social hierarchy with the Portuguese at the top, *mestizos* (mixed race) and Indians in the middle, and African *indigenas* (natives) at the bottom.[161] This differentiated social and political system

[155] Maclean, L. (2010) Informal Institutions and Citizenship in Africa: Risk and Reciprocity in Ghana and Cotê D'Ivoire. Cambridge: Cambridge University Press, p.109.
[156] Coquery-Vidrovitch, C. (1976) "La mise en dépendance de l'Afrique noire: essai de périodisation, 1800-1970," en *Cahiers D'Etudes Africaines*, 61/62. Colonies provided protected markets, raw materials below market value, a disposable labour force, and provided foreign exchange earnings to name a few.
[157] Mandami, M. (1996) Citizen and Subject: Contemporary African and the Legacy of Late Colonialism. New Jersey: Princeton University Press.
[158] Manning, P. (1998) *Francophone Sub-Saharan Africa 1880-1995.* Cambridge: Cambridge University Press.
[159] MacQueen, N. (2003) "Re-defining the 'African Vocation': Portugal's Post-colonial Identity Crisis," in Journal of Contemporary European Studies, 11 (2), p.181
[160] Khapoya, V.B. (2009) "Chapter 4: Colonialism and the African Experience," in *The African Experience*. New Jersey: Pearson, p.120.
[161] Khapoya, V.B. (2009) "Chapter 4: Colonialism and the African Experience," in *The African Experience*. New Jersey: Pearson, p.113 and Newitt, M. (1995) *A History of Mozambique*. Johannesburg: Wits University Press p. 367.

institutionalised constitutional and customary discrimination, and restricted rights and privileges to the Portuguese principles of the regime.[162] A Governor General, who had executive and legislative authority, was appointed for each colony by, and reported directly to, the Overseas Ministry in Lisbon. Power was highly centralised within the colony (as it was in Lisbon), and appointments were made using 'indirect methods'.[163] Staffing remained a problem across Portugal's colonies in Africa, especially across its municipalities (*conclehos*) and circumscriptions (*circunscrições*).[164] *Indigenas* were regulated by a *régulo* (chief) appointed by the colonial state: the local population played no part in the appointment or regulation of the *régulo* (chief), and as a result the *régulo* was treated with scorn. The *régulo* however opened up a new avenue for mobility, allowing those outside traditional titled lineages to access positions of power, wealth, trade and privileges.[165] As Heywood argues, even a successful porter could now find himself positioned as *régulo* of a small village,[166] and could use his political position to "advance economically through monopolizing good commercial lands or through the recruitment of labour for his own use."[167] In the early 1900's the *Secretaria dos Négocios Indingenas* was rolled out to standardise the duties of chiefs, control migration, establish a native justice system, organise labour, and demarcate reserves amongst other things.[168] This was a top-down administrative function in response to the growing need to centralise tax collection, labour allocation and movement, and maximise agricultural yields. Speaking in 1954 the former Portuguese Prime Minister, Marcello Caetano, encapsulates the focus of colonial doctrine, power and authority when he stated that;

[162] De Sousa Ferreira, E. (1974) *Portuguese Colonialism in Africa: The End of An Era.* Paris: UNESCO, p.19.
[163] Heywood, L. (2000) *Contested Power in Angola, 1840s to the Present*. Rochester, N.Y.: University of Rochester Press.
[164] This shortage even prompted the establishment of a colonial service school in Lisbon in 1906, *Escola Colonial* see Newitt, M. (1995) *A History of Mozambique*. Johannesburg: Wits University Press, p. 389.
[165] Heywood, L. (2000) *Contested Power in Angola, 1840s to the Present*. Rochester, N.Y.: University of Rochester Press, p.15.
[166] Heywood, L. (2000) *Contested Power in Angola, 1840s to the Present*. Rochester, N.Y.: University of Rochester Press, p.16.
[167] Bowen, M.L. (2000) The State Against the Peasantry: Rural Struggle in Colonial and Post-Colonial Mozambique. Charlottsville: University of Virginia Press, p.71.
[168] Newitt, M. (1995) *A History of Mozambique*. Johannesburg: Wits University Press, p.387-389 such as collection of hut tax, poll tax etc.

The Blacks in Africa must be directed and organized by Europeans but are indispensable as auxiliaries … [and] must be regarded as productive elements organised or to be organised in an economy directed by whites.[169]

The Portuguese did not extend much of their formal administrative presence beyond main towns along the coast: the colonial state, its bureaucracy and infrastructure (in terms of basic services, communications, agriculture etc.) remained rudimentary up until the point of decolonisation.[170] Ball argues that "the Portuguese made little effort to create viable institutions, staffed, much less run, by [Africans]" which had a devastating impact following Independence.[171] In 1968 an electoral law was passed across Portugal's colonies extending the right to vote to all 'who could read and write' in Portuguese: this represented about 1% of the African population in Mozambique, and 3% in Angola.[172] In essence, this precluded Africans from full political participation and public administration.

Belgian and German colonial rule relied much more heavily on force and terror in their 'Scramble for Africa', in part due to their late entry to colonisation in Africa.[173] 'Bula Matari' (he who crushes the rock) was used as a metaphor to describe Belgian colonial rule and colonial order in Africa.[174] Belgian colonial rule was characterised by extensive resource extraction and forced labour, described as "naked and violent"[175], which necessarily required tight control (direct rule) and oversight by the Belgians. Given the sizeable number of plantations (e.g. palm

[169] De Sousa Ferreira, E. (1974) Portuguese Colonialism in Africa: The End of An Era. Paris: UNESCO, p.11
[170] Ball, J. (2005) "Colonial Labour in Twentieth Century Angola," in *History Compass*, 3.
[171] Ball, J. (2005) "Colonial Labour in Twentieth Century Angola," in *History Compass*, 3 (168), p.2. Chabal et al argue that the lack of development in Portuguese colonies was due to domestic factors in Lisbon such as its own political upheavals, reliance on mercantilism as an economic policy and slow industrial development which meant scant resources could be dedicated beyond Portugal's shores. See Chabal, P. (2002) *A History of Postcolonial Lusophone Africa.* London: Hurst & Co, p.30.
[172] De Sousa Ferreira, E. (1974) *Portuguese Colonialism in Africa: The End of An Era.* Paris: UNESCO, p.39.
[173] Pakenham, T. (1991) *The Scramble for Africa*. London: Abacus; Harlow, B. & Carter, M. (2003) *Archives of Empire: The Scramble for Africa Volume II*. Durham: Duke University Press.; Henderson, W.O. (1962) *Studies in German Colonial History*. Oxon: Frank Cass & Company Ltd. Germany's colonial empire for example began in 1884 and ended in 1919, a period of 35 years.
[174] Young, C. (1994) The African Colonial State in Comparative Perspective. Pennsylvania: Yale University Press.; Hochschild, A. (1998) King Leopold's Ghost: A Story of Greed, Terror and Heroism in Colonial Africa. New York: Houghton Mifflin Company. Bula Matari referred to Henry Morton Stanley, King Leopold of Belgium's colonial emissary, renowned for his brutal and exacting methods of forced labour and resource extraction.
[175] Hochschild, A. (1998) *King Leopold's Ghost: A Story of Greed, Terror and Heroism in Colonial Africa.* New York: Houghton Mifflin Company, p. . Estimates placed that between 1880-1920 the population of the Congo was halved as a result of Bula Matari policies.

oil, rubber), and mines (e.g. copper, tin, diamonds, gold), and concessions derived from these ventures, there was a high degree of coordination between private companies and civil servant bureaucrats: it was a prime example of the 'colonial enterprise'.[176] Companies such as *Société Généralé de Belgique (SG)*, *Union Miniére* and *FORMINIERE* controlled over 75% of the colony's economy and capital.[177] Despite an 1891 decree which recognised local administration and traditional political organisations, most pre-existing authority structures were dismantled due to the forced expropriation of land, forced labour and forced resource extraction, i.e. the 'legalised' instruments and interventions of the colonial political and economic order.[178] New native political and economic elites, variously labelled as "straw men" or "administrative chiefs", were created in this colonial enterprise with defined "obligations to the state".[179] While colonial chieftainship was strictly circumscribed and controlled in terms of subordinate functions and powers, it presented a new avenue for mobility, status, privilege and reward for individuals.[180] New elites' authority was also underwritten by state authority whereby the state provided salaries, force and guns. As with Portuguese colonial rule, Africans however never ascended to the higher echelons of Belgium's colonial order (such as the army, mining companies and the state). The 'colour bar' was maintained both due to paternalistic colonial attitudes and due to an educational system which deliberately limited African potential.[181]

---

[176] Cartey, W.G & Kilson, N. (1970) *The Africa Reader: Colonial Africa.* New York: Vintage Books.; De Graeve, H.M.C (1952) *Belgian Colonial Policy.* Berkeley: University of California.

[177] Gibbs, D.N. (1991) The Political Economy of Third World Intervention: Mines, Money and U.S. Policy in the Congo Crisis. Chicago: University of Chicago Press, p.60.

[178] Nzongola-Ntalaja, G. (2002) *The Congo: From Leopold to Kabila, A People's History.* London: Zed Books, p.35. King Leopold issued a series of decrees in instituting control of the Congo territory, this included a decree that all uninhabited land belonged to the state; all harvested products could only be supplied/sold to the state; and a decree recognising various local kings and chiefs in return for a signed treaty prevent recognition of the British South Africa Company.

[179] Frankema, E. & Buelens, F. (2013) *Colonial Exploitation and Economic Development: The Belgian Congo and The Netherlands Indies Compared.* Oxon: Routledge. An estimated 400 new indigenous leaders or 'chiefs' were created with the construction of the colonial state in Congo. p.25 & Nzongola-Ntalaja, G. (2002) *The Congo: From Leopold to Kabila, A People's History.* London: Zed Books, p.35. Obligations to the state included compulsory cultivation of export crops, forced labour and revenue collection.

[180] Nzongola-Ntalaja, G. (2002) *The Congo: From Leopold to Kabila, A People's History.* London: Zed Books, p.35. Policies on colonial chieftaincy and local administration were updated in 1906, 1910 and 1933. Also, Gordon, D. (2001) "Owners of the Land and Lunda Lords: Colonial Chiefs in the Borderlands of Northern Nigeria and the Belgian Congo," in *International Journal of African Historical Studies*, 34 (2). Gordon argues that decentralised elders and land owners were able to escape traditional political structures by collaborating with colonial authorities and becoming independent chiefs.

[181] Gibbs, D.N. (1991) *The Political Economy of Third World Intervention: Mines, Money and U.S. Policy in the Congo Crisis.* Chicago: University of Chicago Press. While Congo had one of the highest rates of primary education in Africa by 1959, whereby 70% of the population had attended primary school, education was geared to servicing

Similar to the Belgians, British and Portuguese upon their first arrival in Africa, German colonial rule was initially administered via 'company rule' (e.g. the *Deutsch-Ostafrikanische Gesellschaft* (*DOAG*)), and via Christian denomination missionaries under the banner of *Deutsch Kolonialgesellschaft* (German Colonial Society).[182] The *DOAG* were active across a number of sectors: banking, mining, plantations, minting, and infrastructure, which required the increasing assistance of the German navy and state, leading to the eventual handover of dominions to Germany in 1891.[183] The *DOAG* is described as having a "cult of violence which formed part of their identity as colonizers", a favourite saying of Carl Peters, one of the founders of the *DOAG,* (also known as '*Nyundo*' or hammer and '*Mkono wa Damu'* or bloody hands[184]), was "Haven't you shot a Negro yet?"[185] Force and terror underwrote the construction of Germany's colonies in other ways such as through the use of 'excursion and compliance' ventures by violence outfits such as the *Rugga Rugga* and *Schutztruppe*.[186] Tactics included the plundering and burning of villages, destruction of crops and harvests, execution of uncompliant chiefs, hanging of the resistant youth, and public floggings.[187] Following increasing riots and two major uprisings, the Maji Maji rebellion and the Herero war, there was recognition of the need formalise colonial policy and administration into more 'state like order', including the establishment of civilian policing with defined native regulations (e.g. *Kaiserliche berittene Landespolizei für Deutsch-Südwestafrika* or *Imperial Mounted Police Force of South West Africa* to regulate carrying of pass books, registering workers with local administrations, ensuring boundaries of native compounds, stemming banditry, stock theft, and poaching to name a few*).*[188] Given the paucity of

---

the labour and economy needs of the state, not about realising or developing the full intellectual capacity of the individual.

[182] Wright, M. (1968) "Local Roots of German Policy in East Africa," in *Journal of African History*, 9 (4).; & Smith, W.D. (1978) *The German Colonial Empire.* Chapel Hill: University of North Carolina, pp.91-108; Deutsch, J.G. (2006) *Emancipation Without Abolition in German East Africa 1884-1914.* Oxford: James Currey.

[183] Wright, M. (1968) "Local Roots of German Policy in East Africa," in *Journal of African History*, 9 (4), p.625.

[184] Mwakikgaile, G. (2000) *Africa and the West.* Huntington: Nova Science Publishers Inc., p.65

[185] Perras, A. (2004) *Carl Peters and German Imperialism 1856-1918: A Political Biography.* Oxford: Oxford University Press, p118. Perras argues that colonial violence was part of the 'heroic colonial culture' and myth perpetuated about explorers and conquerors that reduced Africans to prey, animals to be hunted, tamed.

[186] Wright, M. (1968) "Local Roots of German Policy in East Africa," in *Journal of African History*, 9 (4).

[187] Mwakikgaile, G. (2000) *Africa and the West.* Huntington: Nova Science Publishers Inc., pp.64-66.

[188] Lawrance, B. N., Osborn, E. L., & Roberts, R. L. (2006), *Intermediaries, Interpreters and Clerks. African Employees in the Making of Colonial Africa*. Madison: University of Wisconsin Press, 2006. This included the establishment of schooling, healthcare services, taxation, policing, administrative bureaucracy and infrastructure. See also, Ilffe, J. (1967) "The Effects of the Maji Maji Rebellion of 1905-1907 on German Occupation Policy in East Africa" in Gifford, P. & Louis, W.R. *Britain and Germany in Africa: Imperial Rivalry and Colonial Rule.* New

German officials present within the colony, rule needed to be administered through local governance structures; in some cases traditional authorities were kept intact, and in other cases indigenous hierarchies were contrived for convenience.[189] The Germans embraced both direct and indirect rule dependent on conditions present within the colony; in both cases "the power of the colonized was not derived of their own power resources, rather, they were taking on a role within the colonial administration".[190] Chiefs' duties and functions were strictly circumscribed and regulated under the jurisdiction of the district officer, himself responsible to the Colonial Governor.[191] While Africans displayed some participatory power at the local level, for example in putting forward individuals as jurors in matters of native law and justice, a chief's vote was the deciding vote, and the chief was answerable to colonial officials.[192] As with the Belgians, the Germans were careful to maintain 'education for work' of the native population, preparing Africans for labour, resource extraction, and servicing rudimentary administrative functions of the colonial state.[193]

Britain's relationship with Africa has a much longer history extending from seventeenth century slave raids to eighteenth century imperial exploration, intervention and conquest, to the establishment of colonies in the nineteenth and twentieth centuries. There were many actors along this chain, 'crown' charter companies such as the *British South Africa Company*, *Sierra Leone Company*, *African Company of Merchants* and *Royal Niger Company*, explorers such as Joseph Thomson and Cecil John Rhodes (and the Royal Geographic Society), and missionaries

---

Haven. Yale University Press.; & Gann, L. H. & Duignan, P. (1977) *The Rulers of German Africa 1884-1914*. Palo Alto: Stanford University Press.

[189] Knoll, A.j. & Hermann, H. (2010) *The German Colonial Experience: Select Documents on German Rule in Africa, China and the Pacific 1881 -1914.* Plymouth: University Press of America. For example, in Tanzania Von Soden, the Muslim Africans who served in the *Schutztruppe* were appointed as new leaders, elders, chiefs.

[190] Risse, T. (2013) Governance Without A State? Policies and Politics in Areas of Limited Statehood. New York: Columbia University Press, p.48

[191] Knoll, A.j. & Hermann, H. (2010) *The German Colonial Experience: Select Documents on German Rule in Africa, China and the Pacific 1881 -1914.* Plymouth: University Press of America, pp.147-149. This included jurisdiction over all natives within the native compound, over native courts (except cases of treason/anti-government resistance), allocation of fines, and punishments to name a few.

[192] Knoll, A.j. & Hermann, H. (2010) The German Colonial Experience: Select Documents on German Rule in Africa, China and the Pacific 1881 -1914. Plymouth: University Press of America, pp.147-149.

[193] Perras, A. (2004) *Carl Peters and German Imperialism 1856-1918: A Political Biography.* Oxford: Oxford University Press, p.83. Missionaries played an important role not only in education, but also within the *DOAG*, which drew some criticism within political circles in Berlin.

such as, David Livingstone and Mary Slessor.[194] British colonial rule was formalised following the Scramble for Africa, administered through a Colonial Office in London, and enacted via colonial secretariats at the central, provincial, regional and district levels, each with departments dedicated to specific mandates (e.g. agriculture, health, education, revenue, policing). A Governor, Executive Council and Legislative Council staffed by the British were accorded with the responsibility of executing colonial policy, laws, and programs through these provincial, regional and district offices and departments.[195] There was room for adaptability under the British system given a higher presence of settlers in the colony and the more devolved administrative nature. An elite of African administrators and collaborators were accorded performing state duties and functions alongside pre-existing or 'native'[196] governance frameworks. Institutions such as the judiciary, revenue collection and police services relied heavily on local structures of governance and order.[197] The British termed this *co-existence* or *indirect rule,* "that which joined African authorities, in traditionally-held or European –imposed political roles, to the colonial government, but in obviously subordinate capacity."[198] In some colonies, indirect rule worked well due to stronger pre-existing governance hierarchies and /or 'customary institutions'[199], while in others it had to be contrived. For example in Bechuanaland the British were able to apply colonial rule through the chiefdom of King Khama, and in Uganda and Ghana indirect rule was filtered through the Buganda and Ashanti Kingdoms respectively.[200]

[194] Fergusen, N. (2003) Empire: How Britain Made the Modern World. London: Allen Lane.; Roper, L. H. & Van Ruymbeke, B. (2007) Constructing Early Modern Empires: Proprietary Ventures in the Atlantic World, 1500–1750. Leiden: The Netherlands: Brill.; & Bridges, R.C. (1982) "The Historical Role of British Explorers in East Africa". Journal of the Society for the History of Discoveries, 14 (1).; & Johnson, H.B. (1969) " The Role of Missionaries as Explorers in Africa," in Journal of the Society for the History of Discoveries, 1 (1). Missionaries performed roles adjunct to the colonial state (and sometimes in opposition to colonial state practices), such as reporting on events in outlying areas, taking on linguistic conversions, performing diplomatic roles, teaching locals to respect ordained authority and most important of all enculturating Western ideology, thinking and ideas through colonial evangelism.
[195] Falola, T. (2002) *Africa Volume 3: Colonial Africa 1885-1939.* Durham: Carolina Academic Press.
[196] Falola, T. (2002) *Africa Volume 3: Colonial Africa 1885-1939.* Durham: Carolina Academic Press. Term 'native' used in its historical sense that indicates local, indigenous African.
[197] Clapham, C (1996) *Africa in the International System: The Politics of State Survival.* Cambridge University Press: Cambridge. It is important to note and qualify that substantial diversity existed in the application of colonial governance.
[198] Boahen, A. (1985) General History of Africa: Volume VII Africa Under Colonial Domination 1880-1935. UNESCO. Berkley: University of California Press, p.315.
[199] Wig, T. (2016) "Peace From the Past: Pre-colonial Political Institutions and Civil Wars in Africa," in *Journal of Peace Research*, 53 (4).
[200] Sillery, A. (1974) *Botswana: A Short Political History*. Studies in African History V8. London: Meuthen.; Wig, T. (2016) "Peace From the Past: Pre-colonial Political Institutions and Civil Wars in Africa," in *Journal of Peace Research*, 53 (4).; Englebert Pierre (2002) Born-again Buganda or the limits of traditional resurgence in Africa. *Journal of Modern African Studies*, 40(3).

Similarly in Northern Nigeria the British made use of *emirs*, Fulani Emirates and descendants of the Sokoto Caliphate as an existing base for administration, rule and control.[201] In Sierra Leone the *Paramount Chief* and chieftaincy system was incorporated into the British administrative structure, and delegated with governance roles and duties.[202] The Paramount Chief system represented utilising a mix of pre-existing local authority structures and invoking/shaping/inventing lineage structures as the basis for local social control, and to suit the administrative needs by the central British government.[203] Where groups were much more diffuse and governance hierarchies weaker, the *Warrant Chief* system was invoked whereby an individual was made ruler of a community based on a 'warrant' (essentially legal right) provided by the Native Court, which was underwritten and administered by the British.[204] A chief was given employment, a salary, protection, and a house as a representative of colonial rule.[205] "Chieftaincy became the means to the good life – wealth, security, prestige – those who controlled the office could use it to favour their supporters and discriminate against opponents."[206] In South-eastern Nigeria and South-west Cameroon the warrant system worked through 'headman', elites, elders or other local village individuals (who were not necessarily leaders), whose political reach and powers developed with the colonial state system.[207] This shrewd new dual political arrangement was not accountable to the population it oversaw, rather its function was for the relay of colonial authority, rule and control. Despite differences in colonial approach vis-à-vis indirect/direct rule, the French too made use of existing social institutions and native auxiliaries to carry out colonial policy and rule in some instances. In

[201] Reynolds, J (2001) "Good and Bad Muslims: Islam and Indirect Rule in Northern Nigeria," in *The International Journal of African Historical Studies,* 34 (3).
[202] Acemoglu, T.; Reed, T. & Robinson, J.A. (2014) "Chiefs: Economic Development and Elite Control of Civil Society in Sierra Leone," in *Journal of Political Economy*, 122 (2). Only individuals from ruling families were eligible to become a Paramount Chief and be part of the chieftaincy system: only Paramount chiefs were recognized as the governing authority at the local level in Sierra Leone. Also Warner, C.M. (2001) "The Rise of the State System in Africa," in *Review of International Studies*, 27.
[203] Tangri, R. (1980) "Paramount Chiefs and Central Government in Sierra Leone," in *Journal of African Studies*, 2.
[204] Nicolson, F. (1969) The Administration of Nigeria 1900-1960: Men, Methods and Myths. London: Clarendon Press.
[205] Khapoya, V.B. (2009) "Chapter 4: Colonialism and the African Experience," in *The African Experience*. New Jersey: Pearson, p.118.
[206] Tangri, R. (1980) "Paramount Chiefs and Central Governments in Sierra Leone," in *African Studies*, 39, p.185. Neocosmos refers to the 'good life' of chieftaincy as the beginnings of 'institutional plunder' of resources directed from the state above to the population below, see Cowan, M. & Laakso, L. (2002) *Multiparty Elections in Africa*. Oxford: James Currey, p.29.
[207] Chiabi, E. (1997) *The Making of Modern Cameroon*. Volume I. Lanham, MD: University Press of America.; Harneit-Sievers, A. (1998.) "Igbo 'Traditional Rulers': Chieftaincy and the State in Southeastern Nigeria," *Africa Spectrum* 33.

Senegal and Mali for example, the French utilized brotherhoods to carry out political and economic policy in return for privileges, official positions and power. In Senegal, the Mourides, were allowed to become the country's main growers of peanuts and thus became the backbone of the native colonial state.[208] The Mourides remained the propagators of political and economic power at independence under Leopold Senghor, Abdou Diouf and Abdoulaye Wade. Similarly in Mali, the Sufi brotherhoods were granted official positions and privilege in return for maintaining social order. The difference between the French and the British in activating these chains of command lay in the degree of agency that was permitted of the chief. Under the British system, the chief-colony administrative system equipped local delegates for localised self-rule, even leading to in some instances the development of localised welfare and social services, in lieu of colonial government provision.[209] Whereas with the French colonial system, the chief was treated as a vehicle for administering centralised rule: Africans were governed for the most part without regard for pre-existing practices, cultures and institutions.

The effects of the expedient colonial order were manifold: it instigated autocratic and instrumental forms of political power; it nurtured patron-client relations; and it detached the necessity of legitimacy from political rule. This essentially "signified a mediated-decentralised-despotism",[210] implemented on an evolving basis of collaboration, patronage and coercion.[211] Chiefs, elders, traditional leaders, religious heads, and clan headman were incorporated into the grand power-politic of colonial (and post-colonial) administration and bureaucracy through their 'customary' authority. They were active in carving out their relevance and prominence within this 'recognition-and-reward' system, what would become institutionalised forms of patronage.

[208] See Baker, B (2005) 'Beyond the State Police in Urban Uganda and Sierra Leone,' in *Afrikaspectrum*, 41 (1); & Dunn, J. (1978) *West African States: Failure and Promise. A Study of Comparative Politics*. Cambridge University Press: London: African Studies Series 23; & Miller, N. (1968) 'The Political Survival of Traditional Leadership,' in *Journal of Modern African Studies*, 6(2)

[209] Khapoya, V.B. (2009) "Chapter 4: Colonialism and the African Experience," in *The African Experience*. New Jersey: Pearson, p.119. and Mandami, M. (1996) *Citizen and Subject: Contemporary African and the Legacy of Late Colonialism*. New Jersey: Princeton University Press, p. 123. The chieftaincy system empowered Native Authorities with the application of customary law ranging from rules pertaining to public drinking, carrying weapons, tree-felling, grass burning, absenteeism etc. Legal administration both allowed for control of the majority and for the growth of local leaders/elites/chiefs powers.

[210] Mandami, M. (1996) Citizen and Subject: Contemporary African and the Legacy of Late Colonialism. New Jersey: Princeton University Press, p,17.

[211] Killingray, D (1997) 'Securing the British Empire: Policing and Colonial Order 1920-1960,' in Mazower, M. *The Policing Politics in the Twentieth Century*. Berghahan Books.

In a private background paper from the Colonial Office on fashioning law and order in Kikuyuland it is noted;

> "… [that] because he [the chief] is a Government nominee, because he can be removed by the Government if he is not doing his duty by the Government, and because he is expected to carry out the negative as well as the positive policy of the Government, the chief finds himself in a very vulnerable position …."[212]

The choice/threat "between his job and his politics…" was also a strong factor in fostering allegiance[213]. Importantly the centralising function of the state system did not confer authority or legitimacy on the people; rather it confirmed place and continuity with the architects of power. How Europeans ruled Africa shaped the contours, institutions and practices of politics and power in Africa: "direct and indirect rule… are variants of despotism: the former centralized (to the colony), the latter decentralized (to tribal authority)."[214] Colonial systems created 'arbitrary autocrats' whereby systems of authority were uneven, underwritten by force, and supplemented with tribute. A great contradiction of the colonial and post-colonial state has been its simultaneous weakness and strength in this regard. The state is weak in the sense that its institutions and internal sovereignty are precarious, sustaining the need to govern through paternalistic means and mediators. The state remains the locus for access to resources and privilege. The strength of the state lies in its claims and exercise of the monopoly of force and violence: power as growing out of the barrel of a gun, metaphorically and literally, has not dissipated from the political arena as the post-colonial state acclimatized. As the review of Arendt's work showed earlier, power does not equal force, the use of force instead represents the loss or absence of power and legitimacy. The thesis now turns to understanding participation, selection and election, including questions of legitimacy, in colonial Africa.

2.3.2 Elections and Participation in Colonial Africa

[212] CO 822/458 Private-For-Discussion-Only, Colin Legum 'An Analysis of Problems in Kikuyuland with Some Proposals to Deal With the Situation,'
[213] Mueller, S.D. (1964) "Government and Opposition in Kenya 1966-1969" in *The Journal of Modern African Studies*, 22 (3). p.405
[214] Mandami, M. (1996) Citizen and Subject: Contemporary African and the Legacy of Late Colonialism. New Jersey: Princeton University Press, p.18

The political practice of electing representatives to govern in pre-colonial, colonial and post-colonial Africa displays elements of similarity and difference, continuity and rupture. Much contention exists amongst scholars about drawing a straight comparative line between pre-colonial to post-colonial elective and selection practices, given the interruption of colonialism and imposition of the Westphalian state form, what Vansina terms the 'death of tradition'.[215]

In pre-colonial Africa, centralised and established kingdoms, empires, and city-states, such as the Kongo, Tio and Ndongo of Central Africa, Asante of Ghana, Ganda of Uganda, Sokoto Caliphate in Northern Nigeria, Lunda of Zambia, Nyiginya of Rwanda, Hausa Fulani in West Africa, and Ndebele of Zimbabwe, make it is easier to trace how rule, selection and power alternations 'functioned'.[216] Rule in these centralised kingdoms was carried out downwards, from the King, to local sovereigns responsible for particular wards or zones, overseen by councils, committees and/or elders displaying in Broadhead's words "a strong egalitarian component".[217] While political leadership within centralised kingdoms was an elite affair, whereby the King appointed local sovereigns; councils and committees were made up of men from 'horizontal integrated groups', such as landowners, patrilineages, cults and secret societies. Council and committee members were active in decision-making and day to day governance.[218] The King however did exercise total control over certain issue areas such as livestock and land. In decentralised authority systems, such as the Shona in Zimbabwe, Bemba of Zambia, Mende of

[215] There are benefits and pitfalls to long-run tracing of institutional developments or 'path-dependence' in academic analysis like political order/elections/power alternations: there is utility in uncovering parallels (such as the enduring role of patronage see Chabal, P. (1992) *Power in Africa: An Essay in Political Interpretation.* New York: St Martin's Press), however it dilutes the influence that external trade, capital accumulation, and state power had on fragmenting political elites and institutions, creating new political elites and institutions. The Westphalian state in some instances eroded traditional political orders, in other instances altered their character, and in some instances created complete new rulers, orders, elites. See Frankema, E. & Buelens, F. (2013) *Colonial Exploitation and Economic Development: The Belgian Congo and The Netherlands Indies Compared.* Oxon: Routledge, p.18.; Vansina, J. (1968) *Kingdoms of the Savanna: A History of Central African States Until The European Occupation.* Madison: University of Wisconsin Press.

[216] Vansina, J. (1968) Kingdoms of the Savanna: A History of Central African States Until The European Occupation. Madison: University of Wisconsin Press.; Aderinto, S. (2017) African Kingdoms: An Encyclopaedia of Empires and Civilisations. Santa Barbara: ABC-CLICO Press.; Falola, T. & Fleming, T. (2009) "African Civilisations: From the Pre-Colonial to the Modern Day," in Holton, R. & Nasson, W.R. World Civilisations and History of Human Development. Oxford: EOLSS Publishers, UNESCO. Falola & Fleming argue that up to 10 000 kingdoms and states functioned in Africa prior to the advent of colonialism.

[217] Broadhead, S. (1979) "Beyond Decline: The Kingdom of the Kongo in the Eighteenth and Nineteenth Centuries," *International Journal of African Historical Studies*, 12, 627.

[218] Frankema, E. & Buelens, F. (2013) Colonial Exploitation and Economic Development: The Belgian Congo and The Netherlands Indies Compared. Oxon: Routledge, p.24.

Sierra Leone, political organisation was based on more autonomous chiefdoms who controlled a defined area and population.[219] Chiefs followed more deliberative forms of nomination through the use of consultative councils to select headman and village heads.[220] Councils were staffed with advisors drawn from across society, such as senior kinsmen, elders, family members, and spiritual mediums, who were co-joined in decision making and day to day governance.[221] Selection procedures in decentralised authority systems ranged from verbal 'balloting' to stoning, as in Bafut kingdom, whereby the population would stone a candidate ranging from pebbles to injurious rocks, depending on the support or disdain leveraged for a particular candidate.[222] There were also 'stateless societies' such as the Tiv and Igbo of Nigeria, the Nuer of Sudan and the Bedouin of North Africa, known for pastoral hunter-gatherer nomadic lifestyles, whereby vertical political authority was actively resisted against as a source of tyranny, abuse and brute force.[223] No single centre of power predominated and instead village assemblies served as communal and common sites of justice, decision making, and day-to-day governance. All individuals had the right to speak and put themselves forward for specific tasks, with applause as a sign of support, and shouting down a sign of objection.[224] These societies tended to organise themselves along familial lines, whereby descent and lineage served the basis for organisation. Centralised authority was only constructed during times of war, to mobilise, strategize and carry out operations.[225] The imposition of the colonial state was particularly strange in these stateless

[219] Curtin, P.D.; Feierman, S.; Thompson, L.; & Vansina, J. (1995) *African History: From Earliest Times to Independence*. London: Longman.; Ehret, C. (2002) *The Civilisations of Africa: A History to 1800.* Charlottesville: University of Virginia Press.; Shillington, K. (2005) *Encyclopedia of African History.* New York: Fitzroy Dearborn.
[220] Chigwata, T.C. (2015) "Decentralisation in Africa and the Resilience of Traditional Authorities: Evaluating Zimbabwe's Track Record," in *Regional and Federal Studies*, 25 (5).
[221] Chigwata, T.C. (2015) "Decentralisation in Africa and the Resilience of Traditional Authorities: Evaluating Zimbabwe's Track Record," in *Regional and Federal Studies*, 25 (5)
[222] Williams, A.I. () "On the Subject of Kings and Queens: Traditional African Leadership and the Diasporal Imagination." in *African Studies Quarterly*, 7 (1), p.62
[223] Carlston, K.S. (1968) *Social Theory and African Tribal Organisation*. Urbana: University of Chicago Press,: Stride, G.T. & Ifeka, C. (1971) *Peoples and Empires of West Africa.* Lagos: Thomas Nelson.; Kopytoff, I. (1987) *The African Frontier: The Reproduction of Traditional African Societies*. Bloomington: Indiana University Press.
[224] Mair, L.P. (1977) Primitive Government: A Study of Traditional Political Systems in Eastern Africa. Bloomington: Indiana University Press.
[225] Yelpaala, K. (1983) "Circular Arguments and Self Fulfilling Definitions: 'Statelessness' and the Dagaaba," in *History in Africa*, 10.; McIntosh, S.K. (1999) *Beyond Chiefdoms: Pathways to Complexity in Africa.* Cambridge: Cambridge University Press.; Horton, R. (1975) "Stateless Societies in the History of West Africa," in Ajayi, J.F.A. & Crowder, M. *History of West Africa*. New York: Columbia University Press.

societies as it entailed the complete overhaul of horizontal governance and legitimacy, and the imposition of centralised authority, structures and institutions or vertical domination.[226]

The quality of these institutional selection practices varied a great deal between kingdom, empire, city-state and village, and should not be judged according to today's democratic standard. What is important to observe is that pre-colonial customs of succession, of allegiance to a defined populace, and of checks and balances on leadership existed. This served a governance and legitimation function. Further popular participation was observable in the process of selection in decentralised authority systems although suffrage was sometimes limited (based on gender, age, lineage), and the pool of eligibility narrow (sometimes based only on birth or inheritance lines). Tangwa contends that a paradox emerges whereby pre-colonial governance systems can be viewed as a "harmonious marriage between autocratic dictatorship and popular democracy." [227] The imposition of the Westphalian state with newly invented national boundaries and the application of hegemonic centralising forces (such as economic trade, taxation, production, and labour supply), disrupted the autonomy, legitimacy and power of traditional authority structures and popular participation. The hiatus in popular participation during colonialism, under the colonial state eventually gave way to demands for greater participation and representation during 'late colonialism', resulting in a flurry of referenda, elections and votes across the colonies in Africa.[228] This had limited gains, such as the Town Councils Bill (1894) & Municipal Corporations Bill (1924) which conceded and endorsed the administration of municipalities and towns to the African "detribalised and denationalised" elite, provided they raise their own revenues and taxes, an onerous task given the modest tax base.[229] The British Native Administration Ordinance of 1927 and 1935 set forth new rules governing the procedures, powers and jurisdictions of chiefs and councils, such as procedures for the elections of chiefs, unseating of chiefs, and management of native councils.[230] Thus, in some of its colonies such as

[226] Mohamoud, A.A. (2006) State Collapse and Post-Conflict Development in Africa: The Case of Somalia 1960 – 2001. West Lafayate: Purdue University Press.
[227] Tangwa, G.B. (1998) Road Companion to Democracy and Meritocracy: Further Essays From An African Perspective. Bellingham: Kola Tree Press, p.2
[228] Sharkey, H.J. (2013) "African Colonial States," in Parker, J & Reid, R. *The Oxford Handbook of Modern African History*.Oxford: Oxford University Press, p. 161. Late colonialism viewed as following the end of the second world war, so from 1945 onwards up until decolonisation of the late 1950's and early 1960's.
[229] Gocking, R. (2005) *The History of Ghana*. Westport: Greenwood Press, p.51.
[230] Boahen, A. (1985) *General History of Africa: Volume VII Africa Under Colonial Domination 1880-1935*. UNESCO. Berkley: University of California Press, p.635-639.

Ghana, the councils were allowed to elect 'Africans' to serve as unofficial members of the Legislative Council, and later, unofficial members of the Executive Council. However, open criticism of the colonial Government was not tolerated and local leaders were readily dismissed if resistance was displayed. Limited leverage at the local Native Council started to pay off, displaying varying degrees of autonomy and success on local development and infrastructure initiatives, and the raising of local capital independent of the central fiscal system.[231] Africans remained mostly involved in the nomination (but not necessarily the selection and appointment) of chiefs, and in customary law matters (Native Tribunals) under colonial rule. Even then, a British barrister at the time commented that;

> I think it is an illusion to suppose the tribunal are administering statutory law. What they are administering is a form of paternal or 'public-school' justice. The elders, are in the light of such instructions as may be given to them by the District Commissioner.[232]

Generally speaking, in urban and peri-urban areas the Native Councils exhibited and produced political consciousness, whereas in the rural or pastoral areas, they were met with apathy. There were significant delimitations to the Native Council: representatives of the Native Council were appointed by the Governor - elected representation based on popular participation was denied. Further, the chairperson of the local Natives Council was the colonial District Commissioner.[233] In the Kenya Legislative Council Debate of 1937, debating the Native Authority Bill, it is tellingly stated that;

> If you take all the [native] councils in the Colony you will find that about half the personnel are nominated by the Government, and the other half are elected, or perhaps selected is the better word...[234]

[231] Berman, B (1990) Control and Crisis in Colonial Kenya: The Dialectic of Domination. Oxford: James Currey, p.217.
[232] Berman, B (1990) Control and Crisis in Colonial Kenya: The Dialectic of Domination. Oxford: James Currey, p.215
[233] Mambo, R.M. (1981) "Local Native Councils and Education in Kenya," *Transafrican Journal of History*, 10.
[234] "Legislative Council Debates: Official Report" (1937) *Kenya National Assembly Official Record*, Nairobi, Second Series, Volume 1. p,196

The Native Councils were restricted therefore in functioning as sites for significant African political expression and as empowered local government bodies. The Native Councils were treated as local forums "in which Africans could harmlessly let off steam… providing Africans with tutelary experience in the 'responsible' conduct of their own affairs"[235]. While chiefs were allowed to be chosen or 'elected' by the people, elders often played an overbearing role in their selection.[236] Even then, a "critical progressive phase" of indirect rule was underway whereby British administrators pushed in favour of the inclusion of educated African elites onto the Native Councils over chiefs and traditional leaders.[237]

The Local Native Council was an instrument of control and of delegated power. Political leadership was regulated and the practice of elections was partial and restricted. Some commentators have argued that the origins of 'election rigging' in Africa must therefore be traced back to how the colonial state constructed political power and rule, by putting forward chiefs and representatives onto the Local Native Council, and as a result of the engineered Warrant system.[238] Further, that the origins of violent political competition and contestation for positions of power is to some extent a colonial hangover as a myriad of elders, elites and chiefs "clamoured for official recognition and direct access to the District Commissioner."[239] The trend of 'bribing' political leaders and of political leaders 'bribing' other power-wielding native-colonial officials for support occurred in the lead up to elections, nominations, selections and rotations of power.[240] As Tangri argues;

> They [chiefs] endeavoured to manipulate the selection of other chiefdom officials such as Speakers and Section Chiefs so as to favour persons who would be sympathetic to them

[235] Berman, B (1990) Control and Crisis in Colonial Kenya: The Dialectic of Domination. Oxford: James Currey, p.216
[236] See Tangri, R. (1980) "Paramount Chiefs and Central Governments in Sierra Leone," in *African Studies*, 39 for examination of Paramount chief system of nomination and appointment. Casting of one's vote often entailed standing in a line of the preferred candidate, meaning that one's elective exercise was open to observation and scrutiny.
[237] Vaughn, O. (2006) Nigerian Chiefs: Traditional Power in Modern Politics 1890-1990. Rochester: University of Rochester, p.35.
[238] Boateng, O. (2008) "A Squalid End to Empire," in *The New African*, 478.
[239] Berman, B (1990) *Control and Crisis in Colonial Kenya: The Dialectic of Domination.* Oxford: James Currey, p.211. & Berman, B.& Lonsdale, J. (1992) *Unhappy Valley: Conflict in Kenya and Africa*. Ohio: Ohio University Press.
[240] Tangri, R. (1980) "Paramount Chiefs and Central Governments in Sierra Leone," in *African Studies*, 39, p.185.

> in their control of the chiefdom government; and within the chiefdom government they were able to violate the laws laid down by the colonial authorities who were not particularly vigilant in enforcing them. The chiefs were able to enrich themselves in various ways through the illegal uses of their administrative powers. They [freely] accepted bribes.[241]

Abuse of powers extended beyond the chief to the wider Native Administrative and native policing force. Native policing was closely tied to the power directives of the chief, earning the native police "the outright distrust and hostility of the indigenous people."[242] Native policing was an alien statutory institution, not a traditional institution, and was in many cases deliberately made-up of persons from other areas, locales and nations stripping officers of 'nativeness' to the area. This proved essential in creating loyalty to the chief, rather than affiliation with the populace.[243] The native police acted as agents of violence in forcing Africans into the administrative, bureaucratic, and elective functions of the Native Commissions and the colonial state. They often engaged in acts of lawlessness, such as bribery, extortion, rape, with relative impunity given their position and relation to the chief, Native Commissioner and colonial state.[244] Native police were also used to impose top-down stability in dealing with succession issues, dynastic disputes and inter-group conflicts, where leadership and legitimacy was in question or disputed.[245] Mbaku & Kimenyi argue that in this way, the police functioned as a rent-seeking tool underwriting political authority, extraction, production, taxation and labour in return for their loyalty and service.[246] As Anderson and Killingray further portray Native Policing as,

---

[241] Tangri, R. (1980) "Paramount Chiefs and Central Governments in Sierra Leone," in *African Studies*, 39, p,185. As Neocosmos argues in Cowan, M. & Laakso, L. (2002) *Multiparty Elections in Africa*. Oxford: James Currey, p.30, colonial administrators tended to overlook forms of misrule at the local native council level as long as taxes were received, labour provided and order maintained.

[242] Mawby, R.I. (1999) Policing Across the World: Issues for the Twenty First Century. Oxon: Routledge, p,94.

[243] Mbaku, J.M. & Kimenyi, M.S. (1995) "Rent Seeking and Policing in Colonial Africa", in *The Indian Journal of Social Science*, 8 (3).; Ahire, P.T. (1990) "Policing and the Construction of the Colonial State in Nigeria, 1860-1960", *Journal of Third World Studies*, 7 (2).; Jefferies, C. (1952) *The Colonial Police*. London: Max Parrish.

[244] Mawby, R.I. (1999) Policing Across the World: Issues for the Twenty First Century. Oxon: Routledge, p.94.

[245] Tamuno, T. (1970) The Police in Modern Nigeria 1861-1965: Origins, Development and Role. Ibadan: Ibadan University Press.; Anderson, D.M. & Killingray, D. (1991) Policing the Empire: Government, Authority and Control 1830-1940. Manchester: Manchester University Press.

[246] Mbaku, J.M. & Kimenyi, M.S. (1995) "Rent Seeking and Policing in Colonial Africa", in *The Indian Journal of Social Science*, 8 (3).

Inefficient, unreliable, corrupt, and too often operating simply as a coercive force at the disposal of the local chief, the Native Authority Police did little to enhance the reputation of colonial policing, though their actions often bolstered the authority of the colonial chief.[247]

Some chiefs and local native council leaders across the colonies also made use of private militias, a privilege afforded by their position, to supplement their authority and rule, especially in times where their political authority and power was challenged.[248] The use of violence to depose, remove or force chiefs to resign was also observable under colonial rule. Violent protests were often instigated by chiefdom rivals. Leading members of 'opposition houses' who were able to muster the support of commoners due to the serious grievances they held against chiefdom rulers.[249] The 'Konkomba Attack' of 1940 in Northern Ghana is one such example whereby competition and antagonism festered at the local level between groups vying for political status and jurisdiction under British colonial rule, erupted into violence.[250]

In this way, colonial rule invoked strong power-seeking around selections and elections, marrying appointments with the abuse of power and with violence. '(S)elections' under colonial rule were high stake events at the local level, a feature that has persisted into the post-colonial period. Importantly as Jinadu contends, the 'electoral administrative machinery' inherited served to undermine popular choice and participation, and regulate succession at the colonial state and native chieftaincy level.[251] In this way the politicisation of institutions, the bureaucracy, and the administration has remained significant in shaping electoral outcomes in Africa.

---

[247] Anderson, D.M. & Killingray, D. (1991) *Policing the Empire: Government, Authority and Control 1830-1940.* Manchester: Manchester University Press, p.8.

[248] Mawby, R.I. (1999) Policing Across the World: Issues for the Twenty First Century. Oxon: Routledge.; Parker, J. & Ried, R. (2013) The Oxford Handbook of Modern History. Oxford: Oxford University Press.; Shillington, K (2005) Encyclopaedia of African History Volume 1-3. New York: Taylor and Francis.

[249] Tangri, R. (1976) "Conflict and Violence in Contemporary Sierra Leone Chiefdom," in *Journal of Modern African Studies*, 14 (2); Cox, H. (1956) *Report of Commission of Inquiry into Disturbances in the Provinces November 1955 – March 1956*. London: Published by Crown Agents for Oversea Governments and Administrations on behalf of the Government of Sierra Leone; Tonah, S. (2012) "The Politicisation of Chieftaincy Conflict: The Case of Dagbon, Northern Ghana," in *Nordic Journal of African Studies*, 21 (1); Talton, B.A. (2003) "The Past and Present in Ghana's Ethnic Conflicts: British Colonial Policy and Konkomba Agency 1930-1951," in *Journal of African and Asian Studies*, 38 (2/3). Grievances ranged from unequal resource distribution, disbursements and representation.

[250] Talton, B.A. (2003) "The Past and Present in Ghana's Ethnic Conflicts: British Colonial Policy and Konkomba Agency 1930-1951," in *Journal of African and Asian Studies*, 38 (2/3).

[251] Jinadu, A.L. (1997) "Matters Arising: African Elections and The Problem of Electoral Administration," in *African Journal of Political Science*, 2 (1).

2.3.3 The Post-Colonial State

At Independence, the post-colonial state faced a number of paths to power: power by force, power by election or power by cooptation. In most cases, a mixture of the three was adopted. The introduction of the state and political project into Africa established the practice of absolutist single command 'government', within an absolutist entity 'the state'.[252]

> Never before had there been an absolutist unifying entity in Africa … a single authority whose command was considered law across all socio-cultural entities.[253]

Existent socio-cultural and ethno-religious identities were by and large politicised by colonial and post-colonial elites as natural markers of belonging and difference, as 'natural' sites for construing political identity and for fostering political competition.[254] The bifurcation and politicisation of socio-cultural and ethno-religious identities originally served an instrumental administrative and organizational purpose under colonial rule; these cleavages however proved durable becoming sites for competitive power-politics at Independence and into the post-colony.

District Associations (DA's) in colonial Kenya are a good example of this. DA's were demarcated dwelling areas developed along 'tribal' and ethnic lines. DA's gave rise to ethnicized political organisations such as the Kikuyu Central Association (KCU), Ukamba Members Association (UMA), and the Kavirondo Association (KA) and later the Coast African People's Union (CAPU).[255] The politicisation of ethnicity, tribalism and regionalism is historically known as *majimboism* in Kenya. [256] Similarly in Nigeria political administration and organisation coalesced around ethnicity, region and religion whereby emergent political associations such as

[252] Mamdani, M. (2002) 'Making Sense of Political Violence in Post-Colonial Africa,' in *Identity, Culture and Politics*, 3(2). p.9
[253] Mamdani, M. (2002) 'Making Sense of Political Violence in Post-Colonial Africa,' in *Identity, Culture and Politics*, 3(2). p.9
[254] See Berman, B.J. (1998) "Ethnicity, Patronage and the African State: The Politics of Uncivil Nationalism." In *African Affairs*, 97; Mamdani, M (1996) *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. Princeton: Princeton University Press; Ranger, T. & Vaughn, O. (1993) *Legitimacy and the State in Twentieth Century Africa.* London: Palgrave McMillan; and Vail, L (1989) *The Creation of Tribalism in Southern Africa.* London: James Currey.
[255] Sanger, C. & Nottingham, J. (1964) 'Kenya General Election of 1963,' in *The Journal of Modern African Studies*, 2 (1).
[256] Sanger, C. & Nottingham, J. (1964) 'Kenya General Election of 1963,' in *The Journal of Modern African Studies*, 2 (1).

the Niger Delta Congress (NDC), Igbira Tribal Union (ITU), Northern Elements Progressive Union (NEPU), and Northern People's Congress (NPC) were embedded to regions and ethnicity was the locus of affiliation.[257] In Zimbabwe, the Tribal Trust Lands (TTL) were territorially demarcated native reserves (later termed communal associations), that used ethnicity or 'tribe' to assign habitation. This served as a site for competing political identification and belonging between two main political and ethnic groups, ZANU-PF (Shona) and ZAPU (Ndebele).[258]

While some inclusive political associations were attempted at Independence, most nationalist and liberation movements seized upon these socio-cultural and ethno-religious cleavages as ready-made political support bases.[259] The wars of liberation hardened political divisions that were fundamentally socially situated, and failed to reconstruct these acquired identities. As Mamdani argues,

> colonialism may explain the genesis of political violence post-independence but it does not explain the continued violence following independence."[260]

Ellis (1999) argues that one of the mistakes at Independence was to assume that power would now emanate from popular sovereignty, as per the Western liberal model, and that other forms of political authority tied to the social and cultural context, were irrelevant or 'archaic' and would be absorbed, assimilated and eradicated under the banner of the state.[261] Informal practices, relations and institutions of power however continued to operate under and within the formal supreme structure of the state, and at times against it. As with the colonial architects, post-colonial political elites had to practice accommodation and incorporation of localised principals of power into the grand political project via patrimonial and coercive means.[262] Importantly, the

[257] Falalo, T. & Aderinto, S. (2011) *Nigeria, Nationalism and Writing History.* Rochester: University of Rochester Press.
[258] Peel, J.D. Y. & Ranger, T.O. (1983) *Past and Present Zimbabwe.* Manchester: Manchester University Press.
[259] Dorman, S.R. (2007) "Post-Liberation Politics in South Africa: Examining the Political Legacy of Struggle", in *Third World Quarterly*, 27 (6).
[260] Mamdani, M. (2002) 'Making Sense of Political Violence in Post-Colonial Africa,' in *Identity, Culture and Politics*, 3(2). p.16
[261] Ellis, S. (1999) The Mask of Anarchy: The Destruction of Liberia and the Religious Dimension of an African Civil War. London: Hurst Publishers.
[262] There is variation and ambivalence across post-colonial Africa with regards to relations with chiefs and local power structures. Idi Amin of Uganda sort to eradicate chiefs as sites of autonomous power, whereas in Sierra Leone Paramount chiefs were important as commanders and upholders of state and elite power. As the state in Africa has developed and transformed, chieftaincy has come to take on a more social and cultural role, and its role in politics

post-colonial state and changing political structure ushered in by decolonization gave rise to a new type of elite endowed with state power, politicians. The emergence of these new elites forced a renegotiation of place and power of chieftaincy in Africa.[263]

Patronage in the immediate aftermath of independence "represented the most convenient and effective means of governance."[264] Patronage offered an alternative strategy (and pre-existing exercise) in dealing with the multiple and inherited bureaucratic tasks associated with statehood. Chabal & Daloz (1999) argue that any analysis of power must thus be understood as the relations between patrons and clients. [265] Patronage or patrimonlialism in Africa is understood as an informal transactional relationship between patron and client. Patrimonialism serves the patron's need for allegiance and loyalty (not necessarily consent), and the client's desire for benevolence. The transactional relationship is underwritten by the exchange of goods, resources, benefits, favours, services and/or preferential rights and treatment flowing from patron to client. It is not only state agents who engage in patrimonial practices, political elites, chiefs, traditional leaders and various other strongmen (e.g. commercial agents) also serve as both patrons and clients.[266] The Coker Commission of Inquiry for example found that elites in charge of development agencies used their power to redirect funds into corporations they themselves had created, for political and patronage purposes.[267]

> The ability to ration capital not only led to personal gain but was also employed to build political coalitions… In evidence of this one of the major Nigerian corporations that secured subsidized loans, the National Investment and Properties Company, published the newspaper chain owned by the Action Group, the party that held power in the Western

---

continues to oscillate between apolitical to politicised. Jau, B.N. (1995) "Indirect Rule in Colonial and Post-Colonial Cameroon," in *Paideuma: Mitteilungen zur Kulturkunde*, 41.; Englebert, P. (2002) *State Legitimacy and Development in Africa.* Boulder: Lynn Rienner.; Van Dijik, R. (1999) *African Chieftaincy in a New Socio-Political Landscape.* Hamburg: Verlig Munster.; Mamdani, M. (1996) *Citizen and Subject: Contemporary African and the Legacy of Late Colonialism.* Kampala: Fountain Publishers.; Le Vine, V.T. (1968) "Political Elite Recruitment and Political Structure in French Speaking Africa," in *Annee*, 8 (31).

[263] Le Vine, V.T. (1968) "Political Elite Recruitment and Political Structure in French Speaking Africa," in *Annee*, 8 (31), p.370.

[264] Chabal, P (1992) *Power in Africa: An Essay in Political Interpretation*. London: Macmillan, p.177

[265] Chabal, P & Daloz, J-P. (1999) *Africa Works: Disorder as Political Instrument*. Oxford: James Currey.

[266] Chabal, P & Daloz, J-P. (1999) *Africa Works: Disorder as Political Instrument*. Oxford: James Currey.

[267] Bates, R. 'Rental Havens and Protective Shelters,' in *Markets & States in Tropical Africa.* California: University of California Press.

> Region. The Commission of Inquiry noted that the company and the party were virtually identical.[268]

But to what extent does informal power still matter to politics, power and political violence in Africa? In his 2003 study *It's Our Time to Chop*, Lindberg found that patron-client relations remained an important component to election strategies and in reproducing political power, mainly at the constituency level. Citing evidence from Ghana Lindberg finds that,

> Whereas only about one-third of the MPs in the 1992 campaign spent more than 25 per cent of their outlays on personal patronage, half of them did so in 1996. During the 2000 election race more than half of the MPs spent over 25 per cent of their funds on sustaining personalized patron-client relations.[269]

The reproduction of 'patronage as power' under democratic dispensations points to the durability of this political practice, and the enduring dyad between the formal and informal. Patronage as a political practice has remained a path to power and has become entrenched in the practice of politics in Africa. Patronage has made the state the "locus of social and economic advancement."[270]

Another strategy of building and extending power has entailed co-opting opposing elites. Post-colonial elites were quick to absorb political opposition and dissension through a mix of coercion and cooption and an extension of the patron-client network (e.g. KANU absorbed KPU and KADU in Kenya in 1964; in Zimbabwe ZANU-PF absorbed ZAPU after a violent and protracted campaign in 1988). The strong centralising power of the state,

> endowed new ruling elite[s] with [an] enormous degree of authority and power which it could use to defeat opposition on a country-wide basis… Statism conflated the party with

[268] "Report of the Coker Commission of Inquiry into the Affairs of Certain Statuary Corporations in Western Nigeria," (1963) Lagos: Federal Ministry of Information, p.55
[269] Lindberg, S. (2003) "It's Our Time to Chop: Do Elections in Africa Feed Neo-Patrimonialism Rather Than Counteract It? in *Democratization*, 10 (2) Summer, pp.131-132.
[270] Chabal, P (1992) Power in Africa: An Essay in Political Interpretation. London: Macmillan, p.152

> the state, institutionalised [the] practice of patronage and inequitable distribution of resources.[271]

Elite cooptation has also led to the phenomenon of elite politics, elite domination, and elite rotation in power and electoral cycles.[272] Power politics refers to a very specific kind of political practice, political practice that is dominated by a highly interconnected and interdependent caucus of elites part of, or tied to, the ruling political party.[273] These political elites transcend multifaceted sectors of society such as the economy, industry, property and/or government and possess the means, assets, resources, know-how and capacity that sustain and support the reproduction of state and society, and in the process, themselves. It is in the interests of the elite class to uphold and maintain the structures and institutions of state and society. Markovitz (1987) argues that the elite class (political elites, bureaucrats, professions, the nascent bourgeoisie, and members of the security arm of the state), constitute a powerful bloc within society, and though alliances shift and change on a regular basis, the recycling of elites – a phenomenon that dominates most politics in Africa – suggests resilience and coherence that cannot be easily dismissed.[274] Cohen (1974) shows how political elites in Kenya held both directorships in state industry and private firms, as did permanent secretaries in Tanzania.[275] Elitism however can produce insecurity as it is inherently stratified and built on unequal power relations. Chiefly, elitism combined with "… statism has created a legacy of dependence on the state as an avenue for economic mobility…" especially where the population remains low skill and low capital.[276] There tends to be little separation between state or government elites, party elites and business

[271] Mueller, S.D. (1964) "Government and Opposition in Kenya 1966-1969" in *The Journal of Modern African Studies*, 22 (3). p.400

[272] See for various explorations into this concept: Nyamnjoh, F. & Rowlands, M. (1998) "Elite Associations and the Politics of Belonging in Cameroon," in *Africa*, 68 (3).; Kandeh, J.D. (1999) "Ransoming the State: Elite Origins of Subaltern Terror in Sierra Leone," in *Review of African Political Economy*, 26 (81).; Villalon, L.A. & Von Doepp, P. (2005) *The Fate of Africa's Democratic Experiments: Elites and Institutions.* Bloomington: Indiana University Press.; Daloz, J.P. (2003) "Big-Men in Sub-Saharan Africa: How Elites Accumulate Positions and Resources," in *Comparative Sociology*, 2 (1).; Baba, I. (2014) "Elites and Exclusive Politics in Sub-Saharan Africa," in *African Journal of Political Science and International Relations*, 8 (8).;

[273] Falola, T. (2004) *Power, Politics and the African Condition.* Asmara: Africa World Press.; Bratton, M. (2015) *Power Politics in Zimbabwe*. Scottsville: University of Kwa-Zulu Natal.

[274] Mehler shows how elitism has produced the 'elite-insecurity trap' in post-colonial Africa in his study of inclusion, exclusion, conflict and violence. Mehler, A. (2008) "Breaking the Insecurity Trap: How Violence and Counter-Violence are Perpetuated in Elite Struggles, in *GIGA Working Paper*, 28. http://giga-hamburg.de/workingpapers

[275] Cohen, M.A (1974) *Urban Policy and Political Conflict in Africa*. Chicago: University of Chicago Press.

[276] Mueller, S.D. (1964) "Government and Opposition in Kenya 1966-1969" in *The Journal of Modern African Studies*, 22 (3). p.406

elites; the distinction between what is public and what is private, what is formal and what is informal is noticeably indistinct. The state is viewed as the architecture for accessing and accumulating power and wealth. As Kasozi (1994) found in their study of Uganda, political violence has grown out of the need to seize and control state power as the only economic base of society: the creation of political elites meant that they were not a 'class' in and of themselves "…having no roots in commerce, agriculture or industry."[277] As political elites have sought ways to hold onto power, particular patterns of state, elite and political behaviour have emerged and become institutionalized in post-colonial Africa vis-à-vis patronage, clientelism, the blurring between 'public' and 'private', and the informalisation of economic and political life.

As has been show, power has rarely been absolute in Africa. States have adapted and survived by resorting to violence, force and control.[278] In *Necropolitics* Mbembe (2003) argues that violence has constituted the original form of right, what would become the structure for sovereignty and statehood in Africa. The centrality of violence in founding the political project in Africa married the projection of force, with the practice of politics.

> "With the use of the state's instruments of coercion to emasculate the political opposition, governments in power thus eliminate one of the basic elements of political life which, by the sheer weight of self-interested political calculation, would champion the interests of the rural majority."[279]

Violence as the cornerstone to state formation is not particular to Africa of course. Tilly (1982) argues that all states are borne as a result of violence, produced by combat and dissension. What is definitive in the case of Africa is that forms of violence have not disappeared as the state has emerged, evolved and power has been accumulated. Instead, power mediated through violence continues to accompany the 'consolidation' enterprise. Both state and non-state violence apparatuses are used to access or secure the resources that help gain or maintain power. As Chabal argues,

[277] Kasozi, A.B.K. (1994) *The Social Origins of Violence in Uganda 1962 - 1985*. Kampala: Fountain Publishers.
[278] As will be outlined in the empirical overview in chapter 2, this has taken many forms.
[279] Bates, R. 'Rental Havens and Protective Shelters,' in *Markets & States in Tropical Africa.* California: University of California Press, p.19

> The African post-colonial state although overdeveloped and hegemonically ambitious, is in fact soft and over-extended. Its violent and repressive nature is more properly the reflection of its political weakness than of its strength.[280]

The emergence of state-sponsored or state-supported non-state violence outfits is seen as one such outgrowth of patronage politics, the expansion of informal networks, the weakness of the state and the criminalization of the state in post-colonial Africa.[281] While power cannot rest on force or control alone, the ability to garner and sustain power based on patronage is not assured either.

The African colonial state was established to serve a bureaucratic function but quickly developed into a system of politicised benefaction. The post-colonial state further ingrained political patronage as an instrument of governance. The overview of the African state, how power has been constructed, produced and how it works, sees it emerge as a tenuous institutional entity, underwritten by external and internal strategies of patronage and force. The thesis now turns to unpacking the elements of the 'weak state' paradigm as a lens for guiding case analysis.

2.4 Conceptual Framework: 'Weak States'

The following section outlines the paradigm of 'weak states' as developed by Jackson & Rosberg (1982), Migdal (1988), and Rotberg (2003), as a conceptual lens to understanding politics, power and violence in post-colonial Africa.[282]

States differ in the level of power distribution across government and society. Descriptive monikers that allude to the institutional inefficiencies of states in post-colonial Africa range from 'vampire state', 'predatory state', 'shadow state', to 'quasi state'.[283] Jackson argues that weak or quasi-states exist mainly on the basis of their external recognition, and not on the basis of the

[280] Chabal, P. (2002) *A History of Post-Colonial Lusophone Africa.* London: Hurst & Co, p.38.
[281] Francis, D.J. (Ed) (2005) Civil Militia: Africa's Intractable Security Menace? Aldershot: Ashgate.
[282] See Jackson, R.H. & Rosberg, C.G. (1982) "What Africa's Weak States Persist: The Empirical and Juridical in Statehood," in *World Politics*, 35 (1).; Migdal, J.S. (1988) *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World.* New Jersey: Princeton University Press.; Rotberg, R.I. (2003) *State Failure and State Weakness in a Time of Terror.* Washington: Brookings Institute.
[283] Frimpong-Ansah, J.H.(1991) The Vampire State in Africa: The Political Economy of Decline in Ghana. Trenton: Africa World Press.; Hyden, G. (1983) No Shortcuts to Progress: African Development Management in Comparative Perspective. Berkely: University of California Press.; Fatton, R. (1992) Predatory Rule: State and Civil Society in Africa. Boulder: Lynne Rienner Publishers.

internal proficiency.[284] Decolonization signalled a fundamental alteration in the constitutive principles of sovereignty whereby the African state was recognised on the basis of being "dressed in the robes of sovereignty".[285] As studies by Jinadu (1997), Chabal (1999), Clapham (1985, 1996), Englebert (2002), Bayart, Ellis & Hibou (1999), Ellis (1996), Williams (2016) have variously shown, the legacy of weak institutions and inefficiencies of state administration are a prevailing *condition* in which conflict and violence have developed in post-colonial Africa.[286] The literature on 'weak states' predominantly focuses on the inability of states to project their authority over their populations, bureaucracy and/or territory effectively or consistently.[287] Weak states are a multi-dimensional problem which creates distortions in governance and the distribution of resources. It is for this reason that the research has chosen this as a conceptual lens to understanding the context in which election violence is produced.

The attributes of weak states include (but are not limited to):

- Lack of social cohesion (due to divisions along identity, religion, ethnicity)
- High degrees of inequality, marginalisation and polarisation
- Either bloated or skeletal social goods delivery
- Dependence on state resources and assets as enterprise
- Bureaucratic inertia
- 'Big men', 'Strong men', predominant/predatory elites
- Widespread patrimonial networks
- Corrupt and kleptocratic practices
- Fiscal mismanagement
- High degrees of criminality and lawlessness

[284] Jackson, R. (1987) "Quasi-States, Dual Regimes and Neoclassical Theory: International Jurisprudence and the Third World," in *International Organisation*, 41 (4).
[285] Jackson, R.H (1986) 'Negative Sovereignty in Sub-Saharan Africa,' in *Review of International Studies*, 12(4)
[286] Chabal, P. & Daloz, J.P. (1999) *Africa Works: Disorder as Political Instrument*. London: James Currey.; Clapham, C. (1985) *Third World Politics: An Introduction.* Madison: The University of Wisconsin.; Clapham, C. (1996) *Africa and The International System: The Politics of State Survival.* Cambridge: Cambridge University Press.; Englebert, P. (2002) *State Legitimacy and Development in Africa*. Boulder: Lynne Rienner.;
[287] Jackson, R.H. & Rosberg, C.G. (1982) "What Africa's Weak States Persist: The Empirical and Juridical in Statehood," in *World Politics*, 35 (1).; Bayart, J.F.; Ellis, S. & Hibou, B. (1999) *The Criminalisation of the State in Africa.* Bloomington: Indiana University Press. Ellis, S. (1996) "Africa After the Cold War: New Patterns of Government and Politics," in *Development and Change*, 27 (1).; Williams, P.D (2016) *War and Conflict in Africa.* Cambridge: Polity.

- Low levels of human development (e.g. life expectancy, literacy, access to clean water)
- Fleeting monopoly of violence and control of territory
- Use of coercion by political elites
- Elites compete for public rents for private gain
- Inability to raise substantial revenues and tax base
- High levels of poverty
- Loss of state legitimacy
- Higher propensity towards violence and disorder.[288]

Weak states fulfil governance and duties in some areas, and perform poorly in others. This complicates the task of establishing a 'weak state' archetype or using the weak state label to predict where along the spectrum of weakness, conflict and violence will break out. Not all weak states, or states that display attributes of internal bureaucratic and administrative inefficiency lead to conditions of violence or conflict. Here interaction on the causal chain is instructive. "The more poorly weak states perform, criterion by criterion, the weaker they become."[289] In weak states, the distribution of resources is especially a site of ongoing political struggle, located in the patrimonial or the 'economy of affection' nature of politics.[290] Kriwin and Cho find that particular factors associated with state weakness, such as high levels of criminality and insecurity, group grievances, poor social goods delivery and lack of state legitimacy are more likely to produce violence (civil protests, riots, demonstrations) than other attributes such as low levels of human development or bureaucratic inertia.[291] Interestingly, many of the attributes of weak states as outlined above are identified in the literature on election violence (see *Chapter* 2) as contextual *conditions* in which electoral conflict emanates.

The Cold War provided a fortuitous milieu and ample opportunity for new weak states to develop novel strategies of survival. Ellis argues that Cold War aid was the lubricant that kept African political machines in running order.[292] Proxy support and the supply of military and

[288] These range of attributes are drawn from the 'weak state' literature see footnotes 259-270
[289] Rotberg, R.I. (2003) *State Failure and State Weakness in a Time of Terror*. Washington: Brookings Institute, p.4
[290] Chabal, P. & Daloz, J.P. (1999) *Africa Works: Disorder as Political Instrument*. London: James Currey, p.53.
[291] Kirwin, A.F. & Cho, W. (2009) "Weak States and Political Violence in Sub-Saharan Africa," in *Afrobarometer Working Paper*, 111.
[292] Ellis, S. (2004) "Africa's Wars. The Historical Context," in *New Economy*

financial aid in return for ideological allegiance allowed rulers to maintain a hold on power. These new forms of patron-clientelistic relations provided a super-sovereign structure to maintain the quasi-sovereign entities of the post-colonial states. Kleptocratic practices by the state and state elites flourished during this period.[293] Creative accounting allowed rulers to make money from artificially valued currency and exchange control surpluses as well as redirect official developmental aid away from national spending. The results were tragic.[294] Firstly, the post-colonial state, having begun weak and empty, remained weak and empty as a result of the corrupt practices of its leaders. Secondly, the corruptive influences of kleptocratic regimes spread down the chain of command affecting societal, administrative and bureaucratic structures. As Chabal shows, obtaining a new passport requires a bribe, passing a security checkpoint necessitates gift-giving, securing a place at university entails a payoff.[295] Similarly a 2017 UNODC report found that the provision of basic amenities (e.g. queuing at health facility), the facilitation of an administrative function (e.g. car registration), and the engagement a utility provider (e.g. for provision of water/electricity), variously entail daily petty 'kickback' bribery.[296] Supporting this reflection on 'petty corruption', a public survey conducted by Transparency International on corruption revealed that on average 22% of people had paid a bribe for public services in Africa such as paying off a police officer or bribing a civil servant (figures per country ranged from 69% in Liberia, 37% in Kenya, 43% in Nigeria, and 83% in South Africa).[297] This has caused significant and lasting institutional damage to the practice of politics, economics and rule in Africa. As Jackson (1993) highlights in his work on '*Quasi States*', corruption has become integral rather than incidental to African politics.[298] Corruption which often occurs alongside institutional weakness is viewed as the major impediment to governance

[293] See Bayart, J.F.; Ellis, S. & Hibou, B. (1999) The Criminalization of the State in Africa. Oxford: James Currey.; & Herbst, J. (2000) *States and Power in Africa: Comparative Lessons in Authority and Control*. New Jersey: Princeton University Press; & Reno, W (1999) *Warlord Politics and African States*. Colorado: Lynne Rienner; & Zartmann, W.I. (Ed.) (1995) *Collapsed States*. Boulder: Lynne Rienner. Of course not all post-colonial states were kleptocratic, and the range of 'weakness' between states varied greatly.
[294] Wrong, M. (2001) In the Footsteps of Mr Kurtz: Living on the Brink of Disaster. London: Harper Collins
[295] Chabal, P. & Daloz, J.P. (1999) *Africa Works: Disorder as Political Instrument*. London: James Currey.
[296] See UNODC (2017) "Report on Corruption in Nigeria: Bribery, Public Experience and Response," *United Nations Offices on Drugs and Crime*, Vienna. https://www.unodc.org/documents/data-and-analysis/Crime-statistics/Nigeria/Corruption_Nigeria_2017_07_31_web.pdf
[297] Pring, C. (2015) "People and Corruption: Africa survey 2015" *Global Corruption Barometer*, Transparency International. Sample of 43 143 respondents across 28 countries reflecting on a year period.
[298] Jackson, R.H. (1993) Quasi-states: Sovereignty, International Relations and The Third World. Cambridge: Cambridge University Press.

and the structural transformation of the state in Africa.[299] For example, in 2015 only 21% of the total Norwegian bilateral foreign assistance to African was spent on specific purposes/activities.[300] Other examples of corruption include 'grand corruption schemes' by the state and state elites such as the Anglo-Leasing Scandal in Kenya 2005; the ID cards contract in Uganda (2010); the 2012 Cashgate Scandal in Malawi; the 'Arms Deal' in Nigeria; and the Zupta-gate scandal in South Africa 2016.[301]

Weak or quasi-states provide an ideal environment in which elite predation, kleptocracy and even warlordism can develop. The case of Nigeria and Liberia are instructive here. Between 1993-1998, the military leader of Nigeria, Sani Abacha, looted an estimated $2.2billion from surpluses in currency exchange valuation and the oil trade of which $500 million was transferred into his personal holdings.[302] The condition of institutional state weakness in Nigeria has provided a fertile milieu for the continued misappropriation of funds from revenues generated from the oil rich Niger-Delta.[303] Charles Taylor, a warlord and one time leader of Liberia, created and utilized the context of violent disorder to loot the country's diamond wealth for personal profit.[304] State weakness and 'disorder' is the preferred condition in these examples. Disorder paradoxically functions as an instrument to control and direct embezzlement.[305] Mobutu Sese

[299] UNECA (2016)"Measuring Corruption in Africa: The International Dimensions Matters," in *African Governance Report IV*. Addis Ababa: Economic Commission for Africa. Corruption includes bribery, embezzlement of public funds, money laundering, collusion, illicit financial flows, evading tax, dodging custom duties. It can comprise from grand to petty corruption, and extend to state capture.

[300] UNECA (2016)"Measuring Corruption in Africa: The International Dimensions Matters," in *African Governance Report IV*. Addis Ababa: Economic Commission for Africa, p.xiv.

[301] Anglo-Leasing scandal refers to awarding of contract for new passport printing system to non-existent firms amounting to $100 million by a number of government ministers; similarly in Uganda a contract worth $100 million was paid to Mulbaher Technology Co. to print new ID cards, to date fewer than 500 have been issued; $15.5 million Malawi kwacha reported as stolen by government officials who abused procurement systems by transferring funds from government bank accounts to vendor accounts for goods and services not rendered; the Economic and Financial Crimes Commission of Nigeria is prosecuting former government officials for embezzling $2 billion set aside for the purchase of arms to fight the north-east Boko Haram insurgency; the 2016 'State of Capture' report revealed that the President and other government ministers were financial rewarded for awarding contracts to Gupta family businesses; making government appointments for cash. UNECA (2016)"Measuring Corruption in Africa: The International Dimensions Matters," in *African Governance Report IV*. Addis Ababa: Economic Commission for Africa, p.

[302] "Late Nigerian Dictator Looted Nearly $500 Million" in *New York Times*, August 19 2004

[303] In 2014 alone it is alleged that the Nigerian National Petroleum Company (NNPC) 'failed to pay' $16 billion in revenue to the state treasury. Turkson, N. (2016) "The Nigerian Oil Company's Missing Billions", in *The Atlantic Monthly*, March 18 https://www.theatlantic.com/international/archive/2016/03/nigeria-oil-corruption-buhari/473850/

[304] 'Snaring a Strongman' in *Time*, April 2 2006
http://www.time.com/time/magazine/article/0,9171,1179356,00.html

[305] Chabal, P & Daloz, J.P. (1999) *Africa Works. Disorder as Political Instrument*. Oxford: James Currey

Seko, former leader of Zaire, famously declared that 'everything is for sale.'[306] In this way "politics in Africa is increasingly interconnected with crime."[307] The criminalization of the state may also refer to more insidious corrupt practices, such as the awarding of state tenders, state bursaries or scholarships to family or friends of the elite.[308] Here nepotism and patronage serve not only as a mainstay of power but also distinctly for self-benefit. The kleptocratic use of state institutions to further personal wealth accumulation is the direct outgrowth of state weakness and patronage politics, and reproduces the condition of state weakness.

The capacity of the state and state institutions is considered a crucial factor affecting the quality of elections and outcome of elections.[309] In cases where the political regime is strong (e.g. authoritarian rule or personalistic rule), but electoral institutions are weak, elections can be subverted via political interference, repression, and manipulation, so that elections reinforce the regime rather than contest it.[310] In such cases, elections do not serve as an instrument of democracy nor promote 'vertical accountability'.[311] The resultant electoral malpractice and electoral fraud has far reaching consequences, often producing violent contestation. Under such 'electoral authoritarian' states, electoral violence is far more likely to be directed by state elites and political incumbents who use state resources to repress, suppress and oppress the opposition and their supporters. In cases where the state is weak and state institutions are weak, elections are more likely to lead to tight races and turnover producing greater competition and rivalry between horizontal elites, and increasing the likelihood of vertical and horizontal violence.[312] In both cases

---

[306] Wrong, M. (2001) *In the Footsteps of Mr Kurtz: Living on the Brink of Disaster*. London: Harper Collins
[307] Bayart, J.F.; Ellis, S. & Hibou, B. (1999) *The Criminalization of the State in Africa*. Oxford: James Currey, p.25
[308] Chabal, P & Daloz, J.P. (1999) *Africa Works. Disorder as Political Instrument*. Oxford: James Currey
[309] See Van Ham, C. & Seim, B. (2017) "Strong States, Weak Elections? How State Capacity in Authoritarian Regimes Conditions the Democratising Power of Elections", in *International Political Science Review*, 00 (0).
[310] Gandhi, J. & Lust-Okar, E. (2009) "Elections under Authoritarianism", in *Annual Review of Political Science* 12., Levitsky, S. & Way, L. (2010) *Competitive Authoritarianism: Hybrid Regimes After the Cold War*. New York: Cambridge University Press.; Lindberg, S. (2009) *Democratization by Elections: A New Mode of Transition*. Baltimore: John Hopkins University Press. For example, Zimbabwe, Cameroon, Angola, Ethiopia, Rwanda.
[311] Van Ham, C. & Lindberg, S. (2015) "Vote Buying is a Good Sign: Alternate Tactics of Fraud in Africa 1986-2012", in *The Varieties of Democracy Institute*, Working Paper 3, p.3. https://www.v-dem.net/media/filer_public/fb/a8/fba80eef-ac74-4a50-abd0-3a3f3755251c/v-dem_working_paper_2015_3.pdf
[312] Schedler, A. (2002) "The Menu of Manipulation", in *Journal of Democracy*, 13 (2).; LeFerrara, E. & Bates, R. (2001) "Political Competition in Weak States", in *Economics & Politics*, 13 (2). For example Lesotho, Sierra Leone, Comoros, Madagascar. Violence not only within and between state and political elites, but between incumbent and opposition political supporters, and generalised civil violence in the context of this electoral disorder.

patrimonial networks are important in "mobilizing constituencies in tandem with the state".[313] This mobilisation in some cases has seen politicians and political elites 'sponsoring' and 'out-sourcing' violence to vigilante groups, youth gangs and ethnic militias, to shape the election environment and electoral outcome.[314]

It is important to note that the term 'weak state' and 'post-colonial' is increasingly critiqued in terms of usage by 'de-colonial' Politics and International Relations scholars.[315] This school of thought seeks to challenge portrayals of Africa as an 'aberration', as 'deviant' in terms of state form and political development as set against Weberian, Westphalian and Western norms, standards and structures.[316] Critics argue that the state in Africa is neither static nor ahistorical and should be analysed according to its own empirical realities and dynamics. Further, that the utilisation of the 'weak state' and post-colonial' labels are value-laden and endowed with enduring inequities in power with former colonial powers.[317] The labels serve a 'neo-colonial' or 'interventionist' agenda by securitising the seeming deficiencies of African states as a potential threat, spill-over, contagion which require constant intervention via aid, bail-outs, and the adoption/imposition of externally directed programmes and policies.[318] "In this way, external actors are presented as benevolent, restorative forces… external actors are in no way implicated in contributing to or exacerbating a state's so called failure."[319] By privileging internal factors

[313] Morse, Y. (2017) "Electoral Authoritarianism and Weak States in Africa: The Role of Parties versus Presidents in Tanzania and Cameroon", in *International Political Science Review*, 0 (0), p.4

[314] For example in Nigeria, Kenya, Cote d'Ivoire, Sierra Leone. See Themner, A. (2017) *Warlord Democrats in Africa: Ex-Military Leaders and Electoral Politics.* London: Zed Books; TRC (2004) "Witness to Truth" *Report of the Sierra Leone Truth & Reconciliation Commission*. Sierra Leone: Truth & Reconciliation Commission.; HRW (2001) "The New Racism: The Political Manipulation of Ethnicity in Côte d'Ivoire", *Human Rights Watch Report*, 13 (6).; Altier, M.B.; Martin, S. & Weinberg, L.B. (2014) *Violence, Elections and Party Politics*. Oxon: Routledge.; HRW (2007) "Criminal Politics: Violence, 'Godfathers' and Corruption in Nigeria", *Human Rights Watch Report*, 19 (16).

[315] Hill, J. (2005) "Beyond the Other? A Postcolonial Critique of the Failed State Thesis," in *African Identities*, 3 (2).; Appiah, K.A. (1991) "Is the Post in Postmodernism the Post in Postcolonial?", in *Critical Inquiry*, 17 (2).; Coronil, F. (1996) "Beyond Occidentalism: Toward Non-Imperial Geo-Historical Categories", in *Cultural Anthropology*, 11 (1).; Mortan, A.D. (2005) "The Failed State of International Relations", in *New Political Economy*, 10 (3).

[316] Morton, A.D. (2005) "The Failed State of International Relations" in *New Political Economy*, 10 (3).

[317] Such critiques draw from 'anti-colonial' analyses put forward by Edward Said (Said, E. (1978) *Orientalism*. New York: Pantheon Books), who in turns draws from the writings of Foucault and Gramsci.

[318] Bilgin, P. & Morton, A.D. (2004) "From 'Rogue' to 'Failed' States? The Fallacy of Short-Termism", in *Politics*, 24 (3). See also motivations raised in Commission for Africa (2005) "Our Common Interest: Report of the Commission for Africa", 11 March. http://www.commissionforafrica.org

[319] Hill, J. (2005) "Beyond the Other? A Postcolonial Critique of the Failed State Thesis," in *African Identities*, 3 (2), p.149.

over external processes, policies and actions, the influence of exogenous forces is detached from analyses of Africa's so called socio-political crisis. In this analysis, there is a growing body of literature which considers the role of exogenous forces, such as election observers and monitors, and elections in Africa. Election observers are meant to incentivise the holding of free, fair and peaceful elections, and ensure that all competing political parties uphold principles of electoral integrity (such as a level playing field in terms of party funding, access to media, freedom to campaign; secrecy of the ballot; non-partisan voter education, voting station accessibility).[320] Given the rise of 'hybrid democracies' and 'electoral authoritarian democracies' and accompanying election violence, there have been vocal critiques levelled against the role of external observers. Critics argue that election observers uphold 'donor democracy' rather than promote popular democracy by providing assessments that send messages of elections being 'free and fair' or 'credible' where flagrant abuses and malpractices have occurred.[321] Hesitancy in condemning the electoral process and outcome is rooted in fear that by condemning irregularities, violent contestation and internal conflict would result. By overlooking electoral irregularities however, regime maintenance and the reproduction of state and elite power results (reproducing what Jackson termed 'negative sovereignty'). In her 2012 book, Judith Kelley found that even when election observers and monitors are present, electoral malpractice persists 17% of the time.[322] This thesis is cognisant of the critiques levelled by 'anti-colonial' and 'de-colonial' scholars, and subscribes to inquiry that seeks to better understand the state in Africa as it is, rather than how it should be. The use of the conceptual framework of 'weak states' in the thesis does not seek to reinforce or reproduce pejorative bias, but rather interrogate the significance of weak state *conditions* in interacting to produce election violence across the three case studies since Independence. In turn, the thesis problematizes accounts on the 'pathology of

[320] Norris, P. (2014) *Why Electoral Integrity Matters*. Cambridge: Cambridge University Press. The list of principles pertaining to electoral integrity are much more numerous see pp.21-40

[321] Kelley, J. (2010) "Election Observers and Their Biases", in *Journal of Democracy*, 21 (3).; Cheeseman, N.; Lynch, G.; Willis, J. (2016) "How Election Monitors Are Failing", in *Foreign Policy*, Anglin, D. G. (1998) "International Election Monitoring and The African Experience", in *African Affairs*, 97. Cheeseman et al cite the cases of Uganda's 2016 election where the main opposition candidate Kizza Bessigye was imprisoned multiple times, where security forces were implicated in acts of intimidation, where voting materials were delayed in opposition strongholds; and in Kenya 2017 where election observes endorsed a flawed election whereby 5 million unverified ballots were discovered, voting forms lacked serial numbers and stamps, ballots arrived from non-existent polling stations and a top election official was tortured and killed ahead of the election. The 'blind eye' approach to electoral abuses in Kenya dates back to the 1990s for fears of triggering a civil war.

[322] Kelley, J. (2012) *Monitoring Democracy: When International Election Observation Works and Why It Often Fails*. New Jersey: Princeton University Press, p.44.

African statehood' by developing an account of power and politics as it is, rather than how it should be. Importantly the weak states conceptual framework allows for and accepts variation in institutional governance amongst African states, a trait that has persisted (and continues to persist) across Africa's political history. As the hypotheses covered in *Chapter 1* show, the *conditions* and milieus of states are instructive in shaping outcomes.

Conclusion

This chapter has attempted to provide a conceptual overview of the precepts that frame the study on election violence in Africa, namely power, politics and violence situated within an understanding of the characteristics of 'weak states'. It has endeavoured to show how colonialism constructed, perpetuated, and formalised symbolic and structural violence and despotic power in Africa. Further it has sought to understand how new and subsequent African political elites have adapted and appropriated state power and its institutions, bureaucracy and administration, including the use of elections. Elections have played an instructive role in producing, reproducing and contesting political power on the continent. Importantly violence has underwritten the political project and elections in Africa. The thesis now turns to an empirical consideration of elections and election violence in Africa.

Chapter 3

Empirical Overview of Election Violence in Africa

Electoral violence is not particular to one state, time period or region. Across Africa, violence that has accompanied elections has ebbed and flowed, varying in expression, character and intensity within and between countries over time. This chapter provides an empirical overview of electoral violence in Africa since Independence. It aims to capture the empirical nuances of electoral violence between countries and within countries. Painting a picture of this form of political violence facilitates the highlighting of resemblances, continuities, and differences..

Elections occur across polity and regime types. The first elections of Independence were highly significant.[323] For the first time African majorities were able to elect representatives to govern without constraint, in turn bestowing legitimacy to the newly constituted political order and legitimacy to the new 'representative' political elite. Hayward terms this "entrance legitimacy".[324]

> The new nations of Africa were born in a moment of hope. It is difficult to recapture the emotional tone of that moment. But the depth of it, the fullness of it, and the promise it offered left its mark on all who were in a way touched by events of that era. It was called a new dawn, a rebirth, a reawakening.[325]

This 'new dawn' was tied to both a redefinition in state responsibilities and individual rights as per the new international political order following the end of the Second World War, and greater internal demands for freedom, autonomy and self-government within the colonies. Principles such as self-determination, the equal rights of men and women of 'nations large and small', and the prohibition on the use of armed forces 'save in the common interest', underscored this

[323] The author is aware that Independence and the starting point of 1960 is somewhat engineered given that the struggle for self-rule, coupled with internal political developments and a legacy of colonial political ordering shaped how elections were conducted, what elections could achieve and what elections meant. Independence is used as an entry point into examining elections under the African nation-state.
[324] Hayward, F.M. *Elections in Independent Africa*. Westview: London, p.14.
[325] Bates, R.H. (1981) *Markets & States in Tropical Africa.* California: University of California. p.16

normative shift.[326] Social and political agitations within the colonies could no longer be ignored, denied or subjugated in the face of these mandated claims.[327] The promotion of popular sovereignty as a mechanism of legitimate representation and as a safeguard against tyranny resulted in the elections of Independence. In many countries however, the first elections were marred by violence in the run up to, during and/or aftermath of the poll (e.g. Sierra Leone, Kenya, Nigeria, Zaire, Tanzania, Zimbabwe, Uganda, Burundi, Malawi). Further, many 'counter-measures' were at play in the run up to these first elections.

3.1 "Old Tricks"[328]

The onset of election violence is noticeable from the first founding elections of Independence. The first series of unlimited, universal suffrage elections occurred during the last stages of decolonisation (mid 1950's), and before formal accession dates of Independence. This 'interregnum' witnessed fierce contestation and fighting between the emergent national political parties.[329] As Cowan and Laakso point out, "elections would decide who was to form the first post-colonial regime."[330] The use of violence during elections to shape and determine the electoral process and outcome was of course not new, fraud and violence were utilised by the colonial regime during the 'interregnum' phase. For example, in Cameroon the French banned the popular Union des Populations Camerounaises (UPC) from contesting in the 1956 territorial elections, engineering the UPC's defeat in the South and West local constituencies where agitations over cocoa policy were high. Sabotage, riots and violence resulted in the loss of 26 lives.[331] The UPC initiated violence against local collaborators and leaders of the anti-UPC paramilitary brigade and chiefs. This was to lead to a civil war pitting political opponents against one another, and a counter-insurgency by the French. In Nigeria, a former colonial administrator, Harold Smith, revealed how the British had manipulated and 'rigged' the 'interregnum' elections

[326] See *United Nations Charter*, Accessed 15/02/2010. http://www.un.org/en/documents/charter/chapter16.shtml
[327] As increasingly enshrined in international and national codes and legislation, such as the United Nations Charter Chapter XII and Chapter XII vis-à-vis the Trusteeship Council regarding decolonisation. See *United Nations Charter*, Accessed 15/02/2010. http://www.un.org/en/documents/charter/chapter16.shtml
[328] Sub-title 'Old Tricks' borrowed from Christiana Thorpe, head of the National Electoral Commission of Sierra Leone when delivering a talk about elections in Sierra Leone.
[329] Cowen, M. & Laakso, L. (1997) "An Overview of Election Studies in Africa," in *Journal of Modern African Studies*, 35 (4), p.721
[330] Cowen, M. & Laakso, L. (1997) "An Overview of Election Studies in Africa," in *Journal of Modern African Studies*, 35 (4), p.721
[331] Johnson, W.R. (1970) The Cameroon Federation: Political Integration in A Fragmentary Society. Princeton: Princeton University Press. p.346

of 1956 and 1959 in favour of the Northern People's Congress (NPC), the 'preferred' collaborating elite. Smith affirms that the directive came straight from Whitehall, lamenting the "… supreme betrayal of a new sovereign nation."[332] Smith went out to say.

> I was chosen by his Excellency the Governor General, Sir James Robertson, to spearhead a covert operation to interfere with the elections. The laws of Nigeria were a sham and largely window-dressing to conceal, not mirror, the reality of where power lay.[333]

In Zanzibar, during the '*Zama za Siasa*' or 'period of politics' (1957-1964) in which the local population began to agitate for independence, self-rule and elected representation that resulted in limited franchise electoral participation in 1957, and universal suffrage in 1963, violence featured prominently. This was mainly in the form of public riots and violent altercations between the different political factions.[334]

The pattern of violence leading up to the elections of independence is itself not unique, set within broader liberation and anti-colonial struggles that swept across the continent. What is historically significant is the accompanying inter- and intra-party contestation and competition, as well as the configuration of fragile political coalitions and alliances structured along ethnic, racial, religious and class lines. These shaky coalitions resulted in splits, reconstitutions, mergers and crucially violent altercations. The riots or 'lumpen uprising' following the disputed elections of 1963 in which the Arab Zanzibar Nationalist Party (ZNP) won, resulted in sixty-eight deaths, injured hundreds, and sowed the seeds for the ensuing 'revolution' and massacres of 1964.[335] The Umma Party and Afro-Shirazi Party (ASP) were active in the uprising turning an "aimless and spontaneous uprising by youths" into a "professional revolution".[336] Here public violence is

[332] CO 1069-65-22, in "The Conservative Government and the End of Empire 1957-1964," in *British Documents of the End of Empire (BDEEP)*, Series A, Volume 4, Part I, p.464.
[333] Smith, H. (2008) "A Squalid End to Empire: British Retreat from Africa" in *The New African*, November, p.24
[334] Sheriff, A. (2010) "Race and Class in the Politics of Zanzibar," in *Africa Spectrum*, 36 (3), p.310
[335] Bakari, M.A. (2001) *The Democratisation Process in Zanzibar: A Transition Retarded*. Institute für Afrika-Kunde: Hamburg. p,103. There was an external element involved in this uprising whereby the group of plotters, led by a Ugandan national John Okello, with a revolutionary force made up from mainly mainland occupiers had access to arms and ammunition in a relatively short space of time following the elections lending credence to the theory that the revolution was politically orchestrated by the revolutionary regime. Bakari laments all primary sources provide partisan accounts as to the exact sequence of events, factors and participants leading up to the revolution.
[336] Bakari, M.A. (2001) *The Democratisation Process in Zanzibar: A Transition Retarded*. Institute für Afrika-Kunde: Hamburg. p,103.

most observable, with a developing symbiosis between political actors, individual citizenry and the fashioning of groups to wield politically motivated violence.

Further afield in Ghana, pre-election violence (1954-1956) followed a similar chaotic trajectory of liberation and anti-colonial violence interlaced with interparty and intraparty factionalism and fighting, in the lead up to the elections of Independence in 1957.[337] Violent clashes were pronounced between National Liberation Movement (NLM) and Conventions People's Party (CPP) supporters, accompanied by a number of political hits and a series of bombings.[338] Following the elections of 1957, public riots, uprisings and clashes between rival political groups resulted in the mass displacement of people (specifically in the Ashanti region), as well as the expulsion of two Muslim leaders perceived as 'agitators', accompanied by the declaration of a state of emergency.[339]

In Kenya, Africans were allowed to vote for the first time in 1957 following a protracted insurgency by the Mau-Mau and counter-insurgency by the King's Africa Rifles and Home Guard/Loyalists. The lead up to Kenya's first 'independence' elections in May 1963 was marred by some inter-ethnic and regional incidences of violence. Due to a strong military and police presence by the British authorities following Mau-Mau, the level of political and electoral violence was largely contained from establishing itself on a national scale. Further, colonial administrators sought to 'play up' the prospects of self-rule and de-emphasize its associated problems such as political party acrimony, infighting, and violence. The elections of 1969 were overshadowed by the assassinations of Pio Gama Pinto the founder of the Kenya African National Union (KANU) party newspaper, Tom Mboya a cabinet minister and secretary general of KANU, and Josiah Kariuki, private secretary to Jomo Kenyatta between 1963 and 1969.[340] KANU, African People's Party (APP), and LUM youths were active in inciting 'disturbances'

[337] Chazan, N. (1987) "The Anomalies of Continuity: Perspectives on Ghanaian Elections since Independence," in Hayward, F.M. *Elections in Independent Africa*. Westview: London.
[338] Bourret, F.M. (1960) *Ghana: The Road To Independence 1919-1957*. Stanford University Press: Stanford. Opposition leaders hostility to CPP was in part due to revelations of serious corruption, collusion and malpractice among CPP members and the Cocoa Purchasing Staff whereby economic resources and capital had been politicised in favour of CPP candidates. (see Jibowu Report), p.181
[339] Community leaders Adam Moshie and Adamu Gao in area of Kumasi. See, "Tribal Leaders are expelled from Ghana," (1957) in *The Afro American*, September 21, p.3
[340] Branch, D. (2011) *Kenya, Between Hope and Despair 1963 – 2011*. New Haven: Yale University Press.

(e.g. in Central Nyanza; Mombasa; Kitale; Kangundo, Tala Market, Elgon-Nyanza).[341] In these early Kenyan elections, elites, ethnicity and regionalism played a substantial role in fashioning politico-ethnic militias and rallying the youth to carry out acts of violence.

Youths, known as the '*rarray boys*', played a prominent role in Sierra Leone's second general election of 1967. The ruling party, the Sierra Leone People's Party (SLPP), used the *rarray boys* to stoke violent incidents and intimidate the opposition, mainly the All People's Congress (APC) and its supporters. This pattern of *politicised-privatised violence*[342] would reoccur in subsequent electoral cycles, with the APC employing both non-state actors in the form of youth militia and state violence in the form of the Internal Security Unit (ISU) termed 'I Shoot U', to harass, intimidate, kidnap and conduct campaigns of terror and violence particularly in the 1973 and 1977 elections.[343]

The *Juenesse* or 'youth' were an important factor in the early election years of the Congo (1956-1964), and ultimately in the Mouvement National Pour Le Revolution (MNR) rise to power between 1963-1965. Overall, the youth played an instrumental role in crafting political support and power for the MNR, and undermining support for Fulbert Youlou's conservative, pro-Western rule. A series of strikes and demonstrations, led by the youth and trade unions culminated into an urban insurrection "Les Toises Glorieuses".[344] Bayart (2009) describes how the 'youth' category extended anywhere from age 14 to 45, chiefly belonging to the 'youth' provided, " … an opportunity to break into the circles of authority from which [many] had been excluded."[345] In 1964, the MNR became the sole political party of the Congo and established the *juenesse* into a militarised 'youth wing' that was dependent on the regime, as much as the MNR depended on them. The *juenesse* were effectively a 'political protection racket' of the regime carrying out targeted assassinations and generalized terror, quickly becoming "a law unto

[341] Mueller, S.D. (1964) "Government and Opposition in Kenya 1966-1969" in *The Journal of Modern African Studies*, 22 (3). p.410
[342] Authors own term to describe intersection in use of violence emanating from political elite directives but carried out by youth groups/gangs/rebels/militias on their behalf. This outsourcing of political violence has become a trend during elections in Africa as this research will show.
[343] See Cartwright, J.R. (1970) *Politics in Sierra Leone 1947-1967*. Toronto: University of Toronto Press; and Keen, D. (2003) 'Greedy Elites, Dwindling Resources, Alienated Youths: The Anatomy of Protracted Violence in Sierra Leone' in *International Politics and Society*; and Christensen, M, & Utas, M. (2008) 'Mercenaries of Democracy: The 'Politricks' of Remobilised Combatants in the 2007 General Election in Sierra Leone,' in *African Affairs*; and
[344] Clark, J.F. & Decalo, S. (2012) *Historical Dictionary of Republic of the Congo*. Lanham: Scarecrow Press Inc.
[345] Bayart, J.F. (2009) *The State in Africa: The Politics of the Belly*. Cambridge: Polity Press, p.115.

themselves", usurping the role of the army and gendarmerie.[346] This was a significant political development, tying 'accountability' of the MNR, to the youth as "authorities of the street."[347] Elections between 1959 and1963 witnessed other electoral malpractices such as the spoiling of ballots or inclusion of blank ballots, disqualifying opposition candidates, restricting opposition campaigning, intimidating opposition rallies and voters.[348]

In 1960 Nigeria attained its independence from Britain following a 1959 'self-government' election. The early political parties of post-colonial Nigeria tended to reflect the ethnic and regional make-up of the country. The Nigerian People's Congress (NPC) drew its support mainly from the Northern region representing Muslim ethnic Hausa and Fulani people winning 134/312 seats in parliament, whilst the National Convention of Nigerian Citizens (NCNC) constituted its backing from Christian, mainly Igbo people, from the East of Nigeria winning 89/312 seats in parliament. The Action Group (AG) allied to ethnic Yoruba in the West obtained 73/312 seats in parliament.[349] The remaining seats went to smaller political parties that also tended to be constituted along ethnic, regional and/or religious lines. The elections of 1959, 1962 and 1964/1965 were marred by serious irregularities and violence, what Leys (1965) terms 'political thuggery', mainly regional and ethnic in character, though these remained under-reported at the time.[350] The 1964/65 elections were particularly violent both in the run up to and aftermath of elections. The NCNC's 'landslide victory' was against a violent backdrop whereby an estimated 2000 people lost their lives in the Western region.[351] 'Thuggery' force and violence between and within political parties, descended into looting, rioting, burning of homes and deaths. The ruling NPC had up until this point concentrated on mobilizing state machinery to stifle the opposition, for example police arrested and detained a reported 297 United Progressive Grand Alliance (UPGA) members in Kano state in 1964, including a high ranking leader Joseph Tarka, ahead of

[346] Nugent, P. (2004) *Africa Since Independence*. Houndsmill: Palgrave MacMillan, p.245.
[347] Zolberg, A. (1968) "The Structure of Political Conflict in the New States of Tropical Africa," in *American Political Science Review*, 62 (1), p.83
[348] Clark, J.F. & Decalo, S. (2012) *Historical Dictionary of Republic of the Congo*. Lanham: Scarecrow Press Inc, p.151.
[349] Falola, T. & Heaton, M.M. (2008) *A History of Nigeria*. Cambridge: Cambridge University Press. pp.158-205
[350] This is for many reasons. Diversification of the local media limited in 1960; presence of international observers and media limited in Nigeria; positivity and spirit surrounding liberation; British commandeered election meant emphasis on success, similar to that emphasised in Kenya in 1963. 'Political thuggery' from Leys, C. (1965) "Violence in Africa," in *Transition*, 21, p.19
[351] Leys, C. (1965) "Violence in Africa," in *Transition*, 21, p.19

the elections. Courts were used to order UPGA members to return to their 'home districts' so to prevent election campaigning.[352] 'Conspiracy treason trails' of two leading politicians Chief Awolowo and Chief Enahoro alongside several other AG leaders were used to weaken opposition leadership. The intra-party rifts and splits that had emerged during this period of the 'First Republic' ultimately fueled further discord and led to eventual full- scale war between 1967 and 1970.[353]

Further afield, the run up to the 1979 Rhodesia 'internal settlement' and Zimbabwe's first independent election of 1980, were preceded by patterns of state and political party violence via the use of home-guards, security force auxiliaries, people's militia, political gangs and private armies or 'mujibas'.[354] This matrix of violence actors in the run up to the 1980 election was employed both by the Rhodesian state and the liberation movements as they vied for the seat of power. The association between the Rhodesian state and auxiliaries, as well as liberation movements/upcoming political parties and private armies or 'mujibas' resulted in the confusing nexus of violence and disorder. The use of violence by the ZANU-PF incumbent government following Independence intensified in the run up to Zimbabwe's second election in 1985, set within a wide context of a civil war and targeted ethnic cleansing perpetrated by the ZANU-PF state. Part of the campaign was to eradicate political 'dissidents.' An estimated 3000 extra-judicial killings occurred during this period (1979-1987); thousands disappeared, more than 7000 cases of torture were reported, and over 10000 people were detained.[355] Crucially, the ZANU-PF state engaged a matrix of both state violence (police, army, 5th Brigade) and private violence (war veterans and the youth wing) to fight political opposition and decisively win the early elections.

Across African countries, the incidence of violence by the state, beyond the state, and below the state during early electoral periods is noticeable, although incidences and methods differ in

[352] The UPGA was a political coalition made-up of a number political parties (such as the NCNC, AG, Northern Elements Progressive Union, and United Middle Belt Congress).
[353] Post K. & Vickers, M. (1973) *Structure and Conflict in Nigeria, 1960-1966.* London: Heinemann
[354] PREM 19/117 RHODESIA. Lord Boyd's report on the election held in Zimbabwe/Rhodesia, April 1979. *The Election in Zimbabwe-Rhodesia in April 1979*, Report to the Prime Minister of the Election Held in Zimbabwe-Rhodesia in April 1979. Part Two
[355] "Breaking the Silence, Building True Peace—A Report on the Disturbances in Matabeleland and the Midlands, 1980 to 1988," (1997), the *Catholic Commission for Justice and Peace and the Legal Resources Foundation*, Harare.

character and degree. In the few cases outlined above, the political practice of outsourcing violence to private non-state actors 'thugs', 'hired hands', 'foot soldiers', during elections is observable.

Of course, not all elections in Independent Africa have been violent or characterized by electoral fraud, rigging, or irregularities. Countries like Botswana have experienced no electoral violence since its founding elections of 1966. Nor has there been a violent alternation in power via coup d'état.[356] Mauritius experienced some electoral violence, cited as 'disturbances', in its election of 1967.[357] This characterized by rioting, protesting and communal clashes between Muslim and Creole citizens.[358] Since then however, elections have been consistently labelled as free, fair and with an absence of violence. Exploring factors as to why these two countries have experienced limited to no electoral violence is worthy of research, though limited in case comparison to states that have experienced electoral violence on the continent.

3.2 Elections Without Choice

The vast majority of elections, prior to the democratic 'third wave' of the 1990's, occurred under authoritarian rule.[359] On average 28 elections were held per decade in the 1960's and 1970's, yet only one president for the entire period 1960 -1990 lost an election.[360] By the late 1960's Africa entered a period of 'departicipation' as most African states moved away from competitive, multiparty political systems to authoritarian, one-party systems defined by personal rule.[361] Posner and Young (2007) argue that elections during this period amounted too little more than 'grass-roots mobilization exercises' or plebiscites: there was no risk in loosing. The reasons for this are multiple. Some new leaders and political elites claimed that central command systems

[356] Polhemus, J.H. (1983) "Botswana Votes: Parties and Elections in an African Democracy," in *Journal of Modern African Studies*, 21 (3).
[357] Selvon, S. (2012) A New Comprehensive History of Mauritius: From the Beginning to This Day. Port Louis: MDS Editions.
[358] 'Mauritius General Election' 1967, Report by Commonwealth Observers, Commonwealth Office. London: HMSO.
[359] Golder, M. & Wantchekon, L. (2004) "Africa: Dictatorial and Democratic Electoral Systems since 1946," in Colomer, J. (2004) *Handbook of Electoral System Design.* London: Palgrave.
[360] Posner, D.N. & Young, D.J. (2007) "The Institutionalisation of Political Power in Africa," in *Journal of Demcoracy*, 18 (3) pp.130-131. This was Aden Abdullah Osman of Somalia.
[361] See Collier, R.B. (1978) "Parties, Coups and Authoritarian Rule: Patterns of Political Change in Tropical Africa," in *Comparative Political Studies*, 11 (1) and Kasfir, N (1976) *The Shrinking Politial Arena: Participation and Ethnicity in African Politics, with a Case Study of Uganda.* Berkeley: University of California Press. "President's for life" such as CAR Jean-Bedel Bokassa, Equatorial Guinea Francisco Nguema, Ghana Kwame Nkrumah, Malawi Hastings Banda, Togo Gnassingbe Eyadema, Uganda Idid Amin, and Zaire Mobutu Sese Seko.

and authoritarian rule were more suited to the task of nation-building whilst others feared competitive politics would engender ethnic enmity and lead to conflict.[362] Elections were of course also a threat to new political elites "authority, control and power."[363] Non-competitive presidential elections (with presidential constitutions), and non-competitive parliamentary elections (single member party lists) took place in Benin, Burundi, Cameroon, CAR, Congo (Brazzaville), Cote D'Ivoire, Equatorial Guinea, Gabon, Guinea, Kenya, Madagascar, Mali, Malawi, Rwanda, Senegal, Togo, Zaire and Zambia to name a few. A number of countries oscillated between non-competitive and semi-competitive elections such as Cameroon, Kenya, Malawi, Seychelles, Sierra Leone, Tanzania, Zaire and Zambia, whereby candidates 'approved' by the state were allowed to run and appear on the ballot form.[364] While choice at the national and presidential level was effectively removed, exercising choice at the constituency level was encouraged linking the citizen to regional/municipal/district/representatives, important for reciprocity both in terms of legitimacy and patronage.

> Semi-competitive single party elections made it easy for the national leadership to lay responsibility for developmental deficits at the door of particular party factions or politicians.[365]

An important component to continued office was the importance of securing developmental schemes and projects for districts parliamentarians were responsible for. Elections thus provided a channel to express dissatisfaction with politics, government policy, and service delivery, without threatening regime stability.

> Holders of public office fully realize that in order to remain in power, they must manipulate the bureaucracy of the state to secure such benefits. The result is a general

[362] Adejumobi, S. (2000) "Elections in Africa: A Fading Shadow of Democracy," in Okwudiba, N. *Government and Politics in Africa*. Harare: AAPS Books.
[363] Hayward, F.M. (1987) *Elections in Independent Africa*. Westview: London, p.10
[364] Nohlen, E.; Krennerich, M. & Thibaut, M. (1998) *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press, p.4. This led some commentators like Chazan (1982) to argue that Africa was going through a "participation explosion" see Chazan, N (1982) "The New Politics of Participation in Tropical Africa," in *Comparative Politics,* 14 (2)
[365] Nohlen, E.; Krennerich, M. & Thibaut, M. (1998) *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press, p.4

> tendency to try to orchestrate public programs to secure political advantage … and organize political support.[366]

The expectation and need to 'produce' results via 'development-project politics' for constituencies meant that elections were interwoven with patronage, reward and resources, what Hyden (2006) terms the "economy of affection".[367] Studies have shown that electorates 'punished' incumbent MP's in both Kenya and Tanzania's semi-competitive elections, whereby as many as one-half of parliamentarians were voted out of office.[368] Though as Laakso & Cowen point out, these candidates were those that the state/incumbent party allowed voters to punish: "voting was a strategic aspect of political management by the central organs of state power."[369]

Limited forms of popular participation have variously been argued as 'African derived forms of representation' to Sklar (1983) arguing that these limited elections had an overall, incremental unbuckling effect, to eventually arrive at the pressures for competitive elections in the 1990's.[370] This is debatable and unresolved. Certainly, the divergent experiences of one-party regimes during this 'departicipation' period must be highlighted. Tanzania was perhaps the most sustained 'competitive', semi-competitive one party state during this period. Citizen mobilization and participation in the regular election and selection of leaders enabled the construction of a stable political community and maintenance of legitimacy.[371] Five Presidential Elections were held between 1965-1985, with voter turnout high at 82.7% and 75% respectively.[372] In addition, parliamentary and local government elections were held regularly, though the latter suspended in the 1970's due to growing agitations and coalitions against single-party rule. Political contestation was thus fundamentally intra-party. While the presidential election had a single

[366] Bates, R. 'Rental Havens and Protective Shelters,' in *Markets & States in Tropical Africa.* California: University of California Press, p.21
[367] Hyden, G. (2006) *African Politics in Comparative Perspective.* Cambridge: Cambridge University Press, p.7
[368] Hermet, G., Rose, R. & Rouquij, A. (1979) *Elections Without Choice*. London: MacMillan. See Chapters by Barkan on Kenya & Martin on Tanzania.
[369] Cowen, M. & Laakso, L. (1997) "An Overview of Election Studies in Africa," in *Journal of Modern African Studies*, 35 (4), p.721
[370] Sklar, R.L. (1983) "Democracy in Africa," in *African Studies Review*, 26 (3/4); and Chazan, N. (1978) "The Africanization of Political Change: Some Aspects of the Dynamics of Political Culture in Ghana and Nigeria," in *African Studies Review*, 21.
[371] Samoff, J. (1987) "Single-Party Elections in Tanzania," in Hayward, F.M. (1987) *Elections in Independent Africa*. Westview: London, p.149.
[372] Samoff, J. (1987) "Single-Party Elections in Tanzania," in Hayward, F.M. (1987) *Elections in Independent Africa*. Westview: London, p.150

candidate, parliamentary and local elections had multiple screened candidates approved by the incumbent party. The case of Sierra Leone was markedly different with multi-party competitive elections in 1962 and 1967, and again in 1982 and 1986; restricted competitive elections in 1968, 1973 and 1977, and a period of single-party rule from 1978-1982.[373] The holding of the 1978 referendum which 'approved' a move to a one-party state by 95%, shows how elections could simultaneously be used to shore up power, restrict and remove political opposition, establish a degree of reciprocity, and arguably engrained 'incremental unbuckling' that Sklar proposes (a return to multiparty elections in 1982 and 1986). Competition and participation was so strong that the government was forced to respond to demands for elections.

Statecraft based on co-optation, coercion and some level of consent is also echoed in the example of Zaire's Mobutu Sese Seko who stated that,

> The raison d'être of a great party like the Mouvement Populaire de la Revolution is DEMOCRACY. The election of the President by universal suffrage is DEMOCRACY. The referendum we organized in 1967 to adopt our constitution is DEMOCRACY. A party which presents its candidates to the vote of the people, is DEMOCRACY. [374]

Even one of the most autocratic states had an imperative for legitimation, albeit rudimentary forms of competition and authority. Zaire's early political history 1960-1965, was marked by coup and counter-coup, civil war and proxy war, between vying political factions in Katanga, Kasai, and Stanleyville, labeled as the 'Congo Crisis'.[375] During this period, local and provincial elections occurred. The 1965 disputed national election results produced a political stalemate and significant violence between the opposing camps of two leaders, Katanga's Moise Tshombe and Leopoldville's Jopseph Kasa-Vubu; a stalemate that would be settled by a military coup d'état led by Mobutu Sese Seko.

[373] Hayward, F.M. & Kandeh, J.D. (1987) "Elections in Sierra Leone," in Hayward, F.M. *Elections in Independent Africa*. Westview: London, pp.32-33
[374] Crawford-Young, M. (1987) "Elections in Zaire: The Shadows of Democracy," in Hayward, F.M. (1987) *Elections in Independent Africa*. Westview: London, p.187
[375] Young, C. & Turner, T. (1985) *The Rise and Decline of the Zairian State*. Madison: University of Wisconsin Press.

> Mobutu moved swiftly to exploit the opportunities of entry legitimacy. The most negatively viewed First Republic institutions – political parties – were banished at once. A large part of their personnel, however, were co-opted into the new institutional framework.[376]

Mobutu effected absolute rule that would last until 1997: he dissolved parliament, revoked the positions of prime minister and premiers, and created a political party the Mouvement Populaire de la Revolution (MPR) that would assume the monopoly of power of the Zairian state.[377] Primacy of the party and personal rule "Mobutism" was enshrined in official state doctrines. Non-competitive elections were held in 1970 and 1975, and semi-competitive elections in 1977. Due to agitations for greater freedoms and independence by parliamentarians, both the legislative council and political bureau were reconstituted into the 'Central Committee' whereby members were appointed in entirety by the President. 'De-politicisation and re-centralisation' of the regime by patronage and violence augmented the MPR political elite, it "became apparent to members of the political class that the pathway to office lay through the party mechanism."[378]

Non-competitive and semi-competitive elections took on an added dimension of significance under authoritarian regimes; elections came to be used as a tool for "reinforcing elite supremacy."[379] As Nohlen et al argue,

> The new rulers no longer saw elections as powerful tools of political emancipation to be used against the colonial powers … Instead, elections were to be used to secure the power of the new elites which had (even before Independence, in some cases) achieved a position of hegemony, or at least to assert a hegemonical claim. Competition was not in the interest of the new elites, and was visibly understood as a threat to stability, development and national unity.[380]

---

[376] Crawford-Young, M. (1987) "Elections in Zaire: The Shadows of Democracy," in Hayward, F.M. (1987) *Elections in Independent Africa*. Westview: London, p.187, p.200-201.
[377] Nugent, P. (2004) *Africa Since Independence.* Houndmills: Palgrave Macmillan, p.233.
[378] Crawford-Young, M. (1987) "Elections in Zaire: The Shadows of Democracy," in Hayward, F.M. (1987) *Elections in Independent Africa*. Westview: London, p.202
[379] Hayward, F.M. (1987) *Elections in Independent Africa*. Westview: London, p.10
[380] Nohlen, E.; Krennerich, M. & Thibaut, M. (1998) *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press, p.3.

Elections were not about signaling popular legitimacy, instead they courted external donor, patron and sovereign legitimacy; they enhanced political elite identity and status; they provided opportunities to co-opt rivals, reward supporters and dispense patronage; they ordered the state; and they conditioned the citizen.[381] Milton Obote of Uganda stated that elections were a way of controlling the people, rather than as a vehicle for the people to control him.[382] The 'culture of command' made use of, was perpetuated and has been reproduced through the convention of elections: elections may be viewed here both as a repertoire of compliance and resistance.[383]

Golder and Wantchekon argue that the role of elections in constituting, configuring and entrenching elite power under authoritarian rule is underplayed. Many 'single-party' ruling parties were able to maintain their power, control and authority during the 1990's in spite of the reintroduction of multiparty democracy.[384] Posner and Young (2007) show that incumbent presidents and parties are still re-elected 85 percent of the time in elections in Africa today, representing an institutionalization of elite and executive power.[385] Incumbent parties and authoritarian elites have been able to work within (and around) institutions and conventions, legitimizing their power through formal structures. In this way there is an inherent value in the holding of elections. "African leaders still possess the power to shape outcomes to suit their preferences" despite numerous changes to the political form.[386] Another feature during the period of authoritarianism is that many African states oscillated between autocracy, semi or non-competitive systems, military rule and multiparty elections: e.g. Ghana (1969, 1979), Nigeria

[381] Chazan, N. (1978) "African Voters at the Polls: A Re-examination of the Role of Elections in African Politics," in *Journal of Commonwealth and Comparative Political Studies*, 17.
[382] In Cohen (1983) "Elections and Election Studies in Africa," in Barongo, Y. *Political Science in Africa: A Critical Review*. London: Zed Books.
[383] Nugent, P. (2004) *Africa Since Independence*. Houndmills: Palgrave Macmillan. Term 'culture of command' borrowed here.
[384] Golder, M. & Wantchekon, L. (2004) "Africa: Dictatorial and Democratic Electoral Systems since 1946," in Colomer, J. (2004) *Handbook of Electoral System Design.* London: Palgrave. Both due to lasting legacy of the centralisation of power and that opposition parties were fragmented and weak after decades of repression.
[385] Posner, D.N. & Young, D.J. (2007) "The Institutionalisation of Political Power in Africa," in *Journal of Demcoracy,* 18 (3) p.131.
[386] Posner, D.N. & Young, D.J. (2007) "The Institutionalisation of Political Power in Africa," in *Journal of Demcoracy,* 18 (3) p.134.

(1979, 1983), Senegal (1978), Sierra Leone (1982), Uganda (1980) supporting Sklar's 'unbuckling' thesis.[387]

Elections though curbed and qualified, have been indispensable to the power, authority, control and the legitimation of autocratic regimes. Coup-d'états, assassinations and violent overthrows featured prominently during this period: violence defined how political power changed hands. Coups can be seen as one form of political violence, "force is often invoked in Africa to bring about a redefinition of the territorial extent of the political community or of the internal relationship between some of its major components."[388] Indeed, Golder and Wantchekon argue that it was the restriction, repression, absence or stalemate in formal political competition during this phase that was used to justify the military coups.[389] Posner and Young (2007) show that during the 1960's and 1970's nearly three-quarters of African leaders who left power did so via a coup-d'états, assassination or violent overthrow.[390] Wells shows that in the 1960's alone, there were 27 coups in 13 of Africa's post-colonial regimes and 9 'abortive coups'.[391] McGowan provides a longer duration detailing that between 1956 and 2001 there were 188 coups, 108 of which were failed attempts, further that there were 139 reported coup plots.[392] Coups in Africa were seemingly 'endemic.' Collier (2005), Foltz (1966) and Luttwak (1969) all purport that poverty, low income, lack of growth and socio-economic inequalities are conducive to the proneness and reoccurrence of coups, factors similarly argued to interact in producing electoral violence.[393] The interaction of these wide array of conditions in producing political violence and coup d'états is however less clear, with great variation in the causal chain. Other scholars contend that pervasive poverty coupled with predation and corruption of the state/incumbent

[387] Nohlen, E.; Krennerich, M. & Thibaut, M. (1998) *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press, p.5.
[388] Zolberg, A. (1968) "The Structure of Political Conflict in the New States of Tropical Africa," in *American Political Science Review*, 62 (1), p.80
[389] Golder, M. & Wantchekon, L. (2004) "Africa: Dictatorial and Democratic Electoral Systems since 1946," in Colomer, J. (2004) *Handbook of Electoral System Design*. London: Palgrave, p.5
[390] Posner, D.N. & Young, D.J. (2007) "The Institutionalisation of Political Power in Africa," in *Journal of Demcoracy*, 18 (3) p.128. 227 leaders from 46 Sub-Saharan African Countries for period 1960 – 2005.
[391] Wells, A. (1974) "The Coup d'Etat in Theory and Practice: Independent Black Africa in the 1960's," in *The American Journal of Sociology*, 79 (4).
[392] McGowan, P. (2003) "African Military Coups d'état: 1956-2001 Frequency, Trends and Distribution," in *Journal of Modern African Studies*, 41 (3).
[393] Collier, P. & Hoeffler, A. (2004) *Coup Traps: Why Does Africa Have So Many Coups d'Etat?* Oxofrd: University of Oxford.; Foltz, W. J. (1966) "Building the Newest Nations," in Deutsch, K.W. & Foltz, W.J. *Nation Building*. New York: Atherton.; Luttwark, E. (1969) *Coup d'Etat: A Practical Handbook*. Greenwich:Fawcett.

party, a narrowing patronage base, and factionalised political elites produced the cleavages for violent challenges to power. Like most phenomenon in the political and social sciences, the presence of these factors do much to explain the sufficient but not the necessary conditions for a coup to take place. This does not help account for the variation and frequency of coups between and within countries over time (and indeed their persistence under multiparty-democracy). As Clark posits, "perhaps the question for Africa-watchers is not why military coups happen, but why they do not."[394] It is important to note here that the prevalence of coups during this period must also be viewed in relation to the external and international environment. Bi-polar patrons, coupled with Cold War 'proxy' interventions, furthered both authoritarian rule, and the predilection to challenge political power by violent overthrow, what Ellis (1996) terms the 'militarization of relations'.[395]

> The institutionalization of the coup as an important means of government change in Africa stems not only from the internal characteristics of each country but also from the phenomenon of contagion.[396]

Alongside the escalation in coups during this 'departicpation period', is the rise in irregular forces aligned to the state/incumbent party. The mushrooming of parallel forces such as presidential guards, state-sponsored militia and mercenaries that functioned alongside or at times in place of national (public) militaries and security forces is notable.[397] This is in part a direct consequence of the personalization of rule during this time which relied on private enforces/guarantors of individual and regime security where national (public) security structures could not be trusted, or did not perform. Amid Abdullah's 11 year-rule of the Comoros islands was held up by both a presidential guard and foreign troops/mercenaries such as the infamous Bob Denard.[398] Mobutu Sese Seko's employed the services of two other infamous mercenaries,

[394] Clark, J.F. (2007) "The Decline of the African Military Coup," in *Journal of Democracy*, 18 (3)
[395] Ellis, S (1996) "Africa after the Cold War: New Patterns of Government and Politics," in *Development and Change*, 27.
[396] Zolberg, A. (1968) "The Structure of Political Conflict in the New States of Tropical Africa," in *American Political Science Review*, 62 (1), p.79
[397] Howe, H. (2001) Ambiguous Orders: Military Forces in African States. Boulder: Lynne Reinner.; Rupiya, M. & Moyo, G. (2015) The New African Civil-Military Relations. Pretoria: APRI.; Edgerton, R.B. (2002) Africa's Armies: From Honour to Infamy: A History from 1971 to the Present. Colorado: Westview Press.
[398] Musah, A-F. & Fayemi, K. (2000) *Mercenaries: An African Security Dilemma*. London: Pluto Press, p.134.

Mike Hoare and Christian Tavernier to crush the renewed Katanga rebellion in 1977.[399] Meanwhile, Malawi's autocratic leader Hastings Banda, relied on the Malawi Young Pioneers (MYP), a self-created youth militia to "eliminate enemies of the party" throughout his rule until 1993. The MYP were later absorbed as part of Banda's personnel security services.[400] At times however, presidential guards have turned on their patrons and have been active in staging coups alongside members of the army, as is the case of Lieutenant Colonel Joseph Garba, head of General Gowon's presidential guard, and one of the principal architects of the 1975 coups against General Gowon.[401]

> Personalist leaders see [the military] as a security dilemma because the autonomy the military competence requires impinges upon a ruler's desire for personal control … Denial of a military's functional autonomy allows a ruler (who may be a military officer himself) to select, promote, reassign and cashier personnel on the basis of sub-national loyalties, most notably ethnicity, rather than merit.[402]

Private forces as an entrepreneurial force are only accountable to the ruler and elites, serving exclusive interests in return for material gain. This 'privatisation' of force is not limited to 'irregular groups', but can include national security forces who are appointed and serve on a partisan basis by the incumbent party, rewarded by patronage, attaining search and seizure rights, or licenses for mineral or resource acquisition and appropriation.[403]

Closed regimes severely restrict collective action of any kind and offer little to no opportunity for opposition and dissidence groups to mobilize and agitate. Though rare, electoral violence is observable during this 'departicipation' period. Sierra Leone's 1968, 1973 and 1977 elections were all marred by widespread violence, intimidation and manipulation between the ACP and SLPP, who made use of 'foot soldiers'. Hayward amd Kandeh argue that this must be seen as the

[399] Musah, A-F. & Fayemi, K. (2000) *Mercenaries: An African Security Dilemma*. London: Pluto Press, p.134.
[400] Phiri, K.M. (2000) "A Case of Revolutionary Change in Contemporary Malawi: The Malawi Army and Disbanding the Malawi Young Pioneers," in *Journal of Peace, Conflict and Military Studies*, March.
[401] Musah, A-F. & Fayemi, K. (2000) *Mercenaries: An African Security Dilemma*. London: Pluto Press, p.134.
[402] Howe, H. (2001) *Ambiguous Orders: Military Forces in African States*. Boulder: Lynne Reinner, pp.11-12
[403] Clapham, C. (1999) "African Security Systems: Privatisation and the Scope for Mercenary Conflict," in Mills, G. & Stremlau, J. *The Privatisation of Security in Africa*. Johannesburg: SAIIA.

growing institutionalisation of violence as part of the electoral process.[404] One of the cited reasons for the move to one-partyism in 1978, was to remove the specter of violence, ethnic politics and sectionalism presented in previous elections.[405] Despite this political shift, the 1982 elections witnessed violence on an unprecedented scale. An investigation into electoral violence at the time found that,

> … violence has been perpetrated in this constituency [Bombali East] by the electioneering camps of two of the three candidates … The investigation has further established that the electioneering camp of Mr. Abdul Karim, former Secretary to the President, and that of Mr. Ibrahim Sorie, former member of Parliament and Minister of State, are largely responsible.[406]

The SLPP leader Albert Margai, traveled with what he termed his "show of force": a group of men who carried out violent acts of compliance and intimidation.[407] Additionally, the SLPP made use of chiefs and chieftaincies to secure bases of support. APC leader Salia Jusu-Sheriff when interviewed regarding electoral violence in 1968 argued that,

> When they went with lorries full of men and attacked our people we counterattacked. When they beat our people, we beat them; when they burned the houses of our supporters we burned theirs. We met fire with fire – wound with wound. In the end they knew they could do nothing. They knew that Sheriff was peaceful; but if you see twelve to fourteen lorries with marijuana-smoking people in them coming to cause trouble, people in the South would regard it as an invasion. Even the *Poro* devil comes out sometimes.[408]

[404] Hayward, F.M. & Kandeh, J.D. "Perspectives on Twenty-Five Years of Elections in Sierra Leone," in Hayward, F.M. *Elections in Independent Africa*. Westview: London, p.49.
[405] Hayward, F.M. & Kandeh, J.D. "Perspectives on Twenty-Five Years of Elections in Sierra Leone," in Hayward, F.M. *Elections in Independent Africa*. Westview: London.
[406] *We Yone*, 23 May 1986 cited in Hayward, F.M. & Kandeh, J.D. "Perspectives on Twenty-Five Years of Elections in Sierra Leone," in Hayward, F.M. *Elections in Independent Africa*. Westview: London. p.57
[407] Hayward, F.M. & Kandeh, J.D. "Perspectives on Twenty-Five Years of Elections in Sierra Leone," in Hayward, F.M. *Elections in Independent Africa*. Westview: London, p.50
[408] Interview with Salia Jusu-Sheriff, in Hayward, F.M. & Kandeh, J.D. "Perspectives on Twenty-Five Years of Elections in Sierra Leone," in Hayward, F.M. *Elections in Independent Africa*. Westview: London, p.51

Similarly, the absorption of political factions and rivals into and under the *de facto* one-party Kenya Africa National Union (KANU) state in 1969 did not eliminate political competition in its entirety. Instead 'internal jockeying' for local party committee and parliamentary positions saw individuals break away into splinter groups or factionalise within the party, what Branch and Cheeseman (2008) term fragmentation of the "elite alliance" and "elite consensus".[409] The practice of utilizing non-state outfits to compel and coerce loyalty has historical roots, tied to the experience of the Homeguards versus the Mau-Mau rebellion. The *Ngwataniro*, are one such example: a group of landless, mainly Mau-Mau veterans whose use in the 1950's to build support for the insurgency, resurfaced in activism around the 1965 elections.[410] The *Ngwataniro* were successful in coalescing support for chiefs in the Othaya and Muhito districts.[411] In 1972, the *Ngwataniro* were formalised into a land-buying company, a move led by a local businessman and political leader, Kihika Kimani. Kimani used funds from the *Ngwataniro* to buy support and conduct his political campaign. In 1977, he trucked a large number of *Ngwataniro* into the Nakuru District, "with promises of land and threats to property rights … Three of the four Nakuru MP's and many civic councilors …" were replaced with *Ngwataniro* members.[412] In Nakuru District the police commissioner, mayor and Rift Valley provincial commissioner were all *Ngwataniro* members. Intimidation and vote buying characterized the *Ngwataniro's* political strategy.

3.3 Democracy's Third Wave: Democratisation By Elections (And Violence).

'Second elections' in Africa are elections tied to a specific feature of democracy, namely, multiple political parties competing, which occurred quite rapidly from 1989 onwards.

[409] Nugent, P. (2004) *Africa Since Independence*. Houndmills: Palgrave Macmillan, p.156. and Branch, D. & Cheeseman, N. (2008) "Democratisation, Sequencing, and State Failure in Africa: Lessons from Kenya," in *African Affairs*, 108 (430), p.4

[410] Branch, D. (2009) *Defeating Mau-Mau, Creating Kenya: Counterinsurgency, Civil War and Decolonisation.* Cambridge: Cambridge University Press, p.194. There are varying interpretations on the historical formation, formalisation and role that the *Ngwataniro* played i.e. associational group, to land buying company to political protection racket. Certainly it must be seen in evolutionary terms. For alternative interpretation to Branch see "*Ngwataniro* at a Crossroads as Internal Problems Surface," (1977) in *Weekly Review*, 12 December; "Campaign Against JM Rumours," (1975) in *Weekly Review*, 5 May; "Shocking Revelations," in (1979) *Weekly Review*, 30 March.

[411] KNU VP/I/120, DC Nyeri to PC Central, 1 July 1965; KNA VP/I/I23, Provincial Special Branch Division Central to PC Central, 10 Setember 1965 in Branch, D. (2009) *Defeating Mau-Mau, Creating Kenya: Counterinsurgency, Civil War and Decolonisation.* Cambridge: Cambridge University Press, p.194.

[412] "*Ngwataniro* at a Crossroads as Internal Problems Surface," (1977) in *Weekly Review*, 12 December; "Campaign Against JM Rumours," (1975) in *Weekly Review*, 5 May; "Shocking Revelations," in (1979) *Weekly Review*, 30 March.

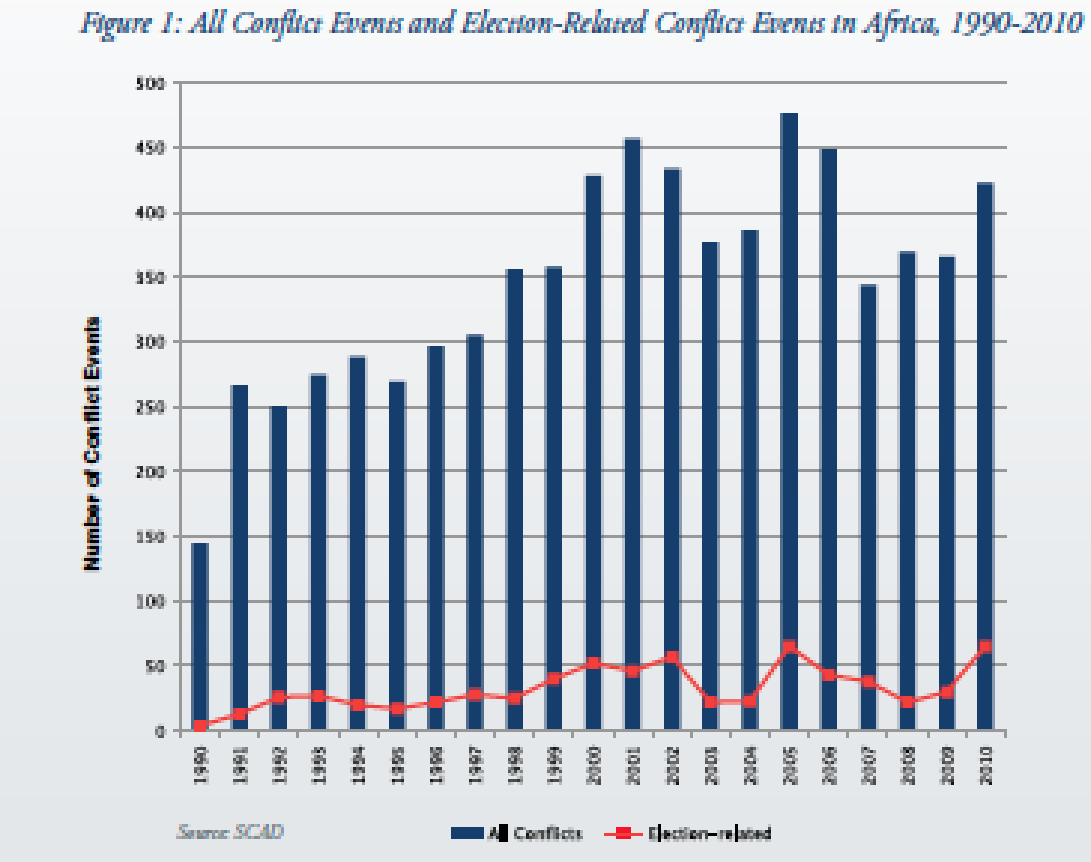
According to Freedom House, in 1989, only three countries in Africa could be declared democratic, and then only qualified as 'electoral democracies', namely Botswana, the Gambia and Mauritius. By the end of 1997 (the 'third wave's high point), 17 countries were included as 'electoral democracies', and by 2008, 28 countries met the criteria of 'emerging democracies'.[413] Of the 17 countries counted as 'electoral democracies' in 2007, 9 were scored as 'free', 8 were scored as 'partly free, and countries scored as 'not free' declined from 33 to 19.[414] 65 elections took place during the 1990's decade.[415] The rise in the number of democracies and countries holding elections in Africa is corresponded with a decline in leaders leaving power through irregular means (i.e. coup, assassination, violent overthrow): between 2000-2005 this had dropped to 19 percent (in the 1980's the figure hovered at 70 percent). By the 1990's the share of those who left power through natural death, voluntary resignation, or electoral defeat surpassed those who were evicted by violent means.[416] Yet since the upsurge in competitive elections and adoption of 'multi-party' democracy, democracy has not fully arrived in Africa. Across Africa, commentators talk of 'hybrid regimes' 'pseudo-democracy', 'authoritarian democracy', 'dominant-party democracy', 'restricted democracy', 'virtual democracy', 'protected democracy,' 'electoral democracy', each reflection a qualification or limitation in application. Indeed Diamond (2002) argues that any election whereby the leader and party are still elected by more than 70%, must be viewed as an uncompetitive electoral regime.[417] In some cases, opposition parties may have restricted political autonomy as determined by the incumbent party (e.g. Guinea, Zimbabwe, Ethiopia), in other cases the opposition may be unappealing, weak or fragmented (e.g. Lesotho, Namibia, Tanzania).

The shift in political governance on the continent is mirrored in a major and sustained shift in the pattern and type of political violence. Since 1990, there has been a notable escalation in violence centered on elections. Between 1990-2009, 685 'conflict events' out of a total of 6200 are

[413] Ellis, S. (2000) "Elections in Africa in Historical Context," in Abbink, J. & Hesseling, G.S.C.M. *Election Observation and Democratisation in Africa*. Basingstoke: MacMillan and Nyong'o, P.A. (1987) *Popular Struggles for Democracy in Africa*. New York: United Nations University Press.
[414] Diamond, L.J. & Plattner, M. F. (2009) *Democratization in Africa.* Balitmore: John Hopkins University Press, p.xv. "Freedom in Africa", *Freedom House*. Scoring of 'free' 'partly free' and 'not free; based on assessment of political and civil liberties.
[415] Posner, D.N. & Young, D.J. (2007) "The Institutionalisation of Political Power in Africa," in *Journal of Demcoracy*, 18 (3) p.129
[416] Posner, D.N. & Young, D.J. (2007) "The Institutionalisation of Political Power in Africa," in *Journal of Demcoracy*, 18 (3) p.129
[417] Diamond, L. (2002) "Thinking about Hybrid Regimes" in *Journal of Democracy*, 13.

identified as conflict resulting from election related violence by the Social Conflict in Africa Database (SCAD).[418] This represents roughly 11% of all conflict in Africa. While this is not a significantly high figure, it is a constant and not receding figure.[419]

Figure 3.1 provides a diagrammatic depiction of 'electoral conflict' in contrast to other forms of conflict (such as inter-state war, strikes, riots, coups, civil war and communal violence) in Africa for the time-period 1990-2009.



The upswing in election violence is argued to be due to the spread and consolidation of 'multiparty' democracy across Africa since the end of the Cold War, resulting in more frequent

[418] Idean, S.; Hendrix, C.S.; Hamner, J.; Case, C.; Linebarger, C.; Stull, E. & Williams, J. (2012) 'Social Conflict in Africa: A New Database," in *International Interactions*, 38 (4).

[419] A more elaborate discussion of datasets is provided in **Sources and Methodology** in Chapter 1. The SCAD dataset expands upon other existing and accepted 'conventional' conflict datasets (such as the Uppsala Armed Conflict Dataset, Armed Conflict Location and Event Dataset (ACLED), and the Correlates of War Project), in considering emergent and non-traditional forms of unrest and violence, of which election violence is one. The SCAD data-set follows a 36-month reporting period.

and widespread elections, thereby wider competition and discord.[420] Lindberg finds that overall between 1990 and2003 some 80% of elections in Africa entailed some level of violence.[421] Strauss and Taylor's argue that 'serious' cases of election violence are rare, accounting for 10% of all elections held between 1990 and2008. 'Violent harassment' amounts to 38%, 'limited' and 'repressive' violence totals 20%, and 42% of elections display no violence at all for the same period.[422] These findings highlight a disconcerting trend, as Strauss and Taylor aptly observe,

> … the result is counterintuitive: even though on average sub-Saharan states are becoming more democratic - at least as measured by Freedom House's scores on civil and political liberty – elections, on average are not becoming less violent.[423]

The shift in violence is further mirrored in ACLED conflict reporting data which shows a 500% increase in political violence conflict events, characterised by political and communal militia activity, riots and protests on the continent between 1997 and2016.[424] While not all political violence is related to elections, the rise of electoral conflict is associated with the overall increase in political violence.

Since 1991 Togo's elections have produced some of the deadliest incidences of electoral violence in Africa. The 1993/4 elections resulted in over 500 civilian deaths and an attempted coup (Eyadéma purportedly won 96% of the vote), whilst the 1998 election witnessed a spate of extra-judicial killings and the arbitrary arrest and detention of political oppositions leaders and members. In 2005, election violence led to the loss of 400-800 lives.[425] The violence that has

[420] See Bekoe, D. (2012)*Voting in Fear: Electoral Violence in Sub-Saharan Africa*. Washington: USIP.; Lindberg, S.I. (2006) *Democracy and Elections in Africa.* Baltimore: John Hopkins University Press.; Mansfield, E. & Snyder, J. (2007) "Turbulent Transitions: Why Democracies Go To War in the 21st Century," in Crocker, C.; Hampson, F.O. & Aall, P. *Leashing the Dogs of War: Conflict Management in a Divided World.* Washington: USIP.; Nohlen, E.; Krennerich, M. & Thibaut, M. (1998) *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press.; Sisk, T. & Reynolds, A. (1998) *Electoral Systems and Conflict Management in Africa: A Twenty-Eight State Comparison*. Washington: USIP.

[421] Lindberg, S.I. (2006) *Democracy and Elections in Africa.* Baltimore: John Hopkins University Press. p.61

[422] Strauss, S. & Taylor, C. (2012) "Democratization and Electoral Violence in Sub-Saharan Africa," in Bekoe, D. *Voting in Fear: Electoral Violence in Sub-Saharan Africa*. Washington: USIP, p.28. Strauss and Taylor follow a shorter reporting cycle of 120 days.

[423] Strauss, S. & Taylor, C. (2012) "Democratization and Electoral Violence in Sub-Saharan Africa," in Bekoe, D. *Voting in Fear: Electoral Violence in Sub-Saharan Africa*. Washington: USIP, p.28

[424] See Armed Conflict and Location & Event Data (ACLED) Project; Rayleigh, C. & Moody, J. (2017) "Real Time Analysis of African Political Violence", in *Conflict Trends*, 55.

[425] See Bekoe, D. (2012)Voting in Fear: Electoral Violence in Sub-Saharan Africa. Washington: USIP. p.123

occurred in Togo is characterized by fighting between government forces, militant incumbent political party forces, and political opposition forces. Opposition parties have agitated for wider reforms and participation, citing flaws and irregularities in the electoral system, and up until Eyadéma's death in 2005, dissatisfaction with the 'President for Life' who ruled for 38 years.

In the Republic of Congo-Brazzaville, the elections of 1993/4 and 1997 exhibit contrasting forms of political and electoral violence. Various political parties recruited private militias (e.g. the Cobras, Cocoyes, Zulus, Ninjas and Mambas) and created armed political wings to carry out acts of violence against one another, mainly in the form of street battles, roadblocks or '*bouchons',* and looting or *'tuer le cochon', 'N'kossa chacun aura sa part'*.[426] This form of politically backed, private violence centered directly on the elections and resulted in over 2000 deaths and the displacement of between 100 000 – 300 000 people in the 1993 election.[427] In 1997, it is estimated that between 10 000 – 15 000 people lost their lives due to rival political party violence.[428] Interestingly, in this electoral context, official security personnel (soldiers and police officers) deserted their posts to be incorporated into the vying private militia factions and political party armed wings. Violent electoral politics in Congo-Brazzaville eventually spiraled into a civil war. Similarly, the 1999/2000 election violence in Côte d'Ivoire whereby armed political wings and politically fashioned militias vied against one another along ethnic, regional, religious and 'foreign' lines induced a civil war that would go on for several years.[429] Electoral violence in Zanzibar (1995, 2000, 2005) and Cameroon (1992, 1997) meanwhile has been episodic, confined to particular locales, and centered on the actual electoral process (i.e. fraud, rigging, curbing of demonstrations, restrictions placed on opposition candidates), and the electoral outcome in favour of the incumbent party.

[426] Bazenguissa-Ganga, R. (1999) "The Spread of Political Violence in Congo-Brazaville," in *African Affairs*, 98, pp.39-40. Term *bouchons* means roadblock, a tactic used by militia to carve out zones of control and eradicate political opponents and ethnic rivals (also based on dialect, family name or incumbent elite association). , *Tuer le cochon* and *N'kossa chacun aura sa part* refers to practice of looting and 'everyone getting their share' from the petty (e.g. shops) to high value (e.g. 4x4 wheel drives).

[427] Bazenguissa-Ganga, R. (1999) "The Spread of Political Violence in Congo-Brazzaville," in *African Affairs*, 98, p.38.

[428] Bazenguissa-Ganga, R. (1999) "The Spread of Political Violence in Congo-Brazzaville," in *African Affairs*, 98, p.40 and Bekoe, D.A. (2010) "Trends in Electoral Violence in Sub-Saharan Africa," *USIP Peacebrief*, 13, March 10, p.3.

[429] Crook, R.C. (1997) "Winning Coalitions and Ethno-Regional Politics: The Failure of The Opposition in the 1990's and 1995 Elections in Côte d'Ivoire," in *African Affairs*, 96.

In 2007, twenty-one African states held elections, eight of which were characterized by high levels of state, public and private election violence.[430] Kenya and Nigeria experienced two of the worst cases of election violence in that year, in the run up to, during and following elections. In Kenya, the election violence spiraled out of control following a disputed electoral outcome leading to a state of civil chaos, retaliatory violence, violent criminality and targeted ethnic and political killings over a two-month period (December 2007 – February 2008). An estimated 1,500 people lost their lives as a result of politically motivated violence during this period, whilst a further 300,000-600,000 people were displaced.[431] This violent disorder was preceded by an escalation of communal and partisan violence whereby villages in the Mount Elgon, New Molo district, and Rift Valley province, were razed, crops destroyed, villagers displaced, and an estimated 300 people killed.[432] Disorder and sporadic fighting characterized campaign rallies in the run up to elections along with the distribution of 'hate leaflets' and viral sms's[433] fuelling inter-ethnic and inter-party competition. The violence was carried out by youth gangs, political party youth wings, and ethnic militias. Instances of police involvement were also evident.

In Nigeria an estimated 200 people died as a result of inter-party and intra-party political violence in the run up to and during the election period of 14 - 21 April 2007.[434] The election was marred by high levels of intimidation, fraud, rigging of votes, inflation of voter turnout, bribery of electoral officials, and the disappearance of ballot boxes. A number of politically targeted 'hits' on party leaders and party officials occurred, the most notable being the assassination of three gubernatorial candidates in the run up to the 2007 election.[435] Select party candidates were

[430] Based on author's use of election data and reporting from EISA www.eisa.org.za; African Elections Database www.africanelections.tripod.com; IFES http://www.ifes.org and the African Union's Political Affairs division. http://au.int/en/dp/pa/publications. It is important to note that the number of elections referred to here include elections at the presidential, national, legislative, senate and local level.

[431] 'Mitigating Election Violence' *IFES*, October 21, 2009. Accessed 12/12/2011. These figures vary between sources given different starting points (i.e. pre-election to post-election violence, or merely post-election violence focus), but consensus exists around the 1300 – 1500 mark for total number of deaths, and 300,000 – 600,00 for number of displaced persons. Variation is greater for IDP's due to an already existent IDP population. http://www.ifes.org/Content/Publications/Opinions/2009/Oct/Mitigating-Election-Violence.aspx

[432] 'Pre Election Violence hits Kenya', *BBC*, 5 December 2007, http://news.bbc.co.uk/2/hi/africa/7129477.stm; 'EU condemns pre-election violence in Kenya', 21 December 2007 http://reuters.com/article/idUSL2120415120071221?irpc=932

[433] Short Message Services (Sms's) via text on mobile phone devices.

[434] Economist (2007) "Big Men, Bog Fraud, Big Trouble", in *The Economist*, April 26th. http://www.economist.com/node/9070922

[435] Namely Otunba Dipo Dina, the Action Congress of Nigeria's (ACN) candidate in Ogun state; Funsho Williams, the People's Democratic Party (PDP) candidate in Lagos state; Chief Jesse Aruku, the Advanced Congress of

also killed, their homes bombed, razed, ransacked and family relatives harassed and assaulted. Militias, gangs, area boys, youth party wings and more nefarious 'unidentified masked gunmen', were responsible for carrying out these instances of violent disruption and disorder.[436]

The frequency and recurrence of electoral violence continued into 2008 whereby in nine of the twenty-two African states that held elections,[437] ascendant levels of public and/or state violence were observed. Zimbabwe experienced perhaps the most intense exhibition of electoral violence in this year. For the first time in Zimbabwe's post-independence electoral history, Robert Mugabe was voted out of power when the Movement for Democratic Change (MDC) president, Morgan Tsvangarai, won 47.9% of the March 29 presidential votes and 99 of the 206 House of Assembly seats.[438] This prompted a nationwide state-led surge in violence whereby war veterans, youth militias and security forces were directed to raze villages, loot shops, attack, kidnap, torture and kill opposition party supporters and officials. 200-300 people were killed during this period, while those tortured or injured numbered over 5000.[439] 36 000 people were forcibly displaced and over 300 homes razed.[440] The post-election violence had been preceded by an intense campaign by the ruling party and its roving band of defenders to deter support for the opposition by establishing 'bases of torture', detaining civil society members, displacing people from stronghold villages and rural areas, destroying homes, livestock and crops. People were summoned to attend ZANU-PF public meetings where they were threatened with violence,

---

Democrats (ACD) candidate in Plateau state. 'Nigeria: Political Violence and 2011 General Elections', *AllAfrica.com*, 13 November 2010 http://allafrica.com/stories/201011150795.html

[436] Economist (2007) "Big Men, Bog Fraud, Big Trouble", in *The Economist*, April 26th. http://www.economist.com/node/9070922

[437] Based on author's use of election data and reporting from EISA www.eisa.org.za; African Elections Database www.africanelections.tripod.com; IFES http://www.ifes.org and the African Union's Political Affairs division http://au.int/en/dp/pa/publications. It is important to note that the number of elections referred to here include elections on the presidential, national, legislative, senate and local level. For more, see Appendix A.

[438] 'Zim 2008 election: Taken by a gun, not a pen', *Mail and Guardian*, 10 August 2012 http://mg.co.za/article/2012-08-10-00-zim-2008-election-taken-by-a-gun-not-a-pen

[439] 'Commonwealth should help Zimbabwe prepare for 2012 elections' *CAB Commonwealth Advisory Bureau*, 27 October 2011. www.commonwealthadvisorybureau.org. Variance in statistics due to variance in sources drawn from e.g. local hospitals/doctors versus international organisation Doctors for Human Rights; churches, local civil society groups such as ZESN. In addition mass graves have been unearthed but dates of deaths, who the dead were and why they were killed still under investigation.

[440] 'Commonwealth should help Zimbabwe prepare for 2012 elections' *CAB Commonwealth Advisory Bureau*, 27 October 2011. www.commonwealthadvisorybureau.org. Variance in statistics due to variance in sources drawn from e.g. local hospitals/doctors versus international organisation Doctors for Human Rights; churches, local civil society groups such as ZESN. In addition mass graves have been unearthed but dates of deaths, who the dead were and why they were killed still under investigation.

beaten or tortured. Women were raped en mass.[441] Crucially, the dispensation of food aid was made contingent on party membership and support of the ZANU-PF.

3.4 Looking Ahead: Election Violence Today 2009 - 2017

The persistence of electoral violence has continued well beyond the study's 'end-point' of 2008, with varying levels of electoral violence observable. In 2009, President Omar Bongo who had ruled Gabon for over four decades, died. Following snap elections to appoint a successor, his son, Ali Bongo, was declared the winner. Opposition leader Andre Mba Obamer himself claimed victory, decrying electoral fraud and rigging. Street violence erupted by opposition supporters following the announcement, and the French Consulate was set alight given France's perceived partisan support for Bongo.[442] Violence had preceded the elections in the form of opposition party supporters committing acts of sabotage and the state deploying security forces to harass and 'order' the public;

> "If Ali Bongo wins, it will mean that the government stole the vote."[443]

Opposition leaders Andre Mba Obamer and Pierre Mamboundou called upon their supporters to not support the election results, an instruction perceived as engendering violence. The government accused the opposition of paying youths to stir up violent clashes with police.[444]

In 2010-2011 Nigeria, Côte d'Ivoire and Burundi experienced violence centered on elections, though to differing degrees and form. In Burundi, grenade and arson attacks on ruling party local offices were carried out by the opposition. The incumbent party meanwhile used formal decree and force to restrict opposition political movement and campaigning by banning all opposition party meetings, arresting opposition members, charging opposition leaders with "threatening

---

[441] 'Zimbabwe: Post-harmonised election violence in April 2008'; 'Zimbabwe: Post-harmonised election violence in May 2008'; 'Zimbabwe: Post-harmonised election violence in July 2008', *EISA* www.eisa.org.za/WEP/zim2008.postd.htm

[442] Ojok, D. & Acol, T. (2017) "Connecting the Dots: Youth Political Participation and Electoral Violence in Africa", in *Journal of African Democracy and Development*, 1 (2).

[443] "Violence Erupts in Wake of Gabon Election Result," (2009), *CNN*, September 3. Accessed 23/04/2015. http://edition.cnn.com/2009/WORLD/africa/09/03/gabon.post.election.violence/index.html? "Ali Bongo Wins Gabon Election," (2009) *Al Jazeera*, September 3. Accessed 23/04/2015. www.aljazeera.com/news/africa/2009/09/200993115640388734.html

[444] "Violent Protests in Gabon," (2009) *News24* August 19. Accessed 23/04/2015. http://m.news24.com/news24/Africa/News/Violent-protests-in-Gabon-57-arrested-20120819

state security," and partaking in "illegal meetings".[445] This restricted political climate would erupt and come to a violent ahead of the 2015 elections. Meanwhile in Côte d'Ivoire, incumbent President Laurent Gbagbo claimed electoral victory following the 2010 election prompting violence between Gbagbo's 'mobs', militias and security forces and opposition rival Alassane Ouattara's supporters, who himself claimed victory. By February Gbagbo's supporters, which now included the *Forces Nouvelles*, a rebel group that arose in 2002, were armed with automatic weapons and rocket propelled grenades.[446] Gbagbo meanwhile chartered in Liberian fighters, 'mercenaries', to wage a growing campaign of terror that was accompanied with inflammatory hate speech inciting violence.[447] Ouattara's forces partook in attacks on civilians in Gbagbo strongholds to the West of the country, including rape, murder, and burning villages down. The politicized nature of the violence was interwoven with inter-ethnic violence, whereby for example in the town of Duekoue, 800 people were killed within a week.[448] Most victims were found to have been Gbagbo supporters. Gbagbo appealed to the South-western Bété ethnic group, whilst Ouattara's support mainly derived from the Muslim North. The intense level of violence spanned a four-month period resulting in 1000-1500 civilian deaths.[449] The violence that reigned in Côte d'Ivoire following the election resulted in a full-blown conflict. In contrast, Nigeria's 2011 elections labeled the "best run, but most violent", following President Goodluck Jonathan's (a Southerner and Christian) defeat of political opponent Muhammadu Buhari (a Northerner and Muslim) was defined by predominantly pre-electoral violence.[450] Violence in the pre-election phase (party primaries and campaigning), was witness to bombings in Bayelsa, Bono, Kaduna and Niger state, including the assassination of gubernatorial candidate in Borno,

[445] "Burundi: Violence, Rights Violations Mar Elections," (2010) *Human Rights Watch*, 1 July. Accessed 23/04/2015. http://www.hrw.org/news/2010//07/01/burundi-violence-rights-violations-mar-elections
[446] Cook, N. (2011) "Côte d'Ivoire's Post-Election Crisis", CRS Report for Congress, *Congressional Research Service*, January 28, RS21989; HRW (2017) "Côte d'Ivoire Violence Campaign By Security Forces, Militias", *Human Rights Watch Report*. January 26. https://www.hrw.org/news/2011/01/26/cote-divoire-violence-campaign-security-forces-militias
[447] Zounmenou, D. & Lamin, A.R. (2011) "Côte d'Ivoire's Post-Electoral Crisis" in *Journal of African Elections*, 10 (2).
[448] Batty, D. (2011) "800 dead in Ivory Coast Violence around Duekoue City," in *The Guardain*, April 2. Accessed 23/04/2015. www.theguardian.com/world/2011/apr/02/800-dead-ivory-coast-duekoue
[449] Smith, D. (2011) "Ivory Coast's Well-Armed Rebels Making Quick Work of Revolution," in *The Guardian*, April 1. Accessed 23/04/2015. www.theguardian.com/world/2011/apr/01/ivory-coast-new-forces-rebels-revolution; "The Crisis in Côte d'Ivoire" *International Coalition for the Responsibility to Protect*, Accessed 23/04/2015. www.responsibilitytoprotect.org/index.php/crises/crisis-in-ivory-coast
[450] Bekoe, D. (20110) "Nigeria's 2011 Elections: Best Run, but Most Violent," *USIP Peace Brief*, 103, 15 August.; "Nigeria: Post-Election Violence Killed 800," (2011) *Human Rights Watch*, 16 May. Accessed 23/04/2015. http://www.hrw.org/news/2011/05/16/nigeria-post-election-violence-killed-800

violence carried out by 'party thugs', with the deaths of at least 165 people.[451] Buhari's supporters took to the streets burning tyres, shops and homes, citing a rigged result. The post-election violence was intermeshed with religious and regional violence mainly in Adamawa, Borno, Kaduna, Katsina, Sokoto and Yobe states to the North of Nigeria. This resulted in the loss of 800 lives in 3 days.[452] Muslims burned and destroyed 350 churches, attacking Christians. This was met with swift retaliatory violence by the Christian population, directed at Mosques and Muslims.[453] In these three cases of election violence in a one year period, violent electoral contestation triggered the onset of unrelenting conflict, such as civil war in Côte D'Ivoire, regional insurgency in Nigeria, and political torture, kidnappings and cleansings of the opposition in Burundi.

In 2012, pre-election violence in Kenya took on a similar regional-ethnic dimension to that of Nigeria in 2011. Fighters from the Pokomo and Orma tribes, along the Coastal Province, engaged in communal violence burning homes, villages, and killing one another. An estimated 200-400 people died.[454] This pattern of inter-communal violence has historic roots and is not new, though in this case a local politician, Dhadho Godhana is alleged to have incited this sudden and seemingly organic violence. Three other local politicians were also implicated in the orchestration, as well as Defence Minister Yusuf Haji.[455]

> Area politicians who hoped to win seats in next year's elections were involved in the violence on both sides and villages had informed police about their suspicions … Police had failed to respond to reports from residents over the past six months that violence could be imminent.[456]

[451] "Nigeria: Post-Election Violence Killed 800," (2011) *Human Rights Watch,* 16 May. Accessed 23/04/2015. http://www.hrw.org/news/2011/06/16/nigeria-post-election-violence-killed-800
[452] Bekoe, D. (20110) "Nigeria's 2011 Elections: Best Run, but Most Violent," *USIP Peace Brief*, 103, 15 August
[453] "Nigeria: Post-Election Violence Killed 800," (2011) *Human Rights Watch,* 16 May. Accessed 23/04/2015. http://www.hrw.org/news/2011/06/16/nigeria-post-election-violence-killed-800
[454] "Election Fighting: Violence in Kenya," (2012) in *The Economist*, 20th September.
[455] HRW (2013) "High Stakes: Political Violence and the 2013 Elections in Kenya," *Human Rights Watch*, 4 February.
[456] Chonghaile, C.N. (2012) "Deadly clashes in Kenya fuel fears of Election Violence," *The Guardian*, 13 September, Accessed 23/04/2015. www.theguardian.com/world/2012/sep/13/kenyan-tribal-clashes-116-dead; HRW (2013) "High Stakes: Political Violence and the 2013 Elections in Kenya," *Human Rights Watch,* 4 February.

The timing, severity and 'sophistication' of violence (in terms of arms and a 300 strong militia), all point to this being a politicised rather than an 'organic' resource, land-water-grazing communal conflict. The politicization of violence in the run up to elections was also evident in South Africa's 2014 and 2016 elections. South Africa hailed as a 'political miracle' following its first 'peaceful' multi-party elections in 1994, avoided the large-scale, nation-wide election violence that has registered across the continent over the past two decades. However, the 2014 elections witnessed a surge in political violence at the local ward, constituency and provincial level. In the 15 years since South Africa's second elections in 1999, between 120 – 150 political assassinations have occurred.[457] This includes 27 mayors, deputy mayors and councilors, about 30 party officials (regional secretaries, branch chairpersons), 4 traditional chiefs, at least 60 party members, and 3 senior government officials.[458] Roughly 85% occurred in the Kwa-Zulu Natal region, a region known for inter-ethnic political contestation. Of the 9 convictions that have occurred, trials have revealed that localized rivalries over seats in government at both the inter-party and intra-party level have produced the contestation. Since 1 June 2015 there have been a further 41 'targeted assassinations' or political hits.[459] The discovery of stuffed ballot boxes at a number of locations across South Africa in the 2014 election prompted violent protest action (burning of tyres and cars, throwing of stones at police) by the Economic Freedom Fighters (EFF), a break-away faction of the incumbent ANC party Youth League.[460] Vote rigging is an unprecedented development in the history of South Africa's democratic elections. The case of South Africa is particularly worrying as it demonstrates a weakening of state and electoral institutions, accompanied by the rise in political violence.

Between 2016 – 2017 four elections stand out in terms of pronounced electoral contestation and violence, Uganda, Zambia, the DRC and Kenya. Uganda's 2016 national election was characterized by the incumbent party's (National Resistance Movement, NRM) intrusion and

[457] Bruce, D. (2014) "A Provincial Concern: Political Killings in South Africa," in *South Africa Crime Quarterly*, 45, pp.12-17
[458] Bruce, D. (2014) "A Provincial Concern: Political Killings in South Africa," in *South Africa Crime Quarterly*, 45, pp.12-17; Bruce, D. (2014) "Political Killings in South Africa: The Ultimate Intimidation" in *Institute for Security Studies Policy Brief*, 64.
[459] Moore, N. (2017) "In Search of a Political Murder", in *The Daily Maverick*, 19 October. http://firstthing.dailymaverick.co.za/article?id=82045#.Weh1fVuCzDc
[460] "IEC Discloses Incidents of Election Violence and Ballot Theft," (2014) *News24*, 5 August. Accessed 23/04/2015. www.news24.com/elections/multimedia/video/iec-discloses-incidents-of-election-violence-and-ballot-theft-20140508

control over electoral institutions and affiliated branches of governance bureaucracy during the pre-electoral and voting phase of the election whereby President Museveni promised to "wipe out the opposition politically".[461] Museveni's appointment and ability to hire and fire the Electoral Commission (EC) chairperson and entire staff cohort meant that the EC was comprised of political appointees and did not function as an impartial independent institution. Further abuse of state institutions by the incumbent party included the shutdown of social media; unequal access to state media and the broadcasting of political messages; revoking of licenses to independent radio stations; NRM cash hand-outs to youth groups; the use of security agencies and an expediently fashioned 'Crime Preventers' civil militia to intimidate, harass and assault civilians; the violent interruption and dispersion of opposition campaigns and rallies with tear gas and live ammunition; and a crackdown on the opposition and its supporters resulting in the repeated imprisonment, detention and house arrest of Kizza Besigye, leader of the main opposition party Forum for Democratic Change (FDC) and Amama Mbabazi of Go Forward Movement.[462] In some provinces there was flagrant electoral rigging and ballot stuffing with inflated and improbable voter turnout of 100% with the NRM winning correspondingly 100% of the vote.[463] In opposition strongholds, voting materials were delayed in arrival and police raided tallying centers seizing computers and equipment.[464] Perhaps the most worrying development was the NRM's creation of the 'Crime Preventers' reservists, touted by the NRM as a civilian security group monitoring petty crime (e.g. stealing of chickens), but who acted as the NRM's political muscle variously harassing, intimidating, attacking and curbing political dissension in receipt for ad-hoc "payments ranging from Shs20,000 to Shs300,000 ($5.80 to $87)"[465], to promises of bicycles and jobs in the police force and on government projects. The 2016 Uganda

[461] Such as the Electoral Commission, the police, the judiciary. See Tumushabe, A. & Rumanzi, P. (2016) "Museveni defends NRM victory, dismisses rigging allegations", in *Daily Monitor*, 22 February. http://www.monitor.co.ug/Elections/Museveni-defends-NRM-victory--dismisses-rigging-allegations-/-/2787154/3087654/-/qrawhcz/-/index.html

[462] Abrahamsen, R. & Bareebe, G. (2016) "Uganda's 2016 Election: Not Even Faking It Anymore", in *African Affairs*, 115 (561). Beardsworth, N. & Cheeseman, N. (2016) "How to Win an Election in Uganda", *Newsweek*, March 16. http://www.newsweek.com/uganda-elections-2016-yoweri-museveni-437049 ; Townsend, M. (2016) "Uganda Election Victory Extends Museveni's Grip on Power, *The Guardian* March 21. https://www.theguardian.com/world/2016/feb/20/ugandan-election-yoweri-museveni-wins-arrests-opposition-leader-besigye

[463] Beardsworth, N. & Cheeseman, N. (2016) "How to Win an Election in Uganda", *Newsweek*, March 16. http://www.newsweek.com/uganda-elections-2016-yoweri-museveni-437049

[464] Beardsworth, N. & Cheeseman, N. (2016) "How to Win an Election in Uganda", *Newsweek*, March 16. http://www.newsweek.com/uganda-elections-2016-yoweri-museveni-437049

[465] Abrahamsen, R. & Bareebe, G. (2016) "Uganda's 2016 Election: Not Even Faking It Anymore", in *African Affairs*, 115 (561), p.758.

election showed complete disregard for electoral integrity, donor conditions and election observer censure and demonstrates the evolution of 'authoritarian democracy' or 'electoral democracy' in Africa. While Uganda's election violence was overwhelmingly state administered and directed, in Zambia a tight 'razor close'[466] election race resulted in violent electoral contestation between the two main political parties and their supporters, the ruling Patriotic Front (PF) and the opposition United Party for National Development (UPND). The violence ranged from political riots to fighting between rival political party supporters, to economic protests and unrest in the Copperbelt provinces. The frequency and scale of the violence was to such a degree that the Electoral Commission of Zambia (CCZ) suspended political campaigning for 10 days, an unprecedented move.[467] The incumbent ruling party too engaged in abuse of state powers by shutting down the main opposition newspaper, *The Post*; fabricating voters on the voters registry; using the Public Order Act to prevent the opposition from campaigning, meeting and holding of rallies; ordering police raids on the UPND offices; and arresting and detaining opposition politicians.[468] The abuse of state power by the incumbent party and leadership is likewise observable in the cases of the DRC and Kenya. In the case of Zambia the violence centered upon the election has declined and ceased, whereas electoral violence in the DRC and Kenya has raised the specter of a return to civil war. Electoral violence in the DRC in the run up to its 2016 elections was precipitated by the Electoral Commission's announcement that elections would not be held leading to generalized 'anti-Kabila' protests; protests over Kabila's perceived extended presidential term limit; and the burning down of opposition party headquarters.[469] At an opposition rally, 50 people were killed between 19-20 September 2016 due to the police and

[466] Sperber, E. & Herman, M. (2016) "Zambia's Violent and Razor-Close Election Is Mired in Controversy: Here's Why", in *The Washington Post*, September 18. https://www.washingtonpost.com/news/monkey-cage/wp/2016/09/18/zambians-are-skeptical-about-their-recent-election-heres-how-international-election-observers-may-have-made-things-worse/?utm_term=.a57603626764

[467] Resnick, D. (2016) "Zambia's 2016 Elections: Democracy Hovering on the Precipice", *The Conversation*, August 7, http://theconversation.com/zambias-2016-elections-democracy-hovering-on-the-precipice-63605. See ACLED for conflict event data 'Conflict Trends: Real Time Analysis of African Political Violence' (2016) *ACLED*, September, 51. https://www.acleddata.com/wp-content/uploads/2016/09/ACLED_Conflict-Trends-Report-No.51-September-2016_pdf.pdf

[468] Resnick, D. (2016) "Zambia's 2016 Elections: Democracy Hovering on the Precipice", *The Conversation*, August 7, http://theconversation.com/zambias-2016-elections-democracy-hovering-on-the-precipice-63605.

[469] Shafer-Ray, R. (2017) "The DRC's Violent Campaign Trail to 2016", in *Harvard International Review*, January 26th, Winter Issue.; Banda, H. & Clowes, W. (2016) "Kabile and the DRC's Uncertain Future", in *The Africa Report*, 15 November, http://www.theafricareport.com/Central-Africa/kabila-and-the-drcs-uncertain-future.html

security agencies harsh response.[470] The opposition and opposition supporters were subsequently detained on charges ranging from arson, looting, to inciting civil disobedience and disorder.[471] To date, elections remain suspended, violent unrest continues, the political opposition continues to be detained, and a new political militia has arisen 'Bana Mura' responsible for committing atrocities against civilians in the opposition dominated Kasai region.[472] Kenya's 2017 polls continue to be marred by violence. There was violence in the run up to elections precipitated by the assassination of Chris Masonda, head of the Information, Communications and Technology division of the Kenya Independent Electoral and Boundaries Commission (IEBC) a week before elections.[473] An excess of 1.2 million paper ballots had been printed ahead of Masondo's death, raising fears of plans to rig the elections. Following the elections, the discovery of 5 million unverified ballots resulted in Kenya's Supreme Court annulling the elections and calling for a rerun, an unprecedented move in the history of Africa's democratisation.[474] To date, the ensuing violence characterized by inter-party clashes by supporters, opposition protests and a police crackdown has resulted in 80 deaths, including those of a 10 year old girl and 6 month old baby.[475]

[470] Burke, J. (2017) "Congo Violence Fuels Fears of Return to 90s Bloodbath", in *The Guardian*, https://www.theguardian.com/world/2017/jun/30/congo-violence-fuels-fears-of-return-to-90s-bloodbath; Burke, J. (2016) "Clashes in Kinshasa Leave 50 Dead", in *The Guardian*, September 20 https://www.theguardian.com/world/2016/sep/19/democratic-republic-congo-demonstrations-banned-police-killed-joseph-kabila-etienne-tshisekedi

[471] Burke, J. (2017) "Go Kabila Go! New Effort to Oust DR Congo President Despite Fear of Violence", in *The Guardian*, October 2. https://www.theguardian.com/world/2017/oct/02/go-kabila-go-new-effort-to-oust-drc-president-despite-fear-of-violence

[472] Dixon, R. (2017) "They're Killing Babies and Torching Villages: Who is Behind the Democratic Republic of Congo's Ugly New War?" in *Los Angeles Times*, June 26 http://www.latimes.com/world/africa/la-fg-drcongo-war-kasai-20170626-htmlstory.html

[473] Nyabola, N. (2017) "The Murder That Shook The Kenya Elections", *Al Jazeera*, 1 August. Mr Masonda was responsible for overseeing the electronic voter identification ballot system, seen by many as a safeguard against manual rigging. He was kidnapped and tortured before his death. http://www.aljazeera.com/indepth/opinion/2017/08/murder-shook-kenyan-elections-170801075934936.html

[474] Kuo, L. & Dahir, A.L. (2017) "Kenya's Supreme Court Has Annulled Last Month's Presidential Election and Called for A New Vote", in *Quartz Media*, September 1. https://qz.com/1067548/kenyas-supreme-court-annuls-the-presidential-election-and-calls-for-a-new-vote/

[475] Cohen, M. (2017) "Spectre of Violence Looms Over Kenya After Two Chaotic Votes", *Bloomberg*, November 1. https://www.bloomberg.com/news/articles/2017-11-01/specter-of-violence-looms-over-kenya-after-two-disputed-votes

The snapshot of violence that has accompanied elections in contemporary Africa, aims to show that many elections in Africa are marred by violence.[476] The spectrum of political violence ranges, with some favoured modalities of violence showing decline (i.e. coups d'état) whilst others showing ascendancy (i.e. election violence).[477] Electoral violence has by no means 'replaced' other forms of political violence: for the period 1991-2001, the 'heyday' of democratization in Africa, 47 coup attempts occurred, 13 of which were successful.[478] Importantly, non-state violence actors are playing an important role in social and political spaces. Violence as an instrument is no longer the sole mandate of the state in determining outcomes. States, rivals, elites and opposition parties have incorporated non-state violent outfits into their political project, as a way of contesting/upholding/extending power. Non-state violence actors are utilized not just as power-brokers of violence, but as power-brokers of patronage, what Eaton terms 'armed clientelism', simultaneously empowering the non-state actor, and holding to endowment the political elites that make use of them.[479] Boone argues that as a result there has been an emergence of 'complex topographies' of power combining the state, non-state actors and political elites intermeshed in the business of politics, electioneering and violence.[480]

Conclusion

> Only by knowing more about why electoral violence happens, why it can vary over time and within a country … can reliable strategies for its prevention and management be developed.[481]

The resilience of elections necessitates an investigation of how they constitute and reconstitute political power in Africa. The ascendant level of electoral violence that occurred in 2007-2008 directed the world's attention to the intersection between politics, elections and violence in

[476] 'Contemporary' here refers to the post-Cold War period, from 1989/1990 to present as it is represents a distinct shift in global politics as well as politics and political power on the continent.
[477] Fukuyama, F. (1989) "The End of History?" in *National Interest*, Summer. Fukuyama posited that with the collapse of Communism, humanity had arrived at an endpoint in terms of social, cultural and political history signalled in the near universal adoption of liberal democracy as a political form of governance across the world.
[478] McGowan, P. (2003) "African Military Coups d'état: 1956-2001 Frequency, Trends and Distribution," in *Journal of Modern African Studies*, 41 (3), p.352
[479] Eaton, K. (2006) The Downside of Democratization: Armed Clientelism in Columbia. Security Studies, 15 (4).
[480] Boone, C. (2003) *Political Topographies of the African State.* Cambridge: Cambridge University Press.
[481] Bekoe, D.A. (2012) Voting in Fear: Electoral Violence in Sub-Saharan Africa. USIP: Washington, p.248.

Africa. The advent of liberal democracy as 'the end point of history'[482] has not resulted in the departure of violence from elections despite national, regional and international electoral 'rules' that govern the conduct of elections; the deployment of election observer mission's (EOMs); and greater international media presence and scrutiny. It is not elections themselves that cause violence, rather that elections are embedded within an unstable (but enduring) matrix of social, economic and political conditions. Violence is likely to persist in the context of elections where the interactions of these conditions remain thereby prompting the need to determine the sequence(s) of events along the causal chain. Electoral violence remains an empirical and conceptual puzzle. While electoral violence is episodic, it is historically constant. Further, violent elections carry long-term latent costs which may result in fragile political orders, 'stalled democracies'[483], displaced populations, diminished legitimacy of political leaders, and eroding public faith in democratic politics, thus creating sites for future discontent, instability and insecurity.[484]

The thesis now turns to unpacking the *conditions* and *causes* of electoral violence in each case study over time in an attempt to understand this conflict phenomenon in more precise detail.

[482] Fukuyama, F. (1992) "The End of History?" in *The National Interest*, 16. Fukuyama's thesis is that the end of the Cold War resulted in the triumph of Western ideas, ideals and economic and political liberalism: that there were no alternatives to this "end point in mankind's ideological evolution and the universalization of Western liberal democracy". P.4

[483] Bekoe, D.A. (2012) Voting in Fear: Electoral Violence in Sub-Saharan Africa. USIP: Washington.

[484] See Afrobarometer surveys on public faith in elections which show sharp decline. For example in Malawi, support of elections as an instrument of choosing leaders fell from 71% in 2014 to 57% in 2016. Worryingly only 19% Malawians believe the election was 'free and fair'. Only 42% of Mozambicans believe elections reflect citizen's views; and only 37% in Ghana and Sierra Leone, 31% in Nigeria and 46% in Zimbabwe and Kenya trust their national electoral commissions. Penar, P.; Aiko, R.; Bentley, T. & Kangwook, H. (2016) "Election Quality, Public Trust Are Central Issues for Africa's Upcoming Contest's" *Afrobarometer*, Policy Paper 35, September. http://afrobarometer.org/sites/default/files/publications/Policy%20papers/ab_r6_policypaperno35_electoral_management_in_africa1.pdf

Chapter 4: Kenya

"It's Our Turn to Eat".[485] *Land, Elites, Ethnic Politics and Election Violence 1963-2007*

The opening maxim, "It's Our Turn To Eat", is borrowed from Michaela Wrong's 2009 book on political corruption in Kenya. It reflects a widespread view that political power, specifically incumbent political power, is a vehicle to accessing resources, money, land, jobs, business ventures and benefits in Kenya. 'Eating' represents everyday survival and upward mobility which are relational and dependent on the state and political office. Since Independence, Kenyan electoral politics has been underwritten by political elites seeking to 'eat'. This ravenous quest for state power has produced violence, the abuse of state institutions by incumbent political elites, the diversion of state resources, and the practice of ethnic patronage. Election violence in Kenya is rooted in the political dynamics and differences fostered between political and ethnic elites under colonialism, during the anti-colonial struggles, and following liberation, evident in the violence surrounding the interregnum election of 1961 and still observable in the ascendant violent election year of 2007.

This chapter sets out to examine election violence in Kenya since Independence. It provides a brief historical and descriptive overview of power and politics under colonialism and the colonial state in Kenya. It then gives an overview of elections and election violence in Kenya. Finally it identifies, traces, and analyses the dynamics of election violence through thematic analysis of (1) hypotheses identified in the literature review, (2) archive data, (3) election observer materials, and (4) elite interviews. This is depicted in a comparative table that tabulates election year against election violence and identified *causes* and *conditions* variables. Importantly, this chapter attempts to identify and extrapolate what the *conditions* and *causes* of election violence are in each electoral cycle. The chapter concludes by identifying what factors are present along the causal chain over time; what is similar and what is different; in producing variance and recurrent violent elections in Kenya.

[485] Wrong, M. (2009) It's Our Turn to Eat: The Story of a Kenyan Whistleblower. New York: HarperCollins.

4.1 Historical Overview of Power and Politics

The Colony and Protectorate of Kenya was formally established in 1920, following the amalgamation of numerous groups, communities, districts and provinces into one territorial and administrative entity.[486] While there are over 40 fluid ethno-linguistic groups in Kenya, three main groups predominate: (1) the Bantu speaking people who constitute about two thirds of Kenya's population such as the Kikuyu, Embu, Meru, Kamba, Luhya, Gusii, Mijikenda, Taita and Pokomo; (2) the Lake, Highland and Plains Nilotes such as the Luo, Kalnejin, Maasai, Turkana and Teso, and (3) the Eastern Cushitic speaking peoples in the North including the Boran, Orma, Rendille and Somali.[487] Prior to the establishment of the Colony and Protectorate of Kenya, the British East Africa Company (BEAC) engaged in trade, resource extraction, agricultural production and the gradual annexation and occupation of land. Military expeditions were brutal and led to cleansings and forced migration amongst the Nandi, Giriama, Abagusii and Agikuyu who resisted imperial intervention.[488] In these expeditions, livestock was seized (becoming the property of the British), crops were razed, and huts destroyed eliminating sources of self-sufficiency and creating dependency on the colonial state. Charles Hobley, a British officer at the time remarked that,

> The reaction of the native race to control by a civilized government varies according to their nature and to their form of government. But in every case a conflict of some kind is inevitable before the lower races fully accept the dictum of the ruling power.[489]

Due to increasing agitation with locals, and the increased costs of operation borne by the BEAC, the Colonial office began to assume more duties over the political administration of Kenya from 1904. As Lonsdale and Berman argue, "the colonial state is a variation of the capitalist state".[490] Economic extraction and production underpinned the political administration and purpose of the colony. This was based on the exploitation of three main sources, land, labour and tax,

[486] Lonsdale, J. & Berman, B. (1979) "Coping With Contradictions: The Development of the Colonial State in Kenya 1894-1914," in *Journal of African History*, 20 (4).
[487] Hornsby, C. (2012) *Kenya: A History Since Independence*. London: I.B. Tauris, p.21. The Kikuyu alone represented 19% of Kenya's population alone in 1962, with the Luo representing 13%
[488] Wolff, R. (1974) *The Economics of Colonialism: Britain and Kenya 1879 – 1930*. Nairobi: Transafrica Press.
[489] Ochieng, W.R. (1986) *A History of Kenya*. London: Macmillan, p.157
[490] Lonsdale, J. & Berman, B. (1979) "Coping With Contradictions: The Development of the Colonial State in Kenya 1894-1914," in *Journal of African History*, 20 (4), p.409

themselves underpinned by the use of force and legal decree. For example in 1902 and 1903 a series of measures such as the Village Headman Ordinance decreed the application of hut and poll tax on natives; in 1906 'Elgin's Pledge' reserved land in the Kenyan highlands to Europeans and later the 1915 Crown Land Ordinance established control over the sale of land[491], while the creation of African land reserves was formalized in the establishment of the Kenya Land Commission in 1932; and the Master's and Servants Ordinance of 1910 combined with the Resident Labour Ordinance (RNLO) in 1918 established and regulated the ongoing supply of native labour to farms and industry.[492] The enacting of these three pillars of colonial rule had multiple implications: it resulted in land alienation, overcrowding, hunger and urbanization. It produced 'insecure' forms of employment; forced labour, migrant labour, squatter labour, and casual labour that were dependent on seasons and yields. Further, it produced urban slum living and few opportunities of meaningful and productive employment. Meanwhile, land reserves entrenched ethnic and identity differences, by restricting habitation of designated areas according to tribe. While this social engineering was orientated towards labour supply and the creation of a colonial economy, it has had long lasting effects in terms of social and economic development in Kenya, and the resilience of ethnic politics.

Administration of colonial policy was conveyed via indirect rule and through a series of administrative and legal institutions such as the chief's council, native tribunal and native chief's council, which were chaired by colonial district officers.[493] Indirect rule had to be contrived in Kenya due to the lack of centralized political authority and the scattered nature of populations: there were no hereditary leaders.[494] Some of the earliest inventions of chiefs and headman in

[491] In effect the Ordinance decreed that land not owned by Europeans belonged to the Crown colony. The lease of land extended from 99 years to 999 years effectively ensuring the continued hegemony of white settlers.
[492] Sorrenson, M.P.K. (1968) *The Origins of European Settlement in Kenya*. London: Oxford University Press.
[493] See Local Authority Ordinance of 1912 which regulated chiefs and councils, Local Ordinance Act 1924 whereby local councils were to collect tax, supply labour, and provide services such as water, sanitation, roads, bridges. 1950 establishment of Local Native Councils as introduction to national African rule and governance. Lonsdale, J. & Berman, B. (1979) "Coping With Contradictions: The Development of the Colonial State in Kenya 1894-1914," in *Journal of African History*, 20 (4), p.409; Berman, B. (1990) *Control & Crisis in Colonial Kenya: The Dialectic of Domination.* Oxford: James Currey.
[494] Bennet, G. & Rosberg, C. (1961) *The Kenyatta Elections: Kenya 1960-1961.* Oxford: Oxford University Press. Bennet and Rosberg argue that the absence of chieftaincy or any centralised system of traditional authority is a defining and significant feature of the pre-colonial Kenya. See also, Spencer, J. (1985) *KAU: The Kenya African Union.* London: KPI, who argues that chiefs were 'natural enemies; of KAU given their contrived nature, strangers to title, function and responsibility. A succinct description of a landless hunter who became aKikuyu chief *Kinyanjui was Gathirimu* is insightful here.

Kenya were based on African military auxiliaries, who through their collaboration in conquest, were rewarded with positions of local authority.[495] Some were 'Oxbridge' men, i.e. African educated elites, and some were elders or powerful individuals existent within communities. Colonial chiefs were regarded as illegitimate and treated with much derision by the populace they represented.[496] While these local structures of authority served as structures of colonial control, they would later serve as sites of growing political competition and agitation between native elites. This was particularly observable with Kikuyu chiefs as communities were active in trying to put forward their preferred candidate, to accrue local factional administrative benefits, and to oust opponents. One tactic was to withhold tax and labour, so that the colonial officer would intervene to replace the incumbent candidate.[497] In this way chieftaincy created localized 'zero-sum' politics, with control over resources at the center of the conflicts. Importantly, chiefs and their aides would come to form part of the vanguard of Kenya's emerging moneyed political and economic elite, with land accrual and ownership pivotal to these localized sites of power.

Meanwhile, Executive and Legislative councils were exclusive arenas of participation and election, reserved for Europeans. As colonial officer Leys observed,

> … the Government is not their government. In their view, everything it does, the tax, labour regulations, and all else is done for the benefit of the Europeans. [498]

The onus was placed on chiefs and headman to recruit labour, collect tax and apply order. In some cases, this 'incentivised' labour recruitment performance, resulted in predatory practices by chiefs and forceful enlistment, such as in Kimilili.[499] Such despotic and monopolistic chiefs, or 'bully boys' of colonial order, were underwritten by patronage and force: land concessions

[495] Lonsdale, J. & Berman, B. (1979) "Coping With Contradictions: The Development of the Colonial State in Kenya 1894-1914," in *Journal of African History*, 20 (4), p.409
[496] Clough, M.S. (1993) *Fighting Two Sides: Kenyan Chiefs and Politicians 1918-1940.* Niwot: University of California Press.
[497] Tignor, R. (2015) *Colonial Transformation of Kenya: The Kamba, Kikuyu, and the Maasai from 1900-1939.* New Jersey: Princeton University Press.
[498] Leys, N. (1924) *Kenya*. London: Woolf, p.318
[499] Such as Chiefs Murunga, Walucho, Amutala and Nabwana. See Clayton, E.S. & Savage, D.C. (1979) *Government and Labour in Kenya 1895 – 1963.* London: Frankcass.

serving as a carrot, and deposition and/or heavy fines serving as a stick.[500] Further, as one colonial official reflected, loyalism meant that chiefs and elites sought to maintain the status quo to,

> … become the anchor of the tribe, the solid yeoman farmer, the land owner who knows that he has too much to lose if he flirts, however lightly, with the passions of his nationalistic friends.[501]

For example, Chief Koinange was removed for not being reliable in trying to, "run with the hare and hunt with the hound" (i.e. in pleasing his constituency's calls for resistance to the colonial order, and maintaining his position).[502] While Chief Waruhiu was Kung'u and Makimei wa Kuria dissociated themselves from the people in order to cultivate favor with the colonialists. In the Mau-Mau campaign (1952-1959), a number of chiefs were assassinated, such as Chief Waruhiu, punished for their colonial collaboration and loyalism.[503]

The Mau Mau campaign was an armed anti-colonial rebellion which sort to violently remove colonial forms of order, lasting from 1952 until 1959. It was a contradictory war containing two strands of violence: one, against the colonial state and order, and two, against the Kenyan people themselves, particularly those who were viewed as 'loyalists' to the colonial regime.[504] Resistance to oath taking or pledging loyalty to the Mau Mau resulted in beatings, torture and death. Mass killings of 'loyalists' also took place. Acts of sabotage against government facilities and buildings, and targeted killings of settlers and white farmers, chiefs, loyalists and local politicians characterised the Mau Mau's insurgency against the colonial state.[505] The Mau Mau was predominantly a Kikuyu movement, explained by grievances borne of their political

[500] Tignor, R.L. (1971) "Colonial Chiefs in Chiefless Societies", in *Journal of Modern African Studies*, 9 (3).; Tosh, J. (1973) "Colonial Chiefs in Stateless Societies," in *Journal of Modern African Studies*, 9 (3).
[501] In Branch, D. (2006) "Loyalists, Mau Mau and Elections in Kenya: The First Triumph of the System," in *Africa Today*, 53 (2), p.28
[502] Clough, M.S. (1993) *Fighting Two Sides: Kenyan Chiefs and Politicians 1918-1940.* Niwot: University of California Press, p.165.
[503] Branch, D. (2009) *Defeating Mau Mau, Creating Kenya: Counterinsurgency, Civil War and Decolonisation.* Cambridge: Cambridge University Press. Importantly, one of KANU's promises in its 1961 electoral campaign was to abolish chieftaincy and indirect rule
[504] MSS Afr s 2159 (Manby Papers: Security & Intelligence; 1952-1963); Branch, D. (2009) *Defeating Mau Mau, Creating Kenya: Counterinsurgency, Civil War and Decolonisation.* Cambridge: Cambridge University Press
[505] In one Mau Mau attack on a loyalist village 84 women and children were killed.

marginalization and alienation on their own land. The colonial state response was decisive and at times indiscriminate, and led to the declaration of a State of Emergency with sweeping judicial and security powers under 'Operation Anvil' and 'Operation Jack Scott'.[506] Mass evictions off land led to the 'villagisation' of Kikuyu under the control of the British. This was paralleled with the establishment of concentration camps for Mau Mau fighters and sympathizers. Widespread government abuses, torture, beatings, sexual violence and executions, took place within both sites; tactics used to extract information, instill fear, and foster renunciation of the Mau Mau.[507] The British also employed the use of auxiliary forces, such as pseudo-gangs and the African Homeguards, to conduct the counterinsurgency campaign leading to unchecked 'search and destroy' incursions involving pillage, rape, and torture.[508] During this time an estimated 90 000 Kenyans were executed, tortured or maimed during the crackdown while 160 000 were detained. In contrast 32 settlers were murdered.[509] The violent milieu that the Mau Mau campaign created had a lasting legacy on Kenyan politics. It produced an ethnicised political consciousness amongst the rural population; it fostered the creation of ethnic militias as a defensive and offensive measure; and most notably, it initiated the political practice of outsourcing violence to auxiliaries, militias and gangs as a 'legitimate' tool of the state. The Mau Mau agitations produced slow changes in terms of political representation, participation and autonomy.

The establishment of Local Native Councils from 1938 onwards was an attempt to provide a civil forum in which popular agitations could be mediated, political consciousness could be contained, and where local power brokers could exercise limited legislative and executive functions.[510] As Spencer observes the

> LNC's had evolved from tribal councils the British had created ... and were designed to give Africans a say in their local affairs … and provide training for those who would

[506] CO822/458 Memorandum by Colin Legum of the "Observer" newspaper about the background to Mau Mau; CO822/778 Operation HAMMER against Mau Mau terrorists in Kenya
[507] MSS Afr s 2159 (Manby Papers: Security & Intelligence; 1952-1963); CO822/458 Memorandum by Colin Legum of the "Observer" newspaper about the background to Mau Mau; WO32/15834 Court of Enquiry into conduct of troops in Kenya during operations against Mau-Mau: setting up; background papers; summary of report; Anderson, D. (2005) *Histories of the Hanged: Britain's Dirty War in Kenya and the End of Empire.* London: Weidenfeld & Nicolson.
[508] Leakey, L. (2004) *Defeating Mau Mau*. London: Routeldge.
[509] Colony & Protectorate of Kenya. (1960) *The Origins and Growth of Mau Mau: A Historical Survey.* Nairobi.
[510] Berman, B. (1990) Control & Crisis in Colonial Kenya: The Dialectic of Domination. Oxford: James Currey.

> subsequently be given posts in the lower levels of government … and to direct the energies of the growing number of educated Africans into activities that aided the state rather than attacking it.[511]

LNC's also served a development and patronage function: funds channeled through the LNC's were directed to construction projects and trade licenses, and used to employ agricultural instructors, veterinary staff, teachers, clerks and so forth.[512] While appeals were registered as early as 1928 for direct representation by Africans, for Africans, on the National Executive Legislative Council, and again in 1938 following the establishment of LNC's, the Executive Legislative Council members found 'at present no suitable person available.'[513] Suffrage on the Legislative council was only gradually extended, first to Indians and Arabs who were allocated limited seats, 5 and 1 seat respectively. Their election was based only on representation, not necessarily participation. In 1944 one African, Eliud Mathu was allowed to sit on the Legislative Council. He was selected by the Governor.[514] In subsequent Legislative elections, the Governor received a list names from Provincial Nomination Committees whose shortlisting was made via indirect means. In 1957, more African members were elected onto the Legislative Council, though through limited franchise. These African Elected Members stood as individuals and not on behalf of political parties, nor the 'waiting to be born' African nation, and in this regard were considered as having betrayed the African struggle.[515] The 1957 election was to prepare Kenya for self-governance and Independence. The vote was restricted to educated moneyed elites, and those who could prove their loyalty to the state.[516] In this way, the election of 1957 very much determined which politicians would feature on the post-colonial political landscape. The 1957 election displayed elements of colonial bias not only in the criteria of limited of franchise, but

[511] Spencer, J. (1985) *KAU: The Kenya African Union*. London: KPI, p.7.
[512] Spencer, J. (1985) *KAU: The Kenya African Union*. London: KPI, p.8.
[513] CO 533/380 'Kenya Legislative Council', British National Archives, in Spencer, J. (1985) *KAU: The Kenya African Union*. London: KPI, p.121
[514] Spencer, J. (1985) *KAU: The Kenya African Union*. London: KPI, p.125. Eliud Mathu was a principal, teacher, and Kiambu Kikuyu educated at Oxford, fluent in English. Another candidate was considered, Mbui Koinange, also a Kiamba Kikuyu, a Western educated teacher and a Chief. See also Branch, D. (2006) "Loyalists, Mau Mau and Elections in Kenya: The First Triumph of the System," in *Africa Today*, 53 (2).
[515] Bennet, G. & Rosberg, C. (1961) *The Kenyatta Elections: Kenya 1960-1961*. Oxford: Oxford University Press. In 1957 there were 8 elected African members. Some would later go onto to fill Ministerial posts under the settler government such as Musa Amalemba who filled the post of Minister of Housing pp.35-36
[516] Branch, D. (2006) "Loyalists, Mau Mau and Elections in Kenya: The First Triumph of the System," in *Africa Today*, 53 (2), p.28

also through the delimitation of electoral constituency boundaries which minimized areas where Mau-Mau support had been concentrated. For example, the district of Meru had a high level of voter registration and accounted for the most number of votes in Central Province based on recognition by the government of the high degree of loyalty displayed during Mau Mau.[517] This also ensured that a preferred Meru candidate was also likely to win.[518] Mass voter illiteracy also meant that presiding officers marked the ballots on behalf of voters, opening voting up to administrative abuse.[519] Given that the 1957 election took place under a State of Emergency, emergency powers were used to justify limiting campaigns, rallies, and meetings, another element producing a limited franchise.[520] Under the State of Emergency for example, leader of the Kenya African National Union (KANU), Jomo Kenyatta, who was regarded as an agitator, militant and accomplice to the Mau Mau, was arrested along with six other politicians for masterminding the Mau Mau Uprising.[521] Only one third of potential registered voters partook in the 1957 elections. The election of 1957 was an exercise in reproducing authority, rather than exercise of free choice, with the threat of past violence (the Mau Mau) used to justify the constrained setting and rules.

The political scene in the late 1950s and early 1960's was characterised by shifting political alliances, coalitions and amalgamations, and much political maneuvering and posturing between political parties and elites, some of which turned violent. Regionalism '*majobism*' and ethnicity served as 'natural' and potent support bases. The rise of provincial political associations such as the Mombasa African Democratic Union, The Central African District Association, the Kisii Highlands Abagusii Association of South Nyanza District and the Nakuru African Progressive Party reflected regional and ethnic parochialism at the expense of a national identity.[522] Legislative Council candidate Bernard Mate promised he would "represent his tribe with all of

[517] Branch, D. (2006) "Loyalists, Mau Mau and Elections in Kenya: The First Triumph of the System," in *Africa Today*, 53 (2), p.28
[518] Bernard Mate from Meru won against rivals Eliud Mathu, Jeremiah Nyagah, David Waruhiu and Stephen Kioni.
[519] Hornsby, C. (2012) *Kenya: A History Since Independence*. London: I.B. Tauris, p.66
[520] Engholm, G.F. (1957) "Kenya's First Direct Elections for Africans, March 1957", in *Parliamentary Affairs*, 10.
[521] FCO 141/5867-5874 *African Political Organisations and Society;* FCO 141/6516 *Kenya African Union*; Arnold, G. (1974) *Kenyatta and the Politics of Kenya*. London: Dent.
[522] Bennet, G. & Rosberg, C. (1961) *The Kenyatta Elections: Kenya 1960-1961.* Oxford: Oxford University Press, p.34.

his heart and power … the man who is far away will never help you."[523] The formation of the Kenya National Party (KNA) and Kenya Independence Movement (KIM) in 1959 reinforced and polarized personal political elite rivalry between Muliro, Ngala, Towett and Moi (KNA), and Odinga, Mboya and Kiano (KIM).[524] A legislative decree passed in 1959 however promulgated that political parties would only be recognized and allowed to compete in the first election of Independence and at the national level if they were multi-racial and multi-ethnic.[525] This disqualified a number of parties from competing (such as the Kalenjin Political Alliance, Coast African People's Union and the Masai United Front). The rise of broad based national parties such as Kenya African National Union (KANU) and Kenya Africa Democratic Union (KADU) must be viewed in relation to this decree. KANU and KADU represented compromised political coalitions and 'marriages of convenience' forging a political identity over racial, ethnic and personal identities. However, identity continued to shape the party and supporter base. KANU's support base was drawn from Kenya's three largest tribes the Kikuyu, Luo and Kamba, while KADU drew on minority groupings such as the Kalenjin, Giriama, Abaluhya, Asian and European groups.[526] As Hornsby aptly observes,

> The first two decades of independence saw the incorporation (on junior terms) of the Kalenjin into Kenyatta's Kikuyu centered alliance, and the gradual marginalization of the Luo, alongside the embedding of a series of advantages for the Kikuyu community. There was no inevitability about the cleavage created in 1963-9 between Kikuyu and Luo: it was a by-product of competition over other issues, which gradually assumed an ethnic flavor. Similarly, the densely populated, agricultural Luhya ended up inclined towards the Kalenjin or 'minority' side for reasons that were as much accidental and personal as

[523] Branch, D. (2006) "Loyalists, Mau Mau and Elections in Kenya: The First Triumph of the System," in *Africa Today*, 53 (2), p.38

[524] Rivalries would later develop between Odinga and Mboya from within KIM, over who represented the national leader

[525] See *Kenya Gazette*, 7 February 1961 & Sanger, C. & Nottingham, J. (1964) 'Kenya General Election of 1963,' in *The Journal of Modern African Studies*, 2 (1). A key failure of the decolonial handover, was that the series of negotiations focused on managing ethnicity and power, rather than developing the institutions and structures for elections and governance.

[526] Bennet, G. & Rosberg, C. (1961) *The Kenyatta Elections: Kenya 1960-1961*. Oxford: Oxford University Press. See Chapter 3 'The Growth of African Politics'. KADU was essentially a 'confederate party' made up of the minority disgruntled ethno-regional parties, Somali National Association, Coast African People's Union, and Kalenjin Political Association. KADU did not have one strong party leader, but many potential leaders a key source if its weakness, whereas KANU appointed Jomo Kenyatta who held authority as 'Mzee' (elder) to many Kenyans despite his imprisonment.

> anything else. However, a view of **politics as an ethnically driven competition for resources of the state, was built into the country from independence**. It was reinforced by almost every act of Kenyatta, Moi and Kibaki, each seeking to rule a fractious community of sub-nationalities by a combination of patronage, incorporation and reliance on their own ethnic community for their security. The rewards of power were sweet and the consequences of defeat severe, and winning became a goal in itself for both the individual and the community.[527]

Within KANU, individual leaders and factions vied for their own sources of power, particularly over the leadership of branches (previous local district associations). Personality driven politics in this way would define electoral struggles going forward.[528] Ethnic politics serves not as a primordial constant in Kenya, but as a site of ongoing negotiation, contestation, exclusion and accommodation.[529]

4.2 Historical Overview of Elections and Election Violence

Since the 1961 election of Independence there have been nine presidential elections (1969, 1974, 1979, 1983, 1988, 1992, 1997, 2002, and 2007), six multi-party elections (1961, 1963, 1992, 1997, 2002, and 2007), and five semi-competitive elections held under single-party rule (1969, 1974, 1979, 1983, 1988).[530] National and presidential elections are held every five years and are based on a single member constituency, *first past the post* system. Kenya has alternated between democratic rule, semi-competitive rule, and authoritarian rule in its 58 years of Independence, with elections serving as a consistent feature across these alternations.[531] Barkan argues that, "the primary reason why elections have become an institutionalized feature of Kenyan political life is that the process has resulted in the establishment of a series of patron-client networks that tie key

[527] Hornsby, C. (2012) *Kenya: A History Since Independence*. London: I.B. Tauris, p.9
[528] Bennet, G. & Rosberg, C. (1961) *The Kenyatta Elections: Kenya 1960-1961*. Oxford: Oxford University Press. This had the effect of entrenching parochialism and dividing leadership. There were a greater number of candidates than positions to be filled. KANU's Governing Council frequently intervened at the local constituency level whereby party leaders supported different candidates in part to out-manoeuvre internal opponents p.42, p.138.
[529] Hornsby, C. (2012) *Kenya: A History Since Independence*. London: I.B. Tauris.
[530] "Elections in Kenya" (2011) *African Elections Database*, Accessed 30/11/2010. http://africanelections.tripod.com/ke.html and Elisha, O. & Otieno, W.E. (2012) "Handbook on Kenya's Electoral Laws and System," *EISA*, Nairobi: EISA. The 1974. 1979, 1983, and 1988 presidential elections are not considered in this analysis given one party rule. However, the legislative elections are considered.
[531] The researcher however is constrained in by the lack of available election reporting in some election years. This is particularly under single party rule 1969 – 1992.

elements of the Kenyan[s] … to the Kenyan state".[532] The Constitution has been amended repeatedly, under both single-party and multi-party rule. Elections have witnessed varying degrees of violence since Independence with origins in elite strategies of survival, land politics, incumbent abuse of power and resources, ethnic patronage and regionalism (*majimboism*), and youth militia mobilisation. The following section provides an overview of elections and election violence per year in tracing the *causes* and *conditions* of election violence over time.

The Election of Independence: 1961

The 1961 Legislative Council Election was a transitional election to hand over power from the British settlers to the African majority. It was the first truly national election conveyed through a common voters roll, though a few restrictions still remained in place (such as the racial reservation of seats). Sixteen political parties competed,[533] but only two made significant gains namely the Kenya African National Union (KANU) who gained 24/65 seats (72%), and the Kenya African Democratic Union (KADU) who accrued 13/65 (18%) seats. 20 additional seats were reserved for Europeans (10), Asians (8) and Arabs (2), whilst 12 seats were filled by 'special appointees'.[534] Voter turnout was placed at 84%.[535]

Though turn-out was high, neither KANU or KADU had conducted truly national election party campaigns, due to limited staffing, administration, know-how and funding.[536] Similarly, the (colonial) Government Information Service responsible for functions such as voter registration, did not mount a country-wide tour ahead of the 1961 election due to the lack of funds.[537]

[532] Barkan, J.D. (1987) "The Electoral Process and Peasant State Relations in Kenya," in Hayward, F.M. *Elections in Independent Africa*. Boulder: Westview Press, pp.213-214

[533] The others were the Baluhya Political Union (3.3%), New Kenya Party (3.2%), Kenya Indian Congress (1.2%), Kenya Coalition (1%), Kenya Freedom Party (0.6%), Kenya National Congress (0.5%), Shungwaya Freedom Party (0.4%), Coast People's Party (0.2%), Tana River Pokomo Union (0.1%), Arab Independents (0.6%), Asian Hindu Independents (0.5%), Asian Muslim Independents (1.3%).

[534] Elections in Kenya" (2011) *African Elections Database*, Accessed 30/11/2010. http://africanelections.tripod.com/ke.html; Elisha, O. & Otieno, W.E. (2012) "Handbook on Kenya's Electoral Laws and System," *EISA*, Nairobi: Electoral Institute of Sustainable Democracy in Africa. Some sources place this at 67% (19 seats) and 16 % (11 seats). Horsnby, C. (2012) *Kenya: A History Since Independence*. London: I B Tauris, p.66

[535] Horsnby, C. (2012) *Kenya: A History Since Independence.* London: I B Tauris.

[536] Bennet, G. & Rosberg, C. (1961) *The Kenyatta Elections: Kenya 1960-1961*. Oxford: Oxford University Press. Chiefs, headmen and teachers were instructive in the mobilisation of voters. KANU's main election rally took place in November 1960 in Thika, outside Nairobi to a crowd of 40 00, while KADU's main election rally took place December 1960 in Eldoret to a crowd of 5 000.

[537] Radio and newspapers formed the main sources of information calling for African nationals to register as voters. There had been no national census since 1948 so there was no way of reliable ascertaining the potential number of

Electioneering relied on the strength of regional and local (and therefore ethnic) constituencies, or 'branches', which had evolved from the old colonial local district associations. KANU's political composition of the predominant tribes, the Kikuyu, Embu, Meru, Kamba, Luo and Kisii, represented 60% of the Kenyan population and was key to their political ascendancy in rural and urban areas.[538] Another factor which worked against a truly national election campaign was that electoral rules pertaining to the delimitation of constituency boundaries, the registration of voters, campaigning, and the qualification of candidates, to name a few, were decided by the Attorney General and Governor (a 'Working Group'), rather than a Commission made up of the colonial government and incoming political elites.[539] This had a number of implications for the 1961 election. First, electoral rules were not a result of open negotiation and consultation. Second, the imbalance in allocation of seats to constituency boundaries based on population size meant some districts (and therefore tribes) were underrepresented, while others were overrepresented (e.g. Central Nyanza and Northern Province).[540] Third, by allowing 'extraneous voting' (i.e. allowing voters registered in home districts to vote in another town or district, often as a result of their employment), enabled multiple voting.[541] Fourth, candidature qualification stipulated that a prospective candidate had to be 21 years of age or older, a registered voter, a resident of Kenya, a British subject, of sound economic standing (the candidature carried a £50 fee), and proficient in English, the language of the Legislative Council. The English and monetary requirement made politics an elite affair and in one recorded instance, Elgeyo-Suk, a Kalenjin candidate, failed to meet the proficiency requirement and was therefore disqualified.[542]

---

voters. See Bennet, G. & Rosberg, C. (1961) *The Kenyatta Elections: Kenya 1960-1961*. Oxford: Oxford University Press, pp.63-65

[538] Bennet, G. & Rosberg, C. (1961) *The Kenyatta Elections: Kenya 1960-1961*. Oxford: Oxford University Press, p.43. As Tamarkin notes in his study on urban politics and electioneering, competition for votes, mirrored competition for employment, land, services which reinforced ethnic divisions. Ethnicity did not decrease as a political factor with 'modernisation' rather was intensified in the struggle over limited resources. See Tamarkin, M. (1981) "The Impact of the First Lancaster House Conference (1960) and the Kenyatta Election (1961) on Urban Politics in Nakuru Kenya," *Transafrican Journal of History*, 10 (12).

[539] *Working Party Appointed to Consider Elections under The Lancaster House Agreement Report*. (1960) London: HMGS Printing Office.; *Kenya Constituencies Delimitation Commission Report*. (1963) London: HMGS Printing Office.

[540] Smith, T.E. (1960) *Elections in Developing Countries: A Study of Electoral Procedures Used in Tropical Africa, S.E. Asia, and the British Caribbean*. London: MacMillan & Co. Also see the *Kenya Gazette 1961* 'Petition 2 of 1961' regarding corrupt practices pertaining to multiple voting (Vol LXIII No.20, Nairobi, 9th May).

[541] Bennet, G. & Rosberg, C. (1961) *The Kenyatta Elections: Kenya 1960-1961*. Oxford: Oxford University Press.

[542] Whiteley, W.H. (1961) "Political Concepts and Connotations," in Kirkwood, K.. *African Affairs*. London: Chatto & Windus.; Bennet, G. & Rosberg, C. (1961) *The Kenyatta Elections: Kenya 1960-1961*. Oxford: Oxford University Press, p.134. Most candidates standing for election were school mates, having attended and been

This latter point was mirrored in wider mass voter illiteracy, when coupled with the lack of national electoral education campaigns by political parties and the Information Office, meant that presiding officers ended up marking ballots for the majority of voters.[543] Fifth, another constraint placed on the electoral process, was that political gatherings of 50 or more people had to be 'approved' by way of the local District Commissioner providing a licence to campaign. Here, speakers had to be listed, and approved, allotted times of meetings and venues approved, with events only allowed to take place during daylight.[544]

Causes versus *Conditions:* The 1961 election marked the beginning of the decolonial political franchise in Kenya, though many restrictions lay in the way of a truly free, fair or credible election. The use of *institutions, laws*, decrees, and qualifications meant that the colonial state was able to shape the election. The 1961 elections were not observed by international or regional contingents, and there is scant data regarding local election observers and monitors. There was *no violence* during the election of 1961 explained in large part due to restrictions used in campaigning, and the *continued military presence* of the British. Though 'electoral power' lay with KANU, disunity and political maneuvering within the party weakened it ability to serve as a strong 'governmental authority'.[545] There were multiple *conditions* present during the election, which were sources of political, social and ethnic disgruntlement: land inequity; resource inequity; racial inequity; ethnic inequity; economic inequity; high illiteracy; high poverty and food insecurity; high levels of informal and insecure unemployment. These prevailing *conditions* however were not sufficient basis in and of themselves to stoke political violence during the time of *transition*. Importantly, KANU and KADU elites had not politicized these *conditions* to foment conflict amongst one another, or against the regime.

A notable impediment to the decolonial political franchise, was the continued imprisonment of KANU leader, Jomo Kenyatta. This significantly contributed to instability and crisis in the post-

---

educated at the same Protestant and Catholic missions, and/or being educated at colleges/universities in South Africa, the United States, India or Britain together, p.140

[543] Hornsby, C. (2012) *Kenya: A History Since Independence.* London: I B Tauris, p,66. For a discussion of the marking of the X voting system against the name of the candidate, rather than the use of symbols see Bennet, G. & Rosberg, C. (1961) *The Kenyatta Elections: Kenya 1960-1961.* Oxford: Oxford University Press, pp.73-76

[544] Tamarkin, M. (1981) "The Impact of the First Lancaster House Conference (1960) and the Kenyatta Election (1961) on Urban Politics in Nakuru Kenya," *Transafrican Journal of History*, 10 (12).

[545] Bennet, G. & Rosberg, C. (1961) *The Kenyatta Elections: Kenya 1960-1961.* Oxford: Oxford University Press, p.186.

election period. KANU used its win of the 1961 election to pressure Governor Renison into releasing Kenyatta, however the British refused until a 'workable' government had been formed.[546] Delays in forming a government deepened the post-electoral milieu.[547] In a diplomatic exchange between Minister of the Colonial Office, Earl Drummond and Iain Macleod, he writes,

> The more I think on Kenyatta the more I am convinced that we are right to bend all of our efforts to get KADU and others to form a government. What you would in effect be doing is backing the Rest, who are in fact the majority versus the Kikuyu and Luo (two-thirds versus one third). Knowing the fears of the Rest such a government might, if launched and strongly backed, last a long time. It certainly represents the best chance for European interests.[548]

The Colonial government and British were keen to avoid Kenyatta at all costs, and were willing to uphold an alternative. Both KANU and KADU however, refused to form a government for 6 weeks to show solidarity with an imprisoned Kenyatta. The Colonial government tried to foment an alternative to KANU and Kenyatta, in its support of KADU 'the Rest', and by trying to divide KANU political elites, such as Mboya and Odinga. The Deputy Governor attempted, and failed on numerous occasions to get Mboya to cross the floor and join and lead a weak KADU.[549] Other attempts to thwart KANU included brandishing KANU as Kikuyu tribalists, as communists, as supportive of dictatorship, and their leaders as 'dangerous and unreliable'.[550] Further, and detrimentally, *Majimbo* was introduced as an acceptable constitutional formula for an independent Kenya in order to dilute any functioning power of KANU. This included the

[546] Kyle, K. (1999) *The Politics of Independence in Kenya.* London: Palgrave Macmillan.
[547] Though Ngala of KANU argued, "We are not going into Government: we are the Government. We are just not cooperating with a colonial administration." In Bennet, G. & Rosberg, C. (1961) *The Kenyatta Elections: Kenya 1960-1961.* Oxford: Oxford University Press, p.197.

[548] MSS Brit Emp s.404 *Papers of Sir Patrick Muir Renison;* Kyle, K. (1999) *The Politics of Independence in Kenya.* London: Palgrave Macmillan, p.123
[549] Maloba, W.O. (2017) *Kenyatta and Britain: An Account of Political Transformation1929-1963.* London: Palgrave McMillan. KADU were not committed to the unconditional release of Kenyatta, rather their solidarity was explained in needing to command and retain its support base as Kenyatta was the symbol and embodiment of African nationalism. Following a Legislative Council meeting to resolve the political impasse in April, underpinned by the British committing £18.5 million in loans and grants to a working government, and the crossing of the floor of Bernard Mate from KANU to KADU, KADU formed the first government in the post-election period.
[550] Sanger, C. (1964) "The Kenya General Election of 1963" in *The Journal of Modern African Studies,* 2 (1).

composition of 6 regional governments, with a two Chamber national legislature.[551] One of the effects of invoking *majimbo* is that tensions resurfaced over leadership, land and ethnicity, most notably amongst the Kikuyu and Kalenjin. In 1962, Kipsigis leaders ordered all Luo to leave the Rift Valley.[552] Kikuyu groups began to organize and arm themselves under *Kiama Kia Muingi* and the *Land and Freedom Army* with "Uhuru" (Freedom) expressed in land expropriation as the overriding goal. 'Freed' Mau Mau leaders began to take up positions within KANU in Nakuru, Naivasha and Laikipia. Squatters began to occupy farm lands.[553]

KADU continued to represent the 'alliance of losers:' it was composed of the leaders and minority parties who had not been included in the KANU pact, representing its foundational weakness, serving only as a minor counterweight to KANU that the colonial government had sought to uphold.[554] KADU formed a minority government with the New Kenyan Party and Kenyan Indian Congress on 27th April 1961, which lasted until April 1962.[555] Following the demise of the KADU-NKP government, KANU joined KADU as a coalition government partner in 1962. Over the next year KANU-KADU prepared for the 1963 election. Kenya however was economically and bureaucratically weak, with few experienced African administrators, and an agricultural economy that depended on settler farming.[556] A series of strikes and go-slows by trade unions added to the unstable political and economic situation.[557]

[551] *Report of the Kenyan Constitutional Conference 1962.* London: HMSO, April 1962.; Maloba, W.O. (2017) *Kenyatta and Britain: An Account of Political Transformation1929-1963.* London: Palgrave McMillan, p.210
[552] Hornsby, C. (2012) *Kenya: A History Since Independence.* London: I B Tauris, p.69
[553] Hornsby, C. (2012) *Kenya: A History Since Independence.* London: I B Tauris, p.70
[554] Barkan, J. (1987) "The Electoral Process and Peasant-State Relations in Kenya" in Hayward, F. *Elections in Independent Africa.* Boulder: Westview Press, p.220. Such as the coastal people of the East, the Kalenjin people of the West of the Rift Valley, the Abaluhya of the far west, the Masai of the South, the Somali of the North.
[555] Bennet, G. & Rosberg, C. (1961) *The Kenyatta Election: Kenya 1960 – 1961.* Oxford: Institute of Commonwealth Studies. KADU's decision was motivated by bi-lateral negotiations with the British who urged need for transfer; need to address the land issue; and for KADU the need to secure Kenyatta's release and dilute KANU's power through the creation of a "Chief Minister" post occupied by KANU. See Maxon, R. (2011) *Kenya's Independence Constitution: Constitution Making and the End of Empire.* Teaneck: Fairleigh Dickinson University Press.
[556] KANU drew on Pan-African support to fund its electoral campaign: the Tanganyika African National Union supplied funds and land rovers, the governments of Ghana, Algeria and Ethiopia similarly assisted. KADU however did not muster significant financial or ideological support beyond its voter base in Kenya.
[557] A consolidated state organised umbrella organisation 'Confederation of Trade Unions' was eventually established in 1965 which absorbed all labour groups and allowed state control over union activity preventing a labour movement from becoming a political movement. For an account of this see Brownwood, D. (1969) *Trade Unions in Kenya.* Nairobi: Kenya Institute of Administration.; Savage, D. (1970). "Kenyatta and the Development of African Nationalism in Kenya". *International Journal*. 25 (3)

1963: No Difference in Choice?

The 1963 elections were held from 18-26 May. KANU gained 83/124 seats representing 66.94% of the vote, while KADU accrued 26.62% of the vote, taking 33 seats. 6.45 % or 8 seats went to the African People's Party (APP) while the remaining two parties, Baluhya Political Union (BPU) and the Coast People's Party (CPP) gained 0 seats.[558] In this way, the 1963 election resulted in full Independence for Kenya, however the 1963 election was to be the last national multiparty election until 1992. Significantly, the 1963 election appropriated and reproduced the colonial political and electoral system, processes and structures, with many of the same electoral deficiencies of the 1961 election being reproduced. Scant data exists on political party campaigning and electoral rules in this election, and there is no available documentary evidence recorded by observers to the election. However, some newspaper reporting and archive government correspondence is available which assists in understanding the 1963 election dynamics.

The 1963 elections were marred by a number of pre-election violent incidents across the country, including the outbreak of secessionist conflict in the North-Eastern Province bordering Somalia. This distinctly political and regionalised conflict, known as the 'Shifta War', lasted from 1963 to 1967 and was led by the political party of the North, the Northern Frontier District (NFD).[559] In 1963, pre-election violence emanated from inter-party and intra-party factionalism (mainly within KANU). The violence was underwritten by tribalism, regionalism and ethnicity. Interactional fights between supporters, such as the attack on KADU supporters outside their party offices in Kitale, and an attack on KANU supporters in Kangundo, typified pre-electoral violence.[560] Kenyatta's car was stoned; a chief in Bondo, Odinga's constituency, was murdered. Inter-party clashes in Machakos, Mombasa, Nairobi, Isiolo and Kitale resulted in police

[558] Katumanga, M. (1997) *National Elections Data Book: Kenya 1963-1997.* Nairobi: Institute for Education in Democracy. For more on minor amendments made ahead of the 1963 elections see 'The Kenya Independence Order in Council 1963' 10th December 1963, *Kenya Government Gazette,* Legal Notice No. 718

[559] Whitaker, H. () *Insurgency and Counterinsurgency in Kenya: A Social History of the Shifta Conflict 1963 – 1968.* Leiden: BRILL. This led to the proclamation of a State of Emergency in the North-Eastern region and a 'shoot to kill' counterinsurgency. It cost the Kenyan state £3-5 million annually. Somalia and Russians supported the Shifta. The decline in the insurgency is correlated with the crystallisation of Kenyatta's one-party state in 1967 following the outcome of the 1966 'little general election'.

[560] Katumanga, M. (1997) *National Elections Data Book: Kenya 1963-1997.* Nairobi: Institute for Education in Democracy.

intervention and dispersal using teargas to restore order.[561]. Four people were killed in Isiolo as a result of inter-party violence. Violence also characterised a number of political assassinations, such as that of Pio Gama Pinto, a KANU member.[562] Ngei of the APP threatened that "Force will be met with force", in reaction to news of KANU youths who had been discovered with poisoned bows and arrows in forests around Kangundo.[563] Voter intimidation by competing parties and factions was rife.

Within KANU there was a struggle amongst political elites for leadership in certain branches based on ethnic representation, especially in Nairobi, Nakuru, the Coast, Ukambani, and Machakos. William Malu, West Kamba leader, and KANU national treasurer, left for the APP as a result of KANU factionalism and the branch level.[564] A deepening divide between Mboya (a Luo) and Odinga (a Luo) within KANU saw Odinga leave to form the Kenya Progressive Union (KPU) in 1966.[565] Meanwhile, Taita Towett a KADU advisor warned that if a non-Kispsigis candidate was elected in Kericho East, he would resign.[566] George Opiyo campaigned for a Senate seat in Nairobi on an 'anti-Kikuyu' ticket, reminding voters about the costs borne as a result of the Mau Mau.[567] Sammy Omari, KADU Mombasa Island South candidate campaigned on the slogan "*Wabarra Kwao!"* ("Upcountry People to their own home!") and "*Kila mtu kwao!"* ("Each man to his own home!").[568] These snapshots of politicking demonstrate the depth that regional and ethnic divisions and antagonisms played in politics and the run up to the elections. Local contestations over grazing and ancestral rights created tensions between the Bukhusu, Kalenjin (including the Marakwet, Pokot and Sabaot), and the Masai given the transboundary nature of their movement. These groups occupied regions 'other than their own',

[561] Sanger, C. & Nottingham, J. (2008) "The Kenya General Election of 1963", in *The Journal of Modern Africa Studies*, 2 (1).
[562] Though Pio Gama Pinto was a member of KANU, he had an adversarial relationship with Jomo Kenyatta who he accused of being part of a land grabbing "Kiambu mafia". The elections were boycotted in the North Eastern Province.
[563] Sanger, C. & Nottingham, J. (2008) "The Kenya General Election of 1963", in *The Journal of Modern Africa Studies*, 2 (1), p.30
[564] Hornsby, C. (2012) *Kenya: A History Since Independence.* London: I B Tauris.
[565] Kenyatta banned KPU in 1966
[566] Kericho is a tea growing area where Luo and other tribes have migrated to. A Nandi member was elected, though Towett did not follow through on his threat
[567] Sanger, C. & Nottingham, J. (2008) "The Kenya General Election of 1963", in *The Journal of Modern Africa Studies*, 2 (1).
[568] Mombasa Time, 14 May 1963 in Sanger, C. & Nottingham, J. (2008) "The Kenya General Election of 1963", in *The Journal of Modern Africa Studies*, 2 (1), p.17

and here the push for *majimboism* created friction resulting in clashes, deaths and extensive damage to property.[569] Troops were deployed to 'trouble spots', while the King's African Rifles were stationed in Baluhya in the Western Region and Kisii. Police were sent to Mombasa while the 45th Marine Commando was dispatched to forests around Mount Kenya, on the back of the revival of the Land Freedom Army (LFA).[570]

Causes versus Conditions: The election of 1963 was not constrained by decree, law or the widespread deployment of military and state force as the 1961 election was. The retreat of the colonial state represented an important *structural shift*, alongside fomenting ethnic agitations within and between political parties and their supporters over *land* and *resources*, explaining the *interactional* electoral violence that broke out in the run-up to the 1963 elections. By and large though, the violence that threatened to engulf Kenya in 1963 as a result of the highly charged ethno-regional electioneering was limited and contained by the reactive deployment of force. The multivariate socio-economic *conditions* highlighted in the 1961 election, prevailed in 1963. Key in explaining the outbreak, *causers*, was the retreat of the colonial state and power; *ethnically* charged inter-party campaigning by political *elites*; and the reformation of violence and ethnic outfits such as the LFA.

Following the 1963 election of Independence, four interrelated issues dominated the new government's agenda: land, containing secessionism, the constitution, and centralizing power. Landlessness remained at the center of African disenfranchisement, frustration and impoverishment. Mass land grabs began towards the end of 1963, specifically in Nyandarua and Ol Kalou.[571] Under the British, an accelerated scheme in the Central Region, saw 4000 Kikuyu resettled within 6 weeks.[572] This set the tone in expectation for the new KANU government. To

[569] Okoth-Oendo, H.W. (1972) "The Politics of Constitutional Change in Kenya Since Independence 1963-69," in *African Affairs,* 71 (282).
[570] Sanger, C. & Nottingham, J. (2008) "The Kenya General Election of 1963", in *The Journal of Modern Africa Studies*, 2 (1), p.29 The LFA were mainly composed of ex Mau-Mau fighters
[571] Leo, C. (1978) "The Failure of the 'Progressive Farmer' in Kenya's Million-Acre Settlement Scheme," in *Journal of Modern African Studies*, 16 (4).
[572] This high-density resettlement scheme which accommodated in total about 30 000 families was targeted at the unemployed and landless, with no agricultural knowledge serving as a requisite. Much of the land made available in Nyandarua Province was water clogged and not suitable for agriculture. See Wasserman, G. (1976) *Politics of Decolonization: Kenya Europeans and the Land Issue 1960-1965*. Cambridge: Cambridge University Press.; Leo, C. (1978) "The Failure of the 'Progressive Farmer' in Kenya's Million-Acre Settlement Scheme," in *Journal of Modern African Studies*, 16 (4). The One Million Acre Settlement 'high-density' Scheme was constrained by the

allay fear and buy time, Kenyatta abandoned a 'willing buyer willing seller' arrangement providing,

> a categorical assurance that, under the Constitution, all tribal land is entrenched in tribal authority, and no-one can take away land belonging to another tribe.[573]

Kenyatta favoured limited land redistribution, private ownership, continued settler farming, and growing foreign direct investment. Whilst land had the potential to alter ownership, enfranchisement, and impoverishment, land could also be used to preserve stability and shore up the incoming elite compact and order.[574] As part of the favoured limited land redistribution, private land buying companies and co-operative societies were established to 'pool' shareholders resources towards buying and distributing land. Many of these companies and co-operatives were headed by ruling political elites, or business elites linked to political elites, making the transfer of land predominantly an *elite* affair.[575] Here *land* was used to dispense political *patronage*. As the legitimacy of incumbent political elites waned, and the capacity of the state to (re)distribute declined, land served as an important source of reward and favour.[576] As a World Bank paper notes;

---

following: an over-bloated bureaucratic control structure (e.g. Director of Settlement, Area Settlement Controllers, Senior Settlement Officers, Settlement Officers); peripheral land allocated; ethnic character of settlement patterns and beneficiaries (the Kikuyu were viewed as main beneficiaries); regional government and national government administration; sub-divisions; high debt service ratio (44% in arrears); evictions of those in arrears; buying-out of poor shareholders; under-cultivation of land (from 17% in 1980 to 9% in 2005); resultant and persistent land hunger, food insecurity and poverty. Despite this, the scheme served an important function at the time: social stability of society during a time of transition. Kanyinga, K.. (2017) "Kenya Experience in Land Reform: The 'Million Acre Settlement Scheme,' *World Bank Discussion Paper*. http://siteresources.worldbank.org/RPDLPROGRAM/Resources/459596-1168010635604/WBI-KenyaLandReform-WorkshopVersion.pdf

[573] Horsnby, C. (2012) *Kenya: A History Since Independence.* London: I B Tauris, p.91

[574] Vianni, W. (2016) "Jomo Kenyatta: War, Land and Politics in Kenya," in Obadare E., Adebanwi W. (eds) *Governance and the Crisis of Rule in Contemporary Africa. African Histories and Modernities*. Palgrave Macmillan, New York.; Wasserman, G. (1973) 'Continuity and Counter-Insurgency: The Role of Land Reform in Decolonizing Kenya, 1962- 70', Canadian Journal of African Studies / Revue Canadienne des Études Africaines, 7 (1). Kenyatta kept intact many of the colonial state's structures, administration and administrators

[575] Boone, C. (2012) "Land Conflict and Distributive Politics in Kenya," in *African Studies Review*, 55 (1).

[576] In this way, land continues to produce periodic inter-ethnic conflict which often resurfaces during electioneering and electoral periods. While the favoured beneficiaries of land redistribution under Kenyatta were Kikuyu, Embu and Meru (to the detriment especially of the Kalenjin, Masaai, Turkana, Luo and Samburu), under President Daniel Arap Moi (1978 – 2002), land was redistributed to his ethnic group (Kalenjin) and ethnic allies (Masaai, Turkana, Samburu). See Kairuki, S. (2009) "We've Been to Hell and Back: Can A Botched Land Reform Programme Explain Kenya's Political Crisis (1963 – 2008),: in *Journal of African Elections*, 7 (2).

> The salaried, business people as well as politicians saw the low density schemes as a means for accumulation of capital. The politicians in particular saw the schemes as providing opportunity to 'translate political influence into ownership of capital, by becoming a large farm owner.'[577]

This produced much discontent amongst the general population. Both the high and low density resettlement schemes did not solve land hunger, poverty or food insecurity. Rather the schemes sort to convert the rural masses into economically productive producers and labourers, controlling the landless rather than freeing them.[578] Kenyatta's prioritization of stability in land and economic policy did produce unexpected gains: Kenya sustained a growth rate of 5.4% between 1963 – 1978.[579] Others sectors and industries however were nationalised (such as rice, sugar and maize), serving as further sites for political *patronage*.[580] Alongside growing land frustrations, Kenyatta was faced with growing demands for regional autonomy especially from the North East. In order to reign in minority regional grievances, and establish political and ethnic stability, Kenyatta invoked the law centralizing power through a series of constitutional amendments. In the first series of Constitutional amendments, Kenyatta returned Kenya to a unitary form of government (against the proposed two Chambers), and created the office of Executive President which he assumed.[581] Entrenched voting rights were removed; the police and public service were relegated to national functions (as opposed to regional functioning); local government and regions were made fiscally dependent on the national government; and Trust Lands were brought under the control of the government.[582] These amendments in effect

[577] Kanyinga, K.. (2017) "Kenya Experience in Land Reform: The 'Million Acre Settlement Scheme,' *World Bank Discussion Paper*. http://siteresources.worldbank.org/RPDLPROGRAM/Resources/459596-1168010635604/WBI-KenyaLandReform-WorkshopVersion.pdf

[578] See for critiques Leo, C. (1989) *Land and Class in Kenya*. Harare: Nehands.; Leys, C. (1975) *Underdevelopment in Kenya: The Political Economy of Neo-colonialism 1964- 1971*. London: Heinmann.

[579] Hazlewood, A. (1979) *The Economy of Kenya: The Kenyatta Era*. Oxford: Oxford University Press, p. 76. Kenyatta had envisioned a mixed economy model, based on private enterprise and African socialism, taken as the creation of a black capitalist elite. Kenya's surprising economic performance was due to the maintenance of the colonial economic structure: an unaltered economy meant economic stability during a volatile political transition.

[580] The Trade Licencing Act (1967) made it illegal for non-citizens to trade in these sectors. This was expanded to include textiles and cement. See Savage, D. (1970). "Kenyatta and the Development of African Nationalism in Kenya". *International Journal*. 25 (3)

[581] Barkan, J. (1987) "The Electoral Process and Peasant-State Relations in Kenya" in Hayward, F. *Elections in Independent Africa.* Boulder: Westview Press.

[582] Haberson, J.W. (1971) "Land Reform and Politics in Kenya 1954 – 1970," in *The Journal of Modern African Studies*, 9 (2).; Hornsby, C. (2012) *Kenya: A History Since Independence.* London: I B Tauris, p.95 By hllowing out regions, Kenyatta sought to reduce the regional power of political rivals such as Odinga.

hollowed out the regional assemblies, of mandate, function and money, and thereby hollowed out *majimboism.* In the first sitting of Parliament, Kenyatta stated that;

> Negative and destructive opposition can only do harm to democracy, and – what is more – it can quickly lead to the destruction of the privileges and rights of the opposition itself.[583]

In 1964 KADU was dissolved, and its political elites were absorbed into KANU in effect creating a one party de-facto state.[584] KADU and KANU had not offered any real choice in policy alternatives. Kenyatta used state resources to coopt rival elites within KANU, and from KADU, such as through the under reselling of government land funded by the British under the Settlement Transfer Fund Scheme and the Agricultural Finance Corporation Fund.[585] For example, Kenyatta rewarded Ronald Ngala, who had led the KADU party across the floor, with chair of the Maize Marketing Board.[586] In January 1964, a fortuitous army mutiny based on disgruntlement over pay, led KANU to ban all political meetings. In addition Kenyatta used the mutiny to implement a 'professionalisation' of the security forces, whereby the recruitment of new security forces was used to reward old Mau Mau fighters and Kenyatta's ethnic group, the Kikuyu. The appointment of Bernard Hinga to chief commissioner of police was the clearest example of this, whilst the General Service Unit (GSU) and Special Branch unit became sites for Kikuyu recruitment.[587]

[583] Hornsby, C. (2012) *Kenya: A History Since Independence.* London: I B Tauris, p.95
[584] Barkan, J. (1987) "The Electoral Process and Peasant-State Relations in Kenya" in Hayward, F. *Elections in Independent Africa.* Boulder: Westview Press.
[585] Himbara, D (1994). *Kenyan Capitalists, the State and Development.* Nairobi: East African Publishers. Kenyatta also used land to show favour towards his familial network: he allocated famrs in Kiambu, to fourth wife and daughter of Kikuyu chief Muhoho for example. He would use commissions, contract and business ventures to further his patronage network during his rule.
[586] Hornsby, C. (2012) *Kenya: A History Since Independence.* London: I B Tauris, p.96 Other elites were similarly rewarded with top positions: Odinga was made minister of home affairs, ex-KADU chairman Moi would replace Odinga as home affairs minister in 1966; Mboyo was made minister of economic planning and developemtn
[587] Osborne, M. (2014) *Ethnicity and Empire in Kenya: Loyalty and Martial Race Among the Kamba 1800 to Present.* Cambridge: Cambridge University Press. Ben Gethi, a Kikuyu from Lailipia was made head of the GSU; Bernard Njinu, a Kikuyu from Kiambu, was made Kenyatta's personal bodyguard; James Kanyotu, a Kikiyu from Kirinyaga was made head of the Special Branch.

The 'Little General Election' of 1966

Despite the amalgamation of KANU and KADU in1964, smaller political parties and factions from within KANU and the former KADU continued to agitate for power. House of Representatives members' who had resigned from KANU/KADU following the 1964 amalgamation went on to form the Kenya People's Union (KPU). This included 'radicals' such as Oginga Odinga, Bildad Kaggia, and Acheing Oneko. On 11 and 12 June 1966, a series of by-elections were held in order to make 'defecting MP's' (29 KPU individuals) stand for re-election.[588] The 1966 elections served to neutralise political rivals and consolidate one-party statism in Kenya.[589] KANU won 21/28 House of Representative Seats, while KPU won 7/28; in the Senate KANU won 8/10 seats, while the KPU won 2/10.[590] Following the 1966 election, another constitutional amendment was passed which abolished the Senate level of government, a further act in the consolidation of KANU's political power.

Significant to this election, was the deployment of *state violence* ahead of the 1966 elections. The use of state security structures allowed the incumbent party to overwhelmingly shape the electoral milieu. The GSU was used to crush anti-government protests and the army was deployed to 'hot spot areas' across the country to 'show the strength' of the state's security forces.[591] The incumbent party also used state bureaucracy to frustrate the KPU in the electoral process by for example delaying the recognition and registration of the KPU right up until nomination day. Restrictions were placed on the KPU in campaigning, rally licenses were denied, there was a state media blackout on the KPU, and *ethnic* labelling of "disgruntled Luos" was used to personify the KPU vote.[592] In addition, ministers and local elites cautioned constituencies with veiled threats, warning that "the Government would not agree to give aid to

[588] By-elections were a result of a constitutional amendment to tailor the political playing field in KANUs favour. The Constitution was amended 10 times between 1963 – 1969. See Kelley, B. (1973) "The Kenyan Constitution and the Question of Succession: The influence of a strong leader," *IUSTITIA*, 1 (3);
[589] Bennett, G. (1966) "Kenya's 'Little General Election'", in *The World Today*, 22 (8)
[590] Katumanga, M. (1997) *National Elections Data Book: Kenya 1963-1997.* Nairobi: Institute for Education in Democracy.
[591] Branch, D (2011) *Kenya: Between Hope and Despair 1963-2011*. New Haven: Yale.
[592] Katumanga, M. (1997) *National Elections Data Book: Kenya 1963-1997.* Nairobi: Institute for Education in Democracy.; Bennett, G. (1966) "Kenya's 'Little General Election'", in *The World Today*, 22 (8); p.343 For example Kaggia was arrested for holding an unauthorised meeting in South Nyanza. Later sentenced to one years imprisonment; Oneko Acheing, alon with other KPU leaders, were detained in 1969 when the KPU was banned. Acheing only gained freedom in 1975. Acheing would go onto form the opposition FORD alliance in the 1992 elections.

an area which does not support it".[593] The 1966 election heralded the use of 'colonial tricks' to contain political opposition and constrain the electoral environment through the use of state legal, institutional and security structures.[594] As Kelley argues, the little general election "… proved that a political question could be resolved consistent with the Constitution,"[595] albeit a surreptitiously amended one.

Between 1966 – 1969 the KPU served as the only viable political opposition to KANU, despite the increased heavy-handedness of the incumbent party and state vis-à-vis opposition detentions, harassment, and the curtailed constitutional environment. In 1968, local government elections were held. Kenyatta however ordered returning officers to reject the nomination papers of all KPU candidates. Further, new legislation introduced prevented candidates from standing as independents in a local government election.[596] In effect, this meant that all KPU candidates were declared ineligible from competing on 'technical grounds' and KANU candidates won unopposed.[597] The 1968 election therefore was a 'non-election' and on the back of the 'little general election' of 1966, solidified the 'beginning of the end' of competitive and multiparty elections in Kenya.

In 1969, the assassination of Tom Mboya and the mysterious death of Clement George Michael Argwings-Kodhek, both Luos, sparked waves of protests and demonstrations, especially in Kisumu and Homa Bay.[598] Their deaths set off an ethnic stand-off and *interactional violence* between Luos and Kikuyus that threatened to engulf the country into tribal rebellion.[599] The use

[593] Bennett, G. (1966) "Kenya's 'Little General Election'", in *The World Today,* 22 (8).
[594] The use of the *Kenya Government Gazette* for example to publicise electoral rules and regulations made the electoral playing feel look equal and fair see *Gazette Notice 2591/2/3/4: The Local Government Election Rule 1966.* This was used to resounding effect in the 1968 local government elections See *The Local Government Elections Legislation* (1968). Nairobi: Ministry of Local Government.
[595] Kelley, B. (1973) "The Kenyan Constitution and the Question of Succession: The influence of a strong leader," *IUSTITIA*, 1 (3), p. 48.
[596] Kelley, B. (1973) "The Kenyan Constitution and the Question of Succession: The influence of a strong leader," *IUSTITIA*, 1 (3); *The Local Government Elections Legislation* (1968). Nairobi: Ministry of Local Government.
[597] Maxon, R. & Ofcansky, T.P. (2014) *Historical Dictionary of Kenya.* New York: Rowman & Littlefield. For example Oginga Odinga signed his nomination papers with his initials and not his full name, rendering him ineligible.
[598] Maxon, R. & Ofcansky, T.P. (2014) *Historical Dictionary of Kenya.* New York: Rowman & Littlefield; Kelley, B. (1973) "The Kenyan Constitution and the Question of Succession: The influence of a strong leader," *IUSTITIA*, 1 (3).
[599] Kyle, K. (1999) *The Politics of the Independence of Kenya.* Houndsmills, Basingstoke: Palgrave Macmillan.; Kelley, B. (1973) "The Kenyan Constitution and the Question of Succession: The influence of a strong leader,"

of *state violence* to quell the protests was exacting. The 'Kisumu massacre' on 5 July 1969 highlights the degree to which state and presidential security heavy-handedness had become normalized and politicized by the incumbent party. Police opened fire on protesting and stone throwing KPU youths who reacted to Kenyatta's speech in which Kenyatta described the KPU as "locusts" to be ground into flour.[600] Kenyatta went on to threaten,

> If it was not for my respect for you Odinga, I would put you in prison now and see who has the power in this country. If any of your stupid supporters continue with their nonsense, we show them that Kenya has a government.[601]

100 youths were killed and hundreds were injured.[602] The 'Kisumu massacre' was used by Kenyatta to blame the KPU and Odinga for rising national and ethnic violence prompting the banning of the KPU, the detention of all KPU leaders, and the dissolving of parliament prompting forth fresh elections.[603] Kenyatta also re-introduced 'oathing' across the country to unify and strengthen the KANU elite pact and supporter base amongst the Kikuyu, Embu, Meru and Kamba.[604] KANU's increasing show and deployment of violence between 1966 - 1969, was *eliminationist* and *interactional* in nature. KANU however continued to be a faction riven party, especially at the provincial and local levels.

IUSTITIA, 1 (3). It was widely rumoured that Kenyatta was behind these deaths, though this has never been proven. Ethnic animosity against the Kikuyu was also prominent amongst the Kalenjin and Nandi: there were significant clashes throughout the Rift Valley during this period. See 'The Big Man' in Branch, D (2011) *Kenya: Between Hope and Despair 1963-2011*. New Haven: Yale.

[600] Hino, H,; Lonsdale, J.; Ranis, G. & Stewart, F. (2012) *Ethnic Diversity and Ethnic Instability in Africa: Interdisciplinary Perspectives.* Cambridge: Cambridge University Press. p, 115. For other examples of GSU and police violence see Branch, D (2011) *Kenya: Between Hope and Despair 1963-2011*. New Haven: Yale, pp.80 - 84

[601] CFPF 1967-69 RG 59 NACP. McIlvaine to State Department, 29 October 1969. In Branch, D (2011) *Kenya: Between Hope and Despair 1963-2011*. New Haven: Yale, p.88

[602] There is some discrepancy in the numbers killed between 8, 11 – 100. Hino, H,; Lonsdale, J.; Ranis, G. & Stewart, F. (2012) *Ethnic Diversity and Ethnic Instability in Africa: Interdisciplinary Perspectives.* Cambridge: Cambridge University Press. p, 115.; Kelley, B. (1973) "The Kenyan Constitution and the Question of Succession: The influence of a strong leader," *IUSTITIA*, 1 (3); Branch, D (2011) *Kenya: Between Hope and Despair 1963-2011*. New Haven: Yale.

[603] Branch, D (2011) *Kenya: Between Hope and Despair 1963-2011*. New Haven: Yale.; Barkan, J. (1987) "The Electoral Process and Peasant-State Relations in Kenya" in Hayward, F. *Elections in Independent Africa.* Boulder: Westview Press. Ban on all political parties only came into effect in 1982

[604] Branch, D (2011) *Kenya: Between Hope and Despair 1963-2011*. New Haven: Yale, p.85

No Choice, Semi-Competitive Elections: 1969 – 1988

Five non/semi-competitive elections were held in the 'de-participation period' between 1969 and 1988 (1969, 1974, 1979, 1983 and 1988), with a 60% incumbency rate of MPs winning re-election.[605] Turn out however was never higher than 45% during this period.[606] The holding of periodic elections offered a way of dealing with the factional nature of politics in Kenya, underwritten local *ethnic*, *patronage* and *land*/*resource* issues. 'Electoral rules' of the de-participation period encouraged candidates to focus on activities within their constituencies, known as *harambee*, rather than on national policy.[607] This devolved position and patronage: those who had greater access and ability to bestow patronage to constituents, won re-election.

The election of 1969 was the first post-independence election, dubbed a 'primary election', which witnessed more than 700 candidates stand for election in the single chamber of government. Only one party, KANU, was recognized as contesting at the poll, winning all the seats at the National Assembly level and at the Presidential level.[608] While choice of party and President represented 'no choice', making it a non-election in this sense, elections served an important role at the constituency level whereby voters could exercise choice for MPs by direct election.[609] MP's with greater access to state patronage were more successful at securing re-election than MP's who rarely visited their constituencies, or failed to secure development schemes.[610] "Out of the 158 incumbents, 77 lost their seats including 5 cabinet ministers and 14 assistant ministers."[611] The 1969 election itself was largely free from violence given the state clampdown on the KPU opposition, labour movements, and the counter-insurgency operation underway in the North-East. The 1969 election served a number of important functions: it 'refreshed' the elite compact and restored a degree of legitimacy to KANU following the '1964

[605] Barkan, J. (1987) "The Electoral Process and Peasant-State Relations in Kenya" in Hayward, F. *Elections in Independent Africa*. Boulder: Westview Press, p.230
[606] Barkan, J. (1987) "The Electoral Process and Peasant-State Relations in Kenya" in Hayward, F. *Elections in Independent Africa.* Boulder: Westview Press, p.233
[607] Barkan, J. (1987) "The Electoral Process and Peasant-State Relations in Kenya" in Hayward, F. *Elections in Independent Africa.* Boulder: Westview Press, p.229 "Self-help" projects such as fund raising for schools, lobbying state agencies for assistance on developmental projects;
[608] Maxon, R. & Ofcansky, T.P. (2014) *Historical Dictionary of Kenya.* New York: Rowman & Littlefield.
[609] Branch, D (2011) *Kenya: Between Hope and Despair 1963-2011*. New Haven: Yale
[610] Throup. D. & Hornsby, C. (1998) *Multiparty Politics in Kenya: The Kenyatta and Moi States & The Triumph of the System in the 1992 Election*. Oxford: James Currey.
[611] Katumanga, M. (1997) *National Elections Data Book: Kenya 1963-1997.* Nairobi: Institute for Education in Democracy.

merger', the '1966 fissure' and the 1969 massacre. It also cemented the government's monopoly over administrative, bureaucratic and coercive powers.[612] In the 1974 election, 88/158 MPs lost their seats (including 4 ministers and 13 assistant ministers), whilst in the 1979 election 72/158 MPs lost their seats (including 7 ministers).[613] New electoral rules were introduced from 1974 such as candidates had to be life members of KANU in order to be eligible to run, and voters qualified to vote at age 18 (previously 21).[614]

Contestation remained within the party over cabinet positions, provincial commissioners, and district level positions. As Barkan notes, elections were no longer about voter choice but rather an,

> … opportunity to strengthen the Kenyatta regime by purging it of its least effective members and replacing them with new troops who would be more effective in carrying out supportive roles. Elections thus provided for the circulation of individual members of the rural petty bourgeoisie into and out of positions of power, and for the recruitment of new members into the system.[615]

The 1970's and 1980's represented KANU's entrenchment of political power and consolidation of the Kenyatta (1961 – 1978) and Moi (1978 – 2002) regimes. During this time vying and outspoken elites were *assassinated*, such as Josiah Mwangi Kariuki or imprisoned, such as Flomena Chelagat, George Anyona, Martin Shikuku, Ngugi wa Thiong'o and J M Seroney.[616] Under Kenyatta a number of socio-economic *conditions* proliferated, such as rampant *corruption*, *ethnic* favouritism and marginalisation, high *unemployment*, and slum urbanisation. Ethnic riots broke out periodically, though these were put down forcefully and brutally. Kenyatta was unrepentant in defending Kikuyu privilege, stating;

[612] Hornsby, C. (2012) *Kenya: A History Since Independence.* London: I B Tauris, p.219
[613] Maxon, R. & Ofcansky, T.P. (2014) *Historical Dictionary of Kenya.* New York: Rowman & Littlefield, p.115
[614] Katumanga, M. (1997) *National Elections Data Book: Kenya 1963-1997.* Nairobi: Institute for Education in Democracy.
[615] Barkan, J. (1987) "The Electoral Process and Peasant-State Relations in Kenya" in Hayward, F. *Elections in Independent Africa.* Boulder: Westview Press, p.228
[616] Kairuki, S. (2009) "We've Been to Hell and Back: Can A Botched Land Reform Programme Explain Kenya's Political Crisis (1963 – 2008), in *Journal of African Elections*, 7 (2).; Branch, D (2011) *Kenya: Between Hope and Despair 1963-2011*. New Haven: Yale

> Some want to tell use that Kenya belongs to all the people. Granted I know that much. But I have a question to ask: when we were shedding blood, some languished in prison and some suffering in the forests, fighting for Uhuru, where were the bloody others? If you want honey, bear the sting of the bee …[617]

Corruption became a fundamental part of the political system and attempts to investigate tribalism and corruption, such as the parliamentary select committee in October 1971, were obstructed.[618] Kenyatta and senior political elites were implicated in the black market sale of goods into Uganda and the ivory trade.[619] *Extraversion* also witnessed political elites smuggle out coffee, tea and maize and avoid the marketing boards that applied fees and duties.[620] The oil crisis of 1972-1973 had an adverse impact on Kenya: the price of imports increased, the cost of exports increased and food inflation rose by 50% in 1975.[621]

Following Kenyatta's death in 1978, Daniel Arap Moi assumed power, having served as vice president since 1967.[622] In order to secure social stability during this period of political transition, Moi increased the minimum wage; he implemented a free milk feeding scheme in schools known as 'the Nyayo free milk scheme'; and he banned ethnic and civil associations.[623] Following an abortive coup in 1982 and an attempt by ex-KPU members to re-constitute a formal opposition party, Moi successfully amended the constitution making Kenya a *de jure* one party state.[624] The

[617] TNA : PRO FCO 31/856 *Bellers to Duggan* 30 June 1971
[618] There were a number of such anti-corruption investigative commissions over the years such as Bosire Commission, Ndung'u Commission; the establishment of the Kenya Anti-Corruption Commission (KACC). Moi used commissions to neutralise and replace opponents, and consolidate his power.
[619] Tinker, J. (1975) "Who is Killing Kenya's Jumbos?" in *New Scientist*, 22 May;
[620] 'Continued Smuggling Causes Food Crunch', in *Weekly Review*, 5 December 1980
[621] 'Kenya's Inflation: How to Beat It," (1975) *Weekly Review*, 3 March
[622] This transfer of power from Vice President to President was not without contest: a group of senior KANU political elites attempted to foment support for amending the Constitution ahead of the 1979 elections in order that the direct transfer of power from Kenyatta (P) to Moi (VP) was removed. See Adar, K.G. & Munya, I.M. (2001) "Human Rights Abuses in Kenya Under Daniel Arap Moi , 1978 – 2001," in *African Studies Quarterly*, 5 (1).
[623] Katumanga, M. (1997) *National Elections Data Book: Kenya 1963-1997*. Nairobi: Institute for Education in Democracy, p.123. Banning of university staff associations, non-governmental organisations, Abluhuya and GEMA ethnic unions.
[624] Moi released ex-KPU leaders from detention when he took over from Kenyatta. The 1982 coup was led by Air Force personnel and led by students. It was quickly put down by the army and police. The coup conspirators were sentenced to death. Another coup, the 'Njonjo Affair', in which Minister of Constitutional Affairs, was 'discovered' in the planning involving South African and Israeli mercenaries. Throup. D. & Hornsby, C. (1998) *Multiparty Politics in Kenya: The Kenyatta and Moi States & The Triumph of the System in the 1992 Election*. Oxford: James Currey, pp.31-32. Public Order Act, Public Security Act, Penal Codes were enacted which suspended individual constitutional rights.

calling of an early general election in 1983 was used to rebuild a loyal, stable and trusted inner KANU cohort: 40% of MP incumbents were voted out of power.[625] The machinery of incumbency allowed Moi to shape the political and electoral arena: 17 of Moi's allied candidates won in landslide victories. Additionally, Moi used the abortive coup context to constitutionally secure and pass the Presidential Emergency Powers Act giving Moi personal authority and control over state security structures. The Directorate of Security Intelligence (DSI) or 'Special Branch' and Criminal Intelligence Department (CID), in addition to the KANU Youth Wingers, were strongly associated with the Moi regime exacting torture, beatings, disappearances, and detentions, and extracting information and bribes from opponents, detainees, and dissidents.[626] Journalists, lawyers, academics, political rivals and social activists were targeted. The 'old guard': judges, civil servants, and security forces were replaced with Moi's own, for example the Army Commander Major General Musomba was replaced with General Sawe, a Kalenjin. Special Branch officers and judges were 'Kalenjinised'. Moi who was from a minority tribe, Kalenjin, used his incumbency to provide, look after and reward Kalenjin and other smaller tribes such as the Samburu (Major General Lengees), Somali (Lieutenant General Mahmoud Mohammed), and Meru (the police and GSU were headed by Bernard Njinu and Evaristus M'Mbijiwe).[627] The totality of *de jure* force and bureaucracy, combined with *kleptocratic ethnic patronage* politics were used as instruments to centralize power and rule out dissent. The 'Goldenberg Scandal' is one such example of the chain of corruption, entailing the smuggling of

[625] Maxon, R. & Ofcansky, T.P. (2014) *Historical Dictionary of Kenya.* New York: Rowman & Littlefield. The 1983 election had the lowest turn-out of every election held thus far, 48%.

[626] *QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR: TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT* (1997). Report of the Special Rapporteur, Commission of Human Rights, United Nations. https://documents-dds-ny.un.org/doc/UNDOC/GEN/G97/101/13/PDF/G9710113.pdf?OpenElement "Methods of torture reported to be the most common include beatings with sticks, fists, rungus (knobbed sticks), handles of hoes and guns on various parts of the body, especially the soles of the feet; beatings to the soles of the feet while being suspended upside down on a stick passed behind the knees and in front of the elbows; and infliction of simultaneous blows to both ears, sometimes resulting in ruptured ear drums. Other forms of torture reported were the removal of toenails and fingernails; near-asphyxiation caused by the immersion of the head in dirty water; being held in a cell filled with two inches of water for several days (the "swimming pool"), rape or the insertion of objects into the vagina; and pricking the penis with large pins or tying the penis with a string and pulling.", p.31

[627] Throup. D. & Hornsby, C. (1998) *Multiparty Politics in Kenya: The Kenyatta and Moi States & The Triumph of the System in the 1992 Election*. Oxford: James Currey, p.32 The Law Society of Kenya was targeted too. Other Kalenjins in key positions included, Agricultural Development Corporation (ADC), Kenya Commercial Bank (KCB), Kenya Posts and Telecommunications (KPT), Central Bank of Kenya (CBK), Kenya Industrial Estates (KIE), National Cereals and Produce Board (NCPB), and the Kenya Grain Growers Cooperative Union (KGGCU). See Adar, K.G. & Munya, I.M. (2001) "Human Rights Abuses in Kenya Under Daniel Arap Moi , 1978 – 2001," in *African Studies Quarterly*, 5 (1).

gold exports out of the DRC and into Kenya, and selling of the gold in excess of foreign currency earnings of exporters.[628] Further, trade licenses, such as the 'World Duty Free' license to run shops in Kenya's airports, exacted approval 'fees'.[629] "Kickbacks under Jomo Kenyatta's presidency had normally been around 10% of the value of a contract, whereas under Moi they often reached 60%."[630] The 'institutionalization, centralization and personalization' of the state under Moi was built on political patronage, reward and fear.[631]

1986 and 1988 election: The importance of loyalty was laid bare in the 1986 KANU election and the 1988 general election whereby these elections were conducted under the *Mhlolongo* 'queuing system'.[632] Secrecy of the vote was removed and voters were required to publically queue in front of a picture of their preferred candidate, opening up the electoral process to intimidation, rigging and vote-buying. Members were no longer 'elected', but rather 'selected'.[633] Direct selection maintained regional and ethnic competition for resources. The 1988 election witnessed the number of parliamentarians increase from 158 to 188 seats, excluding 12 members appointed by Moi.[634] The 1988 election also witnessed a return of election violence typified by 'mob' and ethnic violence related to electioneering, despite the *de jure* constrained environment. During the MP campaigning period, 100 people were injured and 3 killed as a result of *interactional violence*.[635] The 1988 elections were a key turning point in the meaning and function of elections

[628] *Report of the Judicial Commission of Inquiry Into the Goldenberg Affair* (2005). Nairobi: Republic of Kenya. http://www.tikenya.org/documents/Goldenberg Report.pdf

[629] This bribe amounted to a $2 million cash donation from Ali Nasir to Moi to secure the license. Along these corruption and bribery chains many elites benefited/were rewarded.

[630] Brown, S. (2007) "From Demiurge to Midwife: Changing Donor Role's in Kenya's Democratisation Process" in Murunga, G.R. & Nasong'o, S.W. *Kenya: The Struggle for Democracy*. London: Zed Books, p.307

[631] Adar, K.G. & Munya, I.M. (2001) "Human Rights Abuses in Kenya Under Daniel Arap Moi , 1978 – 2001," in *African Studies Quarterly*, 5 (1).

[632] Throup. D. & Hornsby, C. (1998) *Multiparty Politics in Kenya: The Kenyatta and Moi States & The Triumph of the System in the 1992 Election*. Oxford: James Currey. If a candidate attained by counting more than 70% of the votes, they were elected unopposed,; if there were numerical equally weighted contenders, this was then put to secret ballot. The *Mholongo* voting system was the end of the National Assembly acting as a counter-weight to the President; it was the end of the National Assembly as a semi-autonomous institution; and it was the end of any meaningful participatory politics by the public in the act of election.

[633] Adar, K.G. & Munya, I.M. (2001) "Human Rights Abuses in Kenya Under Daniel Arap Moi , 1978 – 2001," in *African Studies Quarterly*, 5 (1). Returning Officers who counted the votes were directly appointed by Moi facilitating rigging of the vote. It is estimated 60% of seats were rigged. See also "Struggle for Democracy in Kenya: Special Report on the 1988 General Elections in Kenya," (1988) *UMOJA*: London.

[634] This bloated parliament was reflective of the ongoing exercise of political patronage. Civil service increased by 12% between 1979-1981;

[635] Williams, P. (1988) "Widespread Violence Mars Kenya Election," in *UPI*, March 21 https://www.upi.com/Archives/1988/03/21/Widespread-violence-mars-Kenyan-elections/6743574923600/

in Kenya. State violence had been consistently deployed outside of the framework of elections prior to 1988 in repressing political opposition, but given the rising wider discontent, state violence was employed in an *instrumental* and *eliminationist* fashion during the election against political rivals, dissident elites, and the wider population. The return of violence in 1988 is associated with a change in electoral *rules* and *institutions (Mhlolongo)*, an expansion of *elites* into the National Assembly, a rise in *elite factionalism*, and the attempted re-formation of an opposition political party. Moi's personalization of power saw him intervene more directly in the selection, nomination, appointment, hiring and firing of MPs, Provincial Administrators, and Assistant Ministers: 14 ministers were removed by Moi between 1982-1990.[636] The result of which diminished the correspondence between constituency and representative, weakening the ethnic and regional patron-client political stability used to build the *de facto* and *de jure* KANU state. This decline in socio-political stability combined with overall stagnated economic growth, a bankrupt National Assembly, declining foreign exchange earnings, and high demographic growth and urbanization, led International Financial Institutions (IFI's) such as the World Bank (WB) and International Monetary Fund (IMF) to intervene more directly into Kenyan politics.[637] Between 1978 – 1990 official development assistance (ODA) to Kenya had increased from $334 million to $1.2 billion: Kenya was the largest recipient of bi-lateral aid in Sub-Saharan Africa from the United States in 1990.[638] The Kenyan state and Moi regime had been maintained by aid; the continue assurance and supply of foreign aid strengthened Moi's hold onto power despite the deteriorating economic situation. The increasing presence of aid agencies in providing relief, such as food and shelter following the 1980 drought and famine, also temporarily relieved Moi of pressures in the North-East. However, a combination of a wider changing international context in 1990, in addition to Moi's arrest and detention of pro-democracy activists who were planning a rally on 7 July 1990 (including Ralia Odinga (son of KPU Oginga Odinga), Kenneth Matiba, Charles Rubia, Mohammed Ibrahim, and Kenneth Khaminwa), and the brutal crackdown

[636] Throup. D. & Hornsby, C. (1998) *Multiparty Politics in Kenya: The Kenyatta and Moi States & The Triumph of the System in the 1992 Election*. Oxford: James Currey, p,35.
[637] Throup. D. & Hornsby, C. (1998) *Multiparty Politics in Kenya: The Kenyatta and Moi States & The Triumph of the System in the 1992 Election*. Oxford: James Currey. Between 1983-1990 Kenya's economy grew at 0.3%., wages fell by 22%
[638] Brown, S. (2007) "From Demiurge to Midwife: Changing Donor Role's in Kenya's Democratisation Process" in Murunga, G.R. & Nasong'o, S.W. *Kenya: The Struggle for Democracy*. London: Zed Books, p.306.

of the Saba Saba riots, led to a changed approach by IFI's.[639] IFI's began to pressure Moi to adopt political changes in order to receive continue aid: 'political conditionality' by donors undermined the 'stability' of Moi's kleptocratic ethno-patronage regime. The US were first to freeze aid to Kenya, $5 million in military aid and $8 million in development aid, the release of which was contingent on the release of political detainees, the restoration of an independent judiciary and freedom of expression.[640] The Norwegians cut off an annual disbursement of $20 million in aid to Kenya in 1991 in reaction to the kidnap, arrest, and detention of Koigi wa Wamwere, a political and social activist who had previously resided in Norway; Denmark suspended its rural development program worth $40 million per annum upon discovery that $17 million had been embezzled in the previous financial year.[641] Following the assassination of 'anti-graft' Foreign Affairs Minister Robert Ouko in 1991, and sustained lobbying by NGO Africa Watch and the political opposition party in detention, Forum for the Restoration of Democracy (FORD), the World Bank suspended new development assistance aid to Kenya worth $350 million.[642] The World Bank called for "… greater pluralism, the importance of the rule of law and respect for human rights, notably basic freedoms of expression and assembly, and… firm action to deal with issues of corruption,"[643] in order for financial assistance to resume. Within weeks, Moi announced that political parties could register; the *de jure* constitutional article enshrining KANU as the sole political party was repealed; multiparty elections were promulgated for December 1992; and a two term presidential term-limit was introduced.[644]

Single party elections during the de-participation period were an exercise in limited and controlled choice by the KANU regime. The elections served an important participatory function

[639] Adar, K.G. & Munya, I.M. (2001) "Human Rights Abuses in Kenya Under Daniel Arap Moi , 1978 – 2001," in *African Studies Quarterly*, 5 (1). In addition to Moi's repressive practices, flagrant human rights abuses, and suppression of freedom of association, the press, expression, and even the clergy, land re-emerged as a fault line of conflict. For more on the Saba Saba riots see Throup. D. & Hornsby, C. (1998) *Multiparty Politics in Kenya: The Kenyatta and Moi States & The Triumph of the System in the 1992 Election*. Oxford: James Currey, p.67

[640] Brown, S. (2007) "From Demiurge to Midwife: Changing Donor Role's in Kenya's Democratisation Process" in Murunga, G.R. & Nasong'o, S.W. *Kenya: The Struggle for Democracy*. London: Zed Books, p.308

[641] Brown, S. (2007) "From Demiurge to Midwife: Changing Donor Role's in Kenya's Democratisation Process" in Murunga, G.R. & Nasong'o, S.W. *Kenya: The Struggle for Democracy*. London: Zed Books, pp,309-310. There was not a unified approach on repealing aid or developmental assistance between the Big 5 donors and this lack in uniformity, and continued trickling in of foreign money, allowed Moi to stay in power.

[642] Throup. D. & Hornsby, C. (1998) *Multiparty Politics in Kenya: The Kenyatta and Moi States & The Triumph of the System in the 1992 Election*. Oxford: James Currey.

[643] *Word Development Report 1995*. New York: Oxford University Press.

[644] Hornsby, C. (2012) *Kenya: A History Since Independence.* London: I B Tauris, pp.510-512. In this initial period, KANU lost 10% of its members who defected to FORD.

and legitimizing function for the *de facto* and *de jure* one party state. However, due to a changing international, continental and regional context, coupled with internal pressures, elections came to take on a new meaning in the 1990's. Elections came to signify the means of returning 'power to the people' through multiparty democracy, to which competitive elections were central. Elections also came to signify the means of reviving stagnant and declining economies, by attaching political conditionalities to aid dsibursements, and a means to removing kleptocratic elites.

Return to Multipartyism: 1992 Election

Seven political parties competed in the National Assembly election of 29 December 1992, though only four made significant gains. KANU won the election with 112/200 seats, the Forum for the Restoration of Democracy-Kenya (FORD-K) accrued 31/200 seats, the Forum for the Restoration of Democracy-Asili (FORD-A) gained 31/200 seats and the Democratic Party tallied in at 23/200 seats. The Kenya Social Congress (KSC), Kenya National Congress (KNC) and Party of Independent Candidates of Kenya (PICK) each gained 1 seat. Of the 200 seats, 12 were appointed by the President.[645] Daniel Arap Moi of KANU won the Presidential election with 36.35% of the vote, followed by Kenneth Matiba of FORD-A at 26%. Mwai Kibaki of the Democratic Party (DP) and Oginga Odinga of FORD-K, polled 19.4% and 17.4% respectively.[646] Turn-out was placed at 68.8%.[647]

The 1992 election was an important test case for donor democracy promotion and the use of political conditionality to return Kenya to multiparty competitive politics.[648] The main observers to the election were a cohort of affiliated civil society monitors and groups under the banner, National Election Monitoring Unit (NEMU).[649] The Commonwealth Group (COG) and the

[645] Elections in Kenya" (2011) *African Elections Database*, Accessed 30/11/2010. http://africanelections.tripod.com/ke.html
[646] Elections in Kenya" (2011) *African Elections Database*, Accessed 30/11/2010 http://africanelections.tripod.com/ke.html
[647] *Toward Credible and Legitimate Elections in Kenya. Part II IFES Assessment Report.* (1997) Washington: IFES, p.20
[648] Geisler, G. (1994) "The 1992 Kenyan Election Observation," in *Security Dialogue*, 25 (1). The 1992 election also came to show the limits of 'imposed democracy' and of election monitors.
[649] 8000 observers were deployed throughout the country. *The Multi-party general elections in Kenya : 29 December 1992. The report of the National Election Monitoring Unit (NEMU)*. (1993) Nairobi: National Election Monitoring Unit (NEMU)

International Republican Institute (IRI) also observed the election, though the number of international observers only totaled 200, covering a mere 2.3% of voting stations. Their reports did not sufficiently lay bare the fraudulence or violence of the 1992 election, so while the COG report noted "widespread tribal disturbances, threats, and harassment of party supporters, in particular supporters of the opposition parties," the COG ultimately concluded that the election reflected "the will of the people".[650]

The 1992 election was marred by significant violence, rigging, fraud, a fractured and weak opposition, ethnic clashes, and a continued formidable incumbent. Prior to the election, the opposition splintered into two parties, FORD-A and FORD-K, and following the election would splinter further again, based on personality and leadership. A weak and divided opposition was a significant factor in their electoral losses, as was the uneven playing field. *Incumbency* worked in Moi's favour whereby state machinery could still be used to shape the electoral environment. This included the (ab)use of *law* and *institutions* e.g. prohibiting the formation of coalition governments; requiring presidential candidates to win 25% of the vote or more in 5 or more provinces; the presidential appointment of the election commission and commissioners; lax checks on registration of voters in terms of residence and age thereby allowing for multiple voting; sparse provision of registration centers, voting stations and slow delivery of ballot boxes in certain districts considered more favourable to the opposition; the provision of transportation to (KANU) voters; the changing of the election date to coincide over the Christmas period; and the denial of observation status to certain observers such as the National Democratic Institute (NDI) and Carter Center.[651] Incumbent electoral fraud was widespread, this included open vote buying in voting queues; the selling of voters cards; ballot stuffing; and count-rigging.[652]

[650] *The Presidential, Parliamentary and Civic Elections in Kenya, 29 December 1992. The Report of the Commonwealth Observer Group.* London: Commonwealth Secretariat.; Geisler, G. (1994) "The 1992 Kenyan Election Observation," in *Security Dialogue*, 25 (1), p.115

[651] *Monitoring Democracy in Kenya: A Manual for Election Monitors.* (1992) Nairobi: National Election Monitoring Unit (NEMU).; *The Multi-party general elections in Kenya : 29 December 1992. The report of the National Election Monitoring Unit (NEMU)*. (1993) Nairobi: National Election Monitoring Unit (NEMU).; Geisler, G. (1994) "The 1992 Kenyan Election Observation," in *Security Dialogue*, 25 (1).; Barkan, J.D. 1993. 'Kenya: Lessons from a Flawed Election', in *Journal of Democracy*, 4 (3).; Moi was guaranteed to win in 5 provinces hence the promulgation of the arbitrary requirement.

[652] *The Presidential, Parliamentary and Civic Elections in Kenya, 29 December 1992. The Report of the Commonwealth Observer Group.* London: Commonwealth Secretariat

Violence featured prominently in the run-up to the 1992 elections. Violence centered on regional and ethnic grievances over land, a combustible and contagious combination in the Nyanza and Rift Valley provinces and districts (Nakuru, Nandi, Trans-Nzoia, Uasin-Gishu, Mount Elgon), that had been suppressed under Moi's autocratic rule.[653] In the run up to the 1992 election, inter-communal conflicts 'erupted'. Both KANU and FORD blamed the other for political incitement of 'traditional castle-rustling border disputes' in the run-up to the election.[654] As the Africa Watch report highlights,

> The reports of the attacks are remarkably similar however. Hundreds of young men, dressed in an informal uniform of shorts and tee-shirts, armed with traditional bows and arrows, attack farms inhabited by Kikuyus, Luhyas, or Luos, all communities associated with the political opposition. The warriors loot, kill, and burn, leaving death and destruction in their wake. To a lesser extent, there have been retaliatory attacks against the Kalenjin, though these have been less organized and more opportunistic in character, creating an escalating cycle of violence.[655]

The violence was *inter-party* and *intra-party*, for example Nandi Kalenjin KANU politicians (such as Henry Kosegay) accused Luo KANU political rivals (such as Onyango Midika) of inciting their constituents to commit acts of 'raze and raid'.[656] The land violence was distinctly political: cattle were not overtly targeted, but were opportunistically seized; rather the goal was to stoke fear, panic, displacement and ultimately the eviction of non-Kalenjins. As Boone notes,

---

[653] Boone, C. (2014) *Property and Political Order in Africa: Land Rights and the Structure of Politics.* Cambridge: Cambridge University Press. There were sporadic incidents of violence over land and ethnic allocation in the 1980's period of growing dissent but these were forcefully put down and repressed e.g. 1984 clash between Nandi and Luhya in Kapkangani. The Nandi had lost 1250 sq.m to the British White Settlers Scheme, though land was predominantly returned to the Kikuyu, Luo Kissi and Luhya.

[654] *Judicial Commission of Inquiry into Tribal Clashes in Kenya*. (1999) Nairobi: Republic of Kenya, p.2 https://www.hrw.org/sites/default/files/related_material/Akiwumi%20Report.pdf

[655] *Divide and Rule: State Sponsored Ethnic Violence in Kenya.* (1993) Nairobi: Africa Watch. https://www.hrw.org/legacy/reports/1993/kenya1193.pdf

[656] *Divide and Rule: State Sponsored Ethnic Violence in Kenya.* (1993) Nairobi: Africa Watch. https://www.hrw.org/legacy/reports/1993/kenya1193.pdf ; Mombassa KANU politicians, Rashid Sajad and Karisa Maitha, had paid a visit to an armed militia training camp in Shimba Hills. They reassured young men recruited from Uganda, Rwanda (mainly Hutus), and Ukunda (Coast Province) that the government was not only behind but also supported the expulsion of "upcountry" people from the area see Adar, K.G. & Munya, I.M. (2001) "Human Rights Abuses in Kenya Under Daniel Arap Moi , 1978 – 2001," in *African Studies Quarterly,* 5 (1).

> Leading members of the Moi government campaigned openly on a platform of chasing settlers out of the Rift and allocating land to the regime's own supporters…. Politicians dangled the tantalizing prize of restoring land in the Rift Valley to the original owners who had been twice denied – first by the colonial state 1905 – 1920, and then by the ruling party of Jomo Kenyatta in the 1960s and 1970s.[657]

Moi and KANU elites encouraged supporters to occupy vacated homes, farms and properties in the context of displacement: "because the land-politics battle was fought on the national level, the *scope of the conflict* was also defined at that level.[658] The incumbent party was active in in fomenting inter-communal violence over land in rural areas, and in urbans areas ethnic violence resulted with the demarcation of 'KANU-only zones', particularly in the 'slums'. Tactics changed to the greater sponsoring of non-state *vigilantes* and *militias*, alongside *the police* and *Special Branch (GSU, DIS, CIS)* paid in sums ranging from Kshs 500 – Kshs 10 000 (US $ 6.50 – $125), transported in government cars, and at times government helicopters.[659] Further, reaction from the government to the violence was slow, muted, apathetic, complicit, in sharp contrast to the rapid repression in the 1980's.[660] An investigation and report based on eyewitness testimony by the Kenya Council of Churches highlighted the direct role that government and high ranking politicians played in the violent clashes.[661] The report stated that,

> These clashes were and are politically motivated . . . to achieve through violence what was not achieved in the political platform … Here the strategy being to create a situation

[657] Boone, C. (2014) *Property and Political Order in Africa: Land Rights and the Structure of Politics.* Cambridge: Cambridge University Press, p.264

[658] Boone, C. (2014) *Property and Political Order in Africa: Land Rights and the Structure of Politics.* Cambridge: Cambridge University Press, p.267 Approximately 100 000 people were displaced, 1000 homes were destroyed, 30 000 hectares of forest burned down, and 779 people were killed. For detailed reporting on incidents See pp.30-37 *Divide and Rule: State Sponsored Ethnic Violence in Kenya.* (1993) Nairobi: Africa Watch. https://www.hrw.org/legacy/reports/1993/kenya1193.pdf

[659] Adar, K.G. & Munya, I.M. (2001) "Human Rights Abuses in Kenya Under Daniel Arap Moi , 1978 – 2001," in *African Studies Quarterly*, 5 (1); *Divide and Rule: State Sponsored Ethnic Violence in Kenya.* (1993) Nairobi: Africa Watch. https://www.hrw.org/legacy/reports/1993/kenya1193.pdf In March 1993, a group of Maasais dressed in traditional costume attacked opposition supporters at the state opening of Parliament. Maasai MP William ole Ntimama held a press conference, stating that the Maasais had acted in self defense. A month later, KANU Secretary-General Joseph Kamotho publicly admitted that the Maasai were part of a 3,000-strong youth squad hired by KANU for the occasion to "deal with the opposition supporters."

[660] *Judicial Commission of Inquiry into Tribal Clashes in Kenya*. (1999) Nairobi: Republic of Kenya. https://www.hrw.org/sites/default/files/related_material/Akiwumi%20Report.pdf; *Divide and Rule: State Sponsored Ethnic Violence in Kenya.* (1993) Nairobi: Africa Watch. https://www.hrw.org/legacy/reports/1993/kenya1193.pdf

[661] NCCK, *The Cursed Arrow: Organized Violence Against Democracy in Kenya*, April 1992.

> on the ground for a possible political bargain in the debate about the system of government in future Kenya. Obviously, one of the consequences of the clashes is slowing down of the current democratization process. With the clashes, energies and focus have been redirected and ethnicity has become an important factor in the political debate.[662]

Causes versus *Conditions*: The intersection between land and ethnicity in the context of elections provided an axis of *instrumental* competition, the product of which was *interactional* and *eliminationist* violence. The clashes were not solely about land or ethnicity (*conditions*), the clashes were politically orchestrated (*cause*). One of the main objectives of the state sponsored violence was to prove to Kenyans and the world, that multiparty politics was not suited to a multi-ethnic state like Kenya.[663] The ethnic clashes were an important political tool for the Moi regime, however the violence that was stoked by the government during elections, spiraled out of control, continuing well into 1994. The state proved unable to contain the violence especially in Nakurum Molo and Eldoret South.[664] Continued clashes and violence was used to justify the continuing crackdown on pro-democracy and human rights activists, lawyers, the clergy, and journalists. Moi deployed sizeable military and security forces across the Rift Valley in mid-1993 to quell the violence by creating 'security zones'. These zones were sites of impunity: politicians, journalists and civil society groups were banned, over 1500 people were killed.[665] The security operation was used to punish opposition voters, and provide security to KANU-supporting communities. Donors were once again divided on what to do to assist in restoring order and freedom to Kenya: Moi rejected conditions applied on aid in April 1993. Some donors began to channel aid through NGO's, whilst others resumed aid stating satisfaction with

[662] NCCK, *The Cursed Arrow: Organized Violence Against Democracy in Kenya*, April 1992, p.2. Orchestrated by Vice-President George Saitoti and MPs Ezekiel Barngetuny and Nicholas Biwott

[663] Adar, K.G. & Munya, I.M. (2001) "Human Rights Abuses in Kenya Under Daniel Arap Moi , 1978 – 2001," in *African Studies Quarterly,* 5 (1). And thereby that political opposition heightened ethnic tensions; that political plurality and opposition was a threat to Kenya's stability.

[664] Throup. D. & Hornsby, C. (1998) *Multiparty Politics in Kenya: The Kenyatta and Moi States & The Triumph of the System in the 1992 Election*. Oxford: James Currey, pp.541-3 see for specific incidents of killings and clashes

[665] Under "Section 85 of the Constitution gives the President powers to invoke Part III of the Preservation of Public Security Act by an order published in the Kenya Gazette. Part III of the Preservation of Public Security Act allows the President, among other things, to regulate and restrict the movement of persons, censor the press and prohibit any meetings or processions, in any part of Kenya." See *Divide and Rule: State Sponsored Ethnic Violence in Kenya.* (1993) Nairobi: Africa Watch. https://www.hrw.org/legacy/reports/1993/kenya1193.pdf

progresses in macro-economic reform while ignoring the human rights abuses committed as part of Moi's security operation.[666]

The security situation that emanated from the 1992 elections created splits within the incumbent power over government excesses.[667] It also expanded cooperation amongst the political opposition through the formation of a National Consultative Forum, though personal differences between Odinga and Matiba prevented the reunification of the two FORD parties. Following the illness and incapacitated state of FORD-A leader in 1993, Matiba, FORD-K assumed the role of the main opposition to KANU.[668] In May 1993 however, Odinga of FORD-K led his party into cooperation with KANU in order to protect his Luo community. There were also rumours that Odinga had been 'bought out' by KANU through a promised development scheme in Nyanaza and a Sh2 million 'donation.'[669] The run-up to the 1997 elections was preceded by the widespread crackdown on trade unionism and pro-democracy movements utilizing *state violence* and repression. A deepening economic crisis put additional pressures on the Moi regime to simultaneously reform and hold onto power.

The 1997 election: Sponsoring Violence

The 1997 elections held on 29 December, witnessed a significant increase in the number of political parties competing and contesting for power at the national and Presidential level. At the national level ten parties competed, while at the Presidential level there were 15 Presidential contenders. KANU maintained its electoral hegemony at both levels winning 113/210 National

[666] See Brown, S. (2007) "From Demiurge to Midwife: Changing Donor Role's in Kenya's Democratisation Process" in Murunga, G.R. & Nasong'o, S.W. *Kenya: The Struggle for Democracy*. London: Zed Books for more detailed discussion on differences between donors dispensing aid and the continued repressive practices by Moi. The British and IMF/WB withheld aid, while the French released aid, the Scandinavians worked through NGO's, and the US applied 'gradual' releases of aid pp.312-314.

[667] Continued ethnic factionalism within the party was played out at the local, district and provincial levels.

[668] Hornsby, C. (2012) *Kenya: A History Since Independence.* London: I B Tauris. Weak and divided opposition is considered by IFES a considerable barrier to democractisation in Kenya as argued "They have a low level of managerial capacity to maintain an appropriate secretariat and to direct the activities of branch organizations in the field. (2) They have a low level of financial management to raise adequate revenue for party activities, to allocate revenue in an efficient manner, and to account for expenditures. (3) They repeatedly fail to articulate a program of public policy or a vision of Kenya's future. (4) Perhaps most serious, they have little analytical capacity for devising effective campaign strategies to elect their candidates to office other than to play on the ethnic and geographic identities of their core supporters." *Toward Credible and Legitimate Elections in Kenya. Part II IFES Assessment Report.* (1997) Washington: IFES, p.27

[669] Throup. D. & Hornsby, C. (1998) *Multiparty Politics in Kenya: The Kenyatta and Moi States & The Triumph of the System in the 1992 Election*. Oxford: James Currey, p.548.

Assembly seats and 40.1% of the Presidential vote, whilst the DP gained 39/210 and 31.09% respectively. The newly formed National Development Party led by Raila Odinga won 21/210 and 10.92%, while FORD-K gained 17/210 and 8.29%, and the SDP accrued 15/210 and 7.7%. The remaining parties, namely FORD-P, FORD-A, Kenya Social Congress (KSC), Shirikisho Party of Kenya (SPK), and Safina gained between 1-3 seats and 0.06%-0.60% of the votes respectively.[670] 12 of the 210 seats remained reserved for Presidential appointment. The 1997 election once again witnessed high levels of violence, particularly state violence, nation-wide protests and significant irregularities and fraud linked to incumbency. Importantly, the 1997 elections were not donor financed or supported; the Government of Kenya carried the cost of the election. There were a number of observers to the election such as the COG, EUEOM, and IFES. Voter education was much wider, sustained and organized, led by civil society organisations across the country such as the Institute for Education in Democracy (IED), NEMU and the Bureau for Elections, Education and Monitoring (BEEM).

Incumbency: KANU continued to employ state machinery to its benefit which created an unequal electoral field. For example, opposition parties' permits for public meetings were revoked; freedom of movement of the public and individual leaders was constrained citing 'public order'.[671] The Election Commission and commissioners were still appointed by Moi. The reappointment of Justice Chesoni who had presided over the 1992 flawed election was a clear indication of continued partiality and bias in favour of the incumbent. Delimination of boundaries and constituencies remained a tool for the incumbency to inflate voter numbers and use inequality in constituency size in their favour,[672] as the IFES report notes;

[670] Elections in Kenya" (2011) *African Elections Database*, Accessed 30/11/2010. http://africanelections.tripod.com/ke.html

[671] *Toward Credible and Legitimate Elections in Kenya. Part II IFES Assessment Report.* (1997) Washington: IFES, pp.8-10

[672] "It was reported that in the Likoni polling stations in the Coast Province, "up-country" people could not vote because their names did not appear on the register, even though they had viable voter registration cards" Adar, K.G. & Munya, I.M. (2001) "Human Rights Abuses in Kenya Under Daniel Arap Moi , 1978 – 2001," in *African Studies Quarterly*, 5 (1).

> The 1996 demarcation continues to favor regions that supported the ruling party in 1992, though the extent of the disparity in terms of the number of inhabitants or registered voters per district could not be determined with precision by the assessment team.[673]

KANU also benefited from unrivalled access to the Kenya Broadcasting Corporation, TV and radio. As one observer notes, in week one 32% of coverage was devoted to opposition parties, by week four of the campaign 96% of KBC coverage went to KANU.[674]

Violence: The fractured political opposition had demonstrated against the government in the run-up to elections in a series of protests under the banner "No reforms, no elections!"[675] In the May and July demonstrations, police were used to brutally crackdown on the pro-democracy protests: 20-25 people were killed.[676] Opposition leaders such as Paul Muite of Safina party and Ralia Odinga of the National Development Party of Kenya were severely beaten by police; and Mwai Kibaki of the Democratic Party home was broken into and ransacked.[677] Inter-communal violence once again reared its ugly head in Lang'ata, Rift Valley and along the Coastal Provinces.[678] Unlike the ethnic clashes of 1992 opposition parties were more active in sponsoring 'defensive' violence on the back of lessons learned from 1992, such as Ralia Odinga whose para-military tactics and talk was based on "arm your people, create a confrontation, and then hope the police behave responsibly and arrest all carrying arms."[679] In Pokot, MP Francis Lotodo sponsored an armed gang to eliminate his political rivals, settling off retaliatory violence that resulted in 20 deaths and the displacement of 10 000 people.[680] Julius ole Sunkuli, an assistant minister to the President, stoked violence in Trans-Mara against his Masaai rival Gideon Konchela: in October

---

[673] *Toward Credible and Legitimate Elections in Kenya. Part II IFES Assessment Report.* (1997) Washington: IFES, p.18.
[674] DDDG, (1998) *Final Report Kenya General Elections 1997.* Nairobi: The Donors' Democratic Development Group.
[675] Brown, S. (2007) "From Demiurge to Midwife: Changing Donor Role's in Kenya's Democratisation Process" in Murunga, G.R. & Nasong'o, S.W. *Kenya: The Struggle for Democracy*. London: Zed Books, p,316
[676] Brown, S. (2007) "From Demiurge to Midwife: Changing Donor Role's in Kenya's Democratisation Process" in Murunga, G.R. & Nasong'o, S.W. *Kenya: The Struggle for Democracy*. London: Zed Books
[677] *Toward Credible and Legitimate Elections in Kenya. Part II IFES Assessment Report.* (1997) Washington: IFES, p.9
[678] *Kayas of Deprivation, Kayas of Blood — Violence, Ethnicity and the State in Coastal Kenya*. (1997) Nairobi: Kenya Human Rights Commission.
[679] *Toward Credible and Legitimate Elections in Kenya. Part II IFES Assessment Report.* (1997) Washington: IFES, p.28
[680] Rutten, M.' Mazrui, A. & Grignon, F. (2001) *Out for the Count: The 1997 General Elections and Prospects for Democracy in Kenya.* Kampala: Fountain Publishers, p,82

alone 15 people were killed as a result of these *elite* directed raids and counter-raids.[681] Militias/vigilantes were used to displace populations once again by stoking fear, engaging in cattle rustling, burning down homes, and beating and killing villagers. Importantly, as in the 1992 elections, '"vigilante violence' went under the epithets of 'ethnic', 'land clashes', cattle-rusting', 'border-dispute' or simply gangsterism – was state sponsored."[682] In urban areas, private militias such as *Jeshi la Mbela* sponsored by KANU leader Darius Mbela fomented violence in Nairobi, Mombasa, Nakuru, Kisumu, and Eldoret.[683] The militias acted with impunity violently disrupting rallies, protests, demonstrations, and campaigns. They also harassed political opposition members and their supporters. Land, abode, and ethnicity (*conditions*) continued to be the rallying basis for *interactional* violence that was stoked by political *elites* (*cause*).

The post-election period continued to be marred by instances of retaliatory violence between political elites, and amongst their supporter bases, particularly in the rural areas. Following the 1997 election donors became increasingly outspoken about the Moi regime's repression, corruption, human rights abuses and the need for economic growth. A number of aid agencies and donors cancelled aid programs, engaging in 'aid sanctions' against the KANU regime, in the face of government wide corruption scandals. This placed intense pressure on Moi and the Kenyan economy: in 2000 Kenya's GDP growth rate amounted to -0.5%.[684] By 2002 Moi was forced to respect the two-term Presidential limit in return for the reactivation of donor support and aid.[685]

2002: A Historic Election

The 2002 election saw a downturn in the number of political parties competing from the previous election, dropping to seven at the National Assembly level and five at the Presidential level. The

[681] Rutten, M.' Mazrui, A. & Grignon, F. (2001) *Out for the Count: The 1997 General Elections and Prospects for Democracy in Kenya.* Kampala: Fountain Publishers, p.84
[682] Rutten, M.' Mazrui, A. & Grignon, F. (2001) *Out for the Count: The 1997 General Elections and Prospects for Democracy in Kenya.* Kampala: Fountain Publishers, p.72 Violence in the coastal provinces was conducted by well-trained guerrillas, ex-servicemen and Hutu and Rwandan refugees
[683] Rutten, M.' Mazrui, A. & Grignon, F. (2001) *Out for the Count: The 1997 General Elections and Prospects for Democracy in Kenya.* Kampala: Fountain Publishers, p.88
[684] 'Kenya' in *African Economic Outlook Report*, (2002) OECD/AIDB, p.169 https://www.oecd.org/countries/kenya/1825372.pdf
[685] Brown, S. (2007) "From Demiurge to Midwife: Changing Donor Role's in Kenya's Democratisation Process" in Murunga, G.R. & Nasong'o, S.W. *Kenya: The Struggle for Democracy*. London: Zed Books.

formation of the National Rainbow Coalition (NARC) subsumed the DP, FORD-K, the Liberal Democratic Party (LDP), and National Party of Kenya (NPK) under one banner, presenting a much more united and formidable opposition to KANU. A defining feature of this election was the *alternation* in political power. For the first time in Kenya's post-colonial history, KANU lost political power to NARC. NARC won 132/224 seats at the National Assembly level and its leader Mwai Kibaki of the DP under NARC, won 62.2% of the vote. KANU gained 68/224 seats and its leader Uhuru Kenyatta scored 31.3%, whilst FORD-P gained 15/224 seats and 5.89% of the presidential vote. The remaining parties, namely Safina, FORD-A, and SPK accrued 1-2 seats each.[686] 12 of the 210 seats remained reserved for Presidential appointment. The 2002 'historic' election was also known for the rotation of power to 'dynastic elites': Moi handed KANU over to Uhuru Kenyatta, Jomo Kenyatta's son; whilst Ralia Odinga, son of KPU Oginga Odinga, assumed power in the political opposition structures under Mwai Kibaki and NARC.

There was a large number of local and international observers to the election, including the EU, AU, Commonwealth, Carter Centre, NEMU, IDE, and the NCKK. The 2002 elections continued to be hamstrung by a number of *institutional* and *bureaucratic* barriers. For example, there remained a high number of dead people on the voters roll; multiple registration of voters occurred; voters' cards were made available for purchase; vote-buying was observable; and the KBC continued to devote more coverage to KANU (67%).[687] There were fewer incidents of violence in the run-up to the 2002 election, and in its immediate aftermath, when compared to the 1992 and 1997 election, though violence between January 2002 – August 2002 accounted for 203 deaths.[688]. The patterns of violence that were observable however followed the same of that in the 1992 and 1997 elections: *elite driven ethno-regional interactional violence*. Police continued to beat and detain political opposition leaders such as James Orengo of the PMC.[689] At an opposition political rally in May, police arrested 2 MP's for 'treason.' The use of militias/vigilantes to disrupt campaigns, meetings and rallies also persisted, though to a much

[686] Elections in Kenya" (2011) *African Elections Database*, Accessed 30/11/2010. http://africanelections.tripod.com/ke.html
[687] *Kenya General Elections 27 December 2002: European Union Election Observation Mission Final Report* (2003). Brussels: European Commission
[688] Olaleye, W. (2003) "Legitimising Electoral Process: The Role of Kenya Domestic Observation Programme (K-DOP) in Kenya's 2002 General Election," in *Journal of African Elections*, 2 (2), p.17
[689] Olaleye, W. (2003) "Legitimising Electoral Process: The Role of Kenya Domestic Observation Programme (K-DOP) in Kenya's 2002 General Election," in *Journal of African Elections*, 2 (2).

more muted degree.[690] Moi's retreat from power, and decision to relinquish power, played a significant role in the decline of incumbent directed and sponsored violence, and therefore the overall intensity and spread of election violence.[691]

Causes versus *Conditions*: The shift in degree of electoral fraud, thuggery and violence in the 2002 elections is explained by three main factors: greater presence by election observers (long and short term observers); respect of presidential term limits in order to facilitate the rotation of power; and a more unified political opposition and robust civil society. Importantly, civil society played a proactive role in facilitating community-based peace committees, voter education and promoting political dialogue.[692] The fact that violence was more muted in the 2002 election when compared with 1992 and 1997 is interesting given that this was a transitional election: a transition in power from an incumbent political power that had held power for 40 years to a new multi-ethnic political party composed of old KPU and ex-KANU rivals. This is especially so given that KANU continued to wield state machinery that it had used to sharply repress elections in 1992 and 1997. Here *multipartyism* and *transitions in power* are shown therefore to *not be* significant in causing the violence, placing emphasis rather on the role of *elites* in directing either violent or peaceful campaigns.

The period 2003 – 2007 however saw the return to inter-party and intra-party factionalism, as the new elites sought to build their power bases, while old elites sought to retain their power bases. The new NARC coalition was also plagued by power sharing disagreements, and the proposed new post of executive prime minister intended for Ralia Odinga did not materialize, causing Odinga to leave NARC to form the Liberal Democratic Party (LDP).[693] Large scale corruption

[690] *Kenya General Elections 27 December 2002: European Union Election Observation Mission Final Report* (2003). Brussels: European Commission.
[691] *Kenya General Election, 27 December 2002: Commonwealth Observer Group Report*. London: Commonwealth Secretariat.
[692] *Postelection Statement on Kenya Elections.* (2002) Atlanta: Carter Center, December 29. Olaleye, W. (2003) "Legitimising Electoral Process: The Role of Kenya Domestic Observation Programme (K-DOP) in Kenya's 2002 General Election," in *Journal of African Elections*, 2 (2). 20 000 citizens were 'poll watchers' giving citizens greater participation in the actual election process.
[693] Kairuki, S. (2009) "We've Been to Hell and Back: Can A Botched Land Reform Programme Explain Kenya's Political Crisis (1963 – 2008), in *Journal of African Elections*, 7 (2). As a result of the fallout, the LDP and Ralia Odinga would eventually align with KANU to form the Orange Democratic Movement (ODM) ahead of the 2007 election. This was also rooted in the referendum results of 2005 whereby Kibaki failed in his bid to centralise power through the presidency using the constitution.

continued to plague Kenyan politics: politics continued to be underpinned by political patronage based on bequeathing state resources. As Brown observes,

> At the root of the difficulties of fighting corruption in Kenya are the conditions that brought Kibaki to power and his dependence on a very loose and disparate coalition to be able to rule. To maximize his electoral chances, he accepted into his alliance shortly before the 2002 elections a number of senior KANU officials who defected at the last minute, several of whom were deeply implicated in the worst abuses of the Moi regimes, including the "ethnic clashes" and massive corruption. In a system that, though formally democratic, is still neopatrimonial, Kibaki allows his ministers a wide margin of manoeuvre to assure their continued support. The government turns a blind eye to much corruption, both past and present, to ensure its own survival.[694]

Land also continued to be a site for patronage, corruption and therefore contestation. The Ndung'u Commission for example found that,

> the practice of illegal allocations of land increased dramatically during the late 1980s and throughout the 1990s … and land was … granted for political reasons or [was] simply subject to outright plunder by a few people at the great expense … of the public … most illegal allocations of public land took place before or soon after the multiparty general elections of 1992, 1997 and 2002.[695]

This is set against by 2007, 45% population living under the threshold of absolute poverty, with 20% experiencing chronic hunger.[696] Security of incumbency and tenure also granted a wide impunity to corrupt and criminal political elites. Within this context, and the context of a new political coalition held together by 'reward' and 'favour' in the face of upcoming competitive

[694] Brown, S. (2007) "From Demiurge to Midwife: Changing Donor Role's in Kenya's Democratisation Process" in Murunga, G.R. & Nasong'o, S.W. *Kenya: The Struggle for Democracy*. London: Zed Books, p.327

[695] Ndung'u, P. 2006. 'Tackling Land Related Corruption in Kenya'. httpps://siteresources.worldbank.org/RPDLPROGRAM/Resources/459596- 1161903702549/S2_Ndungu.pdf cited in Kairuki, S. (2009) "We've Been to Hell and Back: Can A Botched Land Reform Programme Explain Kenya's Political Crisis (1963 – 2008), in *Journal of African Elections*, 7 (2), p.159. Kenyatta and Moi's families were cited as direct beneficiaries of this, as were MPs, judges, military officers,

[696] *OHCHR Report From Fact Finding Mission to Kenya 6-28 February 2008.* (2008) Geneva: United Nations Commissioner for Human Rights. http://www.ohchr.org/Documents/Press/OHCHRKenyareport.pdf

elections, splits once again emerged, mainly along ethno-regional lines, which would tragically play out in the worst election violence Kenya has witnessed to date in 2007/2008. In the run-up to the 2007 election, campaigning and electioneering was based on competitive and pejorative ethnic profiling between the two parties. For example, Odinga told supporters at a rally,

> The Kibaki Government has compounded the ethnicity factor and deepened ethnicity in our public service by appointing people from his own community. Thus the reorganization of the Government was dictated by prejudice and not equity…The Kibaki government's kazi iendelee means let the status quo prevail – public jobs for the few and not the many.[697]

Further, local ODM politicians, especially in Eldoret, mobilized their constituents to commit violence if Kibaki won, declaring a win as 'war' on the Kikuyu.[698] There was a distinct 'hate campaign' in the run up to the election disseminated in speeches and rallies, in broadcasts and spread by sms and leaflets. For example, Kibaki and the PNU elites also fomented violence as highlighted in the following statements;

> If the YES campaign comes to Kakamega, whip and stone them, people should prepare for war if NO wins

> Raila the monster should be hit on the head and killed so as not to destabilize the Kibaki government

> They hate Kikuyus because we are hardworking. Luos just go fishing and fish is free and thereafter they ask the government for relief maize to make ugali

[697] Orange Democratic Movement (ODM). (2007). *Plan for Government General Election 2007*. Nairobi: ODM
[698] Ballots to Bullets: Organised Political Violence and Kenya's Crisis of Governance," (2008) in *Human Rights Watch Report.* New York: HRW. "KASS FM, Eldoret's popular Kalenjin-language radio station, was on several occasions used as another platform for inflammatory ethnic rhetoric"

> In places like Nyanza [Luo] people do not work, instead they wait for the people from Central Province [Kikuyu] to work.[699]

Inter-communal clashes broke out in the Mount Elgon area and Rift Valley province claiming 300 lives and displacing 60 000.[700] The election campaign was divisive and set the stage for the outfall of December 30 2007.

2007: Coalitions, Collusion and Coercion

The 27 December 2007 election in Kenya was marred by high levels of violence and disorder. Targeted ethnic post-election violence resulted in the deaths of 1500 people, and the displacement of 350 000 – 500 000 over a period of 6 weeks. The election was a 'high stake election', representing a battle for political power between historic political nemeses, namely Mwai Kibaki of the DP/NARC/PNU and Raila Odinga of the LDP/ODM. They had run for political office against one another since 1997, and polls had counting had consistently placed Odinga (Luo) of the ODM ahead of Kibaki (Kikuyu) of the PNU. The Orange Democratic Movement (ODM) won the National Assembly election with 102/210 seats, followed by the Party of National Unity (PNU) & Allies (KANU, Safina, FORD-P, DP, FORD-A, FORD-K, and new parties the New Forum for the Restoration of Democracy-Kenya (NFK) and Mazingira Green Party of Kenya (MGPK)) who tallied 78/210 seats. ODM-K gained 16/210 seats, while smaller parties gained between 1-3 seats.[701] Mwai Kibaki of the DP/PNU won the Presidential election with 46.42%, while Ralia Odinga of the ODM tallied in at 44.07%.[702] The disjuncture between the ODM winning the majority of the parliamentary vote, but not the presidential vote precipitated the crisis. There were many electoral observers present at the election at the

[699] *OHCHR Report From Fact Finding Mission to Kenya 6-28 February 2008.* (2008) Geneva: United Nations Commissioner for Human Rights. http://www.ohchr.org/Documents/Press/OHCHRKenyareport.pdf ; *The Kenya 2007 Election and Their Aftermath: The Role of Media and Communication.* (2008) BBC World Service Trust, Policy Briefing 1. http://downloads.bbc.co.uk/worldservice/trust/pdf/kenya_policy_briefing_08.pdf

[700] Wallis, D. (2007) "EU condemns pre-election violence in Kenya," in *Reuters*, 21 December https://www.reuters.com/article/us-kenya-election/eu-condemns-pre-election-violence-in-kenya-idUSL2120415120071221

[701] There were numerous smaller new parties such as Chama Cha Uma (CCU), Party of the Independent Candidates of Kenya (PICK), Kenya African Democratic Development Union (KADDU), Kenya National Democratic Alliance (KENDA), the People's Party of Kenya (PPL) and the United Democratic Movement (UDM).

[702] Elections in Kenya" (2011) *African Elections Database*, Accessed 30/11/2010. http://africanelections.tripod.com/ke.html

international (e.g. Carter Centre, IFES, IRI), continental (AU), regional (EISA, EAC) and local (NEUM, IDE, KAAC) level.

The 2007 election contest 'fell short of key international and regional standards for democratic elections'[703] in a number of ways, including incumbent interference, institutional fraud, and politically directed violence. Mwai Kibaki and the DP/NARC/PNU used their position of *incumbency* to shape electoral institutions in the run up to the election; processes during the election; and the electoral outcome. For example, Kibaki's personal appointment of 19/22 commissioners onto the Kenyan Electoral Commission (KEC) without proper consultation with opposition political parties breached the Inter-Parliamentary Parties Group Act (1997); state resources were used by the incumbent party and elites for party campaigning; civil servants used their positions, services and offices to campaign for the PNU; the KBC continued to be used as a mouthpiece for the incumbent; inflated votes (compared to registered voters) were observed across a number of constituencies, by as much as 115% in a third of constituencies; the discrepancy in counting and tallying at the local, regional and national level was performed by returning offices and staff at the KEC.[704] Additionally ass Bloomfield notes, "In 88 of the 210 constituencies, turnout was at least 1,000 votes higher in the presidential election than in the parliamentary poll conducted at the same time."[705] Additionally the practice of 'zoning' by employ of youth gangs/militias/vigilantes prevented a safe, secure, and equitable voting environment.[706]

---

[703] *Kenya: Final Report General Elections 27 December 2007: European Union Election Observer Mission.* (2008) Geneva: European Commission.

[704] 'Ballots to Bullets: Organised Political Violence and Kenya's Crisis of Governance," (2008) in *Human Rights Watch Report.* New York: HRW Kairuki, S. (2009) "We've Been to Hell and Back: Can A Botched Land Reform Programme Explain Kenya's Political Crisis (1963 – 2008), in *Journal of African Elections*, 7 (2); Cheeseman, N. (2008) 'The Kenyan Elections of 2007: An Introduction," in *Journal of East African Studies*, 2 (2). This included the use of the KBC to announce the fraudulent election result.

[705] Bloomfield, S. (2008) "Kibaki 'Stole' Election Through Vote-Rigging and Fraud," in *Independent*, 23 January. https://www.independent.co.uk/news/world/africa/kibaki-stole-kenyan-election-through-vote-rigging-and-fraud-772349.html "In North Imenti, Mr Kibaki won 78,684 votes, but official ECK results gave him an extra 5,324. In a handful of constituencies where Mr Odinga was strong, the results were reduced by election commission officials in Nairobi. In Changamwe, Mr Odinga won 28,340 votes to Mr Kibaki's 14,813. However, the official result announced at the election headquarters put Mr Odinga on 17,706 and Mr Kibaki on 9,366, reducing Mr Odinga's lead by 5,187." See also *Kenya: Commission of Inquiry into the Post-Election Violence (CIPEV) Final Report.* (2008) Nairobi: Government Printer. Also known as the 'Kriegler and Waki Reports on 2007 Elections'

[706] "Zoning", is a conscious policy of keeping political opponents away from one's territory. Where zoning is practiced, free and fair elections cannot take place". *Kenya: Commission of Inquiry into the Post-Election Violence (CIPEV) Final Report.* (2008) Nairobi: Government Printer.

The violence that engulfed Kenya in the aftermath of the 2007 election came in two waves, the first were generalized protests following the announcement of results; and the second, represented the spiral into politicized ethno-regional attacks and retaliatory attacks in key areas including Nakuru, Naivasha, Nyanza, West, Coast and Central Province and in the slums of Nairobi (Kibera and Mathare).[707] The initial violence was based on a blatant electoral fraud by the KEC and the PNU and the premature declaration of Kibaki as the presidential winner, despite ODM's win of 99 seats to PNU's 43, and Odinga's lead of 1 million presidential votes.[708] The protests were spontaneous and peaceful initially, met with police brutality, the use of live ammunition, and a ban on all public gatherings.[709] The protests quickly spiraled into looting and ethnic and political retributory violence: opposition supporters attacked Kibaki and PNU supporters, and targeted Kikuyus. In turn, PNU and Kibaki supporters attacked ODM supporters and non-Kikuyu tribes.

As Bronswell encapsulates,

> Gangs of youths roamed through many of Kenya's slums, torching homes, as riots spread across the country. Adding fuel to the fire of unrest, news reports emerged showing police officers shooting unarmed protesters amid the chaos.[710]

The political orchestration of violence saw youth gangs, mobs, vigilantes, and militias play an active, organised and prominent role in the violence. For example, Uhuru Kenyatta (Kikuyu) was linked to the ethnic militia *Mungiki*, who targeted Luo and Kalenjin; while Jackson Kibor an ODM councilor, encouraged Kalenjin youth, elders and constituencies in Eldoret to kill

---

[707] *OHCHR Report From Fact Finding Mission to Kenya 6-28 February 2008.* (2008) Geneva: United Nations Commissioner for Human Rights. http://www.ohchr.org/Documents/Press/OHCHRKenyareport.pdf. " No Ralia! No Peace" Demonstrations.

[708] Ballots to Bullets: Organised Political Violence and Kenya's Crisis of Governance," (2008) in *Human Rights Watch Report.* New York: HRW. Samuel Kiviuti Chairperson of the KEC would later reveal he was under pressure to release an early and incorrect result. See Dercon, S. & Guiterrez-Romero, R. (2010) "Triggers and Characteristics of the 2007 Kenyan Electoral Violence," in *CSAE Papers*, University of Oxford. http://www.csae.ox.ac.uk/materials/papers/2010-12text.pdf

[709] Bronswell, J. (2013) "Kenya: What went wrong in 2007?" in *Al Jazeera*, 3 March. https://www.aljazeera.com/indepth/features/2013/03/201333123153703492.html; 'Ballots to Bullets: Organised Political Violence and Kenya's Crisis of Governance," (2008) in *Human Rights Watch Report.* New York: HRW. 'Shoot to Kill' approach adopted by the police in the crackdown against the protests.

[710] Bronswell, J. (2013) "Kenya: What went wrong in 2007?" in *Al Jazeera*, 3 March. https://www.aljazeera.com/indepth/features/2013/03/201333123153703492.html

Kikuyu.[711] In interviews conducted at the time of the violence, youth in Eldoret declared, "if Ruto says stop, it will stop!"[712] Complicating this pastiche and pattern violence was the deployment of state violence (police, GSU, CID) to carry out acts of state sanctioned violence, rather than end the violence. This included extra-judicial killings, disappearances, and brutalizing of ordinary citizens.[713]

The Commission of Inquiry into Post-Election Violence (CIPEV) aptly summarized that in Kenya,

> Given the power of the President and the political class, the perception on the part of the public is that everything flows not from laws but from the President's power and personal decisions. This also has led the public to believe a person from their own tribe must be in power, both to secure for them benefits and as a defensive strategy to keep other ethnic groups, should these take over power, from taking jobs, land and entitlements. All of this has led to acquisition of presidential power being seen both by politicians and the public as a zero sum game, in which losing is seen as hugely costly and is not acceptable. Hence, there is tendency on the part of a variety of political actors to do anything, including engaging in violence to obtain or retain political power. This has created a climate of fear and suspicions which politicians easily exploit and use to mobilize violence. Fears over rigging of the 2007 presidential results were a culmination of these tensions.[714]

Following mediation efforts of Kofi Annan, former UN Secretary General, a peace and power sharing agreement was signed on 28th February. Incredibly, the violence ceased immediately.

---

[711] "Ballots to Bullets: Organised Political Violence and Kenya's Crisis of Governance," (2008) in *Human Rights Watch Report.* New York: HRW.
[712] Ballots to Bullets: Organised Political Violence and Kenya's Crisis of Governance," (2008) in *Human Rights Watch Report.* New York: HRW. William Ruto leader within the ODM
[713] See Murunga, G. (2011) "Spontaneous or Premeditated? Post-Election Violence in Kenya," in Discussion Paper 57, Uppsala: Nordiska Afrikainstitutet. http://www.diva-portal.org/smash/get/diva2:451262/FULLTEXT01.pdf Medecins Sans Frontieres's report of May 2008 gives heart-rending accounts of men whose testicles were pulled and who witnessed their wives being repeatedly raped by soldiers.
[714] *Kenya: Commission of Inquiry into the Post-Election Violence (CIPEV) Final Report.* (2008) Nairobi: Government Printer, p,49

Political elites seemingly reigned their vying factions in, turned off the hate speech, and the violence stopped.

Conditions versus *Causes*: The 2007 election showed once again that prevailing *conditions* (unemployment, youth, poor economic growth, land alienation, hunger) are not sufficient in and of themselves in the outbreak of violence. In the 2007 elections *elites* and *institutions* (electoral, state security structures) are shown to be significant *causers* in the outbreak and spread of violence.

4.3 *Conditions* versus *Causes* of Election Violence

Year	Election Violence	Multiparty	Transition	Land/Resources	Patronage	Ethnicity	Economic	Institutions	Elites	Youth	Unemployment
1961		√	√	√	√	√	√	√	√	√	√
1963	√	√	√	√	√	√	√	√	√		√
1969	√			√	√	√		√	√		√
1974											
1979											
1983											
1988											
1992	√	√	√	√	√	√	√	√	√	√	√
1997	√	√		√	√	√	√	√	√	√	√
2002	√	√	√	√	√	√		√	√	√	√
2007	√	√		√	√	√		√	√	√	√

Table 4.1 Variables of Election Violence: Kenya 1961 – 2007

The table depicts variables drawn both from the literature review hypotheses in *Chapter 1* and from data gathered. The variables ticked in red are identified as being significant in the causal chain for that particular election year. The years highlighted in green represent elections held under one party rule/semi-competitive elections.

4.4 Conclusion

This chapter provided a case study analysis on reoccurring election violence in Kenya from 1961 – 2007 by identifying what the *causes* and *conditions* are in each election year. It is found that not all *causes* or *conditions* are significant in producing election violence, and while there has been some variance across election years, five variables remain recurrently significant, namely, *elites, ethnicity, institutions, resources* and *patronage*. The 2003 election showed that *transitions* and *multipartyism* are not significant in the causal chain, rather it is the rise of new coalitions which alters the structure/balance of power which is significant (e.g. KPU 1988; FORD 1997; ODM 2007). Overall *elites* remain the significant cause to peace and violence: in 2007 the spiral of violence was as a result of political sponsoring of militias/vigilante groups, as was the 'end' to the violence a result of elites calling for an end to the attacks, killings, and invasions.

Chapter 5: Nigeria

A 'Do or Die Affair'!

God Father Politics, Resource Patronage and Election Violence 1959 - 2007.

In April 2007, at a Local Government Area meeting in Ogun State, former President Olusegun Obasanjo famously declared that the 2007 elections would be 'a do or die affair.'[715] Further, he pronounced that he would do everything within his power to ensure his party's victory. It is debatable as to whether his rhetoric was an incitement to violence, or whether it was inflammatory haughty hot air. The 2007 elections were the most violent to date in the history of elections in Nigeria. As this chapter will show, *elites* have played an instructive role in shaping political, military and electoral outcomes in Nigeria. Political violence in Nigeria has taken many forms, often overlain and interspersed with social, religious, identity and resource agitations. Indeed *ethno-religious factionalism* and divisions have complicated the task of state building and attaining political stability. There have been nine coups, five of which have been successful, and two of which (1966 and 1983) stemmed directly from contested elections and contested electoral outcomes. The rise and fall of the coup d'état is exemplified in the case of Nigeria, whereby the upturn of election violence has displaced the coup d'état as the dominant form of political violence, a trend reflected upon more broadly in *Chapter 3*. Violence centered on elections, while observable in the First Republic, was subdued in some election cycles (e.g. 1979), ascendant in others (e.g. 1983), and has shown durability since 1999.

This chapter sets out to examine election violence in Nigeria since Independence. It provides a brief historical and descriptive overview of power and politics under colonialism and the colonial state in Nigeria. It then gives an overview of elections and election violence in Nigeria. Finally it identifies, traces, and analyses the dynamics of election violence through thematic analysis of (1) hypotheses identified in the literature review, (2) archive data, (3) election observer materials, and (4) elite interviews. This is depicted in a comparative table that tabulates election year against election violence and identified *causes* and *conditions* variables. Importantly, this chapter attempts to identify and extrapolate what the *conditions* and *causes* of election violence are in

[715] Iliffe, J. (2011) *Obasanjo, Nigeria and the World*. James Currey: Oxford, p.296

each electoral cycle. The chapter concludes by identifying what factors are present along the causal chain over time; what is similar and what is different; in producing variance and recurrent violent elections in Nigeria.

5.1 Historical Overview of Power and Politics

> Politicians, presidents, governors, they all know that they need to stay in power if they want a job and want to keep getting paid. They don't even pretend.[716]

Britain's imperial trading, commercial and resource interests led to its gradual encroachment, annexation and occupation of the vast territory now known as Nigeria.[717] Negotiation and force were used to bring territories and populations under British control, with the threat of force 'maxim guns', underwriting even negotiated settlements.[718] As Falola and Heaton argue,

> The use or threat of violence on the part of the British must be seen as the single most important factor allowing them to assume political control over the territories that made up the various protectorates of Nigeria.[719]

The Royal Niger Company (RNC) played an important role in this and in administering the territories.[720] The RNC relied on its own police force and local militias to apply 'order'. However, following the Brass revolt and an attack on the RNC headquarters in 1894, recent wars in Nupe and Ilorin, and the revocation of the company's charter in Niger and Benue to Lugard's West African Frontier Force, the colonial office saw the need for more formalized control and

[716] Interview; Former Governor, 2011.
[717] It took the British 40 years to colonise Nigeria.
[718] Ikime, O. (1977) *The Fall of Nigeria: The British Conquest*. London: Hienemann. Such as deposing of King Pepple of Bonny and Ja Ja ruler in Bight of Biafra who denied access to hinterland markets and as a result the territories were forcibly acquired. RNC also burned houses, crops, seized livestock to bring villages under control.
[719] Falola, T. & Heaton, M. (2008) *A History of Nigeria*. Cambridge: Cambridge University Press, p.106. Death, deportation and destruction/bombardment of goods, infrastructure would result with resistance. The use of violence served as a warning to other resistors
[720] Such as the imposition and collection of taxes, licenses, and permits. Prior to the arrival of the Royal Niger Company in 1886, other private companies had entered into ventures with local chiefs and rules such as the Holland Jacques Company, Miller Brothers, and Jacques Pinnock who later formed the United African Company in 1882. See Falola, T. & Heaton, M. (2008) *A History of Nigeria*. Cambridge: Cambridge University Press.

direct rule over the Northern and Southern territories.[721] The Northern and Southern territories were amalgamated by the British into one federation in 1914, with the federal system 'uniting' the nation into one state. Colonial rule applied central administration over economic activity, agricultural production, movement, labour, law, and taxation. Political administration was conveyed via indirect rule, with the federal level occupied by the British, and a mix of British and African 'educated elites at the regional and provincial level, while the local level was administered by native authority (Africans), overseen by the British. Indirect rule made use of pre-existing 'self-regulating' local structures in the North (e.g. emirate/emir structure), and via the invented 'warrant' and 'Paramount chief' system in the South.[722] In some areas, 'chiefs' were not only invented but outsiders, often of Hausa-Fulani origin, having earned the trust of the British as interpreters or traders.[723] Emirs and chiefs derived benefits from the colonial state based on their position as agents of the state, such as a salary, housing, and local development 'public works' programmes, in return for loyalty, order and stability. Autonomous actions by the chiefs resulted in their deposition, imprisonment, and/or heavy fines.[724] In the North, feudal rule was regulated through a *patron-client system* between the *masu sarauta* (ruling class) and the *talakawa* (commoners).[725] Clientage in the North operated as mutual benefit between rule and ruled, it was a social, moral and economic exchange, solidifying reciprocity, legitimacy and cohesion of the group. As a result "the indirect rule regimes in the Southern and Northern protectorates developed separately, and as a result, differed significantly."[726] There was a distinct favouritism and preference displayed towards the North and Northern political elites. Hausa-Fulani occupied positions as clerks, scribes, policemen, tax collectors; they resided in Government reservation areas and were viewed as 'colonial auxiliaries'.[727] This earned the North

[721] Ikime, O. (1977) *The Fall of Nigeria: The British Conquest*. London: Hienemann
[722] Half of the taxes raised by the Native Administration went to the colonial administration. For greater discussion on differences between North and South, or Hausa and Igbo ethnic favouritism in indirect rule see *Chapter 2*
[723] The case of Audu Dan Afoda, a Nupe Hasua speaking Muslim who was made Chief of Makurdi, a Tiv group in the Middle Belt region is one such example. Following his death in 1945 and the need to appoint a new Chief, violent riots and clashed broke out between the Hausa and Tiv populations over filling the political post. See the Makurdi Clashes in Ochonu, M. (2008) "Colonialism within Colonialism: The Hausa-Caliphate Imaginary and the British Colonial Administration of the Nigerian Middle Belt," in *African Studies Quarterly*, 10 (23)
[724] Falola, T. & Heaton, M. (2008) *A History of Nigeria*. Cambridge: Cambridge University Press
[725] Tibenderana, P.K. (1989) "British Administration and the Decline of the Patronage-Clientage System in Northwestern Nigeria 1900 – 1934" in *African Studies Review*, 32 (1).
[726] Falola, T. & Heaton, M. (2008) *A History of Nigeria*. Cambridge: Cambridge University Press, p.116
[727] Ochonu, M. (2008) "Colonialism within Colonialism: The Hausa-Caliphate Imaginary and the British Colonial Administration of the Nigerian Middle Belt," in *African Studies Quarterly*, 10 (23); Ilorah, R. (2009) "Ethnic Bias, Favouritism, and Development in Africa," in *Development South Africa*, 26 (5). The was a shift in the ethnic

and Hausa-Fulani much disdain from other regions and ethnic groups, and even within Muslim population who began to see the Hausa-Fulani as pawns of the colonial enterprise.[728] In applying a preference and commitment to regional and ethnic homogenity, indirect rule made national unity a difficult task. Hence, attempts at 'Nigerianization', that is the process of establishing a unitary national identity and civil service, flailed in the face of these significant regional differences, with a colonial official noting that;

> … a very important problem arises from the attitude of influential Northern Nigerian opinion to Nigerianization in its application to the North. Those who at present speak for the North are strongly opposed to a policy that would, as they see it, mean the 'southernization' of the North.[729]

Divergences between the North and South were also rooted firmly in differences of identity, ethnicity, and religion, whereby the North's Islamic identity played a role in political and legal governance, while the South's disparate ethnic, linguistic and religious groupings were subsumed under secular colonial standardized forms.[730] In this way *ethnicity* and identity were integral to local colonial administration.[731] There are four major ethnic groupings in Nigeria, the Hausa and the Fulani concentrated in the North, the Igbo to the East and the Yoruba to the West.[732] The alignment of tri-primordial identity to governance had a number of repercussions. First, the differential colonial distribution of goods, resources, services and infrastructure between wards, states, and regions fostered a sense of inequality between groups and fostered

---

composition of the civil service from the 1940's onwards due to Southerners receiving missionary education and therefore more skilled and able to take on administrative and bureaucratic public service tasks.

[728] This would later serve as the basis for Islamist movements insurgency.

[729] CO 554/414 no.2 *Nigerianization: Letter from Sir Phillipson to J B Williams on the Establishment of a Commission to Review the Progress of Nigerianization.* 12 August 1952.

[730] Islamic norms and Shari'a law has determined how legal/judiciary frameworks have developed and differ e.g. on marriage, crime, provision of social services and education (in the North for example, Lord Lugard Governor of Nigeria, restricted education in light of cultural sensitivities, and the generation of 'self-sustaining' revenue in the South was used to subsidize the North). The south refers to all regions beyond the North, so includes East and West, while the Middle Belt is considered a sway region. In the North for example there we no elections at the Native Authority level as this derived of Emirates structure, at Regional level nomination of candidates by Emirs directed who stood for selection. CO 554/236 no.69 *Local Government: Minute By T B Williamson on the Reform of Local Government in Northern Nigeria.* 10 July 1953 and Falola, T. (2005) *Nigerian History, Politics and Affairs: The Collected Essays of Adiele Afigbo*. New Jersey: Africa World Press.

[731] There are an estimated 350 ethnic language groups in Nigeria.

[732] Smaller ethnic groups such as the Tiv, Ibibio, Ijaw, Kanuri, Igala, Jukun, Edo, Ebira, and Gwari occupy the middle belt, though ethnic populations have dispersed with urbanisation and labour migration. See Suberu, R. (2001) *Federalism and Ethnic Conflict in Nigeria*. Washington: USIP.

regional animosity.[733] 'Separate development' and regionalism has played an ongoing role in Nigerian politics.[734] Second, the logic of *ethnic governance* developed an expectation that chiefs, and later politicians, should look after their ethnicised constituencies first and foremost.[735] Third, ethnic administration and governance gave rise to 'self-help' groups and associations in urban centers, based largely around identity grievances and opposition to the colonial state (such as the Igbo Federal Union, Tiv Progressive Union, Jamyyan Mutanen Arewa and the Egbe Omo Oduduwa).[736] Devastatingly, the bureaucratization of ethnic difference, underwritten simultaneously by privilege and marginalization, entrenched group and political competition.

Under colonial rule, political participation took place via the Legislative Council and Central Native Council.[737] Elections or 'selections' onto the Native Council took place, with local British officers serving in an advisory capacity to "indicate to the council what decisions should be made in order to please the British colonial government".[738] The 1922 Legislative Council election allowed for limited African participation and representation. One criterion for election for example, was proof of tax and earnings that exceeded £100.[739] 'Select' African elites qualified: these were mainly 'educated' and moneyed African elites, predominantly drawn from

[733] See CO CO554/286 no.16 *Revenue Allocation: Memorandum by R J Vile on the Nigeria Revenue Allocation Order in Council, 1951*.13 Nov 1951 for description on allocation to regions, whereby the North received more money but had less developed services; Ekeh, P. (1975) "Colonialism and the Two Publics in Africa" in *Comparative Studies in Society and History*, 17 (1).

[734] Under colonialism for example in Eastern Nigeria, Igbos were separated from the Ijaw, the Efik, and the Ibibios in Calabar, while ethnic groups in Ogoja, Benin and Warri provinces also had separate administrative divisions in the region While these administrative "ethnic autonomics" fell away in the 1950's and at Independence the custom of difference and division had already taken root. See Ayaster, F.H. & Iorhen, A.I. (2013) "The Origin and Development of Ethnic Politics and Its Impacts on Post-Colonial Governance in Nigeria," in *European Scientific Journal*, 9 (17)

[735] Joesph, R. (1987) *Democracy and Prebendal Politics in Nigeria: The Rise and Fall of the Second Republic*. Cambridge: Cambridge University Press. Ethnicised constituencies serve as mobilising bases and promote ethnic politics around office seeking and office holding.

[736] Pierce, S. (2006) "Looking Like A State: Colonialism and the Discourse of Corruption in Nigeria," in *Comparative Study of Society and History*,

[737] Afigbo, A.E. (1972) *The Warrant Chiefs: Indirect Rule in Southeastern Nigeria 1891-1929.* London: Longman. See Clifford Constitution.

[738] Falola, T. & Heaton, M. (2008) *A History of Nigeria*. Cambridge: Cambridge University Press, p.115

[739] "IENC History", *IENC*, Nigeria Independent National Electoral Commission. http://www.inecnigeria.org/?page_id=43

urban centers.[740] In this sense, elections were a limited and constrained exercise, designed to ensure a 'status quo' outcome.

Calls for greater representation and autonomy following the Second World War, resulted in a series of revised 'transitional' constitutions. These agitations came predominantly from Southerners who had benefited from missionary school education and growing political conciousness.[741] The 1951 Regional Legislative elections and the 1956 Federal elections allowed Africans to cast their ballot at a limited level.[742] The rise of nationalist political parties flourished during this period, often reflecting an ethnic composition and agenda. In 1957 the Western and Eastern regions of Nigeria became self-governing, followed by the North in 1959.[743] The three regions gave rise to three major political parties: the Northern People's Congress (NPC) in the North representing the Hausa/Fulani, the Action Group (AG) in the West representing the Yoruba, and the National Council of Nigeria and the Cameroons (NCNC) to the east representing the Igbo.[744] While smaller political parties existed, they tended to reflect enclave ethnic identity and interests, and they were quickly absorbed, repressed and contained by the three major parties that made use of their powers of regional incumbency. Political and electoral competition advanced along regional lines: electoral politics was inevitably ethnic politics.[745] This created not only inter-party ethnic factionalism, but also, intra-party factionalism. For example, the 1941 Legislative elections produced intra-ethnic disputes in the West between the Ijaw and Ijebu groups and their supporters contesting for the post of President of the National

[740] No. 1197. Nigeria: Report for 1923. *Annual Colonial Reports*. London: His Majesty's Stationery Office. Such as members from the Nigerian National Democratic Party (NNDP). The NNDP was an African urban and interest based party, who gained 3 seats

[741] In fact the North resisted Independence and did not believe Nigeria ready as a unitary state to function without the British given the significant ethnic and regional differences. See CO 554/1583 no 23. *Date of Independence: Letter (Reply) From Sir J Robertson to T B Willamson on the Implicationsof the House of Representative Resolution.* 1 Apr 1957. " … the Northern Ministers, and especially Abubakar, carefully hedged a bit on the date. Although supporting the motion, Abubakar was careful to point out that his party had never accepted 1959 as the date for Nigerian independence. Ribadu, too, was not at all definite and I think that what they meant to say was something like this: 'We don't think Nigeria is ready for self-government yet."

[742] See Richards Constitution; its reduced criterion of participation and standing for election from £100 to £50 and the Macpherson Constitution, and the Lyttleton Constitution. See Momoh, A. & Adejumobi, S. (2002) *The National Question in Nigeria: Comparative Perspectives.* Aldershot: Ashgate.

[743] 1999/98/2F - Nigeria Background Documents 1960-1968

[744] The North had a voting population larger than the Southern regions combined. Due to this Northern constituencies obtain the majority of seats at the federal level

[745] Beckett, P.A. (1987) "Elections and Democracy in Nigeria", in Hayward, F.M. *Elections in Independent Africa*. Boulder: Westview Press.

Youth Movement (NYM).[746] In 1953, electoral campaigning by the AG, a Western political party, in the Northern town of Kano, produced inter-ethnic riots known as the 'Kano Disturbances'.[747] These riots, initially staged by NPC Northern Nigerians against Southerner politicians and Southerners, quickly escalated from stone throwing to *interactional ethnic 'mob' violence* between Hausas and Igbos.[748] Over the course of four days, 36-50 people were killed, 241 injured and 61 arrested.[749] Contrastingly, ethnic and regional factionalism in the West and East was more elite in nature rooted in 'irresponsible leadership' labelled by colonial officials as the 'Awolowo-Zik battle'.[750] These two features, politicized *elite* and *ethnic factionalism*, continue to dominate electoral politics and violence to this day.

The 1957 devolution of power to regions allowed for greater control and disbursement of public expenditures within the region. This liberalization of powers and resources prompted select political elites to call for self-governance and autonomy, given the significant divergences between North and South.[751] The federal level of government however, remained the locus of authority, control and capital. The federal level of government established the overriding regulatory and legal frameworks, fiscal policy, transportation and communication networks, 'public works' programmes, and domestic and foreign policy. Importantly, the federal level provided access to state jobs, government contracts, scholarships for education, market permits and trade licenses.[752] The state and control for the state's machinery thus became the site of significant competition between regional and ethnic groups, and in turn political parties. Independence represented an opportunity for political and administrative hegemony.

---

[746] See Ayaster, F.H. & Iorhen, A.I. (2013) "The Origin and Development of Ethnic Politics and Its Impacts on Post-Colonial Governance in Nigeria," in *European Scientific Journal*, 9 (17)

[747] CO 554/428 no.3. *Kano Riots: Inward Telegram no SX 1176 from HQ West Africa Command to My Lyttelton Reporting the Outbreak of Serious Disturbances in Kano.* 17 May 1953. AG also classified as 'Southern'

[748] CO 554/428 no.24. *Kano Riots: Inward Savingram no 1192 from Sir J Macpherson to Mr Lyttelton Giving Details of the Disturbances in Kano.* 21 May 1953

[749] CO 554/428 no.3. *Kano Riots: Inward Telegram no SX 1176 from HQ West Africa Command to My Lyttelton Reporting the Outbreak of Serious Disturbances in Kano.* 17 May 1953

[750] CO 554/262. *Political Situation: Nigerian Government Notes of a Discussion With Heads of Department on the Current Political Situation.* 15 April 1953. Chief Awolowo, a Yoruba of the Action Group and Dr Nanmdi Azikiwe, an Igbo of the NCNC. AG was determined to eliminate Zik and the NCNC. Co 554/261 no.144. *Political Situation: Letter from L H Coble to E O Mercer on the Potential for Disturbance in Nigeria.* 25 May 1953

[751] See CO554/286 no.16 *Revenue Allocation: Memorandum by R J Vile on the Nigeria Revenue Allocation Order in Council, 1951.*13 Nov 1951. For detailed description about Regional revenues vis-à-vis sale tax, customs duty, tobacco tax, capitation grant. Such as calls for autonomy by Dr Azikiwe of the NCNC.

[752] 1999/98/2F - Nigeria Background Documents 1960-1968

5.2 Historical Overview of Elections and Election Violence

> "Politicians and elections; it's not about voters or your constituents. It is about money. Politics is money."[753]

Since the founding elections of 1959 a total of 26 elections have been held in Nigeria: 9 House of Representative (1959, 1964, 1979, 1983, 1992, 1999, 2003 and 2007), 7 Senate (1979, 1983, 1992, 1999, 2003, 2007), 1 State House of Assembly (1979), 3 Sub-National (1959, 1961, 1963), and 6 presidential elections (1979, 1983, 1993, 1999, 2003, 2007).[754] Election observation in the earlier periods (1959 – 1992) was not formal or institutional, but found in embassy officials reflections via diplomatic dispatches/telegrams. International, regional and local observation of elections is commenced in the election of 1999 and has occurred since.[755]

In Nigeria's 47 years of Independence, there have been three periods of military rule 1966-1979, 1983-1989, and 1993-1998 borne of military coup d'états (1964, 1983 and 1993). During these periods of military rule, elections ceased.[756] Two categories of elections, the State House of Assembly and Sub-National elections lasted for only a limited period of time, tied to the particular context of military rule (1966-1979) and the First Republic (1960-1964) respectively. The alternation in forms of rule, from multiparty democracy based on competitive elections, to military rule with no exercise of choice, are manifestations of political, social, regional and ethnic variables within the same system.[757] Nigeria's experience of electoral politics has been characterized by significant electoral fraud and irregularities, elite factionalism, political 'thuggery', violence, 'godfatherism', abuse of state resources, communal violence and interminable legal challenges and law suits brought by opponents and losers. Electoral politics have also been characterized by the return and rotation of elites, whereby military and politics

[753] Interview Former Governor, April 2011
[754] "Elections in Nigeria," (2011) *African Elections Database*. Accessed 30/11/2010. Universal suffrage for women in the Islamic North of Nigeria was only achieved in 1979. http://africanelections.tripod.com/ng.html
[755] As a result the record is very patchy, and relies on academic, journalist and diplomatic accounts of the time.
[756] There exists very little data for some election periods due to the lack of international, regional and domestic observation, and constraints imposed by military rule and the deteriorated security situation, for example the State House Assembly election of 1979 and the Sub-National elections of 1959, 1961 and 1963. In these instances, archival diplomatic exchanges, interviews, newspapers and secondary sources are relied upon where available.
[757] Beckett, P.A. (1987) "Elections and Democracy in Nigeria", in Hayward, F.M. *Elections in Independent Africa*. Boulder: Westview Press, p.91

elites from early Independence years feature in later electoral contests, politics and the presidency, often fueling elite factionalism and contestation (e.g. General Obasanjo President 1976-1979 & 1999-2007; and General Buhari Governor 1975-1976, President 1983-1985 & 2015-Current; General Babingida coup instigator 1966, 1976, 1983, 1985, 1990, President 1985-1993).

The following section provides an overview of elections and election violence per year in tracing the *causes* and *conditions* of election violence over time.

First Republic Elections 1959-1964

The first republic only lasted five years. It did not produce any significant changes in state or regional power that electoral institutions, theoretically, made possible. Given the larger voting population of the North, the NPC dominated politics at the federal level. The preeminence of the NPC and North played a considerable role in the demise of the First Republic and electoral politics thereafter.

1959: *A Helping Colonial Hand*

On the 12th of December 1959, federal elections of pre-Independence were held. Three main political coalitions contested for power, namely the (1) Northern People's Congress Alliance (NPC) composed of the NPC, Mabolaje Grand Alliance (MGA), Igala Union (IU), Igbira Tribal Union (ITU), and the Niger Delta Congress (NDC) winning 148/312 seats (47%); (2) the National Council of Nigeria and the Cameroons-Northern Elements Progressive Unions (NCNC-NEPU) accruing 89/312 seats (28.5%); and (3) the Action Group (AG) and Independents gaining 75/312 seats (24%).[758] The Electoral Commission of Nigeria (ECN) oversaw the elections of 1959. There was much at stake in this election, as it preceded the elections of Independence. As such it was a 'high stakes election'.

Two accounts by former colonial officials namely, Harold Smith and Sir Sharwood Smith reveal the 'helping hand' that the British played in shaping electoral outcomes in Nigeria during the

[758] "Elections in Nigeria," (2011) *African Elections Database*. Accessed 30/11/2010. http://africanelections.tripod.com/ng.html

1950's and in the cornerstone election of Independence in 1959. In the 1956 Federal elections, for example, funds from the Native Authority Department were used to assist the NPC in the electoral campaign. This included the use of departmental vehicles and assistance with printing. Diplomatic exchanges between the Colonial office, the Governor, colonial territory staff and the Defence office confirm that the 'helping hand' was to ensure a stable Nigeria,.[759] For example one exchange stresses that,

> In the last resort we must make sure that the government of Nigeria is strong, even if possibly undemocratic or unjust. The biggest danger facing Nigeria appears to be internal political disruption; it is therefore necessary to take risks in ensuring that the Federal Government has the power to keep Nigeria together.[760]

Stability was ensured through 'election engineering' vis-à-vis permits to hold meetings and rallies; reservation or quotas on seats; ballot marking for illiterate voters; and ballot stuffing, a role acknowledged by Governor of Northern Nigeria, Sir Bryan, as a practice replicated across British colonies;

> In the Westminster model, Parliament is the matrix of the Executive. When this model is exported to dependent territories, we are forced in the transitional stages to modify it in the interests of strong and stable government. This we do by rigging the parliament through official majorities, a restricted franchise and so forth.[761]

Another way the British shaped an NPC win was through constitutional bias, and use of restrictive security measures that limited opposition campaigning or temporarily detained

[759] Sharwood-Smith, B. (1969) *But Always As Friends: Northern Nigeria and Cameroons 1921 -1957.*London: Allen & Erwin.
[760] *British Documents on End of Empire, Series B Volume 7 Nigeria 1953-1960.* London: British National Archives.; "Future Constitutional Development in the Colonies" in *British Documents on End of Empire, Series A Volume 4, Part I: The Conservative Government and The End of Empire* . London: British National Archives.
[761] *British Documents on End of Empire, Series B Volume 7 Nigeria 1953-1960.* London: National Archives.; "Future Constitutional Development in the Colonies" in *British Documents on End of Empire, Series A Volume 4, Part I: The Conservative Government and The End of Empire* . London: British National Archives.

opposition supporters and officials.[762] The constitution gave the North 50% representation in the House of Representatives even though the North's population was the largest, at 55% of the total population, while the East and West shared the remaining seats even though the East had a greater population than the West. [763] The imbalances in seat allocation played a direct role in ensuring the NPC incumbency. While, the election of 1959 produced a biased outcome, it remarkably produced very limited incidents of violence. There were scattered interactional clashes between the NPC, AG and NCNC supporters. The violence that did occur was characterized by,

> … tribalistic appeals by engaging in acts of violence against people whom they considered to be in opposition to their party; people were beaten up and cars damaged and in addition in the North, hundreds of followers of NEPU were herded into prisons for minor or trumped up offences. In many places campaigners were denied speaking permits or their meetings broken up by hired thugs.[764]

The limited nature of the violence can be explained in the remaining presence of the British, and importantly the deployment of British force: the Army, Navy and Police were all posted to strategic locations to deal with security breaches. This included the deployment of 6000 security men to the 'troubled' West.[765] In this sense the external presence and overseeing of the election acted as a ballast against nationwide interactional violence and elite directed violence. In the first republic elections *elite* manipulation of *institutions* and processes, by use of state *resources*, worked to ensure an NPC outcome. The institutionalization of bureaucratic corruption, patronage and malpractice would have long lasting implications for subsequent political and electoral contests.

The federal level of government, its' institutions and services, in particular its' economic capacity were underdeveloped and fragile at the handover of Independence. Industry and

[762] Tignor, P. (1993) "Political Corruption in Nigeria Before Independence," in *The Journal of Modern African Studies,* 31 (2).; Awa, E.O. (1960) "Federal Elections in Nigeria 1959" in *The Indian Journal of Political Science*, 21 (2).
[763] Awa, E.O. (1960) "Federal Elections in Nigeria 1959" in *The Indian Journal of Political Science*, 21 (2).
[764] Awa, E.O. (1960) "Federal Elections in Nigeria 1959" in *The Indian Journal of Political Science*, 21 (2), p.109
[765] Awa, E.O. (1960) "Federal Elections in Nigeria 1959" in *The Indian Journal of Political Science*, 21 (2).

manufacturing were nascent, which meant that agricultural exports formed the basis of revenue earnings, though foreign companies continued to control and benefit from this export economy.[766] There was thus very little autonomous fiscal capital to uphold the uneven and insecure federal state.[767] Further, due to the predominance of regionalism, political parties who dominated the federal assemblies used this incumbency to direct resources back to their regional constituent level to the detriment of national development. This included spending of federal money to regional development programmes, and appointment of regional contractors to undertake development projects. For example, the First National Development Plan (FNDP) was used by the NPC to direct funds towards health, education, roads, and the Niger Dam in the North; the Niger Dam project alone constituted over 10% of the FNDP.[768] As Falola argues,

> Under such conditions, it thus became imperative for parties once in power to stay in power and for those out of power either to ally with the majority party or to wrest control of the government away from that party in the next election, as opposition parties faced the prospect of perennial marginalization.[769]

1964/65: Domination, Disunity and Mutiny

On the 13th of July 1963 a referendum was held to ascertain the public's support on the creation of a Mid-Western region, derived of the greater Western Region. The vote returned was overwhelmingly in favour at 98.7%.[770] The enduring link between regionalism and politics meant that voters continued to reflect communal and local interests. This would provide the basis for the 1964/1965 electoral campaigns electioneered on platforms of ethnic survival and ethnic advancement.

---

[766] Olukoju, A, (2002) "Buy British, Sell Foreign: External Trade Control Policies in Nigeria During World War II and Its Aftermath 1939-1950" in *The International Journal of Historical Studies*, 35 (2).; Falola, T. (2004) *Economic Reforms and Modernisation in Nigeria 1945-1965*. Kent: Kent State University Press.

[767] The discovery of oil in the Niger Delta Region in 1958 was similarly orientated towards external production and profit as the Independent state lacked the technical know-how, expertise, finances, capacity and infrastructure to develop the petroleum industry. Oil would become the backbone of Nigeria's revenue generation and foment institutional corruption amongst political and business elites.

[768] Falola, T. & Heaton, M. (2008) *A History of Nigeria*. Cambridge: Cambridge University Press, p.166

[769] Falola, T. & Heaton, M. (2008) *A History of Nigeria*. Cambridge: Cambridge University Press, p.165.

[770] "Elections in Nigeria," (2011) *African Elections Database*. Accessed 30/11/2010. http://africanelections.tripod.com/ng.html

There were two rounds of House of Representative elections held within a 3 month period. The first ballot was held on 30 December 1964, and the second on 18 March 1965. This was due to a boycott by the Eastern Region and constituencies in the Mid-Western Region of the 30 December poll. There was a shift in political coalitions as a result of a decline in the number of political parties contesting in the election. The Nigerian National Alliance (NNA), made up of the NPC and newly formed Nigerian National Democratic Party won 198/312 seats (63.4%), whilst the NCNC, AG and newly formed Northern Progressive Front (NPF) under the banner of the United Progressive Grand Alliance (UPGA), gained 109/312 seats (34.9%).[771] The creation of these mega political conglomerates was an attempt to dominate and gain the most seats at the national level. The Federal Electoral Commission (FEC) oversaw the 1964 and 1965 elections. The FEC was dissolved in 1966 following a coup d'état of 15 January. This was followed by an 'intra-military coup' in July 1966.[772] There was extensive violence in the 1964/1965 election as the NPC and NNDP, "did everything in their power to stymie the opposition".[773]

Three features of the 1964/1965 election stand out; NPC/NNDP hegemony, institutional chicanery, and escalating violence. The NPC/NNDP domination at the federal level led to a number of flagrant determinants of regional and ethnic favouritism. The introduction of a 50-25-25 % 'quota' system that mirrored constitutional electoral weightings was applied across the public service sector. In the armed forces this meant that the army was led by the North, but staffed by the South. In 1961, the NPC/NNDP extended the quota system into officer recruitment to displace the compositions of soldiers coming from the East, West and South. Further, government level appointments and promotions were handed out to Northerners, entrenching bias and privileges towards the North.[774] The NPC/NNDP also used fiscal incentives to win favour: for example, the price of cocoa to be paid to farmers was increased to N240 a ton, though the market related price was N180.[775] Other *incumbent* chicanery included: inflated census figures indicating an 8 million growth of the population in the North; discrepancies of names on the voters roll; numerous incidents of multiple voting and stuffing of ballot boxes; restrictions

[771] "Elections in Nigeria," (2011) *African Elections Database*. Accessed 30/11/2010. http://africanelections.tripod.com/ng.html
[772] Stremlau, J. () *The International Politics of the Biafran War*.
[773] Falola, T & Heaton, M.M. (2008) *A History of Nigeria.* Cambridge: Cambridge University Press, p.169
[774] Awa, E.O (1964) *Federal Government in Nigeria*. Berkeley: University of California Press.
[775] Oyediran, O. (1979) *Nigerian Government and Politics Under Military Rule 1966-1979.* London: MacMillan Press, p.20

applying to opposition campaigning; and arbitrary detention and arrest of UPGA and AG candidates ranging from 6 months to 1 year.[776] For example, in the run up to the election the NPC used its incumbency to arrest of 297 UPGA members, including Joseph Tarka, leader of the UPGA in the north, effectively thwarting UPGA electioneering in the north.[777] At polling booths, government agents were accredited to observe the vote.

The run-up and aftermath of the 1964/1965 election thus produced much contestation, protests and violence. This resulted on a ban on all meetings and processions on 19 September 1964.[778] As Diamond notes,

> Vituperative rhetoric was joined by widespread violence and repression, as the main political parties — now polarised into two competing alliances — clashed head-on in a momentous 'struggle for supremacy' that would produce the worst political crisis in Nigerian history.[779]

It resulted in an estimated 2000 deaths in the West and emerging quarrels within the army. [780] This led Prime Minister Tafawa Balewa to warn he was 'watching the region' and would "not hesitate to flood the region with the Police and Army if the people do not behave."[781] In some areas however, electoral administration collapsed due to the intensity of the violence directed even at police and electoral officials.[782] *Elite directed violence* in the form of 'thugs' beating up supporters and destroying cars and property promoted a climate of fear. The NNDP were regularly identified as responsible for this violence. This was particularly pronounced in the Middle Belt regions and Western Region considered vital 'mainstay' provinces.

The outfall surrounding the 1964/1965 elections ultimately led to the January 15th 1996 coup. Rioting and unrest had engulfed the West since the October elections. Five army majors arrested

[776] Mackintosh, J.P (1966) *Nigerian Government and Politics*. London: George Allen.
[777] Post, K. & & Vickers, M. (1973) *Structure and Conflict in Nigeria 1960-1966.* London: Heinemann.
[778] Oyediran, O. (1979) *Nigerian Government and Politics Under Military Rule 1966-1979.* London: MacMillan Press, p.21
[779] Diamond, L. (1988) *Class, Ethnicity and Democracy in Nigeria*. London: Palgrave MacMillan, p.190
[780] Post, K. & Vickers, M. (1973) *Structure and Conflict in Nigeria 1960-1966.* London: Heinemann.
[781] Dudley, B. (1965) "Violence in Nigeria Politics" in *Transition,* 21, p.22
[782] Oyediran, O. (1979) *Nigerian Government and Politics Under Military Rule 1966-1979.* London: MacMillan Press, p.21

regional premiers, and killed 22 senior people including Prime Minister Balewa, Premier Akintola of the West, Premier Bello of the North and northern military officers.[783] It was viewed as a 'Southerner's revolt', specifically of Igbo soldiers given that 4 of the 5 coup engineers were Igbo, raising fears that a new transitional and political order would lead to Igbo domination.[784] One of the legal promulgations under General Ironsi, himself and Igbo and caretaker of the coup transition, was to abolish the federal and regional system replacing it with a unitary state and groups of provinces which was viewed as a direct attack on the Northerner quota system.[785] On 29 July 1966, northern officers carried out a counter-coup, killing General Ironsi, replaced with General Gowon. Gowon reversed the decree issued under General Ironsi, restoring the federal system of governance, but replacing the three regions with twelve states in order to reduce ethnic hegemony tensions. Uche & Uche argue that the state system was also due to revenue and resource considerations, aimed at diluting the resource and 'bloc' power of the East into smaller 'manageable' states;

> Of these twelve states, the Eastern Region had three. Essentially, the Government skillfully carved out two states (Rivers State and South Eastern State) from the main oil producing areas, which incidentally belonged to the minority tribes in the former Eastern Region. The third State, dominated by the Ibos, instantly became an impoverished, landlocked State.[786]

During the coup and counter-coup period, much violence was unleashed. A spate of massacres led by Northern soldiers and directed against Igbos and easterners resulted in the deaths of between 80 000 – 100 000 people.[787] This resulted in revenge killings of Northerners, and produced growing calls for secession. In March 1967 General Ojukwu announced measures of

[783] Ademoyega, A. (1981) *Why We Strick: The Story of the First Nigeria Coup.* Ibadan: Evan Brothers.
[784] Oluleye, J.J. (1985) *Military Leadership in Nigeria 1966-1979.* Ibadan: University of Ibadan Press.
[785] Panter-Brick, S.K. (1970) *Nigerian Politics and Military Rule: Prelude to Civil War.* London: Athlone Press. See Decree no.34 May 24 1966
[786] Uche, C. U. & Uche, O.C. (2004) "Oil and the Politics of Revenue Allocation in Nigeria", in *African Studies Center*, Working Paper 54, https://openaccess.leidenuniv.nl/bitstream/handle/1887/12916/ASC-075287668-011-01.pdf?sequence=2 . Importantly the principle of population as the basis of a revenue sharing formula originated here, the effect of which is that the smaller populations from where the resource derived received less allocation than the Northern states for example with larger populations. The weakening of states relative to the federal government was important for centralisation of the state and state power.
[787] Falola, T & Heaton, M.M. (2008) *A History of Nigeria.* Cambridge: Cambridge University Press, p.174

independence of the East, including taking over taxes, departments and revenues of the region. This prompted General Gowon to declare a state of emergency, impose a blockade and sanctions against the east giving rise to the Biafran/Nigerian Civil War.[788] The Nigerian civil war led to an ethnic cleansing of the Igbo people via starvation and military bombardment: 1 to 3 million people lost their lives in this war.[789]

Causes versus *Conditions*: The unfolding political developments following the disputed election underscores the influence violent elections and electoral outcomes had in producing a generalized state of chaos, conflict and war. Further, that the *instrumentalisation of ethnicity* by political elites, in political and electoral contests, had lethal implications as it was unchecked, and a strategy all political parties engaged in. The *cause* of violence lies in the NPC/NNDP *elite* orchestration of 'thuggery', and their abuse of institutions to ensure electoral incumbency. Another cause of the spiraling violence lies in the *interactional* contests fought between vying party supporters, borne of ethnic regionalism, and the grander chicanery of political elites. While the elite directed violence was *eliminationist* in nature, protests and fighting of opposition supporters is located in the *conditions* of increasing *ethnic* and *resource* inequity and marginalization, what Post and Vickers term 'unequal exchange'.[790]

Military rule remained in place until 1979. On July 29th 1975, General Gowon was overthrown by Brigadier Muhummed in a bloodless coup, for failing to return Nigeria to civilian rule. Brigadier Muhummed was himself overthrown and killed seven months later, for failing to complete the same task. General Obasanjo, leader of the armed forces who assumed power, pledged to restore civilian and constitutional order to Nigeria through a series of participatory consultations presided over by the military.[791] Significantly, the capture of state power became more pronounced in the 1970's in the context of the discovery of oil, fluctuating oil prices, a bloated state bureaucracy, and declining economic opportunities, standards and performance.[792]

[788] Oyeweso, S (1992) *Perspectives on the Nigerian Civil War.* Lagos: Campus Press.
[789] Falola, T & Heaton, M.M. (2008) *A History of Nigeria.* Cambridge: Cambridge University Press, p.180
[790] Post, K. & Vickers, M. (1973) *Structure and Conflict in Nigeria 1960-1966.* London: Heinemann.
[791] Herskovits, J. (1979/1980) "Democracy in Nigeria" in *Foreign Affairs,* Winter Issue.
[792] While the discovery of oil was in 1956 and exploitation of oil began in 1958, the civil war (1966-1970) interrupted the supply of oil given that the oil and war were both concentrated in the East. Important shift whereby between in 1960 oil accounted for 0.6% of revenue, in 1963-1964 6.4%, and between 1970-1985 it accounted for

Political patronage and *corruption* were rife, whereby ministers were renowned for taking 'kickbacks' and relatives benefited from state contracts.[793] For example, a tribunal of inquiry in 1976 revealed gross mismanagement of government funds entailing flagrant inflation of costs and prices for construction contracts and supplies, some of which did not transpire.[794] Between 1976 – 1979 N2.8 million went 'missing' from oil generated revenue.[795] In the same year the military government passed a decree making it illegal to bring accusations of corruption and mismanagement against the government.[796] This was followed by the government purchasing a 60% stake in two of Nigeria's biggest newspapers, the *Daily Times* and *The New Nigerian*.

Second Republic Elections 1979 – 1983

The Second Republic lasted for four years, during which time the first elected civilian government of 1964/5 was returned to power. The Federal Electoral Commission (FEDECO) was reconstituted to oversee the 1979 and 1983 elections. FEDECO was later dissolved in 1987 under General Babangida's military rule.

1979: *Returning to Order*

Five parties competed in the 1979 elections; it was a military supervised election. Senate elections were held on the 7th of July, House of Representative elections were held on the 14th of July, and Presidential elections were held on the 11th of August. The National Party of Nigeria (NPN) won the most amount of seats at both levels tallying in at 36/95 seats in Senate, and 168/449 seats (32.7%) in the House of Representative, whilst the United Party of Nigeria (UPN) accrued 28/95 and 111/449 (23%); the Nigerian's People's Party (NNP) collected 16/95 and 78/449 (17.4%); the Greater Nigerian People's Party (GNPP) gained 8/95 and 43/449 (15%); and the People's Redemption Party (PRP) scored 7/95 and 49/449 respectively (11%).[797] NPN

64%. See Ogunsola, O. (1990) "History of Energy Sources and Their Utilisation in Nigeria," in *Energy Sources*, 12 (2)

[793] The building of refineries for example, and awarding of contracts for public works programmes, the importation of machinery and equipment. Siollun, M. (2009) *Oil, Politics and Violence: Nigeria's Military Coup Culture (1966-1976).* New York: Algora Publishing.

[794] Apter, A. (2005) *The Pan-African Nation: Oil and the Spectacle of Culture in Nigeria.* Chicago: University of Chicago. Technoexpotsroy received over N12.6 million in excess profits for building National Theatre

[795] Dukor, M. (199) "Corruption and Social Action in Nigeria," in *Philosophy and Social action,* 16 (3).

[796] Decree No.11 1976 *Public Offices Protection Against False Accusation*

[797] "Elections in Nigeria," (2011) *African Elections Database*. Accessed 30/11/2010. http://africanelections.tripod.com/ng.html

leader, Shehu Shagari, attained the most number of votes in the Presidential election polling 5.6 million out of 16.8 million votes which represented 33.7% of the poll, while Chief Obafemi Awolowo of the UPN scored 4.9 million votes, amounting to 29.18% of the poll. The NPP, PRP, and GNPP leaders scored 16.8%, 10.3% and 10% respectively.[798]

A number of electoral administrative irregularities and recurrent hegemonic patterns were observable during the 1979 election, though it was free from violence. Some old tricks remained, such as ballot box stuffing, while new ones emerged. First, the 1979 political parties continued to reflect ethnic make-up, constituencies and '*ethnobiases*', though they were required by the military council to be national parties, and direct their electoral appeals to national issues.[799] The NPN continued to reflect the Northern Fulani/Hausa, and dominate as a regional power and in terms of overall voting numbers. Political parties continued to reflect intransience in leadership, alignments and networks (for example, Shehu Shagari of the NPN representing the Fulani/Hausa and the North, Chief Awolowo of UPN representing Yorubas and the West, Dr Azikiwe 'Zik' of NNP representing Ibos and the East). As Beinen details,

> … [these] politicians had remained active in Nigeria from 1966 to 1979. They represented constituents at local levels, served as state and federal commissioners under military leaders and maintained and evolved their own networks of political relationships.[800]

Over 40 political associations were not recognized by FEDECO and many candidates were disqualified from standing for office. This was based entirely on the discretion of FEDECO and could not be challenged in court. Significantly, the military government prohibited party uniforms, including signs, badges, t-shirts and the use of party militias.[801] The election proceeded with discrepancies between voters registered, votes cast and census data: a difference of 8

[798] "Elections in Nigeria," (2011) *African Elections Database*. Accessed 30/11/2010. http://africanelections.tripod.com/ng.html
[799] Herskovits, J. (1979/1980) "Democracy in Nigeria" in *Foreign Affairs*, Winter Issue.; Falola, T & Heaton, M.M. (2008) *A History of Nigeria.* Cambridge: Cambridge University Press, p.199. A requirement for qualifying to compete as a political party is that the party had to be broad based
[800] Beinen, H. (1986) *Political Conflict and Economic Change*. Oxon: Routledge, p.142
[801] Panter-Brick, K. (1979) "Nigeria: The 1979 Elections" in *Africa Spectrum*, 14 (3).; Nohlen, D.; Krennerich, M. & Thibaut, B. (1999) *Elections in Africa: A Data Handbook.*

million people.[802] The move from a regionalist system to a distributive 'state' system, meant to dilute ethnic domination in politics, created new problems. Councilors from states were elected via an indirect college system, maintaining undemocratic and despotic authority at the local level.[803] Ethnobias continued to reflect even in the state distributive system, as Herskovits notes,

> Awolowo's party, UPN, won overwhelmingly in five states – all part of the old West Region and four solidly Yoruba – and came second in one other, also with a large Yoruba population. Zik's party, the NPP, won almost as massively in two Ibo states, but also had more than 50% of the vote in Plateau, a northern state located in an area at the mid-section of the country known as Middle Belt. The Northern based parties led by Aminu Kano and Waziri Ibrahim (PRP and GNPP, respectively), each led in one or two northern states, and the GNPP came second in a number of others. The NPN however, had clearly the greatest and widest support, having received most of the votes in eight states, and the second-largest in ten others.[804]

Causes versus *Conditions*: The 1979 election was free from violence, yet salient *conditions* remained that had interacted to produce earlier episodes of electoral and political violence, such as ethnic and regional factionalism, low economic growth, high unemployment, prevalent elite patronage and corrutopm. So what explains the difference in outcome? The 1979 election was a military supervised and military authorised election, whereby the military government maintained security powers over all electoral aspects: assembly, arrest, detention, campaigning, and participation. A regulated electoral contest, with the threat of military retribution is key to understanding why violence did not result in the 1979 election.

Between 1979 and 1983 President Shagari's administration was beset by a number of interrelated problems: declining oil prices, mounting corruption and mismanagement of public funds, escalating food price inflation, an overvalued Naira currency, and widening social, ethnic and

[802] Panter-Brick, K. (1979) "Nigeria: The 1979 Elections" in *Africa Spectrum*, 14 (3).
[803] Babatope, E. (1979) *Nigeria "Elections 1979" Betrayal of a Nation*. Ibadan: Deto Deni Productions. 19 states were created.
[804] Herskovits, J. (1979/1980) "Democracy in Nigeria" in *Foreign Affairs*, Winter Issue, pp.322-324

economic inequality.[805] The NPN implemented a ethnic patronage network, that was rent seeking and corrupt. Huge housing, university/college and construction projects allowed for the enrichment of political and business allies and diversion of resources. N34 million disappeared from the federal housing scheme; N53 million went missing from Nigerian Telecommunications.[806] Public servants went unpaid for several months; inflation rose to 50%; and labour union strikes increased to 416 in 1980 alone. Corruption at the bureaucratic level, was similarly observed at the everyday level: hospital patients requiring a bed pan paid a 'favour', examiners and workers extracted 'fees' from buyers.[807] These deepening and worsening *conditions* would play an instructive role in fomenting discontent, disorder and violence in the lead up and aftermath of the 1983 elections. Importantly, it is during this time that religious insurgency in the North arose in the form of the *Maitatsine* movement, whereby large-scale rioting against the government between 1980-1985 resulted in over 5000 deaths.[808]

1983: A Return to Disorder

Presidential, Senate and House of Representative elections were held in August 1983. It saw the same five political parties competing for power as in the previous election, a first in the history of Nigerian post-Independence politics. It was also the first election to be conducted under

[805] Oil accounted for 95% of the GDP and federal revenue. See 'Nigeria's Search for Recovery' (1984) in *The New York Times,* January 30th. Corruption based on import licences, sale of currency on black market, public works programme corruption such as the Delta Steel complex and Ajaokuta Steel complex, See Othman, S. (1984) "Classes, Crises, Coup: The Demise of Shagari's Regime" in *African Affairs*, 83 (333). Corruption/Kleptocratic practices were prevalent under each administration: under Gowon (1966-1975) the importation of cement and the falsification of shipping manifestos dominated corrupt practices costing Nigeria an estimated $2b; under Obasanjo (1976-1979) a number of large government projects in pipelines, refineries, shipping, airlines, telecommunications and farming provided medium for patronage and corruption; under Shagari (1979-1983) the Johnson Mathey Bank of London and import licences were used to channel money; under Buhari (1983-1985) corruption scandals centred upon the exit of money in suitcases without customs clearance; under Babingida (1985-1993) vehicles, cash disbursements, oil and import licences, the hoarding of oil to create artificial scarcity and increase prices, and the aluminium smelter project extended and rewarded political loyalty; under Abacha (1993-1998) $4.3 billion was looted from government coffers in cash and inflated government contracts and a gas pipeline project; under Obasanjo (1999-2007) a number of corruption scandals pertaining to gas contracts, Transcorp, KBR and Siemens bribery. See Eccker, V. (1981) "On the Origins of Corruption: Irregular Incentives in Nigeria," in The Journal of Modern African Studies, 19 (1).; Olowo, D. (1983) "The Nature of Bureaucratic Corruption in Nigeria" in *International Review of Administrative Science*, 49 (3).; Heywood, P.M. (2014) *Routledge Handbook of Political Corruption.* Oxon: Routledge.; Campbell, J. (2013) *Nigeria: Dancing On The Brink.* Plymouth: Rowman & Littlefield.

[806] Falola, T & Heaton, M.M. (2008) *A History of Nigeria.* Cambridge: Cambridge University Press. pp.203-204

[807] See Tignor, P. (1993) "Political Corruption in Nigeria Before Independence," in *The Journal of Modern African Studies*, 31 (2).; Joseph, R. (1987) *Democracy and Prebendal Politics in Nigeria: The Rise and Fall of the Second Republic 1979-1984.* London: Zed Books.

[808] Isichei, E. (1987) "The Maitatsine Risings in Nigeria 1980-85: A Revolt of the Disinherited," in *Journal of Religion in Africa,* 17 (3)

civilian rule following by 13 years of military rule. In the Senate and House of Representative elections, the NPN won 55/96 (57.2%) and 264/450 (58.6%) respectively, while the UPN scored 12/96 (12.5%) and 33/450 (7.3%); the NPP accrued 12/96 (12.5%) and 48/450 (10.6%); the PRP tallied 5/96 (5.2%) and 41/450 (9.1%); whilst the GNPP's total only amounted to 1 seat on the Senate, and 0 seats at the House of Representative level. 10 seats remained vacant at the Senate level, and 64 at the House of Representative level due a delay in polling in Oyo and Ondo states as a result of election violence.[809] Shagari of NPN won the Presidential election with a significantly higher proportion of votes than in the previous election, tallying in at 47.5% of vote. Awolowo of the UPN scored 31.09% of the vote, whilst the NPP, PRP, and GNPP's gains were significantly less than in the previous election at 13.9%, 3.8% and 2.5% respectively.[810]

The 1983 was beset by a number of electoral irregularities with the Federal Electoral Commission (FEDECO) at the center of these controversies. This included; the absence of whole villages on the voters roll; the absence of some presidential candidates on the ballot form; inflated voter numbers, an increase of 34% from 1979, in some states this amounted to a 100% increase; the failure in delivering ballot papers to some areas; and the disappearance of ballot boxes.[811] In this way the NPN used its *incumbency* to shape the electoral outcome. Other tactics included arrests of the opposition; deployment of paramilitary police to areas where NPN was not well represented; and refusal to accredit opposition party members access to collation centers.[812]

Significantly, the 1983 election was preceded by pre-election inter-communal violence that engulfed three cities in the North, resulting in the deaths of 206 people.[813] In two states, Oyo and Ondo, elections were delayed due to the outbreak of violence. Following the election, 70 deaths

[809] Elections in Nigeria," (2011) *African Elections Database*. Accessed 30/11/2010. http://africanelections.tripod.com/ng.html.
[810] "Elections in Nigeria," (2011) *African Elections Database*. Accessed 30/11/2010. http://africanelections.tripod.com/ng.html. There is slight variation in these figures with the Federal Electoral Commission (FEDECO) admitting to counting and tabulation errors.
[811] Wrights, S. (1984) "Nigeria: The 1984 Election", in *The Round Table*, 73; Hart, C. (1993) "The Nigerian Elections of 1983" in *Africa: Journal of the International African Institute*, 63 (3).
[812] Legum, C. (1983) 'Nigeria's Flawed Election: A Setback to Democracy", in *Third World Reports*, 2 September. NPN increased police force from 10 000 in 1979 to 100 000 by 1983. Police were used to violently put down protests, strikes, disrupt and disperse political meetings and campaigns.
[813] 'Nigerians Prepare for 1983 Election' in *New York Times*, November 21, 1982.

were reported as violence intensified as a result of the UPN losing two governor seats to NPN candidates.[814] This included the death of two NPN candidates at the hands of an angry UPN 'mob'. Election violence was *ethnic* and *regional*, and it was political: Yoruba's losing to Hausas. The violence of the 1983 election created the conditions that led to the military coup of December 31 1983, bringing the Second Republic to an end.

Causes versus *Conditions*: The UPN leader, Chief Awolowo, called the loss of seats and the electoral outcome "blatant daylight robbery", which FEDECO and the NPN had conspired, "to rob the U.P.N. of its hard-earned victory".[815] The importance of *incumbency* and of *elites* in shaping the discourse, thinking, and behavior of voters is key to understanding why the 1983 election was particularly violent. Opposition elites were able to successfully politicise pre-existing popular discontent over the worsening and deepening dismal socio-economic *conditions* that gave rise to interactional violence between supporters, and against the government.

Between 1983-1989 Nigeria entered the second period of military rule under three successive General's; General Buhari, General Babangida and General Abacha. Under these military regimes rent seeking, patronage and coercion deepened as tools of governance and state power.[816] Inflation increased to 70% between 1988-1994; income declined from $778 in 1985 to $105 in 1989; fuel increased from 39.5kobo in 1988 to 70kobo in 1990.[817] Religious violence intensified: there were riots in Ilroin, Kafanchan, Kaduna, Katsina, Funtua, Kano and Zaria between 1986-1991.[818]

Third Republic Elections: Voting By Open Ballot 1992-1993

[814] "70 Reported Killed After Nigeria's State Elections" (1983) in *The New York Times*, August 20
[815] "70 Reported Killed After Nigeria's State Elections" (1983) in *The New York Times*, August 20
[816] Though Buhari attempted to root out criminality and corruption via instituting the death penalty for drug smuggling, pipeline siphoning of oil; counterfeit currency trading; and black market exports. He also launched the War Against Indiscipline (WAI) a social reform program. In the face of poor state of economy though these initiatives were hard to maintain, adopting a IMF backed Structural Adjustment Programme (SAP) in 1985.
[817] Lukonga, I. (1997) *Nigeria: Experience With Structural Adjustment*. Washington D.C.: International Monetary Fund.
[818] Falola, T & Heaton, M.M. (2008) *A History of Nigeria.* Cambridge: Cambridge University Press, p.222.

The 1993 presidential election proceeded under Section 87 (2) of Decree No 50 1991 which required that 'voting shall be by open ballot.'[819] This necessarily translated into voter's queuing in front of their chosen candidate's poster, removing secrecy of the ballot. The number of states was increased from nine to thirty. The election date was postponed and moved a number of times, from October 1 1990 to October 1 1992, to January 2 1993 to August 27 1993, each time resulting in the banning of political leaders or political parties.[820]

Senate and House of Assembly elections took place on the 4th of July 1992, whilst the Presidential election took place on the 12th of June 1993. While, thirteen political parties applied to the National Electoral Commission (NEC), only two parties competed in the elections, the Social Democratic Party (SDP) and the National Republican Convention (NRC). This was due to restrictions imposed by the Babaginda regime requiring political parties to reflect a 'national' character. The SDP won 52/91 (57.4%) seats on the Senate and 314/593 (52.9%) seats at the House of Representatives level, whilst the NRC tallied in at 37/91 (40.6%) and 275/593 (46.3%). Abiola of the SDP won the Presidential vote by 58.3%, while Tofa of the NRC accrued 41.6% of the vote.

The Nigerian Election Monitoring Group (NEMG), an amalgamation of civil society groups appointed by the military regime, observed the 1993 election. Many local civil society groups declined to be part of the NEMG given it problematic military directive.[821] The NEMG began to public results on 14 June, but as Abiola began to emerge as the clear winner, final results were suspended from publication under orders from High Courts in Lagos, Benin City, Jos and Oyo. The Presidential election results were annulled by General Babangida, transition decrees repealed, and the NEC suspended. General Babangida alleged that Abiola had won by vote-buying and a platform of ethnic discord. This produced nation-wide protests, riots, demonstrations and violence verging on anarchy, forcing General Babangida to step down from

[819] Nohlen, D.; Thibaut, B. & Krennerich, M. (1999) *Elections in Africa: A Data Handbook.* Oxford: Oxford University Press,
[820] In 1987 Babaingida had announced a lifetime ban on all former office holders, politicians, members of government institutions implicated in corruption.
[821] Nwankwo. C. (1999) "Monitoring Nigeria's Elections" in *Journal of Democracy*, 10 (4).; CLO (1991) *Annual Report 1991*. Lagos: Civil Liberties Organisation; CLO (1992) *Annual Report 1992*. Lagos: Civil Liberties Organisation

power.[822] This post-electoral annulled outcome resulted in the deaths of more than 100 people, the hijacking of a Nigerian Airways plane in Niger, as well as several bombings of military installations.[823] Attacks on pipelines, oil facilities, companies and personnel also increased during this time affecting the stability in the supply of oil.[824]

Causes versus *Conditions*: The violence of the 1983 election was *reactionary*, it resulted due to the General Babangida military regime annulling the electoral outcome. The violence was ar the voter/supporter level, reflecting *symbiotic* and *interactional violence* between the government, pro-Babangida supporters and Abiola voters; it was also *eliminationist* in nature as fringe groups such as the Movement for the Advancement of Democracy (MAD) and Movement for the Survival of the Ogoni People (MOSOP) engaged in elite acts of sabotage against the state. The generalized socio-economic *conditions* that plagued everyday life, such as poverty, high unemployment, soaring inflation and fuel prices, and engrained corruption, provided the basis for politicizing supporters and voters to engage in acts of violence. These pervasive conditions require activation and do not in and of themselves, produce the violence.

An interim national government led by Ernest Shonekan took power on August 27 1993, quickly displaced by the military administration of General Sani Abacha on November 17 1993. Sani Abacha's regime was severe, upheld both by force, rentierism and patronage. Political parties, meetings and demonstrations were banned. State and national assemblies were abolished, along with governorships and electoral bodies.[825] Abiola, winner of the 1993 Presidential election was arrested and imprisoned, along with former head of state General Obasanjo and his deputy Shehu Yar'Adua. Scores of other opposition elites, regime critics, journalists, union members and rights activists were similarly detained due to their vigorous opposition to Abacha, and organization of a series of pro-democracy marches.[826] Human rights abuses, especially against the Ogoni

[822] HRW (1994) 'Nigeria' in *Human Rights Watch World Report 1994*. New York: HRW.
[823] Diamond, L.' Krirk-Greene, A. & Oyediran, O. (1997) *Transition Without End: Nigerian Politics and Civil Society under Babangida*. Boulder: Lynne Reinner.
[824] Welch, C.R. (1995) "The Ogoni and Self Determination: Increasing Violence in Nigeria" in *The Journal of Modern African Studies*, 33 (4); Osaghae, E.E. (1995) "The Ogoni Uprising: Oil Politics, Minority Ageitation and the Future of the Nigeria State," in *African Affairs*, 94 (376)
[825] Falola, T & Heaton, M.M. (2008) *A History of Nigeria.* Cambridge: Cambridge University Press, p.230
[826] HRW (1994) *Nigeria: The Dawn of A New Dark Age.* New York: Human Rights Watch.; CLO (1994) *Human Rights Call: Terror in Ogoni.* Lagos: Civil Liberties Organisation.; *Nigeria: Military Government Clampdown on Opposition.* (1994) 11 November, London: Amnesty International

population of the Port Harcourt, Niger Delta and Rivers states were exacting, entailing the burning down of villages, the execution of Ken Saro-Wiwa founded of MOSOP, and the killing of 1000 Ogoni's in a series of 'ethnic attacks'. Under Abacha's rule, kelptocratic practices flourished and socio-economic conditions worsened. Fuel import licenses were given to military and political elites; inflation rose to 150%; fuel rose from N3.25 to N11 per litre by 1996.[827]

Fourth Republic Elections 1998-2007

Elections held under the 'Fourth Republic' banner represent the return to multiparty, democratic and civilian rule following 15 years of military rule. Elections during this phase have been marred by flagrant irregularities, escalating civil, religious and public order violence, and 'big money' politicking.

1998: A False Start.

The 1998 Senate and House of Representative elections were held under military rule. Only political parties 'affiliated' with the military regime could compete. This was the first false start. Five political parties competed in these elections, namely the United Nigeria Congress Party (UNCP) who won 61/80 Senate seats and 229/282 House of Representative seats; the Democratic Party of Nigeria (DPN) who scored 9/80 and 39/282 seats respectively; while the remaining three parties, the Congress for National Consensus (CNC) accrued 6/80 and 6/282, the Grassroots Democratic Movement tallied 2/80 and 4/282, and the National Center Party of Nigeria (NCPN) collected 2/80 and 4/282.[828] All five parties elected General Abacha as President.[829] This was the second false start. The election was viewed as a manipulated exercise designed to uphold and sustain the military elites and regime already in power. In this regard, the enduring power of elections as an instrument of *legitimation* and *cohesion* amongst elites is shown in Abacha's closed, non-election.

[827] Falola, T & Heaton, M.M. (2008) *A History of Nigeria.* Cambridge: Cambridge University Press, p.233.; Carter Centre & NDI. (1999) *Observing the 1998-1999 Nigeria Elections: A Final Report.* Atlanta & Washington: Carter Centre and National Democratic Institute, p.70

[828] Elections in Nigeria," (2011) *African Elections Database*. Accessed 30/11/2010. http://africanelections.tripod.com/ng.html

[829] Carter Centre & NDI. (1999) *Observing the 1998-1999 Nigeria Elections: A Final Report.* Atlanta & Washington: Carter Centre and National Democratic Institute, p.14

Following the sudden death of General Abacha and Abiola of the AD/APP, pervasive unrest in the North and Rivers' states, and intercommunal clashes which resulted in the loss of life to 60 people, the 1998 election results were annulled, and the National Electoral Commission of Nigeria (NECON) was dissolved. In its place, interim leader General Abubbakar established the Independent National Electoral Commission (INEC) to administer, organize, and oversee Nigeria's transition and re-entry into democratic politics with the 1999 election.[830]

1999: From Authoritarianism to Godfatherism

The Senate and House of Representative elections were held on 20 February whilst the Presidential election took place on 27 February. Three political parties contested in the election. The People's Democratic Party (PDP) won 59/109 (56.4%) of the Senate seats and 206/360 (57.1%) of the House of Representative seats, whilst the All People's Party (APP) accrued 29/109 (31.2%) and 74/360 (30.6%) respectively, with the Alliance for Democracy (AD) attaining 20/109 (12.4%) and 68/360 (12.4%). Obasanjo of the PDP won the Presidential election with 62.78% of the vote, whilst Olu Falae, the joint nomination of the AD and APP attained 37.2%.[831] Voter turnout was 42% for the Senate and House of Representative elections, and 52.3% for the Presidential elections. Presidential elections were held before the Senate and House of Representative elections, in what the opposition saw as a move to secure the predominance of the PDP and Obasanjo ahead of factionalism at the National Assembly and governorship level. Falae of the AD/APP labelled the election 'a farce.'[832] The Transition Monitoring Group (TMG) along with the Carter Centre, National Democratic Institute (NDI), International Republican Institute (IRI), the OAU, and the EU observed the 1999 election.[833] Three main observations are highlighted across the reports (1) electoral governance and administration irregularities, (2) 'Godfatherism' or Political Corruption; and (3) incidents of violence.

[830] INEC 'INEC History'. Independent National Electoral Commission. See www.inecnigeria.org
[831] Elections in Nigeria," (2011) *African Elections Database*. Accessed 30/11/2010. http://africanelections.tripod.com/ng.html
[832] Carter Centre & NDI. (1999) *Observing the 1998-1999 Nigeria Elections: A Final Report.* Atlanta & Washington: Carter Centre and National Democratic Institute, p.11
[833] TMG is composed of 400 local civil society groups/members

Electoral Governance: At the heart of disputes emanating from the 1999 election is that the IENC lacked autonomy and independence, professionalism and observance of rule and law.[834] This was due in large part to the fact that all staff and appointees of the IENC were made by the President; that the IENC was funded exclusively by the state (and hence susceptible to Presidency/incumbent party prerogative); and that IENC operational staff were ad-hoc (due to budget constraints). One of the implications of the IENC's budget and resource dependency on the incumbent state meant that logistics and transportation to conduct the election was inadequate. As a result, IENC officials and ballot boxes were transported with party officials or observers compromising the independence and integrity of the ballot.[835] Further, due to the close association/dependence between the IENC and the incumbent PDP party, the IENC was observed to be susceptible to manipulation at best, and collusion at worst.[836] The TMG noted the active collusion between electoral officials across the country to fix and falsify final results[837]. On Victoria Island for example, initial results showed 87 votes for APP and 96 for the PDP; in the final results the figure had changed to 87 votes for APP and 176 for the PDP.[838] In three wards of Zamfara state, namely Sabon, Gari Ward and Magami Station the presiding officer and party agents were given money to favour one party over the other; in Ekiadolor village of Edo state, the presiding officer allowed a PDP official to open the ballot boxes and add ballot papers.[839] Widespread rigging and inflation of votes in favour of the PDP was designed to ensure that,

> …the party [PDP] had an absolute majority in order to avoid the coalition and subsequent weak take-off of a new government, which was part of the crises of the transition governments in 1959 and 1979.[840]

---

[834] Omotolo argues that this is due to constant changes, dissolutions and reconstitutions of electoral monitoring bodies in Nigeria Between 1959-1999 there have been 6 EMBs in Nigeria.
[835] TMG (1999) *Interim Report of the Transition Monitoring Group on the Presidential Elections Held on 27th February*. Lagos: Transitional Monitoring Group,1 March
[836] Carter Center (1999) *Post-Election Statement on Nigeria Elections, March 1 1999*. Atlanta: Carter Center.
[837] TMG (1999) *Interim Report of the Transition Monitoring Group on the Presidential Elections Held on 27th February*. Lagos: Transitional Monitoring Group, 1 March.
[838] See No. LA/08/085, Government College, Waziri Ibrahim Polling Station in Victoria Island in TMG (1999) *Interim Report of the Transition Monitoring Group on the Presidential Elections Held on 27th February*. 1 March.
[839] TMG (1999) *Interim Report of the Transition Monitoring Group on the Presidential Elections Held on 27th February*. Lagos: Transitional Monitoring Group, 1 March. The Carter Center Observer Team also noted widespread ballot stuffing and inflated turnout Carter Centre & NDI. (1999) *Observing the 1998-1999 Nigeria Elections: A Final Report.* Atlanta & Washington: Carter Centre and National Democratic Institute, p.28
[840] Anifowose, R. & Babawale, T. (2003) *2003 Elections and Democratic Consolidation in Nigeria*. Lagos: Friedrich Ebert Stiftung.

In addition, there was a huge discrepancy in IENC reporting around registered voters versus voter turnout, with the IENC placing voter turnout at 52.67%, while observers announced a 25% turnout.[841] IENC were slow if not obstructionist in accrediting local observers to monitor the election, only 800 out of 10 000 received accreditation.[842] There were also issues around voting procedures and process: polls opened late, voting stations did not have inedible ink to prevent multiple voting, IENC officials were not trained, and secrecy of the ballot was seldom maintained. The election also proceeded without a Constitution in place.[843]

Godfatherism: Godfatherism is rooted in clientelistic relationships between politicians and financial backers/business elites, and politicians and their supporters. It is a transactional relationship rooted in monetary benefaction in exchange for access to the state/state resources and/or votes. As the Carter Centre observer team noted at the time of the election;

> … "big money" politics shaped the transition, particularly in the latter voting rounds. Delegates [CCOM] heard about individuals bankrolling election campaigns and widespread instances of poll officials, party agents, and voters being bribed. In an environment of severe poverty, temptations abound for buying and selling votes.[844]

A well-known case is that of Chief Offor and Chris Uba. Chief Offor, a businessman and party financier, provided the financial backing to Governor Chinwoke Mbadinuju and Vice President Abubakar Atiku political campaigns in return for continued contracts and access to the state.[845] Similarly, businessman Chris Uba bankrolled President Obasanjo's election campaign and the campaigns of other politicians in the House of Assembly elections. Chris Uba's brother, Dr

[841] Carter Centre & NDI. (1999) *Observing the 1998-1999 Nigeria Elections: A Final Report.* Atlanta & Washington: Carter Centre and National Democratic Institute, p.24 and p.29
[842] Carter Centre & NDI. (1999) *Observing the 1998-1999 Nigeria Elections: A Final Report.* Atlanta & Washington: Carter Centre and National Democratic Institute, p.24
[843] Carter Centre & NDI. (1999) *Observing the 1998-1999 Nigeria Elections: A Final Report.* Atlanta & Washington: Carter Centre and National Democratic Institute, p.22
[844] Carter Centre & NDI. (1999) *Observing the 1998-1999 Nigeria Elections: A Final Report.* Atlanta & Washington: Carter Centre and National Democratic Institute, p.17
[845] This amounted to N$10 million a month which allowed Mbadinuju to pay a 'top up' in state salaries.

Ugochukwa Uba, in return became Senator of Anambra South.[846] This monetization of politics is horizontal and it is vertical; it results in vote-buying at the governorship, senate, and house of assembly levels, and downwards at the supporter/voter level.[847] As the TMG observers note, monetized politics resulted in malpractices on all sides with,

> … some voters offering their votes for sale for as little as N10.00, in other areas, such as Madobi, INEC officials and party agents connived in bribery and rigging… heavy rigging, for example, at AB/12/119/01/2 Umusoieke Civic Hall, Ward 1 of Ugwunagbo LGA, the presiding officer inflated the number of accredited voters from 20 to 426 [848]

Violent Incidents: Growing protests and violence against the military regime gave rise to elections in 1999. The spiraling violent condition that had developed under General Babangida's and Sani Abacha's rule must be observed on a continuum, though to differing intensities and motivations, in the lead up to the 1999 election. 'Oil militancy violence' in the South, especially in Niger Delate, Bayelsa and Rivers states led to the postponement and scaffolded nature of the election.[849] Increased urban violence and clashes between rival thugs typified the 1999 electoral landscape, though these clashes were patchy and rooted in prevailing socio-economic *conditions* (high unemployment, food price inflation, urbanization, youth and ethnic disgruntlement, high criminality), as well as electoral contests (political party competition). In Abia and Anambara states, local politicians made use of youth vigilante groups, such as the *Bakassi Boys* by providing funding, vehicles and political cover, in return for political 'thuggery'.[850] Ethnic political militias such as Yoruba Oodua People's Congress (OPC), engaged in acts of politically motivated ethnic violence against the Hausa diaspora, such as the 'Mile 12 killings' in Ogun state. The political nature of these attacks, is reflected in for example Governor of Ondo State

[846] HRW (2007) *Criminal Politics: Violence, 'Godfathers' and Corruption in Nigeria.* New York: Human Rights Watch, 19 (16a).
[847] IFES (2006) *Money, Politics and Corruption in Nigeria.* Abuja: International Foundation for Electoral Systems
[848] TMG (1999) *Interim Report of the Transition Monitoring Group on the Presidential Elections Held on 27th February*. Lagos: Transitional Monitoring Group, 1 March
[849] Carter Centre & NDI. (1999) *Observing the 1998-1999 Nigeria Elections: A Final Report.* Atlanta & Washington: Carter Centre and National Democratic Institute, p.22
[850] Smith, D.J. (2004) "The Bakassi Boys: Vigilantism, Violence and Political Imagination in Nigeria," in *Cultural Anthropology*, 19 (3). High rates of criminality and armed robbery in the late 1990s gave rise to vigilante groups, who provided defensive protection and guarding for a fee. Violent crime resulted in 'no-go' areas especially after dark. Vigilante groups though also extorted protection money, thrusting their services into spaces without crime, such as market places, parking lots.

lauding the OPC as 'freedom fighters' and entrusting them with policing functions under his governorship.[851] Observers also noted a worrying increase in the level of violence directed at observers by 'party thugs' for observing electoral malpractices.[852] In one case a TMG observer was beaten up, another case chased away at gun point, and in another, physically assaulted by PDP agents. IENC were held at gun point in Enugu south while ballot stuffing proceeded. [853]

Causes versus *Conditions*: There was limited electoral violence in the 1999 election, though there were prevalent urban, religious, ethnic, and communal violence, disorder and clashes. The 1999 election was a high stake election, based on the first-past-the-post 'winner takes all', so what explains the limited nature of the election violence? While *conditions* remained the same, there is variation at the IV *causal* level. First, the presence of international, regional and local observers was a first for Nigeria, and it certainly had a constraining effect on the transition and on the transitional election. Observers maintained a long term monitoring presence lasting from November 1998 to April 1999.[854] Second, political elites, also called for restraint, for example Chief Falae, in reaction to the blatant electoral malpractices remarked, "political action, yes, protest, yes, but no violence!"[855]

Despite irregularities and malpractices, observers emphasized the importance of elections in Nigeria. A joint statement by the NDI and Carter Centre noted that the elections;

> … were generally peaceful and orderly… representing another step forward in Nigeria's transition to civilian rule.[856]

While IFES and the AAES mildly and aspiringly stated that;

---

[851] Harnischdeger, J. (2009) "Balance of Terror: Rival Militias and Vigilantes in Nigeria" *Afrikanistik* , Volume 200
[852] CLO (1999) *Nigeria: Civil Liberties Organisation Special Report.* Civil Liberties Organisation.

[853] TMG (1999) *Interim Report of the Transition Monitoring Group on the Presidential Elections Held on 27th February*. Lagos: Transitional Monitoring Group, 1 March; CLO (1999) *Nigeria: Civil Liberties Organisation Special Report.* Civil Liberties Organisation.
[854] IFES (1998). *Report on the AAEA/IFES Observation of the Elections in Nigeria December 1998 – February 1999.*
[855] "Nigeria Confirms Vote Result" (1999) in *The Washington Post*, Tuesday March 2
[856] NDI (1999) *Statement of the NDI/Carter Center Election Assessment Delegation to Nigeria.* Washington: National Democratic Institute.

> For the credibility of these elections to be ensured, the process by which they are conducted must be democratic-inclusive and transparent to reflect the democratic system that Nigeria seeks to build and sustain.[857]

2003: Democracy's Test

> In most of the [polling] units, there were no elections—just a triumph of violence.
>
> - Human rights activist and election observer, Rivers State, April 16, 2003.[858]

The 2003 elections saw a significant increase in the number of political parties contesting the election, rising to seven at the Senate and House of Representatives level, and 20 at the Presidential level, making 2003 a truly 'multiparty' election. Violence, coercion and intimidation were rife and directly related to the high levels of electoral fraud and rigging in favour of the PDP. The three political parties that contested in the 1999 election, made the most gains at the 2003 Senate and House of Representative levels with the PDP gaining 76/109 (53.9%) and 223/360 (54.4%), the renamed APP to All Nigeria's People's Party (ANPP) scoring 27/109 (27.8%) and 96/360 (27.4%), the AD tallying 6/109 (9.74%) and 34/360 (9.28%) respectively. The remaining five parties, namely United Nigeria People's Party (UNPP), National Democratic Party (NDP), All Progressives Grand Alliance (APGA) and People's Redemption Party (PRP) gains were marginal ranging from 2.7% - 0.7%.[859] Despite 20 contenders for Presidency position, the Presidential election was confidently won by the PDP's Obasanjo at 61.94% of the vote, who was followed by Muhammadu Buhari of the ANPP at 32.1% of the vote.[860] Voter turnout was high at 69.1% for the Presidential level, and median at 49.3% for the Senate and House of Representative elections.

The 2003 elections were seen as a crucial test for democracy given that it was the second election to proceed under democratic civilian rule. There were a number of international,

[857] IFES (1998). *Report on the AAEA/IFES Observation of the Elections in Nigeria December 1998 – February 1999.*
[858] HRW (2004) Nigeria's 2003 Election: The Unacknowledged Violence. New York: Human Rights Watch, p.1
[859] Elections in Nigeria," (2011) *African Elections Database*. Accessed 30/11/2010. http://africanelections.tripod.com/ng.html
[860] Elections in Nigeria," (2011) *African Elections Database*. Accessed 30/11/2010. http://africanelections.tripod.com/ng.html

regional and local observers who oversaw the electoral campaign, process and conduct, and verified the tabulation of results, namely the EUOM, AU, the Commonwealth, EISA, NDI, IRI, Carter Centre, Human Rights Watch (HRW), Catholic Justice, Development and Peace Commission (JPCD), TMG and the Federation of Muslim Women's Associations of Nigeria (FOMWAN) and the Muslim League for Accountability (MULAC). There was a divergence in assessments with the Commonwealth believing the results reflected the will of the people and while the EU emphasised fraud, it underplayed violence. The IRI noted both fraud and violence but still accepted the electoral outcome. Local observers and the HRW however stressed the high degree of violence and fraud, so excessive that it irrevocably shaped the electoral outcome. Elections could not be held in some constituencies, were severely delayed in others, and had to be repeated in some parts of the country due to (1) administrative inefficiencies and irregularities and (2) and elite directed and inter-supporter violence. 'Godfatherism' continued to play a role in elections.

Godfatherism: Financial backers continued to play an important role in shaping the political space through their support and funding of select individuals and politicians campaigns. One such case is that of Chris Ngige, a relatively unknown individual, who through the financial support of Chris Uba, and political support of Senator Ugochukwa Uba, was able to win the governorship of Anambra state.[861] Chris Uba also sponsored campaign of Ngige's deputy governor, three PDP Senators, 10 House of Representative members, and 30 members in the House of Assembly.[862] Godfatherism determines the pool of candidates who get put forward for nomination, election or 'selection'. This 'transactional leadership' is based on political loyalty, patronage and monetary networks, damaging to the notion of popular participatory democracy.[863]

Regulatory and Institutional Mismanagement: Ahead of the 2003 poll problems with the voters roll, distribution of ballots, and announcement and communication of voting day was abundant. Only 67 million of the 80 million registration forms distributed across 120 000 registration

[861] HRW. Ngige told HRW that he promised loyalty to Uba as his mentor, benefactor and supporter in return for government contract awards and appointments on Ngige's cabinet. HRW (2007) *Criminal Politics: Violence, 'Godfathers' and Corruption in Nigeria.* New York: Human Rights Watch, 19 (16a).
[862] HRW (2007) *Criminal Politics: Violence, 'Godfathers' and Corruption in Nigeria.* New York: Human Rights Watch, 19 (16a).
[863] Albert, I.O. (2005) "Explaining Godfatherism in Nigerian Politics," in *African Sociological Review*, 9 (2).

centers could be accounted for.[864] Following the election, numerous cases of multiple voting and counting inflation were reported. In Edu, Enugu and Rivers staff there was a great discrepancy between polling results and final results. In Southern Rivers state for example official results showed a 100% turn-out in favour of the PDP, while observers had reported a low turn-out on voting day, leading Ifeanyi Enweren of the JDPC and local observer consortium to remark that "someone was fiddling with the figures".[865] Significant ballot stuffing, changing of results, falsification of result sheets, and ballot box snatching was pronounced in Cross River, Delta, Enugu, Kaduna, Imo and Rivers states.[866] Based on the EU observations there were 25% cases of electoral fraud.[867] Voters' cards were not consistently required, checked or recorded and were abused by intimidatory political parties who used voter cards as an instrument of control and coercion. In Bauchi, Delta, Enugu, Imo, Kaduna, Nassarawa and Rivers state party agents stood at the door of voting stations checking voters cards and making notes in their personal notebooks.[868] As the EUOM notes,

> in a polling station in Delta, observers reported that polling was stopped early at 14.00 hours, four out of seven ballot boxes produced over 90% turn-out figures with 90% votes cast in favour of PDP; a dispute erupted between 30 party agents from different political forces concerning the payment of promised bribes. In Imo, observers reported that party agents on the spot had signed the result sheet with 200 more ballots cast than ballots issued and were receiving money before leaving the polling station. In Nassarawa State, voter cards were distributed by ANPP activists. In Kaduna, distribution of voter cards by PDP supporters was also observed.[869]

---

[864] IRI (2003) *2003 Nigeria Election Observation Report*. Washington: International Republican Institute. P.13
[865] *Nigeria: Civil Society Statement on the General Elections of April 12th and 19th 2003*. May 1. https://www.africa.upenn.edu/Urgent_Action/apic051303.html

[866] EUOM. (2003) Nigerian Presidential and Gubernatorial Elections 2003.Brussels: European Union. 22 April.
[867] EUOM. (2003) *Nigerian Presidential and Gubernatorial Elections 2003.*Brussels: European Union. 22 April, p.4. For example in Enugu, observers reported that already 600 ballots had been cast after only one hour of polling; in Imo, the count revealed that 1100 ballots were cast when only 800 were officially issued; In Kaduna, one of the wards contained a so-called "ghost polling station", as one of the 11 polling stations had no materials allocated to it. In some States, polling station results show improbable turnout figures, up to 100%, while actual voter participation was visibly lower. The PDP and ANPP benefited most from these electoral irregularities.
[868] EUOM. (2003) Nigerian Presidential and Gubernatorial Elections 2003.Brussels: European Union. 22 April
[869] EUOM. (2003) Nigerian Presidential and Gubernatorial Elections 2003.Brussels: European Union. 22 April, p.5

Fraud is consistently highlighted across the observer reports, based on first hand eyewitness accounts, whereby no attempt to conceal the rigging occurred. Federal and state media favourably portrayed the incumbent party and incumbent gubernatorial candidates, who also benefited from private media broadcasts and advertising given their financial and resource incumbency[870] The Nigerian Television Authority (NTA) and Federal Radio Corporation of Nigeria (FRCN) were additionally used to demonise foreign observers, malign opponents and challengers, and distort factual accounts of the electoral process. This represented an abuse of power and equates into electoral fraud.[871] Related to this was the observation that Independent National Electoral Commission (IENC) officials were 'influenced' by state governors through practices such as governors supplying the IENC with personnel to serve as IENC electoral officials.[872] This is located in the broader problem of IENC staff and appointments being made by the President.[873] The Nigerian civil society consortium of observers (e.g. TMG, FOMWAN and MULAC) noted that, "while in some area these malpractices were isolated, in other areas, they were part of a systematic plan to either disenfranchise the voters or distort the votes."[874]

Elite directed or supporter driven violence? In the inter-election period between the House of Representative elections (12 April) and the Presidential election (19 April), tension between political parties was high as a result of some leaders calling their supporters to mass action.[875] Violence was most pronounced during the nomination phase for Gubernatorial candidates, where selection rather than election of candidates took place.[876] Selection was characterised by vote-

[870] EUOM. (2003) Nigerian Presidential and Gubernatorial Elections 2003.Brussels: European Union. 22 April.
[871] *Nigeria: Civil Society Statement on the General Elections of April 12th and 19th 2003*. May 1. https://www.africa.upenn.edu/Urgent_Action/apic051303.html
[872] *Nigeria: Civil Society Statement on the General Elections of April 12th and 19th 2003*. May 1. https://www.africa.upenn.edu/Urgent_Action/apic051303.html . Due to widespread fraud and irregularities the IENC launched an investigation on the involvement of IENC officials.
[873] IRI (2003) *2003 Nigeria Election Observation Report*. Washington: International Republican Institute. President appoints Chief Electoral Commissioner, 12 National Electoral Commissioners and 37 Resident Electoral Commissioners.
[874] *Nigeria: Civil Society Statement on the General Elections of April 12th and 19th 2003*. May 1. https://www.africa.upenn.edu/Urgent_Action/apic051303.html

[875] IRI (2003) *2003 Nigeria Election Observation Report*. Washington: International Republican Institute. On April 16 major opposition parties condemned the April 12th election in a highly charged national broadcast. This resulted in a massive police and military deployment to deter any violent actions
[876] IRI (2003) *2003 Nigeria Election Observation Report*. Washington: International Republican Institute. IRI also notes malicious damage committed on party candidates and officials homes and offices and the inadequate action of the police in investigating electoral crimes, identifying and prosecuting perpetrators. Governors serve as chief executives of states in which they are elected.

buying, political thuggery, political clashes and political hits of opposition candidates.[877] These acts were carried out by groups of young men sent, armed and funded by politicians to fight for their constituencies. A PDP candidate in Port Harcourt revealed to HRW that he had distributed guns in the area.[878] In Nembe, there was a deadly clash over the Governorship between UNPP and PDP 'thugs' who were well armed, provided by 'political patrons', resulted in the deaths of 9-12 people.[879] In Oporoma, clashes between the PDP and ANPP resulted in the burning of the IENC office and vehicles. Intra-party factional violence between supporters/'thugs' of Governor Ngige and Senator Uba of Anambra state would escalate into widespread violence from 2003 and into 2004 at the local government elections, resulting in looting and damage of government buildings and commercial property.[880] The sponsoring of violence in Anambra state, produced inter-communal violence and resulted in the declaration of a State of Emergency. Further, the politicization of the *OPC, Bakassi Boys*, and the Movement for the actualization of a Sovereign State of Biafra (*MASSOB*) groups, highlighted the elite driven nature of the election violence. For example, Governor Mbadinuju sanctioned the use of the *Bakassi Boys* in eliminating two political opponents, whereby the *Bakassi Boys* murdered 'criminal politicians' implicated in corrupt 'money bags' politics.[881] A political rival to the Governor of Abia meanwhile arrived at a campaign rally in with members of *MASSOB.* In retaliation the *Bakassi Boys* burned down the political rival's home.[882] The elite dimension to the violence led observers and local civil society groups call for political parties to reign in their 'armed groups' and supporters, and sign an electoral Code of Conduct on March 30 2003 promising to renounce violence.[883] The election in Abia, Akwa-Ibom, Anambra, Delta, Enugu, Kogi, Rivers and Zamfara states could not be held due to violence and intimidation by 'armed thugs' inter-party violence between PDP, ANPP,

[877] HRW (2004) *Nigeria's 2003 Election: The Unacknowledged Violence.* New York: Human Rights Watch; IRI (2003) *2003 Nigeria Election Observation Report*. Washington: International Republican Institute. For example, the assassination of Dr Marshall Harry regional coordinator of the ANPP, the shooting of Aminasoari Dikibo, Vice Chairman of the PDP in Delta State, and killing of Chairman of the IENC Philip Olorunnipa and Benue state governor, George Akume were one of a string of politically motivated hits
[878] HRW (2004) *Nigeria's 2003 Election: The Unacknowledged Violence*. New York: Human Rights Watch, p.5
[879] HRW (2003) *Testing Democracy: Political Violence in Nigeria*. New York: Human Rights Watch. Between 9-12 UNPP and PDP supporters/'thugs' lost their lives
[880] Ibrahim, J. (2003) 'The Rise of Political Godfathers' in *BBC Focus on Africa,* http://newsvote.bbc.co.uk/mpapps/pagetools/news.bbc.co.uk/1/...
[881] Kaarsholm, P. (2006) *Violence, Political Culture and Development in Africa.* Oxford: James Currey.
[882] Kaarsholm, P. (2006) *Violence, Political Culture and Development in Africa.* Oxford: James Currey, p.38
[883] IRI (2003) *2003 Nigeria Election Observation Report*. Washington: International Republican Institute.

UNPP, and AD supporters.[884] This violence was interactional in nature. In Rivers state, fighting between party supporters and voters and polling staff occurred due to allegations of fraud and rigging.[885] Between April and May 2003, 100 people were killed.[886] One observer noted that the perpetrators of violence had told their victims that, "they will kill more people and nothing will happen, since they belong to the ruling PDP".[887] The brandishing of weapons and discharging of gunfire between supporters created a tense and intimidatory milieu. There were other dimensions to the violence, such as religious and ethnic clashes, and high levels of criminal violence including increased kidnap and ransom, 'roaming banditry', and commercial theft. This was particularly prevalent in Niger Delta and Plateau state where inter-communal conflict over land and resources, were reignited and more pronounced ahead of the election. As a result, Obasanjo deployed Federal troops to maintain public order a month before the elections in what some regarded as the militirisation of elections.[888] The AUOM noted,

> with concern, the tendency by political parties, to secure political activities such as rallies, using the services of private security firms. This may lead to the proliferation of ammunition and violence in electoral activity.[889]

Based on the above constraining factors in the 2003 elections, TMG, FOMWAN and MULAC in their final analysis observed that freedom of choice in the 2003 election was 'an exception rather than the rule'.[890] Election tribunals were set up in the aftermath of the election to investigate instances of fraud, rigging, and violence, with a key limitation that their findings could not undo or alter the final electoral outcome. In cases of violence, many cases were redirected to the national and federal judicial system given their criminal nature, the majority of which have not been investigated or received sanction. International observers were keen to highlight the

[884] EUOM. (2003) Nigerian Presidential and Gubernatorial Elections 2003.Brussels: European Union. 22 April.
[885] EUOM. (2003) Nigerian Presidential and Gubernatorial Elections 2003.Brussels: European Union. 22 April
[886] HRW (2004) *Nigeria's 2003 Election: The Unacknowledged Violence*. New York: Human Rights Watch, p.1
[887] HRW (2004) *Nigeria's 2003 Election: The Unacknowledged Violence*. New York: Human Rights Watch, p.2
[888] IRI (2003) *2003 Nigeria Election Observation Report*. Washington: International Republican Institute, p.17. Police and security personnel often fled the scene or were reluctant to investigate election violence. There was a notable increase in Christian-Muslim violence in the North of Nigeria that resulted in 200 deaths.
[889] AUOM (2003) *Statement by the African Union Observer/Monitoring Team on the 2003 Presidential, Gubernatorial and National Assembly Elections in the Federal Republic of Nigeria*. Addis Ababa: African Union.
[890] *Nigeria: Civil Society Statement on the General Elections of April 12th and 19th 2003*. May 1. https://www.africa.upenn.edu/Urgent_Action/apic051303.html

strengths and achievements of the second election under civilian rule in order to encourage, uphold, and move the democratic enterprise forward.

Conditions versus *Causes*: There were multiple prevailing social and economic *conditions* such as high levels of criminality, poverty, unemployment, inequality, and low levels of human development and service delivery. These conditions are relevant to the degree that they provide generate generalized grievance and frustration amongst voters and supporters alike, but in and of themselves these *conditions* did not provide the rallying axis for violent action. Rather, it is the operationalization of four observable *conditions*, namely *resource patronage* and resource mobilization, *ethnic* and *political identity* divisions, *corruption,* and partially undermined *institutions* that are significant in producing violence. Importantly the *cause* of election violence is overwhelmingly *elite* driven based on intra-party and inter-party elites jostling for positions of power, and political elites directing 'thugs' and 'armed gangs' to engage in political clashes and fighting. *Elite* abuse and interference with electoral institutions and the IENC process further creates sites the site for discrepancy, dispute, and violence between political elites themselves, and between political party supporters. Another *cause* of the election violence is the interactional exchange of violence between political party supporters. This in some cases unravels and furthers violent interchanges between opposing sides.

2007: Big Men, Big Fraud

The Presidential, Senate and House of Representative elections were all held on the same day in 2007, on 21 April. The Senate and House of Representative elections were contested by six political parties, namely the PDP who won 87/109 of the Senate and 263/360 House of Representative Seats, the ANPP who scored 14/109 and 63/360 seats respectively, and the newly formed Action Congress (AC) tallying in at 6/109 and 30/360 seats. The other three parties, namely the Progressive People's Alliance (PPA), Accord Party (ACCORD) and Labour Party (LP) wins were marginal in some cases amounting to one or no seats. As with the 2003 election, the number of Presidential candidates was high, increasing to 25 in 2007. Only three Presidential contenders however gained a significant amount of the votes, namely Umaru Yar'Adua of the

PDP (69.6%), Muhammadu Buhari of the ANPP (18.6%), and Atiku Abubaka of the AC (7.45%). Voter turn-out had decreased by 10% from the 2003 election to 58%.[891]

Intra-party fragmentation and acrimony defined the 2007 electoral contest. In 2006, incumbent President Obassanjo, sought to extend his tenure through a constitutional amendment. Senate rejected the application, producing a mixed response within the party and public. Incumbent Vice President, Abubakar, had publicly opposed and denounced Obasanjo's pursuit of a third term, announcing himself as a contender.[892] Following this and allegations of fraudulent activity,[893] Abubaker was suspended from the PDP and went onto establish the Action Congress (AC).The 2007 elections were characterized by widespread irregularities, violence and rigging. The EU noted the continuation of the practice of selection rather than election of party and gubernatorial candidates, perpetuating 'monetary politics' and 'godfatherism'.[894]

IENC and electoral irregularities: Chiefly the EU noted the IENC financial dependency on the executive as an impediment to its autonomy and functioning. This includes the appointment of IENCE Commissioners.[895] The IENC also inconsistently applied and enforced electoral laws and court orders.[896] The NDI noted the lack of skill, capacity, expertise and materials as a significant problem at polling stations. For example,

> Although 12 000 polling stations would be in operation for the 2007 elections, IENC purchased just 33 000 registration machines … officials in some instances did not know how to operate the DDC machines.[897]

[891] Elections in Nigeria," (2011) *African Elections Database*. Accessed 30/11/2010. http://africanelections.tripod.com/ng.html
[892] COG. *Nigeria National Assembly and Presidential Elections, 9 and 16 April 2011*. London: Commonwealth Observer Group, Commonwealth Secretariat.
[893] Abubaker was accused of corruption and financial crimes and placed under investigation by the Economic and Financial Crimes Commission (EFCC). The EFCC was a corruption fighting body established by Obasanjo, widely seen as a political tool for settling scores and rivalries.
[894] EU (2007) *Nigeria: Final Report: Gubternorial and State Houses of Assembly Elections 14 April and Presidential and National Assembly Elections 21 April 2007*. Brussels: European Union, p.17
[895] EU (2007) *Nigeria: Final Report: Gubternorial and State Houses of Assembly Elections 14 April and Presidential and National Assembly Elections 21 April 2007*. Brussels: European Union
[896] EU (2007) *Nigeria: Final Report: Gubternorial and State Houses of Assembly Elections 14 April and Presidential and National Assembly Elections 21 April 2007*. Brussels: European Union
[897] NDI (2007) *Final NDI Report on Nigeria's Elections.* Washington: National Democratic Institute, p.14

Further technical glitches came in the form of wrong data appearing for registered voters, i.e. male faces appearing for female registered voters.[898] In Gome and Katsina states polls opened late, ballot papers were short, vote buying occurred outside stations, and ballot boxes were seized by 'gangs of political thugs'.[899] In Kwara and Osun states soldiers separated voters from the polling station while PDP incumbents stuffed ballot boxes. In some districts ballot papers were diverted to the local government chairman with turnout recorded at 95-100% despite the lack of ballot papers.[900] IENC and PDP officials were observed leaving polling stations with results sheets. Six DDC machines were found at one Ibadan-based politician's home. Some voters were told to pay IENC officials for supplying ink for voting.[901] The EU also noted the 'uneven' playing field, in that the PDP used state resources to campaign: 60 state cars were used in election rallies in Zamafara State; in Borno state the Governor used government vehicles on the campaign trail "from which he threw bundles of money into the crowds."[902] In Cross Rivers State, PDP posters were brandished inside government buildings.

Pre and Post Electoral Violence: In the lead up to the election, violence was centered upon the nomination of candidates, within and between parties, resulting in targeted assassinations and armed attacks at political meetings.[903] This intra-party PDP violence led to the deaths of 3 gubernatorial candidates between June and August 2006, and 70 incidents of election-related violence were recorded.[904] In Oyo state, intra-party PDP violence between thugs loyal to Governor Ladoja and political godfather Lamidi Adedibu spilled over into violence within the National Union of Road Transport Workers (NURTW), whereby several union members were shot and injured during rival factional battles in February 2007.[905] In January 2007, 70 incidents of election related violence alone were recorded representing an increase and intensification of

[898] NDI (2007) *Final NDI Report on Nigeria's Elections.* Washington: National Democratic Institute, p.14
[899] 'Nigeria: Presidential Election Marred by Fraud, Violence' (2007) in *Human Rights Watch News*, April 25
[900] NDI (2007) *Final NDI Report on Nigeria's Elections.* Washington: National Democratic Institute, p.17
[901] NDI (2007) *Final NDI Report on Nigeria's Elections.* Washington: National Democratic Institute, p.14
[902] EU (2007) *Nigeria: Final Report: Gubternorial and State Houses of Assembly Elections 14 April and Presidential and National Assembly Elections 21 April 2007*. Brussels: European Union, p.19
[903] NDI (2007) *Final NDI Report on Nigeria's Elections*. Washington: National Democratic Institute, p.25 Such as the assassination of Funso Williams, PDP contender for Governor in Lagos preceded by an ACD candidate; Auo Daramola a gubernatorial candidate in Ondo State was also assassinated
[904] HRW (2007) *Election or Selection? Human Rights Abuse and Threats to Free and Fair Elections in Nigeria.* New York: Human Rights Watch, p.12. This includes 7 attempted assassinations, attacks on campaign offices, party secretariats, and homes of candidates.
[905] HRW (2007) *Election or Selection? Human Rights Abuse and Threats to Free and Fair Elections in Nigeria.* New York: Human Rights Watch, p.15

the violent contest.[906] In the pre-election phase, 280 deaths were reported, with the NDI noting that,

> Violence worsened once the election campaigning began and particularly after President Obasanjo was quoted as describing the 2007 elections as a "do or die affair" and as "a matter of life and death for the PDP."[907]

Much of the violence that occurred during the election and in the aftermath of the election was confined to the North, most pronounced in Rivers, Kogi and Enugu states. Discontent with the PDP, IENCE and biased election process dominated complaints.[908] For example, ANPP supporters rioted, burning tyers, throwing rocks and stones, torching PDP houses and businesses.[909] 17 000 people are estimated to have fled their homes in Northern Nigeria, while 360 people were injured, and 2 died.[910] In Anambra state, political parties mobilized local militias and vigilante groups to work with them to "protect our votes".[911] Clashes between parties occurred throughout the country, often aided by local gangs and militias. In Nassarawa, 9 policemen were killed while transporting electoral materials, while in Delta State youth burned police vehicles.[912] In Rivers State, two police stations were firebombed.[913] Violence persisted well into the post-electoral period. In Benue State, 10 people were killed, 30 houses attacked and burned as a result of inter-party supporter violence between the AC and PDP. Inflammatory speech and use of ethnic and indigenous references by politicians further aggravated and inflamed tensions.[914] The sponsorship and recruitment of vigilantes, thugs and militias persisted into the 2007 election by the PDP, AC and ANPP. The 'Kalare boys' in Gombe for example

[906] HRW (2007) *Election or Selection? Human Rights Abuse and Threats to Free and Fair Elections in Nigeria.* New York: Human Rights Watch, p.12
[907] NDI (2007) *Final NDI Report on Nigeria's Elections.* Washington: National Democratic Institute, p.26
[908] NDI (2007) *Final NDI Report on Nigeria's Elections*. Washington: National Democratic Institute.
[909] Nigeria: Presidential Election Marred by Fraud, Violence' (2007) in *Human Rights Watch News*, April 25
[910] Nigerian Red Cross.
[911] NDI (2007) *Final NDI Report on Nigeria's Elections*. Washington: National Democratic Institute, p.26; 'Political Clashes Claim 10 Lives, 30 Houses in Benue,"(2007) in *The Guardian*, March 20
[912] 'Violence Mars Nigeria Elections', (2007) *BBC News*, April 22
[913] 'Gunmen Kill Seven Policemen, injure Soldiers in Rivers' (2007) in *The Guardian,* April 15. NDI (2007) *Final NDI Report on Nigeria's Elections.* Washington: National Democratic Institute, p.30
[914] EU observers note phrases like 'sons of soil' 'home boys' EU (2007) *Nigeria: Final Report: Gubternorial and State Houses of Assembly Elections 14 April and Presidential and National Assembly Elections 21 April 2007*. Brussels: European Union, p.20

displayed organized thuggery hired by local PDP officials.[915] In Anbara State, PDP gubernatorial candidate Andy Uba mobilized the 'Black Axe' gang, with rival gangs clashing leading to the death of 10 people and 18 injured on March 10. One prominent opposition politician warned that, "if anyone attacks me, my boys will unleash terror."[916]

All observer groups generally concurred that the 2007 election did not meet the minimum standards for democratic elections, with former US Secretary of State, Madeline Albright calling the elections 'a step backward'.[917] In its final assessment the NDI stated that,

> … in many places, and in a number of ways, the electoral process failed the Nigerian people.[918]

While the Catholic Bishops Conference argued,

> … we have again failed in conducting free, fair and credible elections … reports from across the country show that the mandate of the people was abused, traumatized and brutalized.[919]

Causes versus *Conditions*: The violence centered on the 2007 election showed *political elites* to be key in the continued mobilization of violence in the form of gangs and militias; and the politicization of violence in the form of inflammatory rhetoric and campaigning. *Symbiotic* and *interactional* violence between supporters resulted.

5.3 *Conditions* versus *Causes of Election Violence*

[915] EU (2007) *Nigeria: Final Report: Gubternorial and State Houses of Assembly Elections 14 April and Presidential and National Assembly Elections 21 April 2007*. Brussels: European Union, p.21. Significantly the EU kept a 'violence register' of incidents. See Appendix B.
[916] HRW (2007) *Election or Selection? Human Rights Abuse and Threats to Free and Fair Elections in Nigeria.* New York: Human Rights Watch, p.12
[917] 'Democracy in Nigeria Falters but is Far From Dead,"(2007) in *New York Times*, May 3
[918] NDI (2007) *Final NDI Report on Nigeria's Elections.* Washington: National Democratic Institute, p.36
[919] Cited in NDI (2007) *Final NDI Report on Nigeria's Elections.* Washington: National Democratic Institute, p.38

Election violence in Nigeria has been *caused* due to *elite* direction and *interactional* supporter contests. The nature of the violence is both *eliminationist* and *symbiotic*/*interactional* in nature. The politicization of four *conditions* has featured recurrently, namely, *ethnicity*, *resources*, *institutions*, and *patronage*. Where violence has been absent or limited has been a result of constraints imposed upon political elites and parties, as well as an overseeing or supervising presence of the military or external agents, such as international long term observers. The table below provides an overview which captures *causes* versus *conditions* over time. It is important to note that many *conditions* are salient, such as high youth unemployment or inflation, but these do not always feature as necessary conditions in producing a violent electoral outcome. *Politicisation* is key to the activation of grievances situated in socio-economic, regional and ethnic grievances.

5.3 *Conditions* versus *Causes of Election Violence*

Year	Election Violence	Multiparty	Transition	Land/Resources	Patronage	Ethnicity	Economic	Institutions	Elites	Youth	Unemployment
1959	√	√	√	√	√	√	√	√	√	√	√
1964 - 1965	√	√		√	√	√	√	√	√	√	√
1979	X	√	√	√	√	√	√	√	√	√	√
1984											
1992 - 1993											
1998 - 1999	√	√	√	√	√	√	√	√	√	√	√
2003	√	√		√	√	√	√	√	√	√	√
2007	√	√		√	√	√	√	√	√	√	√

Table 5.1 Variables of Election Violence: Nigeria 1959 – 2007
The following table depicts variables drawn both from the literature review hypotheses in *Chapter 1* and from data gathered. The variables ticked in red are identified as being significant in the causal chain for that particular election year. The years highlighted in green represent elections at inception of military rule.

5.4 Conclusion

This chapter provided a case study analysis on recurrent election violence in Nigeria from 1959 – 2007 by identifying what the *causes* and *conditions* are in each election year. It is found that not all *causes* or *conditions* are significant in producing election violence, and while there has been some variance across election years, five variables remain recurrently significant, namely, *elites*, *ethnicity*, *institutions*, *resources*, and *patronage*.

The 1959, 1979 and 1999 elections are instructive in understanding when electoral violence *does not* result or when electoral violence is limited. In 1979, a military supervised election established clear rules regarding electioneering, campaigning and refraining from ethnic mobilization. Political elites were delimited in rhetoric and actions. Similarly, the 1959 and 1999 election highlights the importance of a long-term external presence during the election. Election monitoring and supervision in 1959 vis-à-vis colonial presence, and by international, regional and local observers in 1999, placed limits on elite and voter behavior, thereby regulating the electoral contest producing limited forms of violence. Elites are the predominant cause of election violence, in the form of the military and of incumbent and opposition political leaders.

Chapter 6: Zimbabwe

"Our Votes Must Go Together With Our Guns."[920] *Incumbency, Patronage and Election Violence 1980 - 2008.*

In a radio broadcast in 1976, Robert Mugabe, now[921] President of Zimbabwe, famously declared that "our votes must go together with our guns". His speech signalled the intimate connection that had developed between violence, power and politics in the struggle for liberation and the formation of a post-independent state. He went on to say,

> The gun which produces the vote should remain its security officer, its guarantor. The people's vote and the people's gun are always inseparable twins.[922]

At the time Mugabe alluded to the necessity of the gun in producing the right to vote, in the context of white minority rule and the war for liberation. Yet the gun as the guarantor of security, and the vote, has remained central to ZANU-PF's political and electoral strategies, and mainstay of power.

This chapter sets out to examine election violence in Zimbabwe since Independence. . It provides a brief historical and descriptive overview of power and politics under colonialism and the colonial state in Rhodesia Zimbabwe. It then gives an overview of elections and election violence in Rhodesia and Zimbabwe. Finally it identifies, traces, and analyses the dynamics of election violence through thematic analysis of (1) hypotheses identified in the literature review, (2) archive data, (3) election observer materials, and (4) elite interviews. This is depicted in a comparative table that tabulates election year against election violence and identified *causes* and *conditions* variables. Importantly, this chapter attempts to identify and extrapolate what the *conditions* and *causes* of election violence are in each electoral cycle. The chapter concludes by

[920] In a radio broadcast. See Mugabe, R. (1981) *Our War of Liberation. Speeches, Articles and Interviews*. Gweru: Masubo Press.
[921] At the time of writing in 2016, Robert Mugabe was President of Zimbabwe. In November 2017 Mugabe was replaced via a bloodless coup d'état by the army and former Vice President, Emmerson Mnangagwa.
[922] Mugabe, R. (1981) Our War of Liberation. Speeches, Articles and Interviews. Gweru: Masubo Press.

identifying what factors are present along the causal chain over time; what is similar and what is different; in producing variance and recurrent violent elections in Zimbabwe.

6.1 Historical Overview of Power and Politics

Zimbabwe, formerly known as Rhodesia (1965-1980) and also referred to as 'South Zambezia' (1895-1898) and 'South Rhodesia' (1898-1965), was territorially demarcated in 1895 following the Berlin Conference.[923] Borne out of the 'discovery', exploration and signing of 'treaties' between the British South Africa Company (BSAC) and various chiefs, and King Lobengula of the Ndbele, Matebeleland.[924] South Zambezia/Rhodesia was formally constituted with a Legislative Council in 1899. This marked the 'beginning' of the colonial state. The Legislative Council election in 1899 was strictly circumscribed with five of the ten members nominated by the BSAC, four nominated by registered voters, and the remaining seat going to the Administrator of South Rhodesia.[925] Registered voters and suffrage was extended only to white males over 21 who were literate, British citizens, held mining concessions and immovable property, and whose salary was over £50; whilst the Administrator post was decided by the Colonial Office in London.[926] Elections and colonial governance was an elite and contained affair. Elections continued throughout BSAC company rule (1890-1923) and under settler rule (1923-1979), moving from Legislative Council elections to House of Assembly elections. Participation in the elections was restricted to British and white settlers, but in 1961 two voters' rolls were established (differentiated mainly on fiscal and educational attributes) which allowed for a limited pool of African voters to cast their ballot, mainly chiefs, kraal/headman and clerics.[927] The 'alternative vote' or 'preferential vote' was viewed as a method of 'ethnic

[923] Hyam, R. (2002) Britain's Imperial Century, 1815–1914: A Study of Empire and Expansion. New York: Palgrave Macmillan,; British Documents on the End of Empire: Central Africa, Part I, Volume 9. British National Archive: London.

[924] See LO5/6/1/ 19 July 1898. Native Commissioner NC Val Gielgud to CNC; NB 6/5/2/5 *Report by Green to Robert Lanning, Native Commissioner, Shiloh.* 14 December 1897. e.g. Chief Nyamanda, Chief Madliwa, Chief Sikhobokhobo, Chief Dakamela.

[925] Warhurst, P. R. (1999). "Imperial Watchdog: Sir Marshal Clarke as Resident Commissioner in Southern Rhodesia", in *South African Historical Journal*, 40 (1).

[926] Willson, F.M.G. (1963) *Source Book of Parliamentary Elections and Referenda in Southern Rhodesia 1898-1962*. Department of Government, University College of Rhodesia and Nyasaland: Salisbury.

[927] This was boycotted by most Africans and nationalist leaders see Leys, C. (1959) *European Politics in Southern Rhodesia*. Oxford: Clarendon Press.

accommodation' and as a way of engineering political moderation.[928] Elections however remained a selective, exclusionary and discriminatory affair.

Six main features are significant in the construction of state and political power under the BSAC, British and settler rule in Rhodesia Zimbabwe, namely, the utilization of traditional authority and chiefs; the exploitation of identity groupings; the appropriation of resources; the use of endowments, favour, and patronage; the deployment of coercive force; and the application of taxation, law and emergency ordinances. The making and remaking of colonial administration, governance and the state was (and has remained) underpinned by two sides of the same coin, force and law. The BSAC activities and company rule were supported/upheld by the British South Africa Police (BSAP),assisted by paramilitary armed white settler Pioneer Columns.[929] The annexation of land, ceding of mineral rights, extraction of hut tax, cattle and labour from chiefs and King Lobenguela was attained through might and decree, resulting in two Matabele wars with the African population, known as 'The Risings' or the 'First Chimurenga' (1896-1897).[930] A series of concessions, ordinances and decrees between 1894 and 1923 such as the verdicts made in 1894 by the Land Commission, which allocated and apportioned land to Africans, represented the beginning of a 'Native Reserves' policy.[931] In 1920 an Orders-In-Council decision formalized Native Reserves "for the sole occupation and exclusive use of Native inhabitants"[932], representing 30% land usage for the majority of the population. This was accompanied by policies on 'Native Affairs', 'Native Labour', 'Native Education' and 'Native Development' between 1927 to 1931; The Land Apportionment Act of 1930, the Land Husbandry Act of 1951 and the Land Tenure Act of 1969 further formalized and institutionalized separate development, habitation and ownership between Africans and settlers. As Mungazi argues, "land distribution was the

[928] Hintz, S. (1972) 'The Political Transformation of Rhodesia, 1958-1965', *African Studies Review*, 15, 2.; Stultz, N.M. (1972) 'Multiracial Voting and Nonracial Politics in Colonial East and Central Africa', *Phylon*, 33, 1.
[929] Summers, C. (1994) From Civilisation to Segregation: Social Ideals and Social Control in Southern Rhodesia 1890-1934. Ohio University Press: Athens.
[930] Dawson, S. (2011) "The First Chimurenga: 1896-1897 Uprising in Matabeleland and Mashonaland and Continued Conflicts in Academia", in *Constellations*, 2 (2); Summers, C. (1994) *From Civilisation to Segregation: Social Ideals and Social Control in Southern Rhodesia 1890-1934.* Ohio University Press: Athens
[931] See Government Notice 49 of 1895
[932] Morris Carter Commission. (1925) *Southern Rhodesia, The Report of the Land Commission.* Salisbury: Government Printer.

cornerstone of its [BSAC and colonial state] political power".[933] In limiting the majority 'restive' population to demarcated areas, land was used as an instrument of control, order and subjugation. The impact of these land policies was devastating: it caused overcrowding, overgrazing and soil depletion; it turned Africans into unskilled labourers and workers within an alien capitalist economy; it destroyed self-sufficiency and undercut agricultural production and competition; it triggered seasonal agricultural and labour dependent poverty; and it ruptured ancestral rites and inheritance.[934] Judicial authority established the boundaries of not only colonial 'order', but of crime, offence, misdemeanor and with it the regime of punishment and reprimand endowed to the security and police forces. Where adherence did not occur company, colonial and settler violence was severe. Penal authority was displayed in executions, floggings, imprisonment and fines; riots were put down with live ammunition; scorch earth tactics were used to starve out resistors.[935] The Selous Scouts, who were created to deal with growing resistance to the settler state, used a wide range of tactics such as poisoning of clothes and food; the use of anthrax epizootic to kill livestock; interrogations; beatings; assassinations; public killings; intimidation and the turning of guerillas.[936]

In cases where coercive force and legal strategies were not sufficient to ensure order or compliance, the BSAC and settler state relied on accommodative strategies with chiefs and traditional rulers as 'subordinate authorities' empowered with tasks such as extracting tax and labour in return for a wage and other benefits, such as access to education and land title deeds.[937] This established systems of patronage and rewards to incentivize compliance. Ethnicity played a significant role in the construction of native authority under BSAC and settler rule. Most were selected either because of the assistance and support they had provided to the British during the

[933] Mungazi, D.A. (1989) *The Struggle for Social Change in Southern Africa*. New York: Taylor & Francis. This went against guarantees enshrined in the Rudd Concession of 1888 promising protection of land rights in return for exclusive mining rights.
[934] PRO AIR 9/66 *Review of the Tribal Situation*. 1934. Secretariat of N Rhodesia, 6 Feb, Norman-Newall Report.; Alexander, J. (2006) Unsettled Land: State-making and the Politics of Land in Zimbabwe 1893-2003. Oxford: James Currey.
[935] Schmidt, H.I. (2013) Colonialism and Violence in Zimbabwe: A History of Suffering. Oxford: James Currey.
[936] Flower, K. (1987) *Serving Secretly: An Intelligence Chief on Record, Rhodesia into Zimbabwe 1964-1981*. London: John Murray.; Naas, M. (1992/1993) "Zimbabwe's Anthrax Epizootic', in *Covert Action*, 43.
[937] British Documents on the End of Empire: Central Africa, Part 1, Volume 9. London: British National Archive. pp.293-296

1896 war, or their historical interaction with the new colonial chief whom they now served.[938] This entrenched an ethnic power differential between the Nguni, Ndebele and Shona. In growing native authority, administration and recruitment (e.g. into the native police units), monetary and title inducements continued to play a pivotal role. The Nguni and Ndebele who formed the majority of the initial native police and officials were labelled by the Shona as *Imbga dza vasungate*, 'white men's dog'.[939] Ethnic favouritism bred ethnic tension and has continued to play out in Zimbabwean politics and elections.

6.2 Historical Overview of Elections and Election Violence

Zimbabwe in its short political history since Independence to 2008 has held 12 elections.[940] 4 Presidential (1990, 1996, 2002, 2008), 6 House of Assembly (1980, 1985, 1995, 2000, 2005, 2008) and 2 Senate (2005, 2008).[941] In addition, a Constitutional Referendum was held in 2002. The electoral system is bicameral, composed of a House of Assembly (parliament) and Senate, headed by the head of state, the President. Presidential elections are based on majority of votes won, whilst the House of Assembly and Senate elections are based on a mixed system of party-list proportional representation and first-past-the-post triumph.[942]

Ethnolinguistic consciousness has played a significant and ongoing role in political party formations in Rhodesia Zimbabwe dominated by two main groups, the Shona and Ndebele. Smaller sub-tribal entities such as the Korekore, Zezuru, Karanga, Manyika, Ndau have traditionally aligned themselves politically and ethnically to the Shona, whilst the Kalanga, Nguni, Shangani and Nyanja are associated with the Ndebele, though these markers of identity

[938] Alexander, J.; McGregor, J. & Ranger, T. (2000) *Violence and Memory: One Hundred Years in the 'Dark Forests' of Matabeleland.* Oxford: James Currey, pp. 28-29. The Ndebele or Matabele have a longer history of having raiding, conquering and dominating the smaller tribes of Zimbabwe prior to the arrival of the British. In this way, this dominance was used by the British to implement indirect rule furthering Ndebele ethnicity and power.
[939] *Southern Rhodesia Native Affairs Department Annual (NADA).* 1924. Salisbury. N.H.D.; also Holdings No 10 (1932), No 12 (1934), No 13 (1935), No 15 (1938).
[940] The last election included in this analysis is 2007.
[941] Elections in Zimbabwe' *African Elections Database*, Accessed 30/11/2011. http://africanelections.tripod.com/zw.html; 'Zimbabwe: Electoral System' (2008) *EISA*, Accessed 30/11/2011 http://www.content.eisa.org.za/old-page/zimbabwe-electoral-system
[942] Reynolds, A.; Reilly, B. & Ellis, A. (2008) *Electoral System Design: The New International IDEA Handbook.* Stockholm: International Institute for Democracy and Electoral Assistance. A Prime Minister post existed between 1980-1987 which was dissolved when Robert Mugabe became President. The Prime Minister post was revived in 2009, held by Morgan Tsvangirai, as part of the power-sharing deal and political settlement reached in the 2008-2009 negotiations. The Prime Minister post was dissolved once again in 2013 following a constitutional referendum.

are fluid, shift and are often deployed/aligned instrumentally.[943] The ZANU-PF first under Ndabaningi Sithole and now[944] under Robert Mugabe has traditionally drawn on Shona support (and been dominated by the Karanga and Zezuru tribe), whilst ZAPU under Joshua Nkomo drew its following from the Ndebele.[945]

1979 Elections and Interregnum: Elections in a Time of War

The 1979 House of Assembly elections held on 17-21 April, permitted African political parties to participate for the first time, and extended suffrage to the wider African population as part of the 'Internal Settlement' deal.[946] These elections were not recognized internationally given that the electoral arrangement maintained the illegal regime of the Rhodesian Front government who had declared universal independence from Britain in 1965, and excluded the Patriotic Front (PF) and Zimbabwe African People's Union (ZAPU) political parties. Further the Internal Settlement allowed the incumbent RF government to retain control over the army and police.[947] Four main parties competed: the United National African Council (UANC) which acquired 67.2% of the vote, the Zimbabwe African National Union (ZANU) attaining 14.58% of the vote, the United National Federal Party (UNFP) amassing 10.79% of the vote, the Zimbabwe's United People's Organization (ZUP) totaling 6.36% of the vote, and the National Democratic Union (NDU) polling with a meagre 1.0% of the vote.[948] The 1979 elections were based on two separate ballots, a white voters' roll for 20 of the reserved seats of the House of Assembly, and a 'common roll'

[943] Nelson, H.D. (1975) Area Handbook for Southern Rhodesia. Washington: Government Printing Office.; Report of the Special International Commission on the Assassination of Herbert Wiltshire Chitepo. Lusaka, March 1976.
[944] At the time of writing this chapter in 2016 Mugabe was leader of ZANU-PF. The leader and President of the ZANU-PF is now Emmerson Munangagwa.
[945] ZAPU had a substantial Shona following drawn mainly from the Zezeru, however this sub-grouping withdrew their support when Chikerema departed following internal clashes with the Kalanga Ndebele faction within ZAPU. The Zezuru then transferred support to ZANU-PF. There are exceptions to this ethnic alignment. Select political elites have served as compromise/unitary/concessions ethnic candidates in ZANU-PF and ZAPU to attract and neutralise ethnic opposition and rivalry.
[946] The 'Internal Settlement' was a peace deal signed between Rhodesian Front (RF) leader Ian Smith and moderate African nationalist leaders such as Bishop Abel Muzorewa and Ndabaningi Sithole, to end the 'Rhodesian Bush War' (the war of national liberation) and pave the way for a peaceful transition to majority rule. This deal was condemned internationally and not recognised as per UN Resolution 423. See *S/RES/423/1978 United Nations Security Council*. Non-recognition was also underwritten by the 'No Independence Before Majority African Rule' (NIBMAR) policy. The RF government only represented 4% of the white settler rule population.
[947] PREM 19/106, 'Situation in Rhodesia: Elections, April 1979; part 1'. 16
[948] Elections in Zimbabwe' *African Elections Database*, Accessed 30/11/2011. http://africanelections.tripod.com/zw.html; Baumhogger, G. (1999) 'Zimbabwe' in Nohlen, D.; Thibaut, B. & Krennerich, M. *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press.; 'Zimbabwe: Electoral System' (2008) *EISA*, Accessed 30/11/2011 http://www.content.eisa.org.za/old-page/zimbabwe-electoral-system

(i.e. African voters) closed list system for the remaining 80 seats of the House of Assembly.[949] There was pronounced violence during this time, rising from about 15 killings a day (in the context of liberation insurgency) to 30 killings a day.[950] Three main electoral observer groups were present during the 1979 election, namely the Conservative Party Observers led by Viscount Boyd (referred to as the Boyd Report); the British Parliamentary Human Rights Group led by Lord Chitnis; and the Catholic Institute for International Relations observer group led by lawyer Dr Claire Palley. The Boyd Report is the most extensive observer report of the three.

A number of electoral irregularities and acts of intimidation were observed in the 1979 election, with one observer group contending that the, "deficiencies in electoral law and practice … would not be tolerated in a more conventional election".[951] For example, no voters' registration took place and therefore there was no voters' roll. This was due in part to the ongoing war, resultant internal displacement, and the difficulties encountered in registering voters within this context. It was also due to the enormity of the task of registering 3 million new voters. The ongoing liberation war between the Rhodesian Front government and the boycotting political parties PF and ZAPU military wings, Zimbabwe African National Liberation Army (ZANLA) and Zimbabwe People's Revolution Army (ZIPRA), meant that elections also took place under Martial law and a State of Emergency. Under Emergency Powers Legislation, detentions increased during the electoral period ranging from 300 (RF government count) to 4000 (ZAPU count).[952] As the Boyd Report reveals;

> There was … a certain amount of thuggery and intimidation by party supporters in urban areas, in January. This led to 123 arrests, and 99 people appearing in the ordinary criminal courts on fairly minor charges; (59 were from UANC, 64 from ZANU).[953]

[949] Lord Chitnis (1979) Free and Fair? The 1979 Rhodesian Election. London: British Parliamentary Human Rights Group; Report of the Freedom House Mission to Observe The Common Roll Election in Zimbabwe Rhodesia. April 1979. (1979) New York: Freedom House.; Viscount Boyd of Merton (1979) Report to the Prime Minister on the Election Held in Zimbabwe-Rhodesia. April 1979. London: Conservative Party Central Office.; Palley, C. (1979) The Rhodesian Election. London: Catholic Institute for International Relations.
[950] Cillers, J. (1985) *Counterinsurgency in Rhodesia*. Kent: Croom Helm, p.206
[951] Lord Chitnis (1979) *Free and Fair? The 1979 Rhodesian Election*. London: British Parliamentary Human Rights Group.
[952] Viscount Boyd of Merton (1979) Report to the Prime Minister on the Election Held in Zimbabwe-Rhodesia April 1979. London: Conservative Party Central Office.
[953] Viscount Boyd of Merton (1979) Report to the Prime Minister on the Election Held in Zimbabwe-Rhodesia April 1979. London: Conservative Party Central Office.

The ‘thuggery’ charge directed by Boyd was at the ‘new’ African political parties (UANC, ZANU, UNFP and ZUP) who were contesting for their first seat(s) in power; while acts of intimidation were argued to have been carried out ‘equally’ by the Rhodesian state and its security organs, as well as auxiliary forces and guerilla forces. Boyd’s conflation of actor brutality and violence is not useful as it conceals the extent to which the RF government was complicit in coercive electoral malpractices and manipulation, and it obscures the inter-party electoral violence that took place between UANC, ZANU, UNFP and ZUP as distinct from PF insurgency violence for Independence. The Lord Chitnis report emphasizes “the climate of wanton and persistent cruelty”, documenting extrajudicial executions under Martial Law, and the increased burning of huts, killing of cattle and beatings of Tribal Trust Land and Protective Villages civilians by the Security Forces and auxiliaries (SFA).[954] SFA grew from 3000 to 10 000 men. Military vehicles and Security Force escorts were present within Tribal Trust areas, some observers noting this as necessary to prevent guerrilla attacks and intimidation of the voting population by guerillas (Boyd),[955] whilst others viewing this as an act of intimidation and coercion by the RF government (Chitnis and Palley).[956]

An alarming observation is made within observer reports that many voters were ‘trucked’ to voting stations by employers, and in some cases employees were threatened with dismissal if they did not vote.[957] Boyd’s stance discounts this as amounting to intimidation contending that;

> It is extremely difficult, therefore, to give a final judgement on the issue of whether undue pressures were exerted by employers to get their workers to vote. It is also possible, of course, that undue pressures were not in fact brought to bear, but that in the minds of the workers they were.[958]

[954] Report of the Freedom House Mission to Observe The Common Roll Election in Zimbabwe Rhodesia April 1979.
[955] Viscount Boyd of Merton (1979) Report to the Prime Minister on the Election Held in Zimbabwe-Rhodesia April 1979. London: Conservative Party Central Office
[956] See for differing account, Palley, C. (1979) *The Rhodesian Election*. London: Catholic Institute for International Relations.
[957] Palley, C. (1979) *The Rhodesian Election*. London: Catholic Institute for International Relations.; Lord Chitnis (1979) *Free and Fair? The 1979 Rhodesian Election*. London: British Parliamentary Human Rights Group.
[958] Viscount Boyd of Merton (1979) Report to the Prime Minister on the Election Held in Zimbabwe-Rhodesia April 1979. London: Conservative Party Central Office.

The 'trucking' in or 'bussing' in of voters was also done across Electoral Districts, such as of UANC supporters into Mashonaland West. This practice not only shaped election outcomes in terms of a 'first-past-the-post' winning of constituency seats but together with other changes in the electoral law expedited the authorities and politicians ability to turn out the vote.[959] In other cases mobile voting stations removed the element of choice to participate or not participate in the voting process. One account observed that on arrival of a mobile station at a European farm the workforce and families were already assembled and waiting. As such the workers appeared to have been little choice as to whether to vote or not.[960] Intimidation and coercion were so widespread that Lord Chitnis concluded that election results were ultimately meaningless. He stated that "The only thing we feel can be said with any certainty about these elections is that one side was more effective in intimidating the population than the other.[961]"

For Boyd, there was a greater incidence of electoral intimidation and coercion emanating from the guerillas than from the RF government. Within ZANLA and ZANU internal communication, guerrilla ill-discipline and violent 'anarchism' is revealed, such as torture, wanton killing, abuse of women and rape, and open terror within the TTL for the express purpose of gaining votes.[962] Although the RSF perpetrated violence in the TTL, namely the destruction of crops and cattle, Boyd found that this violence was attributable to the RSF's counter-insurgency operations against ZANLA and ZIPRA and their supporters, and not motivated by a desire to manipulate the election outcome.[963] These actions although not construed by Boyle as election violence may have impeded these communities' ability to vote freely.

[959] Palley, Claire, 'Zimbabwe-Rhodesia: Should the Present Government be Recognised?' in Delap, M. () "The April 1979 Elections in Zimbabwe-Rhodesia", in

[960] Viscount Boyd of Merton (1979) Report to the Prime Minister on the Election Held in Zimbabwe-Rhodesia April 1979. London: Conservative Party Central Office

[961] Lord Chitnis (1979) *Free and Fair? The 1979 Rhodesian Election*. London: British Parliamentary Human Rights Group.

[962] ZANU(PF) Archives, ZANU Operational Department, Department of Defence (ODDD), '*Political Report Covering Part of the Southern Front as per Sub-Area: Sector 2: Matibi 1 and Belingwe*', 4 June 1978, p.8.; Ranger Papers, Doc. Ranger 00103, Maurice Nyagumbo, Salisbury Central Prison, to Robert Mugabe and the ZANU Central Committee, c. June 1979, available at www.aluka.org.

[963] Viscount Boyd of Merton (1979) Report to the Prime Minister on the Election Held in Zimbabwe-Rhodesia April 1979. London: Conservative Party Central Office.

There was direct censorship under Section 42a of the Law and Order Maintenance Act and a number of publications were banned.[964] Significantly, all political meetings had to be approved by the Ministries of Information and Internal Affairs, Army and Police, curtailing open and competitive campaigning. Palley and Lord Chitnis flag this together with the suppression of the anti-internal settlement campaign/election boycott campaign by the RF government as tantamount to political engineering. For Palley aside from the above mentioned prolific "violence and undue influence"; African voters were limited in only being able to vote for the internal parties.[965]

For Palley and Lord Chitnis, the undue pressures applied on (largely African) voters, coupled with constrained choice and a menacing electoral milieu, discredited the 1979 election. On issues of censorship and propaganda, all observers report its occurrence, but differ in the weight and implications. The Boyd Report notes that censorship "may well have prevented the mounting of a campaign against voting at all", but again contextualized these actions in light of the civil strife between the white government and African people. Thus, as they were not expressly employed to influence election result, they did not invalidate the election.

However, Lord Chitnis disputed this stance claiming that "the electorate was brainwashed by propaganda on an alarming scale, cajoled by false and dishonest promises of peace, and intimidated in a most callous fashion to vote..".[966] Palley importantly highlights the removal of expenditure limits on campaigning and advertising ahead of the elections which, in addition to the suppression of the anti-internal settlement campaign/election boycott campaign, amounted to a biased and unequal electoral environment.[967] Whilst the other two reports do not pay particular attention to the role of identity in the 1979 election outcome, Palley stresses the instrumental role of ethnicity and tribal affiliation in the constitution and recognition of the internal settlement parties and in the electoral outcome. She notes that the UANC largely consisted of a coalition

[964] Report of the Freedom House Mission to Observe The Common Roll Election in Zimbabwe Rhodesia April 1979.; Viscount Boyd of Merton (1979) Report to the Prime Minister on the Election Held in Zimbabwe-Rhodesia April 1979. London: Conservative Party Central Office.

[965] Palley, C. (1979) *The Rhodesian Election*. London: Catholic Institute for International Relations.
[966] Lord Chitnis (1979) *Free and Fair? The 1979 Rhodesian Election*. London: British Parliamentary Human Rights Group.
[967] Palley, C. (1979) *The Rhodesian Election*. London: Catholic Institute for International Relations

between the Manyika, Korekore and Zezuru tribes. The Ndebele speakers supported Joshua Nkomo [ZAPU] whereas the Ndau and some Rozwi support the Rev Sithole. The Karanga by and large supported Robert Mugabe.[968] Ethnic factionalism is also recognized as playing a role in the emergent intra-party violence between the PF parties, ZAPU and ZANU, and between and against the internal parties of UANC, ZANU, UNFP and ZUP.[969] For example, the *Dzagudazgu* a UANC aligned security force auxiliary unit, who were all Shona, committed acts of political and ethnic violence against Ndebele ZAPU leaders and civilians in Gokwe, Lupance and Nkayi districts.[970] ZIPRA (ZAPU) and ZANLA (ZANU) ethnic antagonisms spilled over into the battlefield, both in training camps, and in TTL.[971] Even within ZANU and ZANLA, elite fragmentation and infighting was characterised by ethnic and tribal difference.[972]

Nevertheless, despite numerous irregularities highlighted above, in its final analysis the Conservative Party observers declared the elections as acceptably free and fair. Although they acknowledged that holding elections during a war mitigated against polling, it did not invalidate the election as a whole.[973]

However, Palley believed that when measured against both Western democratic electoral standards and those observed in elections preceding the granting of independence to developing African or Asian states, this election could not be considered free and fair.[974]

Lord Chitnis was by far the the most critical in his assessment of the election, maintaining that it did not constitute a "valid test of opinion, consequently its results were meaningless.[975]

[968] Palley, C. (1979) *The Rhodesian Election*. London: Catholic Institute for International Relations.
[969] Sithole had attempted to achieve ethnic balance in ZAPU and thereby forestall ethnic rivalry or politicisation of identity politics by appointing 2 Ndau, 2 Karanga, 2 Zezuru, 2 Ndebele, 2 Manyika, 2 Korekore to the ZAPU executive. See Vail, L. (1991) *The Creation of Tribalism in South Africa.* Oakland: University of California Press.; and Sithole, M. (1999) *Zimbabwe Struggles Within the Struggle 1957-1980.* Harare: Rejuko Publishers.
[970] Alexander, J.; McGregor, J. & Ranger, T. (2000) *Violence and Memory: One Hundred Years in the 'Dark Forests' of Matabeleland.* Oxford: James Currey, p.157.
[971] See oral testimony Mgagao and Morogoro camps whereby ZANLA looting of money, blankets, jerseys and killing of ZIPRA recruits; ZANLA beating and torturing of ZIPRA comrades in Alexander, J.; McGregor, J. & Ranger, T. (2000) *Violence and Memory: One Hundred Years in the 'Dark Forests' of Matabeleland.* Oxford: James Currey
[972] NI 79-1006. *Zimbabwe-Rhodesia: The Economic, Military and Demographic Situation in Mid 1979.* Intelligence Assessment, National Foreign Assessment Centre. Washington: Central Intelligence Agency, August 1979, p.19.
[973] Viscount Boyd of Merton (1979) Report to the Prime Minister on the Election Held in Zimbabwe-Rhodesia April 1979. London: Conservative Party Central Office
[974] Palley, C. (1979) *The Rhodesian Election*. London: Catholic Institute for International Relations.

Reasons for conflicting accounts on the quality of elections and of the election environment are numerous. Firstly, the bias displayed by the British Conservative Party observers led by Viscount Boyd was rooted in a broadly supportive stance of the internal settlement. Secondly, while the Boyd Report was largely a technocratic assessment of the election, the other two observer teams considered the context and meaning of elections as well as experiences of the electorate. Third is the issue of sources, the Boyd report relied heavily on RF government supplied information, statistics and interviews, whilst the other observer groups and reports canvassed a wide array of civil society, media, individual and civilian opinion alongside official reporting.

It is evident that a number of variables were present during the 1979 election that interacted along the causal chain to produce a violent electoral outcome, however not all of the variables were causally significant. For example, the election saw a number of political parties competing, so in this regard it was a 'multiparty' election, but *multipartyism* was not so much a factor in producing the violence than the exclusion of the PF parties. To this end *elite exclusion*, *elite factionalism* and *elite acrimony* were more significant. This acrimony was furthered by instrumentalisation of political party *identity* in the sense of ethnic leadership, tribe affiliation and territorial supporter base. The 1979 election was also observably manipulated by use of state organs (security, information, state of emergency), and application of electoral amendments (e.g. bussing/trucking in of voters), and to this extent abuse of *institutions* and *institutional power* played a role. Further, the RF government bestowed *patronage* by awarding state resources and state assistance towards select internal parties, their private armies and leaders for their accommodation, such as the UANC and ZANU. Other *conditions* such as an economic recession (e.g. 13% decline in economic growth, 9% decline in mining output[976]), ongoing sanctions, a prolonged drought, and increased unemployment, while contributing to the disordered climate, were not significant in political instrumentalisation by parties, or activation along the trajectory of a violent electoral outcome. The 1979 election result and coalition government were not

[975] Lord Chitnis (1979) *Free and Fair? The 1979 Rhodesian Election*. London: British Parliamentary Human Rights Group.
[976] NI 79-1006. *Zimbabwe-Rhodesia: The Economic, Military and Demographic Situation in Mid 1979.* Intelligence Assessment, National Foreign Assessment Centre. Washington: Central Intelligence Agency, August 1979.

recognized internationally. Non-recognition paved the way forward for all-inclusive negotiations at the Lancaster House Conference, and for majority representative elections in 1980.

1980 Election: Armed Electioneering

The 1980 election witnessed an increase in the number political parties competing, 11 in total, making it a 'multiparty' election in this sense. On the 'white roll' the Rhodesian Front won 83% of the vote, while on the 'common roll' the disintegrated parties of the PF, ZANU-PF and ZAPU accumulated most of the votes, 63% and 24% respectively.[977] The smaller political parties wins, many of whom were part of the internal settlement deal, were marginal between 0.2% to 8% of the vote e.g. UANC, ZANU-Ndonga, UNFP, United People's Association of Matabeleland (UPAM), the Zimbabwe Democratic Party (ZDP), the United National Federal Party (UNFP), the National Democratic Union (NDU) and the National Front of Zimbabwe (NFZ).[978] Ethnic party affiliation and ethnic patterns of voting were observable in what Rule terms 'ethnic territoriality'.[979] For example, ZANU-PF drew most of its support and votes from Mashonaland Central (83.8%), Mashonaland East (80.5%), Mashonaland West (71.9%), Victoria (87.3%) and Manicaland (84.1%): Shona strongholds. The UANC was a secondary contender and rival to the ZANU-PF for votes in these areas, explaining to a degree the inter-party violence between ZANU-PF and UANC. In contrast, the majority of ZAPU support emanated from Matebeleland North (79%) and Matabeleland South (86.4%). While the Midlands province was a 'sway' province with 59.7% going to ZANU-PF, 27.1% going to ZAPU and 8.6% going to the UANC.[980] The pattern of ethnic voting was mirrored in the distribution of ethnic and political

[977] Commonwealth Observer Group. (1980) Southern Rhodesia Elections, February 1980: The Report of the Commonwealth Observer Group on Elections Leading to Independent Zimbabwe. London: Commonwealth Secretariat. ZANU and PF merged and it was clear that two main poles of political power had emerged between ZANU-PF and ZAPU.

[978] Elections in Zimbabwe' *African Elections Database*, Accessed 30/11/2011. http://africanelections.tripod.com/zw.html; Baumhogger, G. (1999) 'Zimbabwe' in Nohlen, D.; Thibaut, B. & Krennerich, M. *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press.; 'Zimbabwe: Electoral System' (2008) *EISA*, Accessed 30/11/2011 http://www.content.eisa.org.za/old-page/zimbabwe-electoral-system

[979] Rule, S. (2000) *Electoral Territoriality in Southern Africa*. Aldershot: Ashgate. Rule argues that ethnic geography and regional territoriality impact upon voting behaviour and patterns. Further that the emergence of political parties is rooted in and reflective of socio-spatial demography. Urbanisation is argued to weaken this over time, and rural areas remain the bastion of ethnic identities.

[980] Elections in Zimbabwe' *African Elections Database*, Accessed 30/11/2011. http://africanelections.tripod.com/zw.html

violence. Between December 29 1979 and March 1 1980, there were a reported 290 deaths related to the election.[981]

The Commonwealth was the main international election observation body present during the 1980 election, while national electoral teams were sent from Canada, Norway[982] and Britain, and observers from civil society groupings such as the American Committee on Africa, and the Catholic Church also observed the election.[983] There was divergence in the assessment on the conduct, climate and outcome of the election, mainly between the British Electoral Observer Group and the Commonwealth.[984] The former downplayed the RF government atrocities and complicity in the high levels of generalized violence, whilst the latter was sympathetic to the PF and guerillas. What is clear throughout the reports is that the election took place within a tense and violent milieu. All of the observer groups generally agreed that the election outcome represented the legitimate will of the people, despite the high levels of intimidation and violence, based on high voter turn-out and the decisive victory of the PF parties over the internal settlement parties. The Lancaster House Agreement which preceded the election, was a negotiated and inclusive peace settlement reached between all political parties to end the 'Bush War'. It established the following criteria ahead of the election: the deployment of a monitoring force; the ending of martial law; a ceasefire declaration ending hostilities, acts of brutality, intimidation and violent interchanges; the renouncing of force by all parties via the establishment of Assembly Points; a program of land reform; and the adoption of an Independence Constitution.[985]

There were a number of issues pertaining to the security situation, incumbent and governor powers, and incumbent abuses that marred the election. As with the 1979 internal settlement

[981] Interim Statement of from the Canadian Non-Governmental Observer Team, March 1 1980.
[982] The researcher was not able to locate the full versions of these primary observer reports.
[983] The Commonwealth team was made up of observers from 11 countries. Commonwealth Observer Group. (1980) Southern Rhodesia Elections February, 1980: The Report of the Commonwealth Observer Group on Elections Leading to Independent Zimbabwe. London: Commonwealth Secretariat.
[984] Interim Report by Sir John Boynton MC. British Election Commissioner. Salisbury, 2 March 1980,; *The Rhodesian Election 1980. Report by the Group of Independent British Observers Appointed by the United Kingdom Government*. London: Foreign and Commonwealth Office.; Commonwealth Observer Group. (1980) *Southern Rhodesia Elections February, 1980: The Report of the Commonwealth Observer Group on Elections Leading to Independent Zimbabwe*. London: Commonwealth Secretariat.
[985] *Southern Rhodesia: Report of the Constitutional Conference*. September-December 1979. London: Her Majesty's Printing Office.

election, no voters roll existed on the common roll register (for the same reasons vis-à-vis internal displacement, continued violence, and guerilla reluctance to reveal their identity by registering to vote).[986] The RF government continued to benefit from their incumbent access to state media, security organs and legislative powers.

With regards to intimidation three main strands of violence were observable. The first saw a resurgence in generalized violence between the RF, auxiliaries and the guerillas. The second witnessed intra-party and inter-party violence between the PF parties, ZANU-PF and ZAPU, and the UANC. This political and ethnic violence spilled over into a civil war (1980-1982) and systematic ethnic cleansing by the ZANU-PF government against the Ndebele opposition 'dissidents' between 1983-1987. The third strand of violence was committed by the South African security forces, both official and unofficial. In a conversation between General Peter Walls, Head of the Rhodesian Armed Forces and Anthony Duff, Deputy Governor, Walls stated that to this end, "the situation in the country is worse than before the ceasefire".[987]

Martial law, and in turn curfews, detentions, and restrictions on movement remained in place, in spite of the Lancaster House Agreement requiring its repeal. Mugabe alleged that under continued marital law, 5000 of his supporters were detained in the run up to elections, whilst Nkomo alleged that 2500 of his party workers and supporters were taken into custody.[988] In one area, Rusape, 10 people were taken into custody five days before the election; this amounted to the entire leadership of ZANU (PF) in the area.[989] Under martial law, Governor Soames held powers to restrict meetings, suspend campaigning and disqualify parties from competing. Martial law also enabled the deployment of 70 000 regular forces from the existing state security organs, as well as the stationing of 20 000 auxiliary forces across the country to deal with violence and disorder in the context of the election. However the auxiliary troops sent to the tribal trust lands

[986] *The Rhodesian Election 1980. Report by the Group of Independent British Observers Appointed by the United Kingdom Government*. London: Foreign and Commonwealth Office.; Interim Report of Dr R. Sean Randolph, Observer for the American Security Council, 1980, Washington.
[987] TNA PREM 19/342 Telegram 149 Soames to London, 12 January 1980.
[988] Commonwealth Observer Group. (1980) Southern Rhodesia Elections February, 1980: The Report of the Commonwealth Observer Group on Elections Leading to Independent Zimbabwe. London: Commonwealth Secretariat, p.18.
[989] Commonwealth Observer Group. (1980) Southern Rhodesia Elections February, 1980: The Report of the Commonwealth Observer Group on Elections Leading to Independent Zimbabwe. London: Commonwealth Secretariat, p.18. They were released immediately after the election with no charge.

were loyal to the United African National Council of Bishop Abel Muzorewa and were also not confined to the designated assembly points as were the Patriotic Front and ZANU-PF forces thereby giving them an opportunity to intimidate people into supporting the UANC.[990] Martial law served another purpose: it provided indemnity for the Security Forces during this period. Police were found to be 'educating' civilians on voting procedures by denouncing communism, distributing political leaflets, and advising individuals what party to vote for.[991] Under martial law and in the context of high levels of violence and disorder, actions by the Security Forces were justified as acts done "in good faith".[992] Nevertheless, this was not always the case. For instance, observers reported in a survey of the five main African hospitals in Harare, Marandellas, Rusafe and Umtali, areas where ZANU(PF) intimidation was allegedly rife, that 65 per cent of all the patients being treated for injuries related to the war or the election campaign claimed they had been wounded by the Security Forces, police auxiliaries, District Assistants or UANC supporters.[993]

Violent acts were attributable to all parties, the PF, security force auxiliaries ('The Spear of the People'), and the state security forces. Nkomo leader of ZAPU conveyed that this generalized climate of violence meant that, "the word intimidation is mild. People are being terrorized; it is terror."[994] Accusations and counter-accusations about who was responsible followed;[995]

> On the official side it was alleged that a significant number of Patriotic Front forces … to amount to 4000 had deliberately stayed outside the assembly places in order to terrorise the countryside and intimidate votes. On the side of the two Patriotic Front parties it was alleged that the Rhodesian Security Forces had never disengaged as envisaged in the

[990] *First Report on the Rhodesian General Election 1980.* Delegation Composed of Representatives of: American Committee on Africa TransAfrica and the NAACP Washington Office on Africa, March 3 1980.
[991] *First Report on the Rhodesian General Election of 1980 By An Independent American Observer Delegation*. (1980) American Committee for Africa. Washington: NAACP, Transafrica.; Interim Statement from the Canadian Non-Governmental Observer Team, March 1, 1980.; Registered Observers with the Canadian Non-Government Observer Team, 25 February 1980.
[992] Commonwealth Observer Group. (1980) Southern Rhodesia Elections February, 1980: The Report of the Commonwealth Observer Group on Elections Leading to Independent Zimbabwe. London: Commonwealth Secretariat, p.13.
[993] Interim Statement from the Canadian Non-Governmental Observer Team, March 1, 1980.; Registered Observers with the Canadian Non-Government Observer Team, 25 February 1980
[994] 'Supporters terrorised says Nkomo" (1980) in *The Herald*, 6 February.
[995] 'Spear of the People' was the name applied to the private armies of Bishop Muzorewa.

> Lancaster House Agreement; that Security Force Auxiliaries, who had moved into the Tribal Trust Lands vacated by the Patriotic Front forces, were brutalising the people … and that the whole weigh of the official machinery, and of laws designed for other purposes [such as the State of Emergency] were being directed towards neutralizing political campaigns.[996]

ZIPRA and ZANLA forces ("guerillas") failed to disengage to the degree envisioned under the Lancaster House Agreement. Estimates vary that between 4000 - 10 000 (40%) of ZANLA forces failed to assemble.[997] Lack of assembly was due both to the PF distrust of the cease-fire, and the deployment of auxiliaries in areas between guerilla force concentration and assembly points which in effect prevented guerillas from coming forward. ZANLA and ZIPRA guerillas were accused of unleashing an intense campaign of violence and intimidation in the Tribal Trust Lands (TTL) in order to shape a favourable PF electoral outcome, utilizing a wide array of coercive methods that prevented an estimated one third of the rural population from voting. These included brutal 'disciplinary murders' to set examples for those who failed to heed threats of retribution; the continuance or resumption of the war if ZANU(PF) failed to win the election; psychological pressure like name-taking as well as claims of possessing machines that could reveal who individuals had voted for and the physical interdiction of attendance at meetings..[998]

ZANLA was charged with being responsible for an overwhelming amount of the widespread violence and intimidation, to such a degree that Nkomo (ZAPU) and Muzowera (UANC) approached Governor Soames to do something. Governor Soames while aware of the "considerable weight of evidence that ZANLA are operating under deliberate instructions from ZANLA commanders (and presumably political leaders) to … teach people how to vote", was

[996] Commonwealth Observer Group. (1980) Southern Rhodesia Elections February, 1980: The Report of the Commonwealth Observer Group on Elections Leading to Independent Zimbabwe. London: Commonwealth Secretariat, p.12.
[997] The lower estimate of 4000 was placed by Lord Renwick advisor to Lord Soames and head of the FCO Rhodesia Department, whilst the higher estimates were placed by Emmerson Munangagwa, ZANLA's Intelligence Officer. See Renwick, R (1997). *Unconventional Diplomacy in Southern Africa*. London: Macmillan Press.; and Carrington, P. (1988) *Reflect on Things Past. The Memoirs of Lord Carrington*. London: llins.
[998] *Interim Report by Sir John Boynton MC*. British Election Commissioner. Salisbury, 2 March 1980, p.11.

reluctant to disqualify ZANU(-PF) as this would have furthered the spiral of violence.[999] ZANU(-PF) also played up on Governor Soames 'obstructionism' with regards to not implementing all aspects of the ceasefire which ZANU(-PF) argued was directed at neutralizing their campaign. Complicating the security situation was ZANLA's use of *mujihbas.* '*Mujibas*' were young men located within the Tribal Trust Lands (TTL) and who fought predominantly within the TTL. *Mujibas* were aligned to the PF albeit without much physical or organizational control; it was an informal arrangement.[1000] The *mujibhas* were active in scorching 'un-cooperative' TTL areas, destroying PV perimeters and displacing people back into TTL areas, securing supplies of food and clothing, and acting as intelligence officers to the guerrillas.[1001] *Mujibhas* were also instrumental in the governance architecture of district committees or "people's tribunals" that carried out localised forms of law and order within TTL. They metered out beatings, *pungwes* (forced meetings), punishments and even death.

Security Force Auxiliaries (SFAs), variously labeled as home-guards, Muzorewa's (UANC) and Sithole's (ZANU) private army, the 'Spear of the Nation' militia, and less favourably as 'gangs of political henchmen' were also accused of violent excesses in the run up to the election.[1002] One case entailed an attack on a bus of UANC supporters, depicted as a ZANLA attack, which resulted in 16 deaths.[1003] Due to the lack of perceived action by Governor Soames in reigning ZANLA and ZANU(-PF) in, 'elements' of the Rhodesian state security forces and SFAs embarked on a program of targeted political assassinations and attacks on ZANU(-PF) and

[999] TNA PREM 19/344 Telegram no.500, Soames to London, 5 February 1980. Further South African military intelligence cautioned that any drastic action would impede the election leading to country wide chaos and clashes between ZANLA armies who had failed to assemble and security forces.
[1000] PREM 19/117 RHODESIA. Lord Boyd's report on the election held in Zimbabwe/Rhodesia, April 1979. *The Election in Zimbabwe-Rhodesia in April 1979*, Report to the Prime Minister of the Election Held in Zimbabwe-Rhodesia in April 1979. Part Two p.4/13
[1001] PREM 19/117 RHODESIA. Lord Boyd's report on the election held in Zimbabwe/Rhodesia, April 1979. *The Election in Zimbabwe-Rhodesia in April 1979*, Report to the Prime Minister of the Election Held in Zimbabwe-Rhodesia in April 1979. Part Two, p.4/13. In an effort to tame the low protracted chaos during the second chimurenga and deny guerrillas support bases the Rhodesian state had established Protected Villages (PV's) in rural areas whereby the rural population were placed into large settlements behind razor wire and under permanent guard force. The guerrillas were able to stop people from voting in 1979 in Ndanga, Fort Victoria and in Tadyanemhando as a result of intelligence provided by the *mujibhas.*
[1002] SFAs were formed in 1978 to fight the PF guerrillas, branded as 'terrorists'. Commonwealth Observer Group. (1980) Southern Rhodesia Elections February, 1980: The Report of the Commonwealth Observer Group on Elections Leading to Independent Zimbabwe. London: Commonwealth Secretariat, p.33.
[1003] Hancock, I. & Goodwin, P. (1993) Rhodesians Never Die: The Impact of War and Political Change on White Rhodesia 1970 - 1980. Harare: Baobab Books.

ZANLA commanders homes.[1004] SFAs were also accused by kraal heads and chiefs of intense psychological intimidation.[1005] The security force auxiliaries mimicked the same intimidatory tactics and acts of violence as the guerilla forces (such as seizure of crops, looting, razing, beatings, and burning of villages) given their effectiveness, and to discredit ZANLA and ZIPRA amongst the populace thereby shaping an electoral outcome in favour of the UANC and ZANU.[1006]

The intra-party violence between the PF parties persisted, and the interparty violence between the PF parties, ZANU and the UANC was further complicated by the presence of South African forces who played an enabling role to the Security Force Auxiliaries, and by deniable extension, the RF government. Apartheid South Africa's destabilisation campaign into Zimbabwe was directed at derailing a ZANU(-PF) win. It entailed assisting with political hits, the laying of landmines, and committing acts of sabotage such as the bombing of churches and the forging of religious magazines denouncing ZANU(-PF).[1007] South Africa invested $300 million in the war against the guerillas and in their campaign against ZANU(-PF) during the election. The continued presence of South African troops in the context of martial law, led many to criticize Governor Soames for partiality in not upholding the ceasefire agreement. The UN passed resolution 463 which;

> … called upon the Government of the United Kingdom to ensure that South African forces would be withdrawn, regular or mercenary, out of the country. It also requested that United Kingdom implement steps including:

[1004] Such as attempted political hit on Mugabe at his Highfeld and Salisbury homes and on his way to a rally in Fort Victoria, hit on James Bassopo-Moyo home (ZANU senior official), hit on Elias Rusike home (ZANU electorate directorate), hit on Kumbirai Kangai home (ZANU senior official). See Doran, S. (2017) *Kingdom, Power, Glory: Mugabe, ZANU and The Quest for Supremacy 1960-1987*. Midrand: Sithatha Media, p.137-138.

[1005]For example a group of kraal heads in Madizwa TTL complained to us that the militia who guarded their protected village had threatened, if ZANU (PF) were to win the elections, to lock the gates, shoot the inhabitants, bomb the assembly areas and behead the party leaders. FCO36/2720 Internal Political Situation in Zimbabwe, The Labour Party Information Paper "Zimbabwe: The Election, Independence and the Future," *The Labour Party International Department*, July 1980, p.4

[1006] This tactic also entailed using weaponry seized from guerrilla forces resulting in the misidentification of violence to actor. Commonwealth Observer Group. (1980) *Southern Rhodesia Elections February, 1980: The Report of the Commonwealth Observer Group on Elections Leading to Independent Zimbabwe.* London: Commonwealth Secretariat, p.35.

[1007] Dzimba, J. *South Africa's Destabilisation of Zimbabwe1980 – 1989.* London: Palgrave Macmillan, p.46. South African forces numbered between 5000 – 7500.

(a) the speedy return of Zimbabwean exiles and refugees in accordance with the agreement;
(b) the release of political prisoners;
(c) the confinement of the Rhodesian and auxiliary forces to their bases;
(d) the according of equal treatment of all parties;
(e) the rescindment of all emergency measures and laws inconsistent with the conduct of free and fair elections.[1008]

The Commonwealth Observers also point to the partisan nature of information and reporting during the election. They specifically cite the authorities and the media tendency to attribute intimidation solely to ZANLA and ZIPRA and their political allies as problematic despite a lack of evidence.[1009] Under Emergency Powers, penalties were applied to individuals whose reporting would lead to "alarm or despondency among the inhabitants of Rhodesia."[1010] This resulted in the media reporting verbatim government Communiques of Combined Operations (COMOPS) statements. These were not always politically accurate. Further, the Emergency Powers legislation held that;

42A(1) No person shall, for the purpose of publishing news by radio, television or writing, communicate, publish or disseminate, whether within or outside Rhodesia, any information which relates or purports to relate directly or indirectly to –

(a) Any measure or act of any description whatsoever of the Security Forces or the Government for the purpose of combating or suppressing terrorism or reducing the incidence thereof.[1011]

An imbalance in reporting was also mirrored in an imbalance in paid for advertising, to which the RF and UANC had a disproportionate financial advantage. As the majority of the media

[1008] S/RES/463(1980) Resolution 463 (1980) *Question Concerning the Situation in Southern Rhodesia.* Both PW Botha of South Africa and Lord Soames admitted later knowledge of the South African force presence and that their departure only occurred following the election.
[1009] Commonwealth Observer Group. (1980) Southern Rhodesia Elections February, 1980: The Report of the Commonwealth Observer Group on Elections Leading to Independent Zimbabwe. London: Commonwealth Secretariat, p.31.
[1010] CAO 27/04 Part A. *The Law and Maintenance Order Act 37/1977*, Southern Rhodesia. See Section 42.
[1011] CAO 27/04 Part A. *The Law and Maintenance Order Act 37/1977*, Southern Rhodesia. See Section 42.

(newspapers, TV and radio) were controlled by the white minority it was strongly supportive of the UANC and disparaging of ZANU-PF.[1012] This un-level playing field was further evident in the well-funded UANC's provision of tens of thousands of colour posters, t-shirts, hats, stickers; the hiring of buses and trains for supporters; the use of 4 West German helicopters to tour the country; and in one instance in Salisbury, over 60 000 free meals were provided.[1013] Moreover the Independent American Observer Delegation Report noted that Rhodesian government DC-3 I were seen air-dropping UANC pamphlets over Chiweshe Tribal Trust Land.[1014]

Inflammatory rhetoric and hate-speech circulated amongst party leaders and officials. However, these did not necessarily attract the same sanction. While Governor Soames, banned Enos Nkala, the treasurer of ZANU-PF, from participating in the election following Nkala's declaration that ZANU-PF would return to war if it lost the election, similar comments by two prominent members of the Rhodesia Front, to call for South African assistance in the event of an election outcome deemed unfavourable to them were overlooked .[1015]

The 1980 election was violent and chaotic. Sir Boynton of the British Electoral Commission believed that the vast majority of atrocities and acts of violence were carried out by ZANLA and ZIPRA, whilst the Commonwealth Observers Group emphasized the role that security forces and auxiliaries played in violent disturbances.[1016] However, it was ultimately acknowledged that violence and intimidation could not be confined to an exclusive group of perpetrators. Moreover,

[1012] First Report on the Rhodesian General Election of 1980 By An Independent American Observer Delegation. (1980) American Committee for Africa. Washington: NAACP, Transafrica.

[1013] Anglo American reportedly donated $5 million to the UANC campaign. **1979PRETOR10706_e** 'Zimbabwe-Rhodesia: Bishop Starts Campaign, Others Have Difficulties' (1979) November 28. Wikileaks; *Interim Report by Sir John Boynton MC*. British Election Commissioner. Salisbury, 2 March 1980.

[1014] First Report on the Rhodesian General Election of 1980 By An Independent American Observer Delegation. (1980) American Committee for Africa. Washington: NAACP, Transafrica.

[1015] Commonwealth Observer Group. (1980) Southern Rhodesia Elections February, 1980: The Report of the Commonwealth Observer Group on Elections Leading to Independent Zimbabwe. London: Commonwealth Secretariat, p.40.

[1016] *Interim Report by Sir John Boynton MC*. British Election Commissioner. Salisbury, 2 March 1980.; FCO36/2720 Internal Political Situation in Zimbabwe, The Labour Party Information Paper "Zimbabwe: The Election, Independence and the Future," *The Labour Party International Department*, July 1980.

the climate of the elections was considered to be mostly conducive to allowing individuals to exercise their franchise freely and in secret.[1017]

Five features stand out about the 1980 election. Firstly, intense political *elite factionalism* and *elite acrimony* based on identity (race and ethnicity) and ideology (Liberalism/Communism/ Marxism), played an overriding role in directing and stoking the electoral and *ethnic* violence. The *transitional* element of the election, rather than its *multiparty* character, created a 'high stakes' election; that is, the prospect of Independent majority rule. *Ethnicity* featured sharply not as a marker of political affiliation but rather as a marker of political difference and 'dissidence' across and within the PF parties (ZAPU and ZANU-PF), ZANU and the UANC. *Patronage* was deployed in different ways by each party to the conflict. The RF incumbent party and Apartheid South Africa continued to finance, *resource* and support SFAs and the UANC in order obstruct a ZANLA and ZANU(-PF) win, and the UANC benefitted from this interim access to state resources and power. Whilst ZANLA and ZANU(-PF) employed the *youth* as *mujihbas* in TTL to act as local enforcers of power. Influence over state and emergency power *institutions* gave the RF government a prejudicial advantage during the election. Certain variables, such as continued unemployment, persistent economic recession, and institutionalized inequality, while present and contributing to the negative milieu, did not play active role in triggering or shaping the election violence. The *land* issue had been raised as a priority item at the Lancaster House Conference preceding the election in terms of land reform and restitution, and certainly there was much public disgruntlement regarding the native settlements of the TTL and PVs. During the 1980 election *land* featured in the rhetoric of political leaders but it was not wielded as a tool of dispute or denunciation by or between political parties.[1018] In this sense *land* cannot be argued to have played a role in causing the violence. However, to the extent that political affiliation, ethnicity and voting patterns were rooted to region and territory, *land* may be argued to be a significant variable in the violent outcome.

[1017] Commonwealth Observer Group. (1980) Southern Rhodesia Elections February, 1980: The Report of the Commonwealth Observer Group on Elections Leading to Independent Zimbabwe. London: Commonwealth Secretariat, pp.73-74.

[1018] Mugabe's 1980 Independence speech as Prime Minister was conciliatory citing "There are people without land who need land, people without jobs who need jobs, children without schools who need schools", See Palmer, R. (1990) "Land Reform in Zimbabwe 1980 – 1990", in *African Affairs*, 89 (355).

The violence that surrounded the 1980 election did not cease following ZANU-PF's electoral victory. Instead the intra-party and inter-party violence that had emerged in the preceding two elections intensified escalating into a civil war. All of the observers failed to comment on this, presumably as they stopped observing one the election was concluded. Yet by ignoring post-election politics, ZANU-PF's violence tactics as a strategy of political power was not adequately brought to light at the time. The continuum of violence from a war of liberation, to insurgency and counterinsurgency, to election violence (pre, during and post), to civil war is not clear cut either. What is clear is the conflicting power and potential of elections: the promise of all-inclusive elections paved the way forward for a ceasefire agreement (Lancaster House Agreement), yet a contested election outcome renewed the violence.

1985 Election: Cleansing Political Dissidence and Ethnic Difference

> We will kill those snakes among us, we will smash them completely.[1019]
>
> As clear as day follows night … ZANU-PF will rule Zimbabwe forever. There is no other party besides ours that will rule this country.[1020]

The election of 1985 was no less contested than that of 1979 or 1980. It continued to be a 'multiparty' election in the sense that 9 political parties competed and the dual voters rolls remained. ZANU-PF won 77%.2 of the vote compared to ZAPU's 19.3%. ZAPU's wins were confined to the Matabeleland areas, affirming its regional and ethnic base of political support. The 'internal settlement' parties performed dismally shrinking to 2.3% (UANC) and 1.2% (ZANU) of the vote respectively.[1021]

The electoral context of 1985 differed substantially. In the aftermath of its 1980 electoral victory, ZANU-PF sort to consolidate its political power by restoring 'order' to the rural areas by propagating the notion of 'one united nation', and seeking to absorb or eliminate political

[1019] Robert Mugabe in a speech, 1985. See 'Robert Mugabe: Robert the Brute' in *The Independent*, 22 February. Mugabe was talking about the campaign in the early 1980's to rid that party and political milieu of political dissidents and opposition.
[1020] 'Prime Minister Mugabe', 1982, *The Herald*, 18 January in Shaw, W.H. (1986) "Towards the One-Party State in Zimbabwe: A Study in African Political Thought", in *Journal of Modern African Studies*, 24 (3).
[1021] Elections in Zimbabwe' *African Elections Database*, Accessed 30/11/2011. http://africanelections.tripod.com/zw.html

opposition.[1022] The overarching goal of the ZANU-PF was to establish a one party state from the 'grass-roots' up.[1023]

ZANU-PF's focus on regime security saw it uphold and deploy the authoritarian state structures and powers inherited from of the former RF government.[1024] The election of 1985 took place within a context of civil war and a campaign of ethnic cleansing against the Ndebele, synonymously associated with being supporters of ZAPU. Mugabe in his tour of the country, addressing ZAPU and Ndebele strongholds in Victoria Falls and Gwanda lamented (and warned), "… you masses are the ones troubling us because you keep on fighting".[1025] Intense inter-party fighting that followed the 1980 election ('post-election violence') descended into a 'black on black' civil war, mainly between ZIPRA (ZAPU) and ZANLA (ZANU-PF). In 1983 the ZANU-PF government launched the *Gukurahundi* campaign (1983-1988). The brutal campaign variously aimed to *(i)* end the unruly dissident campaign conducted by dissenting elements of ZIPRA in the rural areas; *(ii)* eliminate or absorb its main political opposition (ZAPU); *(iii)* undermine support for ZAPU which was located mainly in the Matabeleland and Midlands areas.[1026] The *Gukurahundi* is estimated to have resulted in the loss of 30, 750 lives.[1027] The ZANU-PF used three types of state and non-state violence to carry out the *Gukurahundi* campaign: the Fifth Brigade; state agents (police, PISI, CIO; ZNA); and non-state agents (youth

[1022] Kriger, N. (2005) "ZANU(PF) Strategies in General Elections 1980 – 2000: Discourse and Coercion", in *African Affairs*, 104 (414). Kriger argues that the violence deployed following the 1980 election and ahead of the 1985 election was directed at eradicating opponents who were loyal to the RF and British (UANC and ZANU), and punishing those who had voted against the PF parties (opposition supporters in TTL areas).. Similarly, the strategy sort to absorb and/or eliminate competition for political power from ZAPU and ZAPU supporters. This dual strategy was to build one party state and ensure regime security of ZANU-PF.

[1023] 'PM Addresses Women', in *The Herald*, 16 March 1984. Mugabe said a one-party state would come about as soon as possible after the elections.

[1024] Sylvester, C. (1986) "Zimbabwe's 1985 Elections: A Search for National Mythology" in *Journal of Modern African Studies*, 24 (1).

[1025] In Victoria Falls and Gwanda he directly told ZAPU (and Ndebele) supporters see 'Mugabe tours Matabeleland' in *The Herald*, 20 October 1981; 'Ruthless war on rebels promised" in *The Herald*, 26 October 1981.

[1026] *Breaking the Silence, Building True Peace: Report on the 1980's Disturbances in Matabeleland and the Midland*s. (1997) Catholic Commission for Justice and Peace in Zimbabwe. Harare: CCJP. The geographical concentration of violence confirms the 'ethnic territoriality' principle of political power and political violence.

[1027] The figure is disputed and ranges widely amongst sources due in part to ZANU-PF military and political cover up at the time; the difficulty of counting those affected or killed after the fact; given the limitations on access and media freedoms under Emergency Powers legislation. See *Breaking the Silence, Building True Peace: Report on the 1980's Disturbances in Matabeleland and the Midlands*. (1997) Catholic Commission for Justice and Peace in Zimbabwe. Harare: CCJP.; CIO Cabinet Briefs DFA 1/156/1 Vol 5PL 13 and 20 February 1984, DFA 1/156/1 Vol 135 27 February 184; Genocide Watch (2010) "Genocide Watch Calls for Prosecution of Zimbabwe's Robert Mugabe For Genocide" 16 September in Doran, S.

brigades and war veterans). The Fifth Brigade were never fully absorbed into the ZNA, its command and structure were directed by and directly answerable to Robert Mugabe.[1028] As such, the Fifth Brigade served as a state aligned militia.[1029]

Diplomatic cables reveal that the *Gukurahundi* was both political strategy to eliminate the political opposition, mainly in the form of ZAPU, and an ethnic cleansing campaign against the Ndebele, who happened to form the bulwark of ZAPU supporters. Knowledge of this and the use of the Fifth Brigade is captured in cables and telegrams. Australia's cables document;

> … a high level of army brutality towards civilians, especially severe beatings.[1030]
>
> The Fifth Brigade appears to have behaved towards the Matabele indiscriminately and without much regard, if any, as to whether the people have assisted or cooperated with the dissidents. Their actions appear to have been brutal and excessive by any standard.[1031]

While the Canadians report,

> … a picture of military repression, beatings, murders and widespread hunger which have surfaced … have continued and represent [a] widespread phenomenon across [the] whole curfew area.[1032]

The diplomatic furor also revealed anxieties over the genocidal nature of *Gukurahundi*. The campaign was characterized by summary en-masse civilian executions, the razing of villages, and the digging of mass graves by the victims who would find it their final resting place. Beatings were accompanied by a food embargo to communal areas. Civilians were forced to attend *pungwes* (meetings) by the ZANU-PF Youth Brigade, sing ZANU-PF war songs, decry

[1028] Meredith, M. (2007) Mugabe: Power, Plunder and the Struggle for Zimbabwe. New York: Public Affairs.
[1029] 'The 5th Brigade' in *The Herald* 26 August 1981. Inconclusiveness as to whether the 5th Brigade violence was directed by Mugabe as PM, Emmerson Mungagwa as head of CIO, or whether it resulted from ex-ZIPRA settling liberation scores especially Enos Nkala. Msipa and Sekeramayi ZANU-PF military elites claimed 'Not only was Mugabe fully aware of what was going on – what the 5th Brigade was doing was under Mugabe's explicit orders' see NAA 190/2/1 Part 4. Cablegram O.HA 4639, 'Harare to Canberra', 8 March 1983.
[1030] NAA 190/2/9 Part 3. Cablegram O.HA 6142, 'Harare to Canberra', 3 April 1984.
[1031] NAA 190/2/1 Part 4. Cablegram O.CH094544, 'Canberra to Harare', 2 March 1983
[1032] DFAIT 20 ZIMBWE 1-4. Telex no. WUGR1801, 'Harare to Ottawa', 5 April 1984.

'Pasi na Nkomo' ('Down with Nkomo), forcibly purchase ZANU-PF membership and burn ZAPU cards, and were compelled to speak Shona.[1033] Mass detentions in makeshift detention holding sheds located at army bases were used to subject detainees to torture. Summary beatings and rapes occurred. Eyewitness accounts variously detail the level of brutality on civilians;

> They asked for dissidents and mother and uncle [Raphael] … denied having seen anyone. They, 5 Br, then started beating Raphael and my mother with butts of their guns and thick sticks. They left my mother … with both ears bleeding … they shot him [Raphael] through the back of the head. When we buried him he had no forehead.[1034]

> The armed men had AK guns and spoke Shona … They had come to kill everybody … The armed men started shooting.[1035]

> We were made to lie with our faces down and they worked on us. Sticks used as roofing were used in torturing us … [we were] unable to move until the next morning.[1036]

Complicating this violent milieu was the creation and violent activities by 'Super ZAPU' who mimicked the activities of the Fifth Brigade and 'dissidents'. 'Super-ZAPU' represented a group of ZIPRA dissidents trained and backed by South Africa as part of its continued 'destabilisation' campaign of frontline states. Not much has been documented that specifies or details its role and impact, but it added another dimension to the state of violent chaos in the aftermath of the 1980 election, and ahead of the 1985 election.

> "Operation Drama" was the code name given to the undercover support the South Africans gave to a group of dissidents known as "Super ZAPU". This group was trained in the northern Transvaal and was active in Zimbabwe in 1983 and 1984. They were few

[1033] 'Defections from ZAPU 'are not voluntary'' in *The Herald*, 20 March 1983.; Cliffe, L.; Mpofu, J. & Munslow, B. (1980) "Nationalist Politics in Zimbabwe: the 1980 Elections and Beyond" in *Review of African Political Economy*, 18.
[1034] BLPC case no. 168X.JS ref Tsholotsho, 23 January 1983 in Doran, S. (2017) *Kingdom, Power, Glory: Mugabe, ZANU and The Quest for Supermacy1960-1987*. Midrand: Sithata, p.417
[1035] BLPC case no. 729AG.PL, ref Lupane, 6 February 1983 in Doran, S. (2017) *Kingdom, Power, Glory: Mugabe, ZANU and The Quest for Supermacy1960-1987*. Midrand: Sithata, p.417
[1036] Breaking the Silence, Building True Peace: Report on the 1980's Disturbances in Matabeleland and the Midlands (1997) Catholic Commission for Justice and Peace in Zimbabwe. Harare: CCJP, p.85

> in number, probably fewer than a hundred, but their existence made the situation worse in Matabeleland … In addition, there were military attacks by South Africa, such as the one that destroyed a major munitions dump at Inkomo Barracks in August 1981, and another that destroyed the ZANU-PF headquarters in December 1981. The Thornhill Air Base in Gweru was also attacked by South African agents, destroying many of Zimbabwe's Air Force aircraft.[1037]

The CCJP report further reveals the state of disorder well;

> There were outbreaks of violence in areas surrounding the guerrilla holding camps all over the country. At times this spilled over into serious violence, such as at Entumbane in 1981. By early 1982 there were groups of bandits in Matabeleland. Armed men were killing, robbing, and damaging property. The Government responded by launching a double attack in Matabeleland. The first attack was on the dissidents, and the army units used were 4 Brigade, 6 Brigade, the Paratroopers, the CIO and Police Support Unit. The second attack was on ZAPU and its unarmed civilian supporters, mainly in rural areas and at times in the cities. The units used for this second, undeclared conflict, were 5 Brigade, CIO, PISI and the ZANU-PF Youth Brigades. The Government's attitude was that the two conflicts were one and the same, and that to support ZAPU meant to support dissidents.[1038]

Acts by ZIPRA/ZAPU 'dissidents' and Super-ZAPU entailed harassment, beatings, torture of the populace as well as the assassinations and burning of homes of ZANU-PF candidates and councilors at the local level.[1039] In the run up to the 1985 elections there was distinct shift in tactic by ZANU-PF whereby war veterans, ZANU Youth Brigades, and later *Gayigusu* a pseudo-dissident gang or hit squad featured more prominently as part of the overall electoral strategy, to conduct electoral intimidation, in addition to their ongoing role of 'crushing' the political

[1037] "Breaking the Silence, Building True Peace: Report on the 1980's Disturbances in Matabeleland and the Midlands,' (1997) Catholic Commission for Justice and Peace in Zimbabwe. Harare: CCJP, p.8-24
[1038] Breaking the Silence, Building True Peace: Report on the 1980's Disturbances in Matabeleland and the Midlands. (1997) Catholic Commission for Justice and Peace in Zimbabwe. Harare: CCJP, p.35
[1039] Kriger, N. (2005) "ZANU(PF) Strategies in General Elections 1980 – 2000: Discourse and Coercion", in *African Affairs*, 104 (414), p.10 see for account of this localised level of opposition violence directed at ZANU-PF candidates.

opposition.[1040] The use of *Gayigusu* was temporary whilst the ZANU-PF Youth Brigades were more permanent: both were used to wield violence and to 'politicise the people'.[1041] This shift in the deployment of violence is depicted in ***Table 6.1***.

HR DATA BASE: SUMMARY OF PERPETRATORS AND TYPE OF OFFENCE, TOTALLED FOR YEARS 1982 - 1987
[*For year by year break down, see Tables II i - II vii, following*]

ALL YEARS	PERPETRATOR	Dead X	Miss M	Prop P	Tort T	Detn D	Assault AS\B\G\By	Rape R	TOTAL
	5 BRIGADE	1134	169	523	273	223 2	1284	128	5743
	ARMY	116	39	39	18	26	67	19	324
	CIO	24	81	5	51	256	46	2	465
	CID	3	4		1	6			14
	SUPP UNIT	4	4	5		2	3		18
	ZRP	6	11	3	12	39	3		74
	ZANU-PF YOUTH	29		73			63		165
	PISI		1		4	20	4		29
	ARMED MEN	5	1				11		17
	DISSIDENTS	64	4	23	1	2	44	4	142
	PERPETRATOR UNKNOWN	52	40	9	6	130	12	6	255
	TOTALS	1437	354	680	366	271 3	1537	159	**7 246**

1042

***Table 6.1. 'Perpetrators of Violence' in Gukurahundi campaign* depicts the approximation of violence committed by each violence actor.**

Apart from the generalized violent milieu outlined above which severely constrained the election environment, a number of electoral irregularities were also flagged in observer reports. There was one main international observer group present during the elections (official international observers were not invited), the International Human Rights Group, while the Catholic Church continued to play a domestic observer role. The 1985 election took place under the new ZANU-PF government authority. Voters' registration and a delimitation of constituency boundaries,

[1040] *Gayigusu* is a term also used to refer to traitors and dissidents. Mugabe seized upon diplomatic quiet and reluctance to act vis-à-vis *Gukurahundi* in conducting his election campaign.
[1041] NAA 190/2/0 Part 3. Cablegram O.HA6236, 'Harare to Canberra', 26 April 1984.; Madondo, O.R. (2005) "The Problem Of Youth In Mugabe's Zimbabwe,' in *AfricaFiles*, http://www.africafiles.org/article.asp?ID=6498
[1042] *Breaking the Silence, Building True Peace: Report on the 1980's Disturbances in Matabeleland and the Midlands* (1997) Catholic Commission for Justice and Peace in Zimbabwe. Harare: CCJP, p.78/106

elements missing in the two previous elections, were applied.[1043] Emergency Powers however remained in place and continued to provide amnesty and immunity to state security forces and state aligned actors. This was justified in the context of the civil 'dissident' war. Under these powers, 4 ZAPU Central Committee members were detained and remained in detention without charge during the election. 80 ZAPU/ZIPRA officials 'disappeared'.[1044] Further, opposition parties were only given 19 days to campaign.[1045] Curfews were imposed across Matabeleland, resulting in the closure of shops and restriction of movement; political meetings, rallies and campaigns in these areas were banned.[1046] ZANU-PF access to state resources was an unfair and significant advantage in terms of media broadcasts and advertising. This took the form of ZANU-PF airing its war songs; broadcasting its war contributions (what Sylvester terms 'national mythology'); advertising party slogans and symbols at 'Hero's Day'; as well as denigrating 'puppets' (UANC, ZANU) 'sell-outs' (former internal parties) and 'dissidents' (ZAPU) who were branded as against national unity.[1047] Inflammatory and intimidatory rhetoric accompanied this, an example of this is demonstrated by Mugabe at an election rally;

> If you vote for ZAPU, you are voting to support dissidents. ZAPU will lose, and then where will you be?[1048]

Government vehicles and helicopters were used to transport people to ZANU-PF rallies and voting stations.[1049] The asymmetrical political, institutional, military and state power of ZANU-PF vastly skewed the electoral playing field in its favour. Such strategies would continue in elections to come.

[1043] *Zimbabwe: Report on the 1985 General Elections*. (1986) Mission of the Election Observer Project of the International Human Rights Law Group. Washington.
[1044] Kriger, N. (2005) "ZANU(PF) Strategies in General Elections 1980 – 2000: Discourse and Coercion", in *African Affairs*, 104 (414), p.7.
[1045] *Zimbabwe: Report on the 1985 General Elections*. (1985) Mission of the Election Observer Project of the International Human Rights Law Group. Washington.
[1046] 'Curfew imposed in Mat. South' in *The Chronicle*, 4 February 1984.; DFAIT 20 ZIMBWE 1-4. Telex WUGR1327, 'Harare to Ottawa', 13 February 1984 in Doran, S. (2017) *Kingdom, Power, Glory: Mugabe, ZANU and The Quest for Supermacy1960-1987*. Midrand: Sithata. DFA 1/156/1 Vol 137. Telex No. 144, 'Harare to Pretoria' 27 June 1984.
[1047] Sithole, M. (1986) "The General Elections 1979 – 1985" in Mandaza, I. *Zimbabwe: The Political Economy of Transition*. Dakar: Codesria.
[1048] Mugabe cited in *Washington Post,* 7 July 1985 in Kriger, N. (2005) "ZANU(PF) Strategies in General Elections 1980 – 2000: Discourse and Coercion", in *African Affairs*, 104 (414), p.10.
[1049] *Zimbabwe Wages of War. A Report on Human Rights.* 1986. Lawyers Committee for Human Rights. New York.

The number of *conditions* present during the 1985 election was far greater and more manifest than in the previous two elections, though the predominant *cause* of electoral violence remained the same: *elite* instrumentalisation, *elite* mobilization, *elite* action, *elite* centralization of power, as well as *inter-ethnic elite* acrimony. Land, youth and ethnicity (*conditions)* featured far more visibly as rallying platforms in ZANU-PF electoral mobilization and campaigning. While land resettlement had begun in 1980 following Independence, it stalled during the civil war. Land was tied to ethnicity, and ethnicity to patterns of voting. The *Gukurahundi* campaign, ahead of the 1985 election, during the 1985 election, and following the 1985 election, offers instructive insight into how *elite* access to state *resources* and political *patronage* were instrumental to the ZANU-PF in, (1) mobilizing the youth (2) centralising party and political power, (3) eradicating political opposition, and (4) shaping a favourable and decisive electoral outcome.

Following the 1985 election and its overwhelming defeat in the civil war in 1987, ZAPU was dismantled and absorbed into the ZANU-PF. Post-election, state directed violence in the months following the 1985 election led to the detention of 200 ZAPU officials, 5 MP's, 800 ex-ZIPRA commanders, and countless supporters. Detained without charge and tortured over a number of months, ZAPU's political power was demolished.[1050] The absorption of ZAPU into ZANU-PF in 1988 merged two of the most powerful political parties in Zimbabwe. Whilst smaller opposition parties continued to function, they did not have the same historical, ethnic or ideological clout of ZAPU or ZANU-PF, nor did they have the support base. Parties such as Forum for Democratic Reform Trust (FDRT) and ZANU-N (Ndanbaningi Sithole) embodied fringe interests and did not constitute much of a threat to ZANU-PF's regime security.

1990 Election: Democracy's Third Wave?

The 1990 election was different for three main reasons. First, it was the first election to be held in the context of 'peace', i.e. no liberation war, no civil war, no generalized campaign of terror against the population, and importantly, no influential political opposition (in supporter base and

[1050] Breaking the Silence, Building True Peace: Report on the 1980's Disturbances in Matabeleland and the Midlands (1997) Catholic Commission for Justice and Peace in Zimbabwe. Harare: CCJP, pp.126-132

force), though the State of Emergency Powers remained in place.[1051] The Unity Accord signed between ZAPU and ZANU(PF) effectively neutralized political competition ensuring 99 out of the 100 parliamentary seats went to ZANU-PF.[1052] Second, there was a significant decline in voter turn-out, from 84% in 1985 to 54% in 1990, with 6% of votes spoilt, representing a 200% increase from spoilt votes in the 1985 election.[1053] The legacy of war and violence, coupled with the political dominance of the ZANU-PF loomed large in voters' minds, marking a period of 'de-politicisation' and 'de-participation'. Third, it was the first election to be held under an amended constitution. A constitutional amendment in 1987 abolished the dual voters roll, replacing it with an 'electoral college' system whereby 20 of the reserved seats in parliament went to ZANU-PF members.[1054] The constitutional amendment also eradicated the separate roles of Prime Minister and Presidency, replacing it with one powerful Executive Presidency post occupied by Robert Mugabe.[1055]

In the 1990 House of Assembly elections, 5 parties competed: ZANU-PF won 83.05% of the vote; the newly formed Zimbabwe Unity Movement (ZUM led by Edward Tekere, an ex ZANU-PF MP) won 16.95% of the vote; ZANU-Ndonga scored 0.93% of the vote; and the UANC accrued a meagre 0.53% of the vote. The National Democratic Union and Independents tallying was marginal, 0.02% and 0.38% respectively. Edward Tekere, under ZUM attempted to unite fading political opposition, but his attempts to coalesce a fractured and divided opposition political elite under one new political umbrella was ineffectual and short lived. Further, the majority of ZUMs formation came from within the ZANU-PF, representing incumbent *elite fragmentation*, which was regarded with suspicion by former opposition political elites following a history of 'dissident' war strategies.[1056]

[1051] Due to liberation war in neighbouring Mozambique and cross-border incursions, and Apartheid South Africa's destabilisation policies.
[1052] Makumbe, J. & Compagnon, D. (2000) *Behind the Smokescreen: The Politics of Zimbabwe's 1995 General Election*. Harare: University of Zimbabwe Publications, p.33-37
[1053] Sithole, M. & Makumbe, J. (1997) "Elections in Zimbabwe: The ZANU(PF) Hegemony and Its Incipient Decline", in *African Journal of Political Science*, 2 (1), p.129
[1054] Lemon, A. (1988) "The Zimbabwe General Election of 1985", in *Journal of Commonwealth and Comparative Politics*, 26 (1).
[1055] Constitution of Zimbabwe Amendment (No 7) Act 1987, 20 November 1987; Constitution of Zimbabwe Amendment (No 6) Act 1987, 21 September 1987.
[1056] Elections in Zimbabwe' *African Elections Database*, Accessed 30/11/2011. http://africanelections.tripod.com/zw.html; Baumhogger, G. (1999) 'Zimbabwe' in Nohlen, D.; Thibaut, B. & Krennerich, M. *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press.; 'Zimbabwe: Electoral

The 1990 election played out over a period of 10 months.[1057] The election was not observed officially by any international observers, with local civil society groups and the Catholic Church continuing to act as local 'ears and eyes'. Significantly, an official and observer from the Catholic Commission for Justice and Peace was beaten and almost killed during the 1990 election.[1058] Violence remained part of the ZANU-PF electoral strategy though the specter and coverage was considerably reduced. Significantly there was a shift in the violence, from rural to urban areas. The violent disruptions such as disrupting ZUM rallies and harassing ZUM officials was mainly carried out by the ZANU-PF youth brigade.[1059] There were reported clashes between ZUM candidates and ZANU-PF youth in Chinhoyi, Karoi, Chitungwiza, Mufakose and Glen View.[1060] The election was mostly defined by ZANU-PF's asymmetrical access to state, military, intelligence, communications, and media resources which considerably skewed the electoral playing field. ZUM was routinely denied permission to hold political rallies.[1061] Further, the appointment of ZANU-PF elites onto the Electoral Supervisory Committee meant that the electoral institution was not independent or impartial.[1062] Amendments to the Electoral Act (1990) meant that civic organisations ad to submit their voter education syllabi to government authorities in order to receive accreditation.[1063] In this sense, the ZANU-PF held *electoral hegemony*.[1064] There was widespread election rigging exemplified in inflated voter turnout when placed against votes tallied, and a much more focused and targeted political violence campaign directed at ZUM leaders and candidates. During the 1990 election, 5 ZUM candidates were

---

System' (2008) *EISA*, Accessed 30/11/2011 http://www.content.eisa.org.za/old-page/zimbabwe-electoral-system.
For example, Tekere rejoined the ZANU-PF in 2006, then later went onto endorse ZANU-PF Independent candidate Simba Makoni,in 2008 and later the MDC.

[1057] Sachikonye, L. (1990) "The 1990 Zimbabwe Elections: A Post-Mortem" in *Review of African Political Economy*, 17 (48). 10 months due to the hasty formation of ZUM ahead of the election.

[1058] See Hill, G. (2005) *The Battle for Zimbabwe: The Final Countdown*. Cape Town: Struik Publishers.

[1059] Moyo, J. (1992) *Voting for Democracy: Electoral Politics in Zimbabwe*. Harare: University of Zimbabwe, pp.29-42.

[1060] Sachikonye, L. (1990) "The 1990 Zimbabwe Elections: A Post-Mortem" in *Review of African Political Economy*, 17 (48).

[1061] Moyo, J. (1992) *Voting for Democracy: Electoral Politics in Zimbabwe*. Harare: University of Zimbabwe, pp.29-42.

[1062] Sithole, M. & Makumbe, J. (1997) "Elections in Zimbabwe: The ZANU(PF) Hegemony and Its Incipient Decline", in *African Journal of Political Science*, 2 (1).

[1063] Makumbe, J. (2006) "Electoral Politics in Zimbabwe: Authoritarianism Versus the People" in *Africa Development*, 31 (3).

[1064] Sithole, M. & Makumbe, J. (1997) "Elections in Zimbabwe: The ZANU(PF) Hegemony and Its Incipient Decline", in *African Journal of Political Science*, 2 (1).

assassinated.[1065] Inflammatory and threatening rhetoric by the ZANU-PF persisted with Mugabe warning;

> If they want to rear their [Conservative Alliance of Rhodesia, CAZ] ugly terrorist and racist heads by collaborating with ZUM, we will chop that head off.[1066]

Advertisements equated supporting ZUM to AIDS, leading to certain death.[1067] The ZUM too partook in intimidatory campaigning with Tekere suggesting that a rigged election would result in military coup.[1068]

While the threat and use of violence persisted, land reform was a key electioneering issue used by the ZANU-PF to build and augment *patronage* and loyalty following the Unity Accords. The ZANU-PF framed rhetoric around a new 'Land Acquisition Act' in its National Land Policy document of 1990.[1069] As part of the new resettlement of land programme, compulsory acquisition was proposed. In Section 16 of the Constitutional Amendment of 1990 it is stated that the policy was;

(i) To enable the government to acquire any land (i.e. including utilised land) for resettlement purposes;
(ii) To require 'fair' compensation' to be paid 'within a reasonable amount of time';
(iii) To abolish the right to remit compensation out the country.[1070]

The shift in land policy in the context of the 1990 election is seen by some as marking the beginning of land resettlement for personal use by political elites, and as a political strategy to

[1065] Makumbe, J. & Compagnon, D. (2000) *Behind the Smokescreen: The Politics of Zimbabwe's 1995 General Election*. Harare: University of Zimbabwe Publications.
[1066] 'The Promises and the Threats', *The Parade*, May 1990, pp.13-17
[1067] Sachikonye, L. (1990) "The 1990 Zimbabwe Elections: A Post-Mortem" in *Review of African Political Economy*, 17 (48).
[1068] Sachikonye, L. (1990) "The 1990 Zimbabwe Elections: A Post-Mortem" in *Review of African Political Economy*, 17 (48).
[1069] *Zimbabwe Parliamentary Debates*, Vol 18. Bo 61 col. 4405, 12 March, 1992.
[1070] Constitution of Zimbabwe Amendment Act. (No 11), No 3 of 1990, s.6

build, extend and entrench elite power.[1071] Further, the shift in policy made land a national issue, rather than a local issue tied to TTL and ethnicity. This recasting provided an opportunity to remobilise voters and former opposition elites into collective and unitary action, key to the ZANU-PF one party state vision. These 'inward development strategies' thus played a key role in fomenting regime stability.

Patronage however was also wielded as a form of coercion. ZANU-PF threatened to withdraw food relief for those voting for ZUM; civil servants supportive of ZUM were threatened with dismissal; chiefs were told;

> If you are in the Mugabe government you must serve that government and implement its policies … You cannot have the luxury of serving ZUM while you are in government.[1072]

In August 1990 a vote was put to the ZANU-PF Politburo regarding the establishment of a one-party *de jure* state.[1073] The vote returned was no. In an interview some insight was gained as to why;

> We are the people's choice, time and time, and time and time again as the election results will show you, the people have chosen us the ZANU-PF. We fought for them [the nation] and we will continue to fight.[1074]

The *de facto* status of ZANU-PF as a one-party state by 1990 had been achieved through *elite cohesion, elite absorption, and opposition elite eradication*. ZUMs formation represented the rise of a new form of political opposition, drawn from within the ZANU-PF, representing *incumbent elite fragmentation*. ZUM elite fragmentation however did not coalesce or instrumentalise around identity, ethnicity, tribe or territory, significant factors in producing generalized violence,

[1071] Drinkwater, M. (1991) The State and Agrarian Change in Zimbabwe's Communal Areas. Basingstoke: Palgrave McMillan.; Boone, C. (2014) *Property and Political Order in Africa: Land Rights and the Structure of Politics.* Cambridge: Cambridge University Press who argues that land redistribution offered a way of 'buying votes' in rural areas. Land seizures were also used to punish political elites, such as the acquisition of Ndabaningi Sithole (ZANU-N) farm in 1993.
[1072] Saxon, A. (1990) 'Elections and "madness" go hand-in-hand', in *The Parade*, May, p.43
[1073] 'ZANU-PF Hegemony and Its Breakdown (1990 – 1999), (2008) *EISA*, Accessed 23/10/2010 http://www.content.eisa.org.za/old-page/zimbabwe-zanu-pf-hegemony-and-its-breakdown-1990-1999
[1074] "Interview C-Z"; Senior ZANU-PF Minister and War Veteran, June 2011

electoral violence and terror in the 1980s. Certainly a reduction in election violence in 1990 can be explained by the elite compact and ethnic absorption of ZAPU into ZANU-PF that the Unity Accord provided in 1988. Further, the reduction in election violence is also explained in the diminished presence of political parties contesting in the 1990 election. Economic *conditions* such as unemployment, the cost of living, housing shortages in urban centers, and food shortages played a crucial role in ZUMs electoral support, but are not useful in explaining the election violence observed.[1075] As such, these *conditions* did not play a causal role in the election violence i.e. worsening socio-economic conditions coupled with the rise of a new political party did not produce election violence. Instead, the electoral violence unleashed was state directed and overwhelmingly targeted at ZUM leaders and officials, based on dealing with disloyalty. ZANU-PF's use of *institutions* in structuring the electoral and political environment also assists in explaining why violence, while it still occurred, was considerably reduced: the milieu was so constrained and controlled that no substantial level of opposition could be mounted through political campaigning, electioneering, or rallying beyond urban metros. Violence in the aftermath of the elections was more pronounced and continued to be state directed: it was *retributive* against voters. The Youth and Women's League acting under the Ministry of Political Affairs, were dispatched to teach 'voters a lesson' who had opposed ZANU-PF. This entailed harassments and beatings.[1076]

The value of elections as the 'people's will' continued to hold importance for the ZANU-PF in commanding *legitimacy* and *reciprocity* (despite a controlled and guaranteed outcome). While, *ethnicity* continued to be reflected in patterns of geographical voting, *ethnicity* was not instrumentalised as an electoral platform in the same way it had done in previous elections (though it still loomed large in the minds of voters who stayed away from the ballot).[1077] Worsening socio-economic conditions in the 1990s,[1078] and the revelation of kleptocratic

[1075] For economic conditions at the time see Dansereau, S. & Zamponi, M. (2005) "Zimbabwe: The Political Economy of Decline", in *Nordiska Afrikainstitutet*: Uppsala. Discussion Paper 27.
[1076] Sachikonye, L. (1990) "The 1990 Zimbabwe Elections: A Post-Mortem" in *Review of African Political Economy*, 17 (48). Based on polling patterns and results, they moved from area to area, constituency to constituency, demonstrating and demanding for ZUM individuals and supporters to be removed from their homes and jobs. (e.g. at a city council office, education office)
[1077] See Moyo, J. (1992) *Voting for Democracy: Electoral Politics in Zimbabwe*. Harare: University of Zimbabwe Publications for ethnic voting and geography.
[1078] Food rose by 516%, medical care transport, and education by 300% between 1990 and 1995 at which time 62% of households could no longer afford the basic necessities of food, clothing, shelter and transport. Real wages

practices such as the Willowgate car scandal however started to produce growing elite and popular frustration. This would be reflected in the 1995 election.[1079]

1995 Election: Voter Fear, Voter Apathy?

The effects of the economic structural adjustment plan (ESAP) adopted in 1991 led to a number of strikes and demonstrations by labour unions, civil society associations, and War Veterans.[1080] By 1995 a plethora of new political parties emerged such as the Forum Party of Zimbabwe (FPZ), the Zimbabwe Congress Party (ZCP), the Zimbabwe Federal Party (ZFP), the Zimbabwe Aristocrats (ZA) and the African National Party (ANP). Whilst there were 'multiple' political parties, only 2 parties contested the 1995 election, ZANU-PF and ZANU-Ndonga, and to this end the 1995 election was described as a 'non-election'.[1081] Eight opposition parties boycotted the 1995 general election given the constrained, uneven, and intimidating electoral milieu, including the main political opposition that had emerged ahead of the 1990 election, ZUM. ZUM itself splintered into break-away factions namely the Democratic Party (DP) and the FPZ. Political competition was more of a factor at the intra-party level than at the inter-party level, with 29 Independent candidates standing for election from within the ZANU-PF. A 1994 United States State Department Report insightfully noted that opposition parties in Zimbabwe were,

> … deeply divided, poorly financed and faced periodic intimidation by government security forces.[1082]

ZANU-PF accrued 76% of the vote, winning 118 of the 120 parliamentary seats, whilst ZANU-Ndonga won 6% of the vote, winning two seats in parliament.[1083] ZANU-PF had secured a

---

declined by 36% between 1990 and 1996 and unemployment rose by 35% to 45%. See Government of Zimbabwe. (1995) *Poverty Assessment Study Preliminary Report.* Harare: Government

[1079] See *Zimbabwe Report of the Commission of Inquiry into the Distribution of Motor Vehicles*. 1989. Chairman: W. R. Sandura. Harare: Government Printer. The Commission revealed that senior ZANU-PF officials were using government facilities to purchase cars through Willowvale Motor Industries, and then selling them at an inflated price for personal benefit.

[1080] Elections in Zimbabwe' *African Elections Database*, Accessed 30/11/2011. http://africanelections.tripod.com/zw.html; Baumhogger, G. (1999) 'Zimbabwe' in Nohlen, D.; Thibaut, B. & Krennerich, M. *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press.; 'Zimbabwe: Electoral System' (2008) *EISA*, Accessed 30/11/2011 http://www.content.eisa.org.za/old-page/zimbabwe-electoral-system

[1081] Dorman, S.R. (2005) "Make Sure They Count Nicely This Time: The Politics of Elections and Election Observing in Zimbabwe," in *Commonwealth and Comparative Politics*, 43 (2).

[1082] "Zimbabwe Human Rights Practices, 1993, *US Department of State*, January 31 1994, p.1.

[1083] Elections in Zimbabwe.' *African Elections Database*, Accessed 30/11/2011. http://africanelections.tripod.com/zw.html

dominant-party state: in 40% of the constituencies, ZANU-PF was the only party competing.[1084] 30 seats in the House of Assembly were directly appointed by the President giving ZANU-PF a majority before polling even began. Voter turn-out however continued to be low at 57% for the House of Assembly elections, and 32.3% for the Presidential election the following year.[1085] The 1996 Presidential election saw Robert Mugabe win an astonishing 92.76% of the vote.[1086] This was in part due to the withdrawal of Abel Muzorewa and Ndabaningi Sithole, the two other presidential hopefuls, a week before the poll.

A number of local NGO observers conducted assessments on the 1995 election, namely, the Zimbabwe Human Rights Association and the Zimbabwe Council of Churches. The observer teams came to the same conclusion; that the elections were 'free but unfair'.[1087] Targeted harassment, beatings and intimidation against voters, opposition members and leaders continued, though muted when compared to previous elections. The ZANP-PF youths continued to mete out the violence. Under Mugabe's direction at the May 1994 youth party congress, the ZANU-PF youth embarked on a door-to-door campaign to get people to register as voters.[1088] This type of voter mobilization has been associated with party violence since the interregnum and first elections.[1089]

Prejudicial access to security and military organs such as the police, army, and CIO continued to skew the playing field.[1090] The sheer totality of ZANU-PFs access and control of state power, institutions and resources cannot be discounted; it decisively directed and shaped the electoral

[1084] Zimbabwe: Parliamentary Elections 24-25 June 2000, *The Report of the Commonwealth Observer Group*, Commonwealth Secretariat, p.9.
[1085] Sithole, M. & Makumbe, J. (1997) "Elections in Zimbabwe: The ZANU(PF) Hegemony and Its Incipient Decline", in *African Journal of Political Science*, 2 (1), p.129
[1086] 'Elections in Zimbabwe.' *African Elections Database*, Accessed 30/11/2011. http://africanelections.tripod.com/zw.html
[1087] Zimbabwe Council of Churches. (1995). 'Report of the ZCC: Church Monitoring for Peace Project'. Harare.; Zim Rights (1995) *Election Monitoring Report.* Harare: Zimbabwe Human Rights Association;
[1088] The youth were reminded that they were defenders of the party and defenders of the revolution which only the ZANU-PF represented. Kriger, N. (2005) "ZANU(PF) Strategies in General Elections 1980 – 2000: Discourse and Coercion", in *African Affairs*, 104 (414),
[1089] Makumbe, J. & Compagnon, D. (2000) *Behind the Smokescreen: The Politics of Zimbabwe's 1995 General Elections*. Harare: University of Zimbabwe, p.153.
[1090] The Order and Maintenance Act remained in place which had been used in the past to authorise the detention and prosecution of political opponents. Six members of the ZCTU (Zimbabwe Congress of Trade Union) had been charged with illegally demonstrating under this act. Zimbabwe Council of Churches. (1995). 'Report of the ZCC: Church Monitoring for Peace Project'. Harare

environment and outcome of 1995 in a number of ways.[1091] The passing of the 1992 Political Parties Finance Act for example, was an important factor in the 1995 election. It entitled political parties with 15 of more seats in parliament to state funding. Given that only 2 seats in parliament were held by the opposition, ZANU-PF effectively had total access to state funding for the ZANU-PF political party.[1092] State ownership of radio and television; control of the electronic media; domination of the print media via Mass Media Trust holdings and the appointment of editors and executives; coupled with intimidatory acts such as the detention of 3 independent print media executives, severely constrained and directed the information and communication space.[1093] The National Council of Higher Education Act (1990) and Zimbabwe University Amendment Act (1990), restricted academic freedom and independence of universities so as to constrain student activism as an avenue for political mobilisation.[1094] Domination of the Electoral Supervisory Committee and Electoral Directorate with ZANU-PF appointees meant that incidences of ballot stuffing and rigging were overlooked, such as the case in Harare South where 1000 more ballots to voters was counted.[1095] Issues surrounding the voters roll such as deceased voters being registered, misspelled names, duplicate identical names, and registration of non-resident voters taking place were numerous. Makumbe and Compagnon estimate that 41 % of the names on the roll were inaccurate.[1096] In addition, domination of the Delimitation Commission meant that ZANU-PF removal of constituencies from opposition areas to incumbent strongholds diluted the oppositions vote. Inflammatory and intimidatory rhetoric accompanied this curtailed legislative and institutional environment. Mugabe for example reminded voters in Matabeleland to keep the peace, a peace they had enjoyed since 1987. Voters were encouraged to

[1091] This is noted in a US State Department briefing see 'Zimbabwe Human Rights Practices 1995'. (March 1996) U.S. Department of State. Washington D.C

[1092] Kriger, N. (2005) "ZANU(PF) Strategies in General Elections 1980 – 2000: Discourse and Coercion", in *African Affairs*, 104 (414), p.14

[1093] *Zimbabwe Human Rights Practices 1995.* (March 1996) U.S. Department of State. Washington D.C. The Official Secrets Act made it illegal to disclose information in the context of official duties. Media Mass Trust owned 7 print publications and one Shona publication. The Ministry of Information controlled the Zimbabwe Inter-Alia News Agency. The Broadcasting Act gave a monopoly license to the Zimbabwe Broadcasting Corporation.

[1094] There was growing student activism and protests in the 1990s rooted in socio-economic grievances and a constrained civic space, culminating in demonstrations in June-July, This resulted in the government dissolving the University of Zimbabwe council and Student Representative Council. See Amnesty International, *Amnesty International Report 1995 - Zimbabwe*, 1 January 1995

[1095] Makumbe, J. & Compagnon, D. (2000) *Behind the Smokescreen: The Politics of Zimbabwe's 1995 General Elections*. Harare: University of Zimbabwe, p. 220.; Zim Rights (1995) *Election Monitoring Report.* Harare: Zimbabwe Human Rights Association

[1096] Makumbe, J. & Compagnon, D. (2000) *Behind the Smokescreen: The Politics of Zimbabwe's 1995 General Elections*. Harare: University of Zimbabwe, p. 69. Electoral commissioners did not have the power to order irregularities investigated or recounts to occur.

vote or be mistaken as part of the boycotting opposition. Civil servants were reminded that to work for the state meant to support the party.[1097]

The 1995 (non) election displayed considerably less violence: there were no reported political assassinations or killings, or campaigns of mass assault.[1098] However, the threat of lethal violence remained with select beatings, detention, harassment, verbal and psychological intimidation carried out by the ZANU-PF Youth and Women's League.[1099] A discussion of *conditions* and *causes* is instructive here. There was a vast number of political parties existent, though not necessarily competing, at the time of the 1995 election (in this sense '*multipatyism'*), in the presence of a wide and growing array of generalized grievance conditions (such as *poverty, unemployment, inequality, food shortages, inflation*), coupled with historically divisive cleavages (such as *ethnicity* and *land*). However, the interaction of these variables **did not** produce the election violence observed in the 1995 election. Multiple political parties did not seize on the multivariate conditions to engage in violence or direct a particular electoral outcome via coercive means. Rather, *incumbent political elites* instigated, directed and controlled the electoral milieu and the level of violence in the 1995 elections. This reveals that *elite behavior* determines the degree to which *conditions* are operationalized, and which *conditions* are operationalized. Further, *conditions* are only significant to the extent that they are mobilized, politicized and intrumentalised. Lastly, as ZANU-PFs dominance across state structures, organs and institutions shows, the degree of electoral hegemony plays a key role in determining the degree of violence; greater hegemony and less competition produces less violence.

2000 Election: Marching for Change

The 2000 election was marred by substantial violence in the pre-election phase, during the election, and in the aftermath of the election. Electoral violence was intermeshed with 'public order' violence and farm invasion violence. Between 1997 and 1999 Zimbabwe experienced a pronounced economic and fiscal crisis in which the Zimbabwean $ lost three quarters of its

[1097] Darnhokl, S.& Laakso, L. (2003) *Twenty Years of Independence in Zimbabwe: From Liberation to Authoritarianism.* Basingstoke: Palgrave Macmillan.; Zim Rights (1995) *Election Monitoring Report.* Harare: Zimbabwe Human Rights Association

[1098] Dorman, S.R. (2005) "Make Sure They Count Nicely This Time: The Politics of Elections and Election Observing in Zimbabwe," in *Commonwealth and Comparative Politics*, 43 (2).

[1099] Zim Rights (1995) *Election Monitoring Report.* Harare: Zimbabwe Human Rights Association.

value; inflation increased from 15% to 60%; and unemployment rose to 50%.[1100] There were 'food riots' in 1998, a strike by the War Vets (supported by chiefs and spirit mediums) in 1997, and a mutiny by ZNA soldiers in 1998, all located in the context of worsening socio-economic conditions.[1101] The Zimbabwe Congress of Trade Unions (ZCTU) conducted a series of successful nation-wide demonstrations against the government by mobilising disparate industry, interest, religious and civic groups to march together.[1102] The Secretary General of the ZCTU, Morgan Tsvangarai, eventually broke away to form and head the Movement for Democratic Change (MDC) in 1999.[1103] The MDC was the first broad based opposition group to emerge since independence that was not grounded in race, ethnicity, liberation ideology or nationalism. The MDC led the 'no' campaign against the constitutional referendum.

A constitutional referendum was held in February 2000, ahead of the June parliamentary election. The referendum proposed a new constitution which would give more powers to the President and extend his Presidency by another 12 years. It would also allow for the confiscation of land without compensation.[1104] Voter turnout was low at 26% (explained in both fear and apathy). The proposed new constitution was rejected by 54.31% of the voters.[1105] In reaction, Mugabe dissolved Parliament on the 11th of April, and set elections for June, giving opposition

[1100] *Zimbabwe Economic Structural Adjustment Programme: Project Performance Evaluation Report.* 1997. Operations Evaluation Department (OPEV), African Development Bank.9 December. In addition fuel shortages crippled the limited forms of industry, production and transport across the nation.

[1101] Food riots included setting fire to buses, blocking roads, throwing stones at police, the looting of shops and food delivery trucks See *A Consolidated Report on Food Riots 19-23 January 1998.*Harare: Zimbabwe Human Rights NGO Forum, January 21. http://www.hrforumzim.org/publications/reports-on-political-violence/food-riots-jan-1998; the strike by War Vets resulted in $50 000 pay out plus $2000 monthly pension which was funded through hiking tax, sales and income tax producing much popular disgruntlement see Kriger, N. (2003) "War Veterans: Continuities Between the Past and the Present", in *African Studies Quarterly*, 7 (23); the ZNA soldier mutiny was as a result of executive decision by Mugabe to send troops to the Democratic Republic of Congo to assist Laurent Kabila during the Second Congo War (1998-2003), but many troops lost their lives, one battalion lost 80-150 soldiers, and the 'gains' were self-enrichment of ZANU-PF and ZNA elites in timber/logging rights see *Military Action by Zimbabwe in the DRC.* 1998. Harare: Zimbabwe Human Rights NGO Forum, 19 October. http://www.hrforumzim.org/press-releases/military-action-by-zimbabwe-in-the-drc/ & *Branching Out: Zimbabwe's Resource Colonialism in the DRC*. (2002). A Report by Global Witness. https://www.globalwitness.org/sites/default/files/import/branch.pdf

[1102] The ZCTU originally served as the 'labour arm' to the ZANU-PF, to reduce and manage internal industrial disputes, so its activism revealed *intra-party* fragmentation. *Zimbabwe Human Rights Practices*. 1994. US Department of State: Washington D.C., January 31, p.10

[1103] Van der Walt, L. (1998) "Trade Unions in Zimbabwe: For Democracy, Against Neo-Liberalism," in *Capital and Class*, 66, p.85-115.

[1104] These new powers included power to dissolve parliament, declare war; the establishment of a state controlled media council; blanket executive powers of immunity to name a few. See '*Draft New Constitution*: *The Full Text*' as published by *The Herald*, 1 December 1999.

[1105] EISA. (2000) *Zimbabwe: 2000 Constitutional Referendum Results.* Electoral Institute of Sustainable Democracy in Africa. https://www.eisa.org.za/wep/zimresults2000r.htm

parties just over one month to prepare for the election. Despite the referendum rejection and a legal framework which upheld property rights, violent seizures by the War Vets and ZANU-PF youth went ahead. It is in this context that a violent electoral campaign against the MDC and their supporters also ensued.

In the 24-25 June 2000 House of Assembly elections, ZANU-PF tallied 48.6% of the vote, while the MDC scored 47% of the vote. It was a marginal victory for ZANU-PF and the MDC's significant electoral gain diluted ZANU-PF power in the National Assembly whereby the MDC captured 57 of the 120 seats.[1106] Voter turn-out, while much improved, remained low at 48%.[1107] The MDC performed strongly in urban areas, Harare, Bulawayo, and across Matabeleland. While ethnicity was not part of the MDC election campaign or election platform, opposition voting patterns continued to reflect 'ethnic territoriality'.

A number of international, regional, country, local and non-governmental observers monitored the 2000 election, namely the United Nations (UN)[1108], European Union (EU), the Organisation of African Unity (OAU), South African Development Committee (SADC), the Commonwealth, the South African Parliamentary Observer Group, the Electoral Institute for Sustainable Democracy in Africa (EISA), the Zimbabwean Election Support Network (ZESN), Zimbabwe Human Rights Forum (ZHRF) and Amnesty International, while a number of INGO's such as the National Democratic Institute (NDI) and the International Republican Institute (IRI) were denied accreditation to observe the election by the ZANU-PF government due to their stance and warnings ahead of the election.[1109] There was great divergence in the final assessment of the election between 'western' (EU, Commonwealth) versus 'regional' (SADC, OAU) observers,

[1106] Elections in Zimbabwe.' *African Elections Database*, Accessed 30/11/2011. ZANU-N won 0.7% of the vote. http://africanelections.tripod.com/zw.html

[1107] Report of the EU Election Observation Mission on the Parliamentary Elections which took place in Zimbabwe on the 24th and 25th June 2000. Brussels: European Union. 4 July http://europa.eu.int/comm/external_relations/human_rights/reportzim

[1108] Following difficulties encountered with the government, the UN pulled out of observing the election on the 6 June 2000. Accreditation was only granted to the Council of Churches on 23 June, 1 day before the election.

[1109] For example, the NDI pre-election delegation released a statement ahead of the election which found that conditions for a credible democratic experience did not exist "process is so flawed that it cannot represent will of people". This provoked a forceful reaction from the ZANU-PF government. See NDI.(2000) *Zimbabwe Parliamentary Elections 2000: Report of the NDI Pre-Election Delegation May 15-22, 2000*. http://www.ndi.org/node/13954 Zimbabwe government argued that only official 'diplomatic' observers would be recognised (i.e. state to state, international, regional), not 'state backed' foreign organisations such as NDI and IRI.

with the former threatening to apply sanctions due to the immense irregularities observed, while the latter emphasized a reformist approach. Across the reports however, election violence, intimidation, and harassment are reported. Three main observations are made regarding the electoral climate namely; (1) ZANU-PF's use of state and non-state violence actors; (2) ZANU-PF's sanction of land grabs; (3) ZANU-PF's abuse of legislative, electoral and coercive institutions.

State and non-state violence: In response to growing demonstrations, strikes, protests and civil action, the ZANU-PF government responded with a brutal crackdown in both force and law by use of state security structures (police, army, CIO), non-state actors (youth party, *upfumi kuvidaki, chipangano*), and the Order and Maintenance Act, all applied under the Joint Operations Command (JOC).[1110] This amalgamation between security and political governance allowed for the mobilization of resources across state entities, and for organizational command structures to be applied over non-state actors. Importantly, *Upfumi kuvidaki* and *Chipangano,* described variously as militant youth empowerment outfits, radical black empowerment groups, and/or protection rackets, were incorporated into the apparatus of state force and justified under the renewed banner of the National Youth Service (NYS).[1111] The NYS sort to coopt restive unemployed youth into the ZANU-PF by providing vocational skills and training, and it provided an expedited patrimonial route to employment in government institutions.[1112]

Violence ahead of the referendum and election ranged from beatings to killings, detention, torture, bombings, political hits, and malicious damage to cars and property of opposition figures. In Buhera North, 2 MDC aides to Tsvangarai were killed in a petrol bombing of their car; Mandishona Mutyanda, a ward Chairman for the MDC died after being beaten up by

[1110] *The Parliamentary Elections in Zimbabwe 24-25 June 2000.* The Report of the Commonwealth Observer Group. 30 June. London: Commonwealth Secretariat. The invoking of JOC applies security and military governance into the political arena.
[1111] Lindgren, B. (2003) "The Green Bombers of Salisbury: Elections and Political Violence in Zimbabwe", in *Anthropology Today*, 19 (2).; HRW (2007) "Bashing Dissent: Escalating Violence and State Repression in Zimbabwe" in *Human Rights Watch*, 19 (6a). The NYS scheme was designed to provide vocational training and skills development to youth, aged 10 to 30 years old, along with moral and national education. Graduates of the NYS training are known as the '*green bombers'* based on the khaki uniform. They are the latest incarnation of the ZANU-PF violent youth wing outfits. The Green Bombers serve as auxiliaries to and under the instruction of war veterans, CIO and police.
[1112] HRW (2007) "Bashing Dissent: Escalating Violence and State Repression in Zimbabwe" in *Human Rights Watch*, 19 (6a).

ZANU-PF youths; in Mberengwa, war vets kidnapped and tortured 3 MDC supporters resulting in one death. In one estimate provided by local NGOs and observers, there were over 200 000 violence incidents like these in the first half of 2000 which forced the MDC to end campaigning in 20 constituency areas, mainly in the rural areas.[1113] In the rural areas, violence included systematic rape and the burning down of homesteads. As the ZESN notes;

> Some were raped during farm invasions while some were raped for belonging to opposition parties … [it is] difficult to compile figures given that many women find it difficult to talk about rape and also that historically authorities have tended not to ascribe to rape the significance that it deserves particularly in situations of violence as those characterising the elections.[1114]

500 cases of serious injuries, 31 deaths and 70 abductions were reported.[1115] Inflammatory rhetoric, hate speech and psychological violence by ZANU-PF ruling elites incited and accompanied the violence by branding the opposition as 'enemies' 'sell-outs' 'traitors'. For example, at a rally in Mutare, Mugabe warned;

> Those who try to cause disunity among our people must watch out because death will befall them![1116]

Mugabe also threatened MDC leader Tsvangarai about starting a 'fire that would engulf him', while the Defence Minister, Moven Mahachi threatened to "move door to door, killing…", warning MDC supporters of bloodshed if they voted for the MDC.[1117] In this violence campaign,

[1113] *International NGO Observer Report: A Matabeleland Perspective' on the Zimbabwe Parliamentary Elections 24-25 June 2000.* Network of Independent Monitors; South Africa, Oxfam Canada, in conjunction with Amani Trust, Matabeleland, July 2000, p.20.
[1114] ZESN (2000) Report of the 2000 Parliamentary Elections: Zimbabwe 24-25 June 2000. Zimbabwe Election Support Network, p.39.
[1115] ZESN (2000) Report of the 2000 Parliamentary Elections: Zimbabwe 24-25 June 2000. Zimbabwe Election Support Network, p.27
[1116] Politically Motivated Violence in Zimbabwe 2000-2001. A Report on The Campaign of Political Repression Conducted by the Zimbabwean Government Under the Guise of Carrying out Land Reform. Harare: Zimbabwe Human Rights NGO Forum. August 2001., p.39
[1117] Politically Motivated Violence in Zimbabwe 2000-2001. A Report on The Campaign of Political Repression Conducted by the Zimbabwean Government Under the Guise of Carrying out Land Reform. Harare: Zimbabwe Human Rights NGO Forum. August 2001, p.39; Organised Violence and Torture in the June 2000 General Election

5000 identity documents were seized from potential voters, preventing them from voting. The Commonwealth Observer group, unlike local observers like ZESN and ZHRF, were keen to emphasize violence committed by all parties;

> violence, intimidation and coercion in many parts of the country, especially in rural areas, both against ordinary voters and against candidates and party supporters. All parties share responsibility in this. There were incidents where opposition parties carried out acts of violence. But it would appear that most of the violence was directed against the opposition parties, especially the Movement for Democratic Change.[1118]

While the ZHRF noted the bi-directional nature of the violence in some instances, their investigations found that opposition party violence was mainly defensive and "… only a very small number implicated opposition parties. There was no evidence that these parties were engaged in a broad-based, systematic campaign."[1119] Further, there were clear cases whereby the violence and intimidation was state directed and sanctioned, such as the War Vets 'invasion' of 200 privately owned companies and NGO's in Harare and Bulawayo linked to MDC supporters or leaders. Workers and owners were beaten, tortured and money was extorted.[1120] The violence employed during the 2000 elections occurred alongside violence against farm owners and workers.

Land grabs: In October 1997, a 'fast-track resettlement land tenure programme' was tabled by the government, more commonly referred to as land or farm invasions.[1121] The 'fast-track land programme' was to provide official sanction to war vets who had begun seizing land as early as 1992. The 'resettlement programme' provided a means of simultaneously compensating a restive and militant elite faction (War Vets); provided an avenue for patronage to 'loyal' military and

---

in Zimbabwe. AMANI Trust. February 2002.; How to Rig an Election: Evidence of a Systematic Campaign to Prevent a Free and Fair Poll. Harare: Zimbabwe Human Rights NGO Forum, November 2000. Voters were told that calculators and satellites would be used to found out how they voted.

[1118] *The Parliamentary Elections in Zimbabwe 24-25 June 2000.* The Report of the Commonwealth Observer Group. 30 June. London: Commonwealth Secretariat, p.20

[1119] *Who is Responsible?: A preliminary analysis of pre-election violence in Zimbabwe*. (2000) Harare: Zimbabwe Human Rights NGO Forum. June. This is based on 1000 victim statements during this period.

[1120] "ZANU PF Split over Blitz on Firms," *Financial Gazette*, May 3, 2001; "Rogue War Vets Arrested over Alleged Extortion," *The Herald*, May 17, 2001;

[1121] Organized Violence and Torture in Zimbabwe in 2000.Harare: Zimbabwe Human Rights NGO Forum

political elites; and 'settled' the unsettled land question.[1122] Land invasions accelerated in the immediate aftermath of the referendum rejection: between February to June 2000, 1 600 farms were invaded. These invasions were not just based on land, but closely tied to the upcoming elections; [1123]

> The presence of alleged war veterans on more than 1600 farms with a farm worker population of over 400 000 … allowed for the intimidation of a large number of potential voters. It is reported that over 400 farm workers including some farmers were hospitalized and 2 400 cases of violence have been reported including about 1 500 death threats.[1124]

War veterans, *upfumi kividaki*, *chipangano* and youth militia spearheaded these seizures compensated in food, clothing and looted farm goods.[1125] Their presence in rural areas created 'no-go' areas preventing electoral campaigning and competition in the run up to the June elections.[1126] In this way, land invasions provided a 'smokescreen' behind which a violent campaign to undermine and eradicate the new born opposition, the MDC and its supporters could take place.[1127] The farm invasions also provided the ZANU-PF with an opportunity to re-enter the rural areas and apply time-old tactics of building election support bases such as holding *pungwes* and establishing 're-education' camps where detention and beatings were carried

[1122] The state had effectively run out of liquid state resources and patronage by 1997 at the peak of the economic crisis and the War Vet pay-out; land provided an alternative resource to bestow political patronage. Mugabe promised every member of the uniformed services (including the army) a plot under the fast track resettlement. The government owned pproximately2.5 million hectares used for distribution to politicians, family, officials, business elites. *Report of the EU Election Observation Mission on the Parliamentary Elections which took place in Zimbabwe on the 24th and 25th June 2000*. Brussels: European Union. 4 July, p.8

[1123] *Politically Motivated Violence in Zimbabwe 2000-2001*. Harare: Zimbabwe Human Rights NGO Forum, August 2001, p.6

[1124] ZESN (2000) Report of the 2000 Parliamentary Elections: Zimbabwe 24-25 June 2000. Zimbabwe Election Support Network, p.29.

[1125] War vets, ZANU-PF youths, upfumi kuvadiki and chipangano were paid between Zim$50 - $100 a day. Report of the EU Election Observation Mission on the Parliamentary Elections which took place in Zimbabwe on the 24th and 25th June 2000. Brussels: European Union. 4 July, p.7

[1126] *The Parliamentary Elections in Zimbabwe 24-25 June 2000.* The Report of the Commonwealth Observer Group. 30 June. London: Commonwealth Secretariat.

[1127] *Politically Motivated Violence in Zimbabwe 2000-2001*. Harare: Zimbabwe Human Rights NGO Forum, August 2001.

out.[1128] Farm invasions displaced 10 000 farm workers and therefore 10 000 voters given rules on voting within constituencies.[1129]

Institutions: Regulatory manipulation was extensive. Mugabe's dissolution of parliament in April is the clearest example of how executive power was used to shape the electoral environment and political outcomes. Other examples include; constitutional amendments pushed through parliament ahead of the June 2000 election approving the resettlement programme;[1130] amending the Electoral Act to prevent the 'nullifying' of the election of any MP; changes to electoral accreditation rules ahead of the June election; invoking the Order and Maintenance Act and denying the holding of opposition political rallies and gatherings; continuing to benefit from Political Parties Finance Act.[1131] Further, 30 House of Assembly seats continued to be 'reserved' for appointment by the President. As noted by the ZESN;

> The ruling party used government facilities including vehicles, air force helicopters, civil servants, offices and funds for campaign purposes. During the election campaign cabinet ministers and the President used their government facilities and resources to openly campaign for their party.[1132]

ZANU-PF domination of the ZBC also meant that 90% of broadcasting airtime went to the ZANU-PF.[1133] Given these electoral irregularities and lack of independence of the ESC, the Chairperson of the Electoral Supervisory Commission (ESC), Bishop Hatendi, resigned.[1134]

[1128] *Politically Motivated Violence in Zimbabwe 2000-2001*. Harare: Zimbabwe Human Rights NGO Forum, August 2001, p.6. *The Parliamentary Elections in Zimbabwe 24-25 June 2000.* The Report of the Commonwealth Observer Group. 30 June. London: Commonwealth Secretariat. Threats that the 5th Brigade would be brought back were part of this 're-education' campaign.

[1129] ZESN (2000) Report of the 2000 Parliamentary Elections: Zimbabwe 24-25 June 2000. Zimbabwe Election Support Network, p.28.

[1130] *The Parliamentary Elections in Zimbabwe 24-25 June 2000.* The Report of the Commonwealth Observer Group. 30 June. London: Commonwealth Secretariat.

[1131] *The Parliamentary Elections in Zimbabwe 24-25 June 2000.* The Report of the Commonwealth Observer Group. 30 June. London: Commonwealth Secretariat. The MDCs ability to hold rallies was 'modest' whereas other opposition parties such as ZANU-N were non existent.

[1132] ZESN (2000) Report of the 2000 Parliamentary Elections: Zimbabwe 24-25 June 2000. Zimbabwe Election Support Network, p.32.

[1133] Media Monitoring Project (2000) *Elections 2000: The Media War*. Harare: MMPZ. The Presidents 'Star Rallies' were covered extensively in ZBC broadcasts, as were verbatim speeches.

[1134] EISA. (2002) "Zimbabwe" in *Compendium of Elections in Southern Africa*. Johannesburg: Electoral Institute of Sustainable Democracy in South Africa.

Following the election, the government issued a general amnesty for politically motivated crimes committed between 1 January 2000 and 31 July 2000. This provides another example of how the incumbent party exercised institutional and regulatory power to its benefit.[1135]

The referendum and parliamentary elections of 2000 were seen as a major turning point in the post-colonial politics of Zimbabwe: the ZANU-PF omnipotent state was challenged from a broad coalition of industry, interest, religious and civic groups under the umbrella of the MDC. While the ZESN concluded that;

> the events, which occurred before, during and after the election, compromised the freeness and fairness of the polls, it is not possible to declare the elections free and fair.[1136]

The Commonwealth was more ambivalent in their assessment stating that;

> we consider that while there were some positive factors in these elections, there were also serious shortcomings… placed in the way of enabling the electorate to freely choose their representatives… We believe that …democracy in Zimbabwe has taken a major step forward … [and] enabled parties and individuals of differing political persuasions to win election to the legislature.[1137]

Meanwhile the OAU endorsed the election stating that;

> There were some scattered incidences of attempts to intimidate voters. Nonetheless, all put together, these incidents were not sufficiently significant to have a negative impact on the voter turnout… We have reached the tentative conclusion that, all things considered, voting was held in a generally peaceful atmosphere, the voting process was smooth and the Zimbabwean people have successfully exercised their franchise.[1138]

[1135] Who is Responsible?: A preliminary analysis of pre-election violence in Zimbabwe. (2000) Harare: Zimbabwe Human Rights NGO Forum. June.
[1136] ZESN (2000) Report of the 2000 Parliamentary Elections: Zimbabwe 24-25 June 2000. Zimbabwe Election Support Network, p.7.
[1137] *The Parliamentary Elections in Zimbabwe 24-25 June 2000.* The Report of the Commonwealth Observer Group. 30 June. London: Commonwealth Secretariat, p.37
[1138] OAU. *Zimbabwe: 2000*. OAU Interim Statement. https://www.eisa.org.za/wep/zim2000om2.htm

Most critical of the conduct of the election was the EU who stated that;

> Serious intimidation in the weeks leading up to the election prevented the opposition parties, notably the MDC, from campaigning in many parts of the country. The level of intimidation, practised mainly by ZANU-PF, as well as the inability of opposition parties to have access to radio and television, makes it impossible to affirm that these elections were free and fair.[1139]

The election violence that characterised the 2000 elections was located within a broad set of worsening and interrelated socio-economic conditions, widespread grievance and popular dissatisfaction. These coalescing *conditions* underpinned a rise in the generalized public disorder, riots and demonstrations ahead of the two elections; the rise of the MDC; and the rise in protest action by both war vets and ZNA soldiers against the government. To this end conditions such as *unemployment, inflation, food shortages,* and *land grievances* played an operational role in public order violence, and played an operational role in the galvanizing War Vets, *Upfumi Kuvadiki, Chipangano* and ZANU-PF youth into action. In particular their agency in the land invasions and electoral violence in return for food, clothes, jobs, looted goods and land, linked the resolution of socio-economic grievance (*conditions*) to incumbent party patronage. While public order violence in the form of industrial strikes and protests entailed an element of spontaneity, election violence that grew out of this unrest was different in character and method relying on *elite direction, orchestration* and funding. Further, the election violence committed by the War Vets, ZANU-PF youth, *chipangano* and *upfumi kuvadiki* were directed at a particular sub-set of the population: opposition leaders, officials and supporters, located in specific urban and rural locales. The rise in the number of political parties in 2000 was not as significant a factor in producing the violence as the rise of the MDC as an outgrowth of the disintegration of the ZCTU-ZANU-PF alliance. Here *elite factionalism, elite fragmentation* and *elite acrimony* were more significant than multipartyism.

[1139] Report of the EU Election Observation Mission on the Parliamentary Elections which took place in Zimbabwe on the 24th and 25th June 2000. Brussels: European Union. 4 July, p.11

Election violence persisted and intensified following the 2000 parliamentary election, with significant urban violence and reprisals meted out by police, the CIO, army, war vets, ZANU-PF youth, *chipangano, upfumi kuvidaki* and the newly formed *'green bombers'*.

2002 Election: Victors and the Vanquished[1140]

The period 2000-2002 was marred by intense and extreme violence, whereby a state-led, state-sanctioned, and state-funded campaign to eradicate the MDC and MDC support took place. The MDC gains of 57 parliamentary seats in the 2000 election meant that the ZANU-PF no longer held a two-third majority in the House of Assembly, thwarting its ability to make and pass decisions at this level. The campaign of violence was characterised by beatings, torture, killings, kidnappings, rape, destruction of property, arson, seizure and looting of goods. The withholding of food aid also featured as part of the strategy of coercion in rural areas. In the first four months of 2002, 70 000 people were displaced, 196 kidnapped, 114 detained, 26 disappeared, 40 schools were closed, 107 people were killed, 675 people were tortured, 1000 ID cards were confiscated, and 132 cases of intimidation were reported.[1141] ZANU-PF Youth Militia, *green bombers*, *upfumi kuvadiki* and *chipangano* inflicted the bulk of violence under the directive of ZANU-PF war vets, state security agents, and the institutional banner of the NYS.[1142] During this period unemployment rose to 60%, an estimated 500 businesses closed, and shortages in food stuffs (sugar, oil, maize) and fuel deepened.[1143]

In the 2002 Presidential election Mugabe won 56.2% of the vote, while leader of the MDC, Morgan Tsvangarai, gained 42% of the vote.[1144] This was a dramatic swing from the 92.76% tally Mugabe held in the 1996 Presidential election six years earlier. Six electoral observer teams were present during the election drawn from international, regional, state and local bodies namely, the Commonwealth Group, SADC, the Norwegian Observer Mission, ZESN and two

[1140] Head of Mission of the SADC Observer Team, MP Duke Lefhoko, described the 2002 election as presenting a battle by the ZANU-PF of victor and vanquished.
[1141] *Zimbabwe: 2002 Presidential and Local Authority Elections Report*. (2002) Harare: Zimbabwe Electoral Support Network, April, p.2.
[1142] "Interview A-Z"; Former Party Campaigner MDC
[1143] *Report on 2002 Presidential Election in Zimbabwe*. Judicial Observer Mission. Republic of South Africa, 12 February, p.17.
[1144] Elections in Zimbabwe' *African Elections Database*, Accessed 30/11/2011. http://africanelections.tripod.com/zw.html; Baumhogger, G. (1999) 'Zimbabwe' in Nohlen, D.; Thibaut, B. & Krennerich, M. *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press.; 'Zimbabwe: Electoral System' (2008) *EISA*, Accessed 30/11/2011 http://www.content.eisa.org.za/old-page/zimbabwe-electoral-system

South African observer teams, one being a country mission and the other being a parliamentary team. A third South Africa judicial observer mission also observed the election, though this report was not released until 2012 due to the South African government classifying its contents.[1145] Once again there was divergence in the final assessment of the 2002 election with the Commonwealth, Norwegian Mission, SADC and the ZESN noting that the climate of insecurity and acute electoral irregularities prevented a free, fair or credible election, whilst the OAU and South African missions emphasized the final outcome as a credible reflection of the will of the people.[1146] A number of observations are raised pertaining to the orchestrated 'climate of insecurity' and wide state-sanctioned violence; incumbency advantages vis-à-vis institutions and resources; the dispensation of food aid and housing.

Climate of Insecurity: Across all of the reports violence is attributed to both the ZANU-PF and MDC parties, with observers noting that the majority of the violence originates with, and is directed by the ZANU-PF.[1147] The method, tactics and patterns of the violence replicates those as observed in previous elections. The shift in the violence, 'urbanization' of the violence is noted, whereby killings, beatings, intimidation, and attacks are now carried out in cities, towns, squatter camps and suburbs, and no longer confined to rural former TTL areas. In this sense, the electoral violence observed is nation-wide. The ascendant use of 'youth militias' is described in the reports as being a distinguishable feature of the 2002 elections given the multitude of different youth groups and militias aligned to the ZANU-PF.[1148] Youth militias were instructive in creating 'no go areas' preventing the MDC from campaigning, and voters from mobilising, and causing

[1145] See *Report on 2002 Presidential Election in Zimbabwe*. Judicial Observer Mission. Republic of South Africa, 12 February.
[1146] SAOM. (2002) Interim Statement by the South African Observer Mission on the Zimbabwean Presidential Elections. Pretoria: Department of Foreign Affairs
[1147] Report on 2002 Presidential Election in Zimbabwe. Judicial Observer Mission. Republic of South Africa, 12 February.; SAOM. (2002) Interim Statement by the South African Observer Mission on the Zimbabwean Presidential Elections. Pretoria: Department of Foreign Affairs.; Zimbabwe: 2002 Presidential and Local Authority Elections Report. (2002) Harare: Zimbabwe Electoral Support Network, April.; COMG. (2002) Final Report on The Presidential Election in Zimbabwe March 9 – 11. London: Commonwealth Secretariat.; SADC Parliamentary Forum Election Observation Mission. March 13, 2002.
[1148] *Report on 2002 Presidential Election in Zimbabwe*. Judicial Observer Mission. Republic of South Africa, 12 February.

the internal displacement of MDC voters to different areas and constituencies thereby rendering them ineligible to vote.[1149]

Table 6.2: Perpetrators Identified By Victims. The table below depicts the shift in violence committed by security actor for the period 2000 – 2005.

ZANU-PF Supporters	46%
Youth Militia	29%
Zimbabwe Republic Police	12%
MDC	5%
War Veterans	4%
Zimbabwe National Army	2%
Unknown	2%

Source: Amani Trust (2002) *Beating You Opposition: Torture During the 2002 Presidential Campaign in Zimbabwe.* Mashonaland Programme of the Amani Trust, 25 June, p.19.

The implication of the continued violence is noted in the South African Judicial Observer Mission Report;

> In varying degrees, this election related violence and threats of violence, arson and hostage taking have curtailed freedom of movement, freedom of speech, freedom of assembly and association of voters. In certain areas freedom of choice must have been compromised.[1150]

Institutions and Irregularities: The Electoral Supervisory Commission, Election Directorate and Delimitation Commission continued to be appointed by the President raising questions about the independence and impartiality of electoral administration, electoral institutions and electoral officials.[1151] As the ZESN notes;

[1149] *Report on 2002 Presidential Election in Zimbabwe*. Judicial Observer Mission. Republic of South Africa, 12 February, p.14.
[1150] *Report on 2002 Presidential Election in Zimbabwe*. Judicial Observer Mission. Republic of South Africa, 12 February, p.25
[1151] COMG. (2002) Final Report on The Presidential Election in Zimbabwe March 9 – 11. London: Commonwealth Secretariat.

> The impartiality of the [ESC] is compromised because the President, a contestant in the elections, appoints (and can remove) members of the Commission and prescribes the tenure and conditions under which they hold office.[1152]

In particular, the inadequacy of voter education was due to the sluggish response and management by the Registrar-General in approving civic organisations voter education curricula. This made the populace dependent on ZANU-PF dominated news media, radio and television (e.g. ZBC board and Mass Media Trust). Voter registration continued to be marred by the incorrect spelling of names, the duplication of names, and the appearance of deceased voters on the roll. An out-of-date voters' roll meant that those who were registered to vote, could not be reconciled with those who did vote. Further, the number of voting stations in urban constituencies particularly Harare and Chitgunwiza, was reduced, curtailing voters access to stations.[1153] Such anomalies resulted in a lack of transparency on the election process for voters and observers. Additionally, amendments made in the 2000 elections (e.g. Electoral Act and Constitutional Amendments which empowered President with executive power to dissolve parliament, nullify court rulings, promulgate or repeal laws etc.) were strengthened with the passing of three pieces of legislation in 2001 namely the National Youth Service (NYS), the Public Order and Security Act (POSA), and the Citizenship of Zimbabwe Act.[1154] The Citizenship of Zimbabwe Act required persons of dual citizenship to renounce their second nationality in order to qualify to vote. This affected 96 000 voters.[1155] Further, non-residence, defined as not residing in the country for a period of 12 months or more, disqualified citizens from voting. This is estimated to have affected 2-3 million potential voters. These legislative amendments were directed at diluting the MDC supporter base who were viewed as the mobile working and middle class, who resided or had emigrated to neighbouring countries. Meanwhile, the POSA which came into effect in 2002 curtailed free speech, placed restrictions on freedom of

[1152] Zimbabwe: 2002 Presidential and Local Authority Elections Report. (2002) Harare: Zimbabwe Electoral Support Network, April
[1153] *Report on 2002 Presidential Election in Zimbabwe*. Judicial Observer Mission. Republic of South Africa, 12 February.
[1154] *Zimbabwe Presidential Elections 9-10 March 2002*. SADC Parliamentary Forum Election Observation Mission. March 13, 2002.; COMG. (2002) *Final Report on The Presidential Election in Zimbabwe March 9 – 11*. London: Commonwealth Secretariat.
[1155] SAOM. 2002. Interim Statement by the South African Observer Mission on the Zimbabwean Presidential Elections. Pretoria: Department of Foreign Affairs

movement and assembly. POSA made it illegal to criticize, ridicule or articulate contempt towards the President. This in effect placed a ban on media coverage critical of the President, security forces and government. The ZESN noted that POSA;

> … vague and sweeping powers, together with the harsh penalties for violating them, added to an already hostile and intimidating media climate in the election period. [1156]

POSA powers were also used to restrict and deny the holding of opposition rallies, campaigns and meetings, this significantly constrained the election campaign of the opposition.[1157] Further, the act empowered security agents to search premises, seize documents, and request proof of identification from individuals.[1158] Such 'agents of security' expanded dramatically in the 2001-2002 period, situated within the roll out of the NYS. The NYS scheme was designed to provide vocational training and skills development to youth, aged 10 to 30 years old, along with moral and national education. It was a pre-requisite for further education and training as well as a pre-requisite for employment within government and the civil service.[1159] Given the high level of unemployment and limited avenues for work and productivity, the NYS served a fundamental purpose of channeling the youth (a potential rival support base), into networks of state patronage and dependency. The NYS also came to serve as a training and breeding ground for the ZANU-PF and ZANU-PF Youth Militia. Paramilitary types of training were undertaken as well as ZANU-PF indoctrination. Graduates of the NYS training were known as the '*green bombers'* based on the khaki uniform supplied and worn. In this way, the *green bombers* served as auxiliaries to and under the instruction of war veterans, the CIO and police thereby extending the pool of state security agents.[1160] As one interviewee described;

[1156] ZESN. 2002. *Post-Election Assessment 2002*. Harare: Zimbabwe Election Support Network.
[1157] MDC stated that 79 of its planned rallies were cancelled by the police under POSA. *Report on 2002 Presidential Election in Zimbabwe*. Judicial Observer Mission. Republic of South Africa, 12 February, p.13.
[1158] SAOM. 2002. Interim Statement by the South African Observer Mission on the Zimbabwean Presidential Elections. Pretoria: Department of Foreign Affairs.
[1159] ZWE101403.E. (2006) Zimbabwe: The Green Bombers or The Youth Militia; Whether it's still operating; its leadership; whether it commits human rights abuses and if so, whether the militia's abuses have been reported to the police and police response; whether it targets MDC supporters (2001-2006)' *Immigration and Refugee Board of Canada*, 22 June.

[1160] National Youth Service Training – Shaping Youths in A Truly Zimbabwean Manner: An Overview of Youth Militia Training and Activities in Zimbabwe. Solidarity Peace Trust, August 2003

> The Green Bombers are part of the Border Gezi brigade and the Border Gezi brigade are very influential … they are an unaccountable force who have wreaked havoc in the rural areas… they have been accepted into the police and were used to do a lot of the dirty work … there are very hazy borders between ZANU-PF, the Border Gezi, Green Bombers and the militias and the ZANU-PF youth league. I think it was a matter of changing clothes but they were the same people. They were used mainly because they were cheap, I don't think they got paid much, sometimes they were sort of paid in loot. You know if you went and you beat up these MDC people you could take what was in their house.[1161]

In 2001 Dr Chenjerai Hunzi, leader of the war veterans revealed that "mobilisation bases" existed in each constituency whereby war veterans and the youth brigades conducted "aggressive Presidential campaigns" against opposition supporters.[1162] This included kidnappings, beatings, and torture. Additionally the 'mobilization bases' functioned as control centers in the dispensation of food aid and the confiscation of goods. War vets and youth brigades also engaged in extortion, assuring protection/or violence based on the collection/refusal of fees from retailers.[1163]

Food and Houses: Severe drought created a humanitarian crisis in Zimbabwe in 2002 with a United Nations Food and Agriculture Organisation representative warning of "major famine, major death."[1164] These warnings however, were not based on the nature of the humanitarian crisis or of the drought, but rather on the observed politicisation of food aid by the ZANU-PF government. The ZANU-PF via the youth militia, war vets, councilors, headmasters, chiefs and traditional leaders, made the receipt of grain and food aid dependent on holding a ZANU-PF membership card.[1165] In Matabeleland North, the World Food Programme (WFP) suspended the

[1161] "Interview A-Z"; Former MDC
[1162] Politically Motivated Violence in Zimbabwe 2000-2001, *Zimbabwe Human Rights NGO Forum*, August 2001, p.10.
[1163] Madondo, O.R. (2005) "The Problem Of Youth In Mugabe's Zimbabwe,' in *AfricaFiles*, http://www.africafiles.org/article.asp?ID=6498
[1164] Vote ZNU-PF or Starve: Zimbabwe August to October 2002," *Physicians for Human Rights, Denmark,* 20th November 2002, p.4
[1165] AFR 46/036/2007 "Zimbabwe: Post-Presidential Election March to May 2002; "We'll Make Them Run"; (2002), Physicians for Human Rights, Denmark, 21 May 2002, p.14; and "Zimbabwe: Hunger As A Political Tool," (2007) *Amnesty International*

distribution of aid during the elections to, "prevent politicians from using the food for political purposes."[1166] For example, a mother of nine children was told by her local community leaders that she was not eligible for food aid as she was a member of the MDC; in the Midlands, MDC supporters were called out by name and told to leave a meeting were lists of beneficiaries for food aid were being called out; in another instance, village heads informed MDC supporter households they did not qualify for relief.[1167] In other instances, food aid was deployed as patronage and as a campaign tool as cited in a Human Rights Watch report;

> ZANU PF politicians running for office receive diverted GMB maize. ZANU PF politicians often sell maize to supporters at low prices. During a by-election campaign in Highfield (a Harare constituency) last year, 10 and 20 kg bags of maize were delivered to ZANU PF local offices. As the news spread, people descended on the offices where the police, members of the youth brigade, and the party youth took control of the crowd… [people were ordered] to queue according to their ZANU PF branches, while party officials clutching lists with the names of members collected money to pay for the maize meal.[1168]

Save the Children, USAID and the Catholic Commission of Justice and Peace, who were all involved in feeding schemes, complained about the politicization of food aid. This mainly affected those located in rural areas, but in the urban areas, the allocation of housing and housing stands was similarly made dependent on holding ZANU-PF membership. One interviewee noted that while grain rations were an issue playing out in rural areas, in urban areas and squatter camps, homes and settlements were being destroyed[1169]. This urban campaign of violence, designed to displace MDC supporters, continued into 2005, formalised under 'Operation Murambatsvina'.

[1166] "Zanu PF hijacks food aid distribution from WFP," in *The Zimbabwe Independent*, April 12, 2002.
[1167] Physicians for Human Rights, Demark, *Vote ZANU-PF or Starve, Zimbabwe: August to October 2002*, November 20, 2002, pp. 26
[1168] HRW (2003) Not Eligible: The Politicisation of Food Aid in Zimbabwe. Human Rights Watch, 15 (17a), October.
[1169] Such as Mabvuku, Tafara, Hopley, and Porta squatter camps.

Two weeks ahead of the election, leader of the MDC, Morgan Tsvangaria was arrested, detained and charged with treason for involvement in an alleged assassination plot against President Mugabe.[1170] While he was released on bail, the timing of his detention sowed fear, distrust and anxiety amongst MDC supporters ahead of the poll. The extent of violence, electoral irregularities and abuse of institutions led the SADC mission to conclude therefore that;

> the climate of insecurity and fear obtaining in Zimbabwe since the 2000 parliamentary elections was such that the electoral process could not be said to adequately comply with the Norms and Standards for Elections in the SADC region.[1171]

Likewise the ZESN Observer team found that they were,

> … unable to endorse the 2002 Presidential Election as meeting basic democratic standards and [cannot] declare this poll to have been either free or fair.[1172]

Contrastingly, the SA Observer mission argued that the election broadly reflected the legitimate will of the people given that;

> … over 3.1 million people cast their vote in the Presidential elections … this substantially represents the will of the Zimbabwean people … The 2002 Presidential elections is a credible expression of the will of the people. [1173]

To which end the OAU observer team affirmed that on the basis of;

> … observations made during the voting, verification and counting process on the ground and the objective realities, the OAU Observer team wishes to state that in general the election was transparent, credible, free and fair.

[1170] *Report on 2002 Presidential Election in Zimbabwe*. Judicial Observer Mission. Republic of South Africa, 12 February, p.14
[1171] *Zimbabwe Presidential Elections 9-10 March 2002*. SADC Parliamentary Forum Election Observation Mission. March 13, 2002.
[1172] ZESN. 2002. *Post-Election Assessment 2002*. Harare: Zimbabwe Election Support Network.
[1173] SAOM. 2002. Interim Statement by the South African Observer Mission on the Zimbabwean Presidential Elections. Pretoria: Department of Foreign Affairs.

Violence that characterised the 2002 election persisted well into 2004, ahead of the 2005 Presidential election. To this end, the widespread state-directed violence and terror produced a state of low intensity conflict. The downturn in socio-economic conditions continued to play a contextual role in explaining the instrumental action of ZANU-PF security entities, while the interaction and operationalisation of variables (*resources, institutions, patronage, youth*) in producing a violent outcome continued to be explained by *elite* behaviour. Unlike the 2000 election, the political opposition partook in the 2005 election violence, and while their violent action is also rooted in prevailing socio-economic conditions, there was less orchestration by opposition elites that could explain their behaviour. Here, the *interactional* nature of violence assists in understanding the MDC engaging in electoral violence.

Between 2002-2004 low intensity conflict, borne out of the violent elections, pervaded political life in Zimbabwe. During this time, torture, rape and assaults was rife, meted out predominantly by the ZANU-PF 'youth militias' and security agents, but also by MDC supporters. The nature of the violence was retributive as it was acrimonious. The low intensity conflict produced fear and trepidation amongst the populace who "were cowed and suspicious:"[1174] This would play a role in the 2005 election campaign and outcome.

2005 Election: The Militarisation of Society

There was considerably less violence surrounding the 2005 parliamentary elections, than in 2002. ZANU-PF won 59% of the vote, while the MDC tallied 39.52%. In Senate, the ZANU-PF dominated winning 73.71% of the vote.[1175] While there was a shift in favour of the ZANU-PF, this 'win' must be seen in context of; (1) the continued and deepening economic crisis; (2) the ongoing land seizures; (3) 're-education' violence waged against the opposition and populace from 2000 – 2002, and (4) 'retributive' violence waged from 2002-2004 and (5) the enduring dominance of the ZANU-PF over state institutions and the regulatory framework.

[1174] Zimbabwe Observer Mission's report on the 2005 Zimbabwe Parliamentary Election. Zimbabwe Observer Mission, April 08, 2005, p.5

[1175] Elections in Zimbabwe' *African Elections Database*, Accessed 30/11/2011. http://africanelections.tripod.com/zw.html; Baumhogger, G. (1999) 'Zimbabwe' in Nohlen, D.; Thibaut, B. & Krennerich, M. *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press.; 'Zimbabwe: Electoral System' (2008) *EISA*, Accessed 30/11/2011 http://www.content.eisa.org.za/old-page/zimbabwe-electoral-system

The number of observers monitoring the 2005 election decreased sharply due to the ZANU-PF government denying accreditation. The AU, SADC and South African government sent observer teams, while local and regional civil society groups formed the bulk of eyewitness and monitoring accounts, such as ZESN and the South African Council of Churches, the Southern African Catholic Bishops Conference, SANGOCO, Idasa, the Centre for Policy Studies, and the Institute for Justice and Reconciliation who released one joint report.[1176] Bodies like NORDEM opted to 'observe' through local consultants.[1177] Given the lack of observers and monitors, the election could neither be verified nor accredited.

Economic Crisis: By 2005 the Zimbabwe government had run out of money and food and was increasingly reliant on humanitarian and donor agencies to sustain its population (e.g. food aid, health, education). Zimbabwe's hyperinflation reached 1 593.6% and in 2008 the government ceased printing Zimbabwean currency, relying the US $ and South African ZAR for trade and financial exchanges.[1178] Numerous international and regional organisations (e.g. UN, EU), and states (e.g. U.S., UK, Australia and Switzerland), imposed 'economic restrictive measures' on Zimbabwe following the land invasions of 2000, and the violence displayed in the 2002 election.[1179] In 2001 the International Monetary Fund (IMF) suspended technical assistance to Zimbabwe, and in 2003 suspended its voting rights. This meant that Zimbabwe could no longer receive financial assistance from the IMF, World Bank (WB) or international financial institutions (IFI's).[1180] These measures were mainly directed at the ZANU-PF political and military elite in terms of travel, assets, money and property, and on certain national financial and resource sectors (e.g. arms, diamonds). The sustained and deepening economic crisis entrenched the co-dependent relationship between the ZANU-PF and security agents (e.g. war vets, 'youth

[1176] See Zimbabwe Observer Mission's report on the 2005 Zimbabwe Parliamentary Election. Zimbabwe Observer Mission, April 08, 2005.
[1177] NORDEM. (2005) *Zimbabwe Parliamentary Elections March 2005.* Oslo: Norwegian Center for Human Rights.
[1178] 'A Worthless Currency' (2008) in *The Economist*, July 17th; Hanke, S. & Kwok, A. "On the Measurement of Zimbabwe's Hyperinflation", in *Cato Journal*, 29 (2).
[1179] The EU chose not to use the word sanctions as it did not impose general embargo against that nation or citizens, but rather the political and military elites who were complicit in the orchestration of violence and human rights abuses.
[1180] Grebe, J. (2010) "And They Are Still Targeting: Assessing the Effectiveness of Targeted Sanctions Against Zimbabwe", in *Africa Spectrum*, 45 (1)

militias'), whereby patronage through land, looted goods and nominal cash wages, was returned with regime stability and a continued campaign to eradicate the MDC.

Resources: In 2005, the government passed a law that declared all agricultural land, state land.[1181] This resulted in the seizure of 4000 farms. Land continued to serve as an instrument of political patronage and appeasement to an increasing number of 'clients'. Chiefs, headman and kraal heads played a more active role in getting members of the community to vote, with threats of eviction if they did not vote for the ruling party.[1182] This 're-traditionalisation' of politics was concretely tied to the resource patronage of the ZANU-PF state. As noted by the ZESN;

> There were instances where it was unclear whether the agricultural inputs and maize meal distributed at rallies were private property of the party or candidate or from public coffers… some 72 000 tonnes of maize was distributed in the two Matabeleland provinces … schools in Mashonaland West received about 1 000 donated computers from the President [1183]

In the context of the ongoing economic crisis, ZANU-PF incumbency and hegemony furthered patron-client relations.

Low Intensity Conflict: The low-intensity conflict that took place in Zimbabwe between 2000-2004 is hereby defined based on the significant human rights abuses recorded throughout the country during this period; the existence of 'no go- areas' due to the high levels of violence or threat thereof; and the proliferation of 'security agents' and 'youth militias' active in committing these acts of violence.[1184] The conflict was irrefutably political in nature, set on retribution

[1181] See *Constitution of Zimbabwe Amendment* (No. 17) Act, 2005, Section 16b. Harare: Government of Zimbabwe.
[1182] Zimbabwe Electoral Support Network. (2005) *Report on Zimbabwe's 2005 General Election.* ZESN, April, p.7.
[1183] Zimbabwe Electoral Support Network. (2005) *Report on Zimbabwe's 2005 General Election.* ZESN, April, p.39
[1184] Researchers own definition based on emergent empirical scale of violence during the period. As it was not an official or openly declared conflict, 'battle figures' do not only not exist but do not fit these conventional typologies. For accounts of human rights abuse and eyewitness testimony see Redress. (2004) *Zimbabwe: Tortuous Patterns Destined to Repeat Themselves In Upcoming Election Campaign.* November. Zimbabwe: From Impunity to Accountability: Are Reparations Possible for Victims of Gross and Systematic Human Rights Violations?, March 2004 http://www.redress.org/downloads/publications/ZimbabweNov2004.pdf; Reeler, A.P. (2003), "The Perpetrators of Gross Human Rights Violations in Zimbabwe from February 2000 to March 2003", Paper presented to *Civil Society and Justice in Zimbabwe: A Symposium*, organised by the Zimbabwe Human Rights NGO Forum

against any political opposition and their supporters, and geared towards enlarging/regaining 'support' for the ruling party. A number of local civil society groups such as the Zimbabwe Human Rights NGO Forum, Redress, Amani Trust, Solidarity Peace Trust and CCJP continued to form the cohort of collecting eyewitness accounts and surveying communities' experiences. These groups emphasized the one-sided nature of the violence being perpetrated, emanating from ZANU-PF supporters, war vets, and security agents, though violent interchanges and exchanges did occur between the ZANU-PF and MDC. These groups variously conducted *pungwes*; public beatings and assaults with cords, sticks, butts of guns; established roadblocks; prevented people from seeking out medical care; withheld food aid and fertiliser; closed schools and shops; pillaged goods; conducted mass public rape; and abducted and tortured members of the community.[1185] The African Commission on Human and People's Rights (ACHPR) conducted a fact finding mission to Zimbabwe in 2001 to investigate reports of the widespread violence and human rights abuses.[1186] Significantly, the ACHPR found that;

> … the Government cannot wash its hands from responsibility for all these happenings. It is evident that a highly charged atmosphere has been prevailing, many land activists undertook their illegal actions in the expectation that government was understanding and that police would not act against them – many of them, the War Veterans, purported to act as party veterans and activists. Some of the political leaders denounced the opposition activists and expressed understanding for some of the actions of ZANU (PF) loyalists. Government did not act soon enough and firmly enough against those guilty of gross criminal acts. By its statements and political rhetoric, and by its failure at critical moments to uphold the rule of law, the government failed to chart a path that signalled a commitment to the rule of law.[1187]

[1185] HRW. 2009. Zimbabwe: Crisis Without Limits; Human Rights and Humanitarian Consequences of Political Repression in Zimbabwe. New York: Human Rights Watch.
[1186] The ACHPR mission however did not visit prisons, places of detention or hospitals in its fact finding mission. See DOC/OS XXXIV /346a. ACHPR (2002) *Zimbabwe: Report on the Fact Finding Mission*. Addis Ababa: African Union.
[1187] ACHPR mission however did not visit prisons, places of detention or hospitals in its fact finding mission. See DOC/OS XXXIV /346a. ACHPR (2002) *Zimbabwe: Report on the Fact Finding Mission*. Addis Ababa: African Union, p.29

An attempt to capture this 'violence picture' is presented below in ***Table 6.3***.

Table 6.3 Numbers and percentages of human rights violations reported between July 2001 and December 2003

Category	Number	Percentage %
Torture	2572	29
Property intimidation	1316	15
Political discrimination	1048	12
Unlawful detention	1041	12
Freedom of expression and association	860	10
Unlawful arrest	650	7
Assault	474	5
Abduction/kidnapping	391	4
Displacement	219	3
Murder	105	1.2
Death threats	92	1.1
School closure	46	0.52
Disappearance	32	0.36
Rape	13	0.15
Attempted murder	12	0.13
Total:	**8871**	

Table 6.3 which is based on the collection of testimony from 8 871 respondents shows that the predominant form of violence victims experienced was torture, intimidation, detention, and discrimination.

In the run up to the 2005 election, the level of violence decreased significantly, from 'coordinated destruction' to 'violent brawls'.[1188] As the civil society observers insightfully note;

> Politically motivated violence diminished rapidly in the run up to the election, confirming the view that it is possible to 'turn it off" and it is not merely a factor of internecine community strife or party political intolerance.[1189]

[1188] Le Bas, A. (2013) From Protest to Parties: Party Building and Democratisation in Africa. Oxford: Oxford University Press.
[1189] Zimbabwe Observer Mission's report on the 2005 Zimbabwe Parliamentary Election. Zimbabwe Observer Mission, April 08, 2005, p.5

This observed decline was largely rooted in Mugabe declaring 'zero tolerance' for violence committed during the elections.[1190] As the NORDEM report also notes;

> After the President's Address to the Nation in December 2004, the violence was significantly reduced and the 2005 elections were conducted in a peaceful atmosphere. The organised political violence had disappeared, and the opposition was able to campaign in all parts of the country, even though in some districts only with supporters brought in from outside the district itself.[1191]

As a result, there were remarkably no reported political killings, assassinations or detentions in the run up to the 2005 election.[1192]

Institutions and Regulatory Environment:

As in previous elections, very little voter education took place given that electoral laws made civic voter education illegal, unless authorized by the Zimbabwe Electoral Commission. Electoral institutions (ESC, DC, ZEC, Registrar-General) continued to reflect executive political appointment.[1193] Access to the media and airtime continued to be dominated by the ZANU-PF while under the Access to Information and Protection of Privacy Act (AIPPA) four newspapers were shut down, namely the Daily News, Daily News on Sunday, the Tribune and the Weekly Times, all seen as critical of the government.[1194] Constituency re-delimitation 'gerrymandering' continued with the civil society observer mission noting;

> …the construction of constituencies designed to favour a particular party through the incorporation of particular voter populations or to unduly weight the votes of such a population.[1195]

[1190] Zimbabwe Electoral Support Network. (2005) *Report on Zimbabwe's 2005 General Election.* ZESN, April, p.28.
[1191] NORDEM. (2005) *Zimbabwe: Parliamentary Elections 2005.* Oslo: Norwegian Centre for Human Rights, p.2
[1192] Compared to 37 political hits in 2000, and 107 in 2002.
[1193] Zimbabwe Observer Mission's report on the 2005 Zimbabwe Parliamentary Election. Zimbabwe Observer Mission, April 08, 2005, p.3
[1194] Zimbabwe Electoral Support Network. (2005) *Report on Zimbabwe's 2005 General Election.* ZESN, April, p.19.
[1195] Zimbabwe Observer Mission's report on the 2005 Zimbabwe Parliamentary Election. Zimbabwe Observer Mission, April 08, 2005, p.4

Changes in boundaries produced much confusion, delay, and in some cases ineligibility to vote. Additionally, a requirement of proof of residence in order to cast one's ballot, in the context of the urban housing crisis meant that many voters were left disenfranchised. This is significant when taken together with the disenfranchisement caused by the Citizenship Act of 2001 (e.g. eligibility to vote based on residency and renouncing dual nationality). The electoral framework continued to provide an unfair advantage to the President and ZANU-PF in allowing the President to appoint 30 non-constituency members of parliament.[1196] Incumbency advantage was also noted in the use of Air Force helicopters as transport during the campaign and;

> … other forms of transport such as DDF trucks were used for campaign purposes. They were used to ferry ruling party supporters to campaign venues in Matabeleland South. In another instance, Zupco buses and Department of Social Welfare trucks were used for a similar purpose in the Chitungwiza campaign.[1197]

POSA continued to be invoked to deny the holding of opposition political rallies, campaigns and meetings, and where permission was granted, meetings were disrupted by 'youth militias' or 'security agents.'[1198] In the counting and tabulation of votes, there was a discrepancy of over 200 000 votes: between announced figures and final results.

While sporadic election violence was reported, the 2005 election was free of the large-scale orchestrated violence and disorder of 2000 and 2002. This is instructive in understanding the *causes* and *conditions* of election violence across each electoral cycle. In the 2005 election, socio-economic *conditions* remained the same, as did the existence of security actors and state resource patronage networks. So what explains the different outcome? President Mugabe's declaration promoting a peaceful election campaign and peaceful election is instructive here. The change in Mugabe's rhetoric not only shows how *elites* inflame and shape electoral outcomes based on their speeches and viewpoints, but more importantly that *elites* are key in directing and controlling violent electoral outcomes. They *operationalize* conditions.

[1196] Zimbabwe Electoral Support Network. (2005) *Report on Zimbabwe's 2005 General Election.* ZESN, April, p.5
[1197] Zimbabwe Electoral Support Network. (2005) *Report on Zimbabwe's 2005 General Election.* ZESN, April, p.39
[1198] Zimbabwe Observer Mission's report on the 2005 Zimbabwe Parliamentary Election. Zimbabwe Observer Mission, April 08, 2005.

In the aftermath of the 2005 election, an intense retributive violence campaign was unleashed on urban bases, mainly where the MDC drew their support. *Operation Murambatsvina* variously translated as 'Operation Restore Order', 'Operation Clean Up, 'Operation Throw Out the Trash', targeted (1) illegal shacks and houses; (2) illegal street vendors; and (3) illegal markets. Not only did this entail the destruction and erasing of 'informal infrastructure', it was accompanied by arrests and detentions.[1199] Youth militias (green bombers, upfumi kuvadiki, chipangano), war vets, and the army, police and CIO partook in this campaign. 700 000 people were displaced as a result of this campaign. A UN envoy as part of a fact finding mission noted that *Operation Murambatsvina*;

> … was carried out in an indiscriminate and unjustified manner, with indifference to human suffering, and, in repeated cases, with disregard to several provisions of national and international legal frameworks.[1200]

The 'cleansing' campaign was highly orchestrated and violent, and for many invoked memories of the purges of the 1980s.[1201] *Operation Murambatsvina* reversed rural-urban migration, placing populations back under the control of chiefs, headmen and kraal heads. Another emergent pattern to the violence was the use of sexual violence which increased by 64% between 2007 to 2008.[1202] The ZANU-PF youth militia and war veterans mainly perpetrated sexual violence against known or suspected female MDC supporters, or as retribution against the wider female population for ZANU-PF electoral losses. Women and young girls were taken to torture and youth camps, detained and raped for days to weeks by individuals or gangs of the youth militia

[1199] Movement for Democratic Change 2005. Operation Murambatsvina: An Overview and Summary. http://mdczimbabwe.org/blogg/index. php?blog=5; Solidarity Peace Trust 2005. Interim Report on the Zimbabwean Government's 'Urban Cleansing' and Forced Eviction Campaign May/June 2005. http://www.swradioafrica.com/pages/Discarding%20Filth.html

[1200] Tabaijuka, A.K. (2005) *UN Report of the Fact-Finding Mission to Zimbabwe to Assess the Scope and Impact of Operation Murambatsvina*. UN Special Envoy on Human Settlements Issues in Zimbabwe, United Nations. July. http://www.un.org/News/dh/infocus/zimbabwe/zimbabwe_rpt.pdf

[1201] Solidarity Peace Trust 2005. Interim Report on the Zimbabwean Government's 'Urban Cleansing' and Forced Eviction Campaign May/June 2005. http://www.swradioafrica.com/pages/Discarding%20Filth.html

[1202] 'Electing to Rape: Sexual Terror in Mugabe's Zimbabwe,' (2009) *Aids-Free World*, Myriad Editions, New York, p.11.

and/or war veterans.[1203] Male MDC supporters were forced to endure eyewitness testimony to the rapes, or themselves endured acts of sexual violence such as the beating of their genitals or being forced to 'mock rape' the ground in public settings.[1204]

2008 Election: A Historical Outcome

> I will not allow Tsvangarai and his bosses to taste this seat. Never, ever![1205]
>
> Of course he [Morgan Tsvangarai] was bashed. He deserved it… I told the police beat him a lot. He and his MDC must stop their terrorist activities. We are saying to him, 'Stop it now or you will regret it,' President Robert Mugabe, March 29 2007.[1206]

In 2007, Morgan Tsvangarai leader of the MDC, along with other party officials and supporters were arrested and brutally assaulted by the police for attending a prayer meeting.[1207] Under POSA, the prayer meeting had been declared illegal. Tsvangarai would continue to be arrested a number of times ahead of the election. This incident typified the sporadic violence that the MDC and its supporters continued to be subject to. While violence in the run up to the 2008 election was considerably lower than that of the 2000, 2002, and the 2005 election aftermath, "traces of intimidation and violence in all provinces … houses burnt down, people assaulted and sustained serious injuries" were observed.[1208]

The Presidential election of 29 March 2008 was a historic election. For the first time in Zimbabwe's post-colonial history, Morgan Tsvangarai, leader of the MDC won 47.8% of the

[1203] 'Zimbabwe-Rape: Hundreds of Women and Girls Gang Raped by Mugabe Brigades,"(2002) *Agence France Presse*, August 25
[1204] 'Electing to Rape: Sexual Terror in Mugabe's Zimbabwe,' (2009) *Aids-Free World*, Myriad Editions, New York. CIO officers and state agents were also identified as active in the rape campaign.
[1205] Robert Mugabe speech 2008. See 'Electing to Rape: Sexual Terror in Mugabe's Zimbabwe,' (2009) *Aids-Free World*, Myriad Editions, New York, p.8.
[1206] HRW (2008) Bashing Dissent: Escalating State Violence and Repression in Zimbabwe. New York: Human Rights Watch.
[1207] 50 people were arrested, detained and beaten.
[1208] NORDEM (2008) ZIMBABWE: THE ELECTIONS ON 29 MARCH AND THE LATER RUNOFF EVENT AND BY-ELECTIONS ON 27 JUNE 2008, Oslo: Norwegian Council for Human Rights; The Pan-African Parliament Election Observer Mission to the Presidential Run-Off and Parliamentary By-elections in Zimbabwe. 2008. PAP, 1 July

vote while the incumbent President Robert Mugabe, tallied in at 43.2%.[1209] Tsvangarai's narrow electoral win however, did not lead to an alternation in political power. A technical stipulation requiring a 50% plus 1 win meant that a re-run had to take place. The second 're-run' elections of 27 June were denounced and boycotted by Tsvangarai and the MDC due to the intense level of violence meted out against MDC party officials and supporters. Mugabe won 85.5% of the vote in the second round.[1210]

The number of observers of the 2008 election was considerably lower, based on the same constraints vis-à-vis accreditation as in the 2005 election. The AU, SADC, Pan African Parliament (PAP) and local civil society groups such as ZESN and CCJP provided assessments of the election. Three features stand out regarding elections and violence in the 2008 'Harmonised Elections', namely; (1) institutional delays and regulatory bias; (2) state sanctioned violence as a 're-run to the gun' (3) state looting, patronage and diamonds. Observers jointly reflected that the 27 June poll;

> … fell short of accepted African Union standards, did not give rise to free, fair or credible elections, and did not reflect the will of the Zimbabwean people.[1211]

Institutions and Regulations: Problems and delays around voter registration (spelling of names, deceased voters, proof of residency), voter education, constituency boundaries and the number of available polling stations carried over into the 2008 election.[1212] A glaring irregularity following the 28 March poll, was the five week delay between the tabulation of votes and the

[1209] Elections in Zimbabwe' *African Elections Database*, Accessed 30/11/2011. http://africanelections.tripod.com/zw.html; Baumhogger, G. (1999) 'Zimbabwe' in Nohlen, D.; Thibaut, B. & Krennerich, M. *Elections in Africa: A Data Handbook*. Oxford: Oxford University Press.; 'Zimbabwe: Electoral System' (2008) *EISA*, Accessed 30/11/2011 http://www.content.eisa.org.za/old-page/zimbabwe-electoral-system
[1210] Elections in Zimbabwe' *African Elections Database*, Accessed 30/11/2011. http://africanelections.tripod.com/zw.html
[1211] S/2008/447 'Security Council Report' United Nations Security Council, 8 July 2008.
[1212] NORDEM (2008) ZIMBABWE: THE ELECTIONS ON 29 MARCH AND THE LATER RUNOFF EVENT AND BY-ELECTIONS ON 27 JUNE 2008, Oslo: Norwegian Council for Human Rights.

announcement of results.[1213] As the NORDEM report notes, this has repercussions for transparency;

> By keeping them secret, the public would believe that ZEC was giving in for pressure from the ruling party and would allow changes to the results by illegal means.[1214]

This significant delay and lack of transparency in the process, was compounded by the lack of international observer verification and accreditation. Bias, partiality and lack of transparency of electoral institutions (ZEC, ESC, DC, ZEC, Registrar-General) had been consistently raised across the observer reports and across election years. Indeed in his letter of withdrawal from the 27 June election, Morgan Tsvangarai highlighted the failure of electoral institutions in stemming inflammatory speech and violence targeted at the MDC;

> The failure by your Commission to condemn such utterances right from the beginning clearly encouraged ZANU-PF, war veterans aligned to ZANU-PF, senior ZANU-PF officials and Mr Robert Mugabe to make it their theme during their campaigns that a President does not come to power through the electoral process but rather through the barrel of the gun. This theme, which has become pervasive throughout the ZANU-PF campaigns, makes people wonder whether we are in an election or in a war … The violence has been clearly state-sponsored and carried out in most cases by members of the Zimbabwe National Army and ZANU-PF militia.[1215]

In the 2008 'inter-election' period for example; a ban was placed on opposition campaigning and rallies under POSA. This is noted and experienced by the PAP observers whereby;

[1213] NORDEM (2008) ZIMBABWE: THE ELECTIONS ON 29 MARCH AND THE LATER RUNOFF EVENT AND BY-ELECTIONS ON 27 JUNE 2008, Oslo: Norwegian Council for Human Rights.

[1214] NORDEM (2008) *ZIMBABWE: THE ELECTIONS ON 29 MARCH AND THE LATER RUNOFF EVENT AND BY-ELECTIONS ON 27 JUNE 2008*, Oslo: Norwegian Council for Human Rights. Tsvangarai believed the ZEC was pressured to announce a result below 50% in order to force a run-off, and thereby prepare and unleash the violent 'inter-election' campaign

[1215] 'Tsvangarai's Letter of Withdrawal From Zimbabwe Vote," in *Reuters*, June 24. https://www.reuters.com/article/us-zimbabwe-election-text/tsvangirais-letter-of-withdrawal-from-zimbabwe-vote-idUSL2444651320080624

> The Mission was able to attend star rallies organised by the Presidential candidate of ZANU-PF. However, it noted with grave concern that the MDC Presidential candidate was not accorded the opportunity to hold rallies.[1216]

Re-run to the gun: While the run-up to the 29 March election was relatively calm and free of violence, the re-run of 27 June was described as the bloodiest since Independence.[1217] During the 'inter-election' interval (i.e. between March and June), the state unleashed an intense campaign of violence known as *Operation Makavhoterapapi* (Operation Where Did You Put Your Vote?).[1218] The same patterns, method, and tactics characterised the 'inter-election' violence as in previous elections, carried out by state security agents, war vets and youth militias. The violence resulted in at least 86 deaths, the destruction of 10 000 homes, the displacement of 200,000 people, and at least 10,000 injuries.[1219] The Nordem report meanwhile recorded that;

> Out of 1134 incidents where the data entry had been completed in May, 83% of the victims had MDC affiliation, and out of 695 cases in June 95% had MDC affiliation. Out of the same numbers 80% in May and 99% in June had ZANU PF war veterans, youths or supporters as perpetrators. Only 3 cases had MDC as the one instigating the violence, 16 cases were not specified politically and the rest were done by various branches of the security forces.[1220]

An elite dimension to the violence is also supported by the PAP observers who highlight that;

[1216] The Pan-African Parliament Election Observer Mission to the Presidential Run-Off and Parliamentary By-elections in Zimbabwe. 2008. PAP, 1 July
[1217] Masunungure, E. (2009) "Voting for Change: The 29 March Harmonised Election" in *Defying The Winds of Change*. Harare: Weaver Press.
[1218] HRW. (2008) Bullets For Each of You: State Sponsored Violence Since Zimbabwe's March 29 Election. New York: Human Rights Watch
[1219] Reuters (2008) 'Tsvangarai's Letter of Withdrawal From Zimbabwe Vote' in *Reuters*, 24 June. https://uk.reuters.com/article/uk-zimbabwe-election-text/tsvangirais-letter-of-withdrawal-from-zimbabwe-vote-idUKL2444651320080624?mod=related&channelName=UKNews1 These figures vary, for example HRW records
[1220] NORDEM (2008) ZIMBABWE: THE ELECTIONS ON 29 MARCH AND THE LATER RUNOFF EVENT AND BY-ELECTIONS ON 27 JUNE 2008, Oslo: Norwegian Council for Human Rights, p.36.

> Hate speech, incitement of violence and war rhetoric instill fear and trepidation amongst voters. Statements made by esteemed leaders in Zimbabwe make it difficult to dismiss claims of state-sponsored violence and it is highly regrettable.[1221]

State security entities were further implicated in raiding ZESN offices, confiscating files, and interrogating staff for seven hours.[1222] Teachers were told to pay fines or face imprisonment of 3 – 16 months. The President of the ZCTU and Secretary General of the Progressive Teachers Union (PTUZ) were arrested and detained for 'incitement'.[1223]

State looting, patronage and diamonds: Land, looted goods, maize, grain, fertilizer, farming equipment and nominal cash payments continued to link state security agents and the youth militias to the incumbent party. The discovery of alluvial diamonds in Marange, Manicaland in 2006 provided a new avenue for state patronage and regime sustenance. The ZANU-PF originally declared the diamond mines 'open', a rent seeking exercise that resulted in an influx of 35 000 people.[1224] In the context of persistent hyperinflation, rampant unemployment and pervasive food insecurity, diamonds provided not only a new revenue source for the incumbent government, but also for the unemployed.[1225] The government took violent control of the Marange mines in 2008 following the disputed elections, claiming that mining companies were stealing the nation's profits. The ZNA and police assumed control of guarding the mines and its brigades were regularly rotated. Their deployment allowed a front row opportunity to benefit from extraction and transaction.[1226] It is estimated that of the $2.5 billion earned from diamond sales, only $300 million made its way into the public account. Further, Global Witness, an INGO alleges that;

[1221] The Pan-African Parliament Election Observer Mission to the Presidential Run-Off and Parliamentary By-elections in Zimbabwe. 2008. PAP, 1 July.
[1222] HRW. (2008) Bullets For Each of You: State Sponsored Violence Since Zimbabwe's March 29 Election. New York: Human Rights Watch, p.54
[1223] HRW. (2008) Bullets For Each of You: State Sponsored Violence Since Zimbabwe's March 29 Election. New York: Human Rights Watch
[1224] An Inside Job: Zimbabwe, The State, The Security Forces and A Decade of Disappearing Diamonds. (2017) London: Global Witness.
[1225] HRW. (2009) Diamonds in the Rough: Human Rights Abuses in the Marange Diamond Fields of Zimbabwe. New York: Human Rights Watch.
[1226] *An Inside Job: Zimbabwe, The State, The Security Forces and A Decade of Disappearing Diamonds.* (2017) London: Global Witness. Soldiers from the ZNA demonstrated against the government in 2008 as their cash payments were not in line with inflation see 'Zimbabwe: Soldiers' Protest Rocks Harare' (2008) *Relief Web*, 1 December. https://reliefweb.int/report/zimbabwe/zimbabwe-soldiers-protests-rock-harare

> Zimbabwe's feared Central Intelligence Organisation (CIO), the military, notorious smugglers, and well-heeled political elites, all gained control or ownership of companies operating in Zimbabwe's diamond fields.[1227]

The 2008 election displayed varying levels of violence, subdued in the run up to the 29 March poll, and extreme in the 'inter-election' period and the aftermath of the 27 June election. In both election cycles *conditions* (high unemployment, soaring inflation, widespread corruption, persistent inequality, and poverty), remained the same, as did incumbency abuse of *institutions* and disbursement of patronage. What differed between the two elections is Mugabe's 29 March loss. An *incumbency loss* represented a potential structural *shift* in power, and potential *transition* out of power. *Operation Makavhoterapapi* was an *elite* orchestrated operation, linking patronage (land, maize, cash) to perpetrator (war vets, youth militias, state security agents) to deliver a political outcome (ZANU-PF run-off win). This *elite dimension* to the violence is emphasized across the 2008 election observer reports.

The 2008 Aftermath and Beyond

Following the disputed 2008 election and widespread violence the AU and SADC mediated a power sharing arrangement between the ZANU-PF and the MDC, whereby Tsvangarai would assume the role of Prime Minister, and Mugabe would retain his Presidency. The Global Political Agreement (GPA) also installed a coalition government; adopted a new constitution; removed reserved seats from the House of Assembly; limited Executive powers by allowing the House of Assembly to overrule the President based on a two third majority; and amended a series of repressive regulations and laws that had previously impeded political opposition (e.g. POSA, AIPPA).[1228] It was hailed as a negotiated end from authoritarianism to a democratic political dispensation.[1229] The GPA however collapsed in 2013 following Mugabe and the ZANU-PF's decisive Parliamentary and President win. Following this Mugabe dissolved Parliament,

[1227] An Inside Job: Zimbabwe, The State, The Security Forces and A Decade of Disappearing Diamonds. (2017) London: Global Witness.
[1228] NORDEM (2008) ZIMBABWE: THE ELECTIONS ON 29 MARCH AND THE LATER RUNOFF EVENT AND BY-ELECTIONS ON 27 JUNE 2008, Oslo: Norwegian Council for Human Rights.
[1229] Masunungure, E. (2009) "Voting for Change: The 29 March Harmonised Election" in *Defying The Winds of Change*. Harare: Weaver Press.

amended the Constitution, and renounced the post of Prime Minister. The 2013 election displayed many of the same irregularities as in previous elections; discrepancies with voter registration (e.g. in the ZANU-PF stronghold rural areas 99% of voters were registered, while in urban MDC hubs only 67% of voters were registered), in addition to the turning away of voters (in urban areas 82% of voters were turned away over some technicality versus 38% in rural areas).[1230] Further, there were 35% more ballot papers printed than registered voters; this was particularly obvious with the 'Special Vote', whereby there were 55% more ballot papers to uniformed personnel.[1231] The ZANU-PF's incumbency advantage remained in terms of hegemonic access to the media, state and electoral institutions, and state resources. There were rampant displays of ZANU-PF patronage and vote-buying through the distribution of foodstuffs (maize, rice, sugar beans, salt, oil), agricultural grains and fertiliser, and the donation of caps and T-shirts; in urban areas local taxes and tariffs were cancelled. This was all in direct violation of section 136 of the Electoral Act and the Code of Conduct for Political Parties.[1232] Intimidation and coercion persisted, with chiefs, headman and kraal heads playing a more active role in the elections by applying "*sabhuku nevanhu vake*", or the 'village code', whereby villagers and constituencies were sent to vote in pre-arranged groups with the recording of their ID numbers. Threats of eviction were made if anyone voted for the MDC. This was rife across Manicaland and the Midlands.[1233] Remarkably the violence that had pervaded the previous elections and electoral cycles was absent, making the 2013 elections 'peaceful'.

In 2018, Zimbabwe underwent a bloodless coup which ended Mugabe's 37 year reign of power. The coup d'état represented an alternation in an elite faction, rather than a change in elite power.

6.3 *Conditions* versus *Causes of Election Violence*

In *Chapter 1* a number of hypotheses were put forward regarding the *conditions* versus *causes* of election violence. The main problem identified was that a number of *causes* and multivariate

[1230] 'Zimbabwe Election: A Guide to Rigging' (2013) *BBC*, 7 August. http://www.bbc.com/news/world-africa-23591941
[1231] ZESN (2013) *Advance Harmonised Election Report.* Harare: Zimbabwe Electoral Support Network. 31 July.; ZESN (2013) *Referendum Report*. Harare: Zimbabwe Electoral Support Network, 16 March.; Solidarity Peace Trust (2013) *The End of A Road: The 2013 Elections in Zimbabwe*. Johannesburg: South Africa
[1232] Zimbabwe Peace Project (ZPP). 2012. *Zimbabwe Monthly Monitor*. Harare: ZPP, November.
[1233] Zimbabwe Human Rights NGO Forum (2013) QUARTERLY POLITICAL VIOLENCE REPORT JULY - SEPTEMBER 2013.

conditions interact to produce the same outcome, resulting in the problem of *equifinality*. The conceptual framework in *Chapter 2* provided an account of *weak states* which established that the *conditions* of election violence and the attributes of weak states are analogous. To this end, the thesis sought to unpack whether the conceptual frame of weak states assisted in understanding the anomalous phenomenon of election violence, or whether the paradigm of weak states merely reproduces pejorative bias and pathology about the state of Africa's States. The following section attempts to identify which *conditions* are noteworthy in understanding the trajectory of violent elections in Zimbabwe. Similarly, the *causes* of election violence are reflected upon.

Table 6.4 below depicts variables (*conditions* and *causes*) set against election year and electoral violence. As the discussion of each electoral cycle has shown, electoral violence is a recurrent feature, yet not all years display the exact same interaction or sequence of events that produce the violent electoral outcome. In some election years certain variables hold more weight (e.g. *land* in 1979, 1980, 1990, 2000; *youth* in 1985, 1995 2000, 2002, 2005, 2007; *transition* in 1980, 1990, 2007; *ethnicity* in 1979, 1980, 1985; *unemployment* 1990, 1995, 2000, 2002, 2005, 2007) than others, while in other election years, those same variables may not hold as much sway. What is clear is that by and large generalised *conditions* do not play a significant role in producing violent elections e.g. poverty, inequality, low growth, criminality. Given the sizeable and persistent nature of these collective *conditions* they lack a rallying axis to the same degree (unless deliberately instrumentalised by political elites), than other *conditions* do such as ethnic fragmentation or patrimonialism where the contours of inclusion/exclusion are much sharper and differentiated. At times, certain *conditions* elevate in importance due to external shifts e.g. structural adjustment (ESAP 1993 in context of international economic liberalization and deregulation), multipartyism (i.e. democracy's third wave 1990's), and inflation and hyperinflation (in context of oil hikes and global economic recessions 1978, 1981, 1999, 2003, 2007). At times multivariate conditions produce 'shifts' which impact upon the electoral environment e.g. food shortages, rising cost of living and unemployment (*conditions*) which gave rise to new political parties (ZUM 1995, MDC 1999), trade union activism (ZCTU (1993 – 2000), youth and student demonstrations (1990, 1995), war vets and soldier riots (1997-1998). However *conditions* in and of themselves do not produce or certify violent election outcomes.

Rather, the conditions rely on *operationalization* by *elites*. Even then, only a few *conditions* are recurrently significant in producing election violence, such as *ethnicity*, *patronage* and *resources* which rely on instrumental action by *elites* via the use of state organs, instruments and *institutions* in producing violent electoral outcomes. In the case of Zimbabwe, election violence is overwhelmingly a result of *state orchestration*, against the opposition Electoral violence is neither spontaneous, nor is it generalized (i.e. a form of civil war, insurgency), though it does produce inter-party fighting between rival supporters which may result in low intensity conflict (e.g. 2000-2005).

	Election Violence	Multiparty	Transition	Land/Resources	Patronage	Ethnicity	Economic	Institutions	Elites	Youth	Unemployment
1979	√	√	√	√	√	√	√	√	√		√
1980	√	√	√	√	√	√	√	√	√	√	√
1985	√	√		√	√	√	√	√	√	√	√
1990	√	√		√	√	√	√	√	√		√
1995	√	√		√	√	√	√	√	√		√
2000	√	√		√	√	√	√	√	√	√	√
2002	√	√		√	√	√	√	√	√	√	√
2005	√	√	√	√	√	√	√	√	√	√	√
2008	√	√	√	√	√	√	√	√	√	√	√

Table 6.4: Variables of Election Violence: Zimbabwe 1980 – 2008

The following table depicts variables drawn both from the literature review hypotheses in *Chapter 1* and from data gathered. The variables ticked in red are identified as being significant in the causal chain for that particular election year.

Conclusion: From 'Controlled Change' to No Change?

According to ACLED data, 'eliminationist' violence against civilians accounted for 75% of all violence in Zimbabwe for the period 1997-2015.[1234] The bulk of this violence was committed by political militias and security agents aligned to the ZANU-PF and Robert Mugabe. Peaks in the violence are recorded in 1999, 2002-2003 and 2007.[1235] Election violence in Zimbabwe has been a recurrent feature since the interregnum elections of 1979, with some peaks and lows up to the ascendant violence year of 2007.

This chapter provided a case study analysis on recurrent election violence in Rhodesia Zimbabwe from 1979 – 2008 by identifying what the *causes* and *conditions* are in each election year. It is found that not all *causes* or *conditions* are significant in producing election violence, and while there has been some variance across election years, four variables remain recurrently significant, namely, *elites*, *institutions*, *resources* and *patronage*. The 1979, 1980, 1985 and 2005 elections took place within a context of war, insurgency or low intensity conflict. Here violence was simultaneously a condition and it was an outcome. While *ethnicity* played an overt role in the 1979, 1980 and 1985 elections, this was displaced as a predominant consideration with *resource* disbursement (land, pensions, vocational training, civil service employment) in the 1995, 2000. 2002. 2005 and 2008 election. *Ethnicity* was recast with *political identity* as the site of difference, division, retribution e.g. 'traitor' 'puppet' 'sell-out' 'collaborator' 'conspirator'. Similarly, in some elections, socio-economic conditions played more of an operational role than in others. For example worsening socio-economic conditions produced wide and popular discontent in both 1995 and 2000, but the extent to which these socio-economic conditions were relevant to the subsequent election violence differs. In the 2000 election, socio-economic conditions played an operational role in galvanizing war vets, the youth, and soldiers into action first against the state, then violent action on behalf of the state in return for patronage. Importantly, the *youth* as a variable in election violence shows prominence in the 1985, 2000, 2002, 2005 and 2008 elections. Where the 2000 elections were exceptionally violent, the 1995 election displayed limited violence. In both the 1995 and 2000 elections, worsening socio-

[1234] 'Violence in Zimbabwe', (2015) ACLED, June 23. http://www.crisis.acleddata.com/violence-in-zimbabwe/ As opposed to symbiotic violence in Nigeria or bargaining violence in Kenya.
[1235] Violence in Zimbabwe', (2015) ACLED, June 23. http://www.crisis.acleddata.com/violence-in-zimbabwe/

economic conditions gave rise to new opposition groups, namely ZUM in 1995 and the MDC in 2000. However, the rise of these new parties, in conjunction with the negative socio-economic conditions, did not in and of themselves produce the election violence. Rather, the election violence is explained by the degree to which the incumbent party instrumentalised and operationalized actors (e.g. war vets, youth brigades) and conditions (land, unemployment, ethnicity, patronage) into joint action to produce a violent outcome. In conclusion, election violence in Zimbabwe has consistently been caused by *incumbent elite* orchestration, and whilst violent interaction has resulted between political parties, this is subsequent to the initial occurrence. The gun has remained the guarantor of the ZANU-PF when it comes to voting, electioneering and political outcomes.

Chapter 7: Conclusion

Violent Democracies?

Comparing Election Violence in Kenya, Nigeria and Zimbabwe

I have never seen an election that is perfect.

Olusegun Obasanjo, 2 August 2013[1236]

Holding elections is now considered a global norm. By 2013, 90% of state's around the world conducted elections.[1237] Only four countries in Africa were *not* holding regular elections, yet a conundrum emerges whereby just 29% of elections in Africa were deemed democratic.[1238] 45% of African elections are classified as 'electoral authoritarianism'.[1239] Accompanying this trend has been the rise and durability of electoral violence. This chapter provides a summary of the study, highlights the key findings, and suggests areas for further study and policy directions as a way of closing.

An Overview of Power, Politics and Violence in Post-Colonial Africa

The research set out to uncover the *causes* and *conditions* of election violence across three case studies, namely Kenya, Nigeria and Zimbabwe, from Independence to 2008. *Chapter 1* provided a review of the literature on elections and election violence highlighting the role that elections have played in reproducing political power (and the state) on the continent in open multiparty contests and even during the 'departicipation period'. Elections have been central to political power vis-à-vis *resilience* (adaptability for purpose), *legitimation* (external i.e. donors, peers recognition and internal i.e. between elites and populace), and *reciprocity* (cohesion between elites and as a social participatory act). Worryingly, as the literature review revealed elections have not always been directed towards popular choice or participation instead they have been

[1236] AU Commission (2013) REPORT OF AFRICAN UNION ELECTION OBSERVATION MISSION TO THE 31 JULY 2013 HARMONISED ELECTIONS IN THE REPUBLIC OF ZIMBABWE. Addis Ababa: African Union.
[1237] Van Ham, C. & Lindberg, S. (2015) "Vote Buying is a Good Sign: Alternate Tactics of Fraud in Africa 1986-2012", in *The Varieties of Democracy Institute*, Working Paper 3, p.3. https://www.v-dem.net/media/filer_public/fb/a8/fba80eef-ac74-4a50-abd0-3a3f3755251c/v-dem_working_paper_2015_3.pdf
[1238] Schedler, Andreas (2013) *The Politics of Uncertainty: Sustaining and Subverting Electoral Authoritarianism*. Oxford: Oxford University Press.
[1239] Morse, Y. (2017) "Electoral Authoritarianism and Weak States in Africa: The Role of Parties versus Presidents in Tanzania and Cameroon", in *International Political Science Review*, 0 (0), p.2

used as an instrument to control the public and the outcome, reflecting 'controlled choice'. This observation is particularly timely given the rise of 'electoral democracies' or 'electoral authoritarianism' in Africa today. An accompanying feature of elections has been the occurrence of election violence and coup d'états. While coup d'états characterised violence during the Cold War, the persistence of election violence from the 'interregnum' phase of Independence to well beyond the 'third wave' phase of democratization, has resulted in it being labelled as the 'new form of conflict' in Africa. Election violence while periodic and episodic, have long-lasting consequences including displacement, death, detention, rape, assassinations and torture. Election violence demonstrates durability rather than transience. A number of competing hypotheses regarding the *causes* of election violence were reviewed. Most scholars point to reasons captured under Höglund's three categories, namely, the nature of politics (e.g. elite fragmentation, patrimonialism, politicization of ethnicity, conflation between state, party and incumbent, regime type, transitional state), the nature of elections (e.g. first-past-the-post, high-stakes, unequal media access/campaigning, vote buying, ballot stuffing), and the nature of institutions (e.g. independence and impartiality of the courts, police, electoral commission, police, army) as the source(s) of election violence. Overall however the hypotheses lack specificity on the exact interaction between *causes* and the multivariate *conditions* present within countries in producing violent electoral outcomes. This means that the causal path, sequence of events, and trajectory of election violence remains unidentified and imprecise. This has serious implications for knowledge formation, theory building, and policy formulation of this new conflict phenomenon in Africa. As such the research set out to ask, what explains election violence in three cases over time? What explains the recurrence of election violence, and the variation of election violence in these three cases? The research employed archival inquiry, elite interviewing, and process tracing of election observer reports to chronicle and record observed *causes* and *conditions* of election violence across the three cases. *Chapter 2* provided the conceptual framework for the study by reviewing and tracing the concepts of power, politics and violence in Africa, located in an analysis and understanding of the state in Africa. The state in Africa is not a product of consent between rule and ruled, instead it is a transplanted construct which was underwritten by force. Colonialism and the colonial state necessarily removed *consent* and *legitimacy* as requisites for governance and rule, and institutionalized *patronage* as an instrument of control and power. Patronage is an enduring attribute of the state, power and politics in Africa and it has

proved important in election and selection strategies. *Corruption* which is associated with political patronage is shown to be integral rather than incidental to governance. The conditions and milieus of states were found to be instructive in shaping political and electoral outcomes, and here the paradigm of *weak states* was reviewed. The attributes of weak states, and the conditions in which electoral violence occurs, demonstrate overlap and reflect the multidimensional problem of the uneven nature of states and institutions on the continent. Institutional weakness combined with patronage renders state and electoral bodies susceptible to interference, manipulation, bribery and abuse, producing contestation and dissent. Election violence was situated within an understanding of how the state, power and politics 'works' in Africa. *Chapter 3* provided a 'snapshot' empirical overview of election violence on the continent from Independence to the present day. The shift in political governance, from colonial state to post-colonial state, and from one-party state to multi-party state are mirrored in a shift in forms of violence, from insurgency to coup d'état, civil war and electoral conflict. Election violence during the 'founding elections' was marked by riots, violent altercations within and between vying political parties, uprisings, and political assassinations. Observable too was the rise of '*armed clientelism*', that is, the use of non-state actors to stoke or engage in acts of violence during elections and electioneering, directed and sponsored by political elites. The cases of Sierra Leone, DRC, Uganda, Republic of Congo, Cotê d'Ivoire, Kenya, Nigeria and Zimbabwe were instructive here. Election violence was shown to have occurred across the continent and this chapter reflected on instances in Ghana, Zanzibar, Cameroon, Kenya, Togo, Sierra Leone, Cotê d'Ivoire, Gabon, Burundi, Zambia, Republic of Congo, Democratic Republic of the Congo, Uganda, South Africa, Nigeria and Zimbabwe. *Chapter 4, 5, and 6* provided an in-depth case analysis of the *conditions* and *causes* of election violence in Kenya, Nigeria and Zimbabwe.

Findings

An important observation and finding of this research is that there is a distinction to be made between election violence as strategic violence, versus election violence as a result of sporadic civil discontent.[1240] The former attests to the instrumental organization, mobilization and administration of violence, whereas the latter is impulsive, unplanned and consequential. In the

[1240] Opitz, C.; Fjelde, H. & Höglund, K. (2013) "Including Peace: The Influence of Electoral Management Bodies on Electoral Violence", in *Journal of Eastern African Studies,* 7(4).

case studies and elections reviewed, rarely (if ever) is election violence a result of spontaneous uprisings. More often than not, violence has resulted due to three coinciding political factors: *elites*' abuse/interference/manipulation/hindrance of *institutions* that are predisposed to *patronage* through disbursement or denial of *resources*.[1241]

In Zimbabwe, election violence is found to be state directed and a product of the ZANU-PFs incumbency hegemony. Here election violence is overwhelmingly '*eliminationis*t' in nature, seeking to eradicate political opposition as a strategy of retaining political power. The two contrasting 2008 elections showed that election violence could be 'turned on and off' like a tap by state and political elites. While election violence in Zimbabwe has produced some *interactional* or *symbiotic* violence between supporters, this has been as a result of a spiral of violence commanded by the state. In contrast, election violence in Nigeria and Kenya are both *eliminationist* and *symbiotic* in nature: in the majority of election years, elite and state directed unrest, hostility and fighting is observable via the sponsoring of youth militias or vigilante groups, in other cases the violence is *interactional* or *symbiotic* occurring between and within political party supporters based on the multifaceted nature of identities and ethnicities within and between these parties. Here, *interactional* localized communal conflicts while rooted in prevalent *conditions* such as unemployment, land, unequal access to resources, relies on and requires a *causer*.

Areas for further research

This research presents a unique attempt to compare and trace the *causes* and *conditions* of election violence historically and in the contemporary period using archival records, election observer reporting and elite interviewing. The study is limited however to three Anglophone case studies, and to one main archive. Utilization of archives within case study countries is an area for further research as it would allow for access to local newspapers, clippings, interviews, speeches, diplomatic exchanges with other countries, and political campaign leaflets providing for a richer account of local perceptions of elections and election violence. As the empirical overview in *Chapter 3* showed, electoral violence has accompanied elections across the continent, seemingly

[1241] Levitsky, S. & Way, L. (2002) "The Rise of Competitive Authoritarianism", in *Journal of Democracy*, 13(2).; Van de Walle, N. (2003) "Presidentialism and Clientelism in Africa's Emerging Party Systems", in *The Journal of Modern African Studies*, 41(02).

regardless of type of colonial state inherited or form of colonial governance transplanted. This holds prospects for further comparative research into the historical and contemporaneous *conditions* and *causes* of electoral violence dynamics in other African cases (e.g. former Lusophone, Francophone, Germanophone, Hispanaphone countries), further utilizing other archives. Establishing the trajectory and sequence of events that lead to violent electoral outcomes that are pegged to in depth causal process observations would strengthen theory-building of the select phenomenon. More time and research needs to be dedicated to comparing *causes* and *conditions* across *large-N* and *small-n* case studies as a way of understanding if these variables are comparatively significant at the *elite, institution, patronage and resources* level. There are also cases where elections have not resulted in violence and comparative research which sets cases of no electoral violence against cases of electoral violence historically and in the contemporary period would produce greater amounts of comparative and generalisable data in understanding the causal chain that leads to election violence: what conditions are similar, what conditions are different? Following from this, another area for further research is to consider what factors delimit violent electoral tendencies such as the role of peacekeeping or standby forces, and/or the role of mediation at the political elite level such as of the AU Panel of the Wise, or the role of 'positive campaigns' and social media. A specific understanding of *conditions* and *causes* and the interaction is therefore key to building a more comprehensive 'tool and test kit' for theorizing about this new form of conflict in Africa, This will greatly assist in prediction and prevention of electoral violence.

Policy Recommendations

There are numerous factors at play that interact to produce electoral violence, and the combination of factors that interact are not always the same, though some predominant factors show durability in appearance and interaction (e.g. *resources, institutions, patronage*). Another complication is that these factors do not always manifest in the same way. For example patronage while common to all three cases and commanded by the ruling political elites differs in degree. In the Zimbabwean context patronage revolves strongly around the party across every sector (vertical and horizontal) of state and society 'ZANU*fication'*; whereas patronage in Nigeria hinges on vertical strongmen or 'godfathers' at the regional and local levels; whilst patronage in Kenya is tied strongly to politically connected ethnic elites (vertical and horizontal

ethnic elites). There are three key areas where election observers, external stakeholders, civil society groups, researchers and the media should focus their attention as a way forward. The research identified that electoral violence is often produced by elites, that it is an elite driven phenomenon.

1.*Institutions*

It is routinely emphasised across election observer reports and scholarly literature that state and electoral institutions need to be 'strengthened' to decrease the risks of electoral malpractice thereby mitigating the potential for violent contestation. Suggestions regarding 'strengthening' center around addressing and removing illiberal practices from democratic politics e.g. ensuring impartial and independent institutions (judiciary, police, treasury, election commission); limiting executive power and appointments; mandating a separation of powers; eliminating a first-past-the-post electoral system; inviting a range of long-term electoral observers; upholding media freedoms and equal access; supporting local civil society and NGO's; and establishing presidential limits to name a few. These are viewed as necessary requisites for peaceful politics, and thus peaceful elections as it levels the playing field. Yet, there are cases whereby state institutions (e.g. police) and electoral institutions (e.g. election commission) are legally independent as per the Constitution (e.g. Kenya, Ethiopia, Nigeria, Uganda, Angola, Zimbabwe, Nigeria), but not politically independent.[1242] It is the weakness of state and electoral institutions, rather than the criteria of legal independence, which renders institutions prone to incumbent political interference, patronage, domination, and therefore partiality. The current electoral contestation and ensuing violence in Kenya is testimony to the importance of institutions being free of political interference. Roselyn Akombe a senior member of the IEBC described the institution as being under "political siege" with IEBC members voting distinctly along partisan lines.[1243] One way of strengthening state, electoral institutions and the electoral process is to focus on *inclusivity* and *diversity* in representation vis-à-vis election commissioners, judges, army generals, and heads of police services, regardless of their political affiliation. Incumbency

[1242] For example, Nigeria's Electoral Act of 2010 amendments sections 31(1) and 86(1) reduces the oversight role of INEC in violation of the provisions of paragraph 15(c) of Constitution of the Federal Republic of Nigeria of 1999. See Jinadu, A. (2014) "Lessons form Electoral Management and Processes in West Africa", in *SAIIA Occasional Paper*, 194.

[1243] BBC (2017) "Kenya Election Official Roselyn Akombe Flees to the US", in *BBC News*, 18 October. http://www.bbc.com/news/world-africa-41660880

should not direct appointments. Further, the establishment of *multi-party liaison committees* ahead of and during elections tasked with overseeing the conduct of elections is another example of inclusive governance.[1244] Inclusive governance imposes restraint, and inclusive electoral governance fosters collaborative confidence, legitimacy and fairness over the process of representation and voting. Funding of inclusive initiatives and of electoral bodies (e.g. salaries, operational costs, logistics, budget), is mostly dependent on the state, and where the state and incumbent party are conflated electoral institutions need to be funded from elsewhere. Revisiting the cases of the Zambian (1991) and Ghanaian (1992) elections is instructive here as the electoral bodies were funded by a consortium of internal and external donors, bodies and countries.[1245] Thinking of new ways to *fund the electoral system* and its administration (without leading to accusations of externally sponsored neo-imperialism), can also contribute to the 'strengthening' of electoral institutions.

Importantly it is not just national institutions that need to be 'strengthened' but also regional and international ones. Regional and international institutions have been key in promulgating the project of electoral integrity, but have done little to uphold it. The AU Democracy and Electoral Assistance Unit and associated Election Observer Missions often place reducing political tensions above meeting technical or integrity standards. Consequently, the AU primarily treats election observation as a diplomatic activity, with heads of missions often being led by former politicians and heads of state.[1246] This 'political entanglement' of regional and international institutions in the field of electoral observation has significant ramifications in terms of public and international perception and confidence of the institutions and overall electoral processes.

3. Youth Wings/Militias

An unfortunate development that often appears alongside occurrences of electoral violence is the agency of violence outfits, in particularly political party youth wings and militias. There have

[1244] As suggested in Opitz, C.; Fjelde.H & Höglund, K. (2013) "Including Peace: The Influence of Electoral Management Bodies on Electoral Violence", in *Journal of Eastern African Studies*, 7:4

[1245] Jinadu, A. (1997) "Matters Arising: African Elections and The Problem of Electoral Administration", in *African Journal of Political Science*, 2 (1).

[1246] See Aniekwe, C.C. & Atuobi, S. (2016) "Two Decades of Election Observation By the African Union: A Review", in *Journal of African Elections*, 15 (2).

been numerous studies which address the youth as Africa's 'ticking time bomb'.[1247] More concerted interventions, programmes and thinking needs to be developed on occupying this restive sector, which will surely be compounded by continued high levels of unemployment, urbanization, climatic pressures and political elite factionalism. If the youth have limited opportunities in the context of rampant unemployment and pervasive poverty, they are more likely to partake in 'paid for' violence, such as electoral violence or criminal violence.[1248] Thus, election violence strategies must consider employment and educational opportunities for the youth as part of an ongoing programme of action.

4. Election Observation

Regional and international election observation needs to go beyond logistical and technical support and monitoring of the electoral process. Election observers need to play a more active role as watchdogs ahead of elections, during elections and following elections. This necessarily entails making declarative, diagnostic and at times unfavourable statements calling out fraud, elite directed violence and abuses of power. John Kerry, head of the Carter Center's Observer Mission to Kenya in 2017, called the elections "free, fair and credible … [with] little aberrations here and there." Such assessments in the face of flagrant mismanagement have ramifications for public faith in the process of elections, and perceptions of elections observers as crucial players in the process of elections. Targeted solutions based on irregularities observed should be tied to Regional Economic Communities (REC's) Early Warning Systems (EWS's) and the AU Early Warning System (e.g. Continental Early Warning System, CEWARN). The AU and REC's need to be more assertive in averting electoral violence by upholding political rights as established in the Africa Charter for on Human's and People's Rights (ACHPR)[1249], which necessarily entails invoking Article 4(h) of the AU Consecutive Act which establishes the *right of intervention* to prevent grave human rights violations.[1250] While this may be a contentious recommendation and subject to critique on the basis of the norm of territorial integrity (AU Article 4(j) and UN

[1247] Ighobor, K. (2013) "Africa's Youth: Ticking Time Bomb or An Opportunity?" in *Africa Renewal*, 4 (27);
[1248] See variously Urdal, H. (2007) 'The Demographics of Political Violence: Youth Bulges, Insecurity and Conflict," in Brainard, L. & Chollet, D. *Too Poor for Peace? Global Poverty, Conflict and Security into the 21st Century.* Washington: Brookings Institute.; Urdal, H. (2012) 'A Clash of Generations? Youth Bulges and Political Violence," in *UNDESA Population Division*, Expert Paper No.1. New York: United Nations.
[1249] AU (2005) African Charter on Human and People's Rights (ACHPR), *African Union*, http://www.achpr.org/instruments/achpr/
[1250] AU (2000) Constitutive Act of the African Union, *African Union*, http://www.achpr.org/instruments/au-constitutive-act/

Charter Article 2(4) and 53)[1251], elections present a unique area for prevention given that they are regular and periodic events around which tangible, bounded interventions can occur particularly in high-stake, high risk, polarized elections. The Southern Africa Development Communities (SADC) deployment of a *standby and stabilizing force* in Lesotho is a case in point. While the SADC force has not been able to halt all forms of political violence tied to the electoral process, such as the assassinations of the Commander of the Lesotho Defence Force, Lieutenant General Motsomotso, and the newly elected Prime Minister's Thomas Tabane's Wife, Lipolelo Thabane, its presence has arguably prevented a coup, as per the coup attempt of 2014.[1252] It has also prevented widespread violence, fighting and looting as witnessed in previous elections (1998, 2012). Attempts to facilitate elections in the absence of addressing latent security issues and abuses of power (in the SADC case, it was abuse of power by the army generals), either defers the violence to the next electoral cycle or to another political high-point, such as a coup. *Semi-permanent observer missions* are needed in cases where electoral violence is recurrent, or where the risks of conflict are high. This is another way abuses and malpractice can be flagged, and targeted interventions to prevent escalation can occur.

In closing

The pattern and type of conflict and insecurity in Africa has shifted. Large-scale conflict and violence has decreased, replaced with a 40% increase in riots and protests centered upon political, economic, and social 'deliverables'. With it has come a rise in political and communal militias who engage not only in political violence, but also criminal violence. Election violence represents part of this broader shift, and is a new form of conflict in Africa. As Africa continues to undergo a number of interconnected transitions; demographic, climatic, technological and economic; elections present an opportunity to mitigate difference and disruption brought about by change. However, where institutional, identity, resource and elite cleavages persists, election violence is likely to produce a site of on-going episodic conflict. Prediction based on a

[1251] AU (2000) Constitutive Act of the African Union, *African Union*, http://www.achpr.org/instruments/au-constitutive-act/; UN (1945) Charter of the United Nations, *United Nations*, http://www.un.org/en/charter-united-nations/

[1252] Peta, B. (2017) "SADC Deploys Force to Lesotho" *IOL*, 7 September. https://www.iol.co.za/news/africa/sadc-deploys-force-to-lesotho-11125769; Frykberg, M. (2017) "Political Motive Suspected in Shooting of Lesotho's PM's Wife" *IOL*, 15 June. https://www.iol.co.za/news/africa/political-motive-suspected-in-shooting-of-lesotho-pms-wife-9798546

monitoring of *causes* and *conditions* per country can assist in producing targeted prevention, intervention, and end the recurrent cycle of election violence in Africa.

Bibliography

Books & Journal Articles

Abrahamsen, R. (1987) "Sungsungu: Village Vigilante Groups in Tanzania," in *African Affairs*, 86.

Abrahamsen, R. (2003) "African Studies and the Postcolonial Challenge," in *African Affairs*, 102.

Abrahamsen, R. & Williams, M. (2007) "Securing the City: Private Security Companies and Non State Authority in Global Governance," in *International Relations*, 21.

Abrahamsen, R. & Williams, M. (2008) "Public/Private, Global/Local: The Changing Contours of Africa's Security Governance," in *Review of African Political Economy*, 35 (118).

Ahire, P. (1991) *Imperial Policing in Colonial Nigeria 1860-1960*. Milton Keynes: Open University Press.

Ahire, P. (1990) 'Rewriting the Distorted History of Policing in Colonial Nigeria' in *International Journal of Sociology & Law*, 18.

Ahram, A.I. (2011) *Proxy Warriors: The Rise and Fall of State Sponsored Militias.* Stanford: Stanford University Press.

Ahuluwalia, P.; Bethlehem, L.; Ginio, R. (1998) Violence & Non Violence in Africa. Aldershot: Ashgate.

Akinwumi, O. (2004) *Crisis and Conflict in Nigeria. A Political History Since 1960*. Munster: LIT Verlag.

Ake, C. (1996) *Democracy and Development in Africa*. Washington: Brookings Institute Press.

Alexander, J.; McGregor, J.; & Ranger, T. (2000) *Violence and Memory: One Hundred Years in the 'Dark Forests' of Matabeleland.* Harare: Weaver Press.

Alexander, P. (2000) "Zimbabwean workers, the MDC and the 2000 election," in *Review of African Political Economy*, 85.

Allen, C. (1999) 'Warfare, Endemic Violence and State Collapse in Africa,' in *Review of African Political Economy*, 81.

Alden, C.; Thakur, M.; & Arnold, M. (2011) *Militias and the Challenges of Post-Conflict Peace. Silencing the Guns.* London: Zed Books.

Anber, P. (1968) 'Modernisation and Political Disintegration: Nigeria and the Ibos' in *The Journal of Modern African Studies,* 5(2).

Anderson, D. (2002) 'Vigilantes, Violence & The Politics of Public Order in Kenya,' in *African Affairs,* 101.

Anstey, R. (1966) *King Leopold's Legacy: The Congo under Belgian Rule 1908-1960*. Oxford: Oxford University Press.

Arendt, H. (1969) *On Violence.* New York: Harcourt, Brace & World.

Arnold, G. (2008) *Historical Dictionary of Civil Wars in Africa*. Lanham: Scarecrow Press.

Arnold, M.B. (2007) "This Gun is Our Food: De-militarising the White Army Militias of South Sudan," *NUPI Working Paper,* Norsk Utenrikspolitisk Institutt.

Arowosegbe, J.O. (2009) "Violence and National Development in Nigeria: The Political Economy of Youth Restiveness in the Niger Delta," in *Review of African Political Economy,* 36 (122).

Avant, D. (2007) 'NGO's, Corporations and Security Transformation in Africa,' in *International Relations,* 21.

Avant, D. (2005) *The Market Force: The Consequences of Privatizing Security*. Cambridge: Cambridge University Press.

Azam, J.P. (2001) "The Redistributive Sate and Conflicts in Africa," in *Journal of Peace Research,* 38.

Badie, B. (1992) *L'état importé. Essai sur l'occidentalisation de l'ordre politique*. Paris: Fayard.

Bagchi, A. K. (1993) "'Rent-Seeking': New Political Economy and Negation of Politics," in *Economic and Political Weekly,* 28 (34).

Bakari, M.A. (2001) *The Democratisation Process in Zanzibar: A Transition Retarded*. Institute für Afrika-Kunde: Hamburg.

Baker, B. (2008) "Beyond the Tarmac Road: Local Forms of Policing in Sierra Leone & Rwanda," in *Review of African Political Economy,* 35 (118).

Baker, B. (2008) *Multi-Choice Policing in Africa*. Uppsala: Nordiska Afrikainstitutet.

Baker, B. (2005) 'Beyond the State Police in Urban Uganda and Sierra Leone,' in *Afrikaspectrum,* 41 (1).

Baker, B. (2004) 'Protection From Crime: What is on Offer for Africans?' in *Journal of Contemporary African Studies*, 22 (2).
Baker, B. (2002) *Taking The Law into Their Own Hands*. Aldershot: Ashgate.

Baker, B. (2002) 'When the Bakassi Boys Came: Eastern Nigeria Confronts Vigilantism,' in *Journal of Contemporary African Studies*, 20 (2).

Bakonyi, J. & StuvØy. K. (2005) "Violence and Social Order Beyond the State: Somalia and Angola" in *Review of African Political Economy*, 32 (104/5).

Bangoura, D. (1996) 'Etate et securite en Afrique,' in *Politique Africaine,* 61.

Banjo, W.S. (1997) 'Nigeria : Political Violence in the Third Republic. Monograph Series. *African Research Bureau (Afreb) Publishers*.

Barraclough, G. (1964) *An Introduction to Contemporary History*. London: Pelican.

Basedau, M.; Erdmann, G.; & Mehler, A. (Eds) (2007) *Votes, Money and Violence: Political Parties and Elections in Sub-Saharan Africa*. Scottsville: UKZN Press.

Bassett, T.J. (2004) Containing the Donzow: The Politics of Scale in Cote D'Ivoire,' in *Africa Today,* 50 (4).

Bastion, S. & Luckham, R. *Can Democracy Be Designed? The Politics of Institutional Choice in Conflict*. Zed Books: London.

Bates, R. (1987) "Quasi-states, Dual Regimes, and Neoclassical Theory: International Jurisprudence and the Third World," in *International Organization*, 41 (4).

Bates, R.; Grief, A. & Singh, S. (2002) "Organizing Violence," in *Journal of Conflict Resolution*, 46 (5).

Bates, R. (2008) *When Things Fell Apart: State Failure in Later-Century Africa.* New York: Cambridge University Press.

Bayart, J.F. (1989) *The State in Africa: Politics of the Belly*. New York: Longman.

Bayart, J.F.; Ellis, S. & Hibou, B. (1999) *The Criminalization of the State in Africa*. Oxford: James Currey.

Bayart, J.F. (2000) "Africa in the World: A history of Extraversion," in *African Affairs*, 99 (395).

Baynham, S. (1986) *Military Power and Politics in Africa*. London: Croon Helm.

Bazenguissa-Ganga, R. (1999) "The Spread of Political Violence in Congo-Brazzaville," in *African Affairs*, 98.

Bekoe, D.A. (2012) *Voting In Fear: Electoral Violence in Sub-Saharan Africa*. USIP: Washington.

Bennett, G. & Rosberg,C.G. (1961) *The Kenyatta Election: Kenya 1960-61*. Oxford: Oxford University Press.

Berkeley, B. (2001) *The Graves Are Not Yet Full: Race, Tribe and Power in the Heart of Africa*. New York: Basic Books.

Berdal, M. & David, M. (2000) *Greed, Grievance, Economic Agendas in Civil Wars.* Boulder: Lynne Rienner.

Berman, B. (1992) *Unhappy Valley: Conflict in Kenya and Africa.* London: James Curry.

Berman, B. (1998) "Ethnicity, Patronage and the African State: The Politics of Civil Nationalism," in *African Affairs,* 97 (388).

Bhebe, N. & Ranger, T. (Eds) (2001) *The Historical Dimensions of Democracy and Human Rights in Zimbabwe: Pre-Colonial and Colonial Legacies*. Harare: University of Zimbabwe Publications.

Bienen, H. (1993) "Leaders, Violence and the Absence of Change in Africa," in *Political Science Quarterly*, 108.

Birmingham, D. & Martin, P.M. (1988) "Zaire. The Anatomy of a Failed State," in *History of Central Africa: The Contemporary Years since 1960*. London & New York: Longmann.

Branch, D. (2009) *Defeating Mau Mau, Creating Kenya. Counterinsurgency, Civil War and Decolonization.* Cambridge: Cambridge University Press.

Branch, D. & Cheeseman, N. (2008) "Democratization, Sequencing, and State Failure in Africa: Lessons From Kenya*,"* in *African Affairs*, 108/430.

Branch, D. (2007) "The Enemy Within: Loyalists and the War Against Mau Mau in Kenya," in *Journal of African History*, 48.

Bratton, M. (1998) "Second Elections in Africa," in *Journal of Democracy*, 9 (3).

Bratton, M. (2007) "Formal Versus Informal Institutions in Africa," in *Journal of Democracy*, 18 (3).

Bratton, M. & Van de Walle, N. (1997) *Democratic Experiments in Africa: Regime Transitions in Comparative Perspective*. Cambridge: Cambridge University Press.

Bratton, M. & Masunungure, E. (2008) 'Zimbabwe's Long Agony,' *Journal of Democracy,* 19

(4).

Breen, K. (2007) "Violence and Power: A Critique of Hanna Arendt on the 'Political'," in *Philosophy Social Criticism,* 33 (343).

Bretton, H.L (1973) *Power and Politics in Africa*. Chicago: Aldine Publishing Company.

Brubaker, R. & Laitin, D.D. (1998) "Ethnic and Nationalist Violence" in *Annual Review of Sociology*, 24.

Boege, V,; Brown, A.; Clements, K.; & Nolan, A. (2009) "On Hybrid Political Orders and Emerging States. What is Failing? States in the Global South or Research and Politics in the West," in *Berghof Handbook for Conflict Transformation*. Berghof Research Centre for Constructive Conflict Management.

Boggero, M. (2008) 'Local Security Dynamics of Security in Africa: Central African Republic and Private Security,' in *African Security Review*, 17(2).

Boone, C. (1998) 'Empirical Statehood and Reconfigurations of Political Order,' in Villalon, P.A. & Huxtable (eds) *The African State at a Critical Juncture: Between Disintegration and Reconfiguration*. Boulder: Lynne Rienner.

Bourret, F.M. (1960) *Ghana: The Road To Independence 1919-1957*. Stanford University Press: Stanford.

Bourdieu, P. (1994) "Rethinking the State: Genesis and Structure of the Bureaucratic Field," in *Sociological Theory*, 12.

Bowd, R. & Chikwanha, B. (Eds) (2010) "Understanding Africa's Contemporary Conflicts: Origins, Challenges and Peacebuilding, *ISS Monograph*, Institute for Security Studies, 173.

Bugacchi, V. (2005) "Two Concepts of Violence," in *Political Studies Review*, 3 (193-204).

Burton, J. (1997) *Violence Explained. The Sources of Conflict, Violence and Crime and Their Prevention*. Manchester: Manchester University Press.

Buthe, T. (2003) "Governance Through Private Authority: Non-State Actors in World Politics," in *Journal of International Affairs*, 58 (1).

Carver, R. (1997) "Deadly Marionettes: State Sponsored Violence in Africa," a report by *Article 19: International Centre Against Censorship*.

Chabal, P. (2009) *Africa: The Politics of Suffering and Smiling*. London: Zed Press.

Chabal, P. (2009) *Political Domination in Africa: Reflections on the Limits of Power.* Cambridge University Press: Cambridge.

Chabal, P.; Gentili, A.M.; & Engel, U. (2005) *Is Violence Inevitable in Africa? Theories of Conflict and Approaches to Conflict Prevention*. Leiden: Brill.

Chabal, P.; Feinman, G.; & Skalnik, P. (2004) "Beyond States and Empires: Chiefdoms and Informal Politics" on *Social Evolution and History*, 3 (1).

Chabal, P. (2002) "Power in Africa Reconsidered" in *International Affairs*, 78 (3).

Chabal, P. (2002) "Violence, Politics and Rationality in Contemporary Africa," in *The Ballot.*

Chabal, P. & Daloz, J.P. (1999) *Africa Works. Disorder as Political Instrument*. Oxford: James Currey.

Chabal, P. (1992) *Power in Africa: An Essay in Political Interpretation*. London: Macmillan.

Chabal, P. (1983) "People's War, State Formation and Revolution in Africa: A Comparative Analysis of Mozambique, Guinea-Bissau and Angola," *The Journal of Commonwealth and Comparative Politics*, 21, 3.

Chan, S (2011) *Old Treacheries, New Deceits. Insights Into Southern African Politics*. Johannesburg: Jonathan Ball Publishers.

Chaturverdi, A. (2005) "Rigging Elections With Violence" in *Public Choice*, 125.

Chaturverdi, A. & Mukherji, A. (2005) "Do Elections Incite Violent Crime?" Unpublished Manuscript. Available at SSRN. (Accessed 08/08/2011). http://dx.doi.org/10.2139/ssrn.818345

Chesterman, S. (2009) *From Mercenaries to Market: The Rise and Regulation of Private Military Companies*. Oxford: Oxford University Press.

Clapham, C. (2001) 'Rethinking African States,' in *African Security Review*, 10 (3).

Clapham, C. (1998) 'Degrees of Statehood' in *Review of International Studies*, 24.

Clapham, C. (1998) *African Guerillas*. Oxford: James Currey.

Clapham, C. (1996) *Africa in the International System: The Politics of State Survival*. Cambridge University Press: Cambridge.

Clapham, C. (1985) *Third World Politics: An Introduction*. London: Croom Helm.

Clark, J.F. (2007) "The Decline of the Military Coup" in *Journal of Democracy*, 18 (3).

Clarke, S.J.G. (1968) *The Congo Mercenary: History and Analysis.* Johannesburg: The South African Institute for International Affairs (SAIIA).

Clausewitz, C. (1976) *On War.* (as translated by Howard, M. & Paret, P.) New Jersey: Princeton

University Press.

Clayton, A. & Killongray, D. (1989) 'Law Enforcement & Colonial Police Forces,' in *Khaki and Blue: Military Police in British Colonial Africa*. Ohio: Ohio University Centre for International Studies.

Collier, P. (2009) *War, Guns and Votes: Democracy in Dangerous Places*. New York: Harper Collins.

Collier, P. & Vicente, P.C. (2008) "Votes and Violence: Evidence from a Field Experiment in Nigeria," *CSAE-Oxford,* University of Oxford, WPS/2008-16.

Collier, P. & Hoeffler, A. (2002) "Greed and Grievance in Civil War," *CSAE-Oxford Working Paper*, University of Oxford, March 13.

Cohen, S. (1986) 'Bandits, Rebels or Criminal: African History and Western Criminology,' in *Africa,* 54.

Cohen, Y,; Brown, B.R.; & Organski, F.K. (1981) "The Paradoxical Nature of State Making: The Violent Creation of Order," *The American Science Political Review*,75 (4).

Connolly, W. (Ed) (1984) *Legitimacy and the State*. Oxford: Basil Blackwell.

Cooney, S. (1980) 'Overseas Companies as Transnational Actors During the European Conquest for Africa,' in *Review of International Studies*, 6(2).

Cowen, M. & Laakso, L. (1997) "An Overview of Election Studies in Africa," in *Journal of Modern African Studies,* 35 (4), p.721

Crook, R.C. (1997) "Winning Coalitions and Ethno-Regional Politics: The Failure of The Opposition in the 1990's and 1995 Elections in Côte d'Ivoire," in *African Affairs*, 96.

Crummery, D. (1986) *Banditry, Rebellion and Social Protest in Africa*. Oxford: James Curry.

Daloz, J.P. (2005) Nigeria: Trust Your Patron, not the Institutions". *Comparative Sociology*, Vol. 4/1-2.

Daloz, J.P. (2005) "Political Élites and Patronage in Postcolonial Africa", in K. Shillington (ed.) *Encyclopædia of African History (volume 3).* New York/London: Fitzroy Dearborn.

Daloz, J.P. (2002) "'Big Men' in Sub-Saharan Africa: How Elites Accumulate Positions and Resources". *Comparative Sociology*, Vol. 2/1 (2002).

Davidson, B. (1972) *The Black Man's Burden: Africa and the Curse of the Nation-State*. New York: Times Books.

Debiel, T. & Lambach, D. (Eds) (2007) "State Failure Revisited II: Actors of Violence and Alternative Forms of Governance," in *INEF Report*, Institute for Peace and Development, 89.

Deflem, M. (1994) 'Law Enforcement in British Colonial Africa. A Comparison of Nyasaland, the Gold Coast and Kenya,' in *Police Studies*, 17(1).

Derriennic, J.P. (1972) "Theories and Ideologies of Violence," in *Journal of Peace Research*, 9 (4).

Diamond, L. (2002) "Thinking About Hybrid Regimes," in *Journal of Democracy*, 13 (2).

Dlamini, C.R.M. (1991) *The Role of Chiefs in the Administration of Justice*. LLD Thesis. Pretoria.

Dorman, S.R. (2005) "Make Sure they Count Nicely This Time: The Politics of Election Observing in Zimbabwe," in *Comparative Politics*, 43 (2).

Dougherty, J.E. & Pfaltzgraff, R.L. (2001) *Contending Theories of International Relations. A Comprehensive Survey*. New York: Longman.

Drayton, R. (2011) "Where Does the World Historian Write From? Objectivity, Moral Conscience and the Past and Present of Imperialism," in *Journal of Contemporary History*, 46.

Dudley, B. (1965) "Violence in Nigerian Politics," in *Transition*, 65.

Dunn, J. (1978) *West African States: Failure and Promise. A Study of Comparative Politics*. Cambridge University Press: London: African Studies Series 23.

Ebo, A. (2007) 'Non State Actors, Peace-building and Security Governance in West Africa: Beyond Commercialization,' in *Journal of Peacebuilding & Development*.

Edgerton, R. (2002) *Africa's Armies From Honour to Infamy: A History From 1791 to the Present*. Colorado: Westview Press.

Edgerton, R. (1995) *The Fall of the Asante Empire: The Hundred Year War for Africa's Gold Coast*. New York: Free Press.

Ellis, S. (1995) "Liberia 1989-1994: A Study on Ethnic and Spiritual Violence," in *African Affairs*, 94 (375).

Ellis, S. (1998) "The Historical Significance of South Africa's Third Force," in *Journal of Southern African Studies*, 24 (2).

Ellis, S. (2002) "Writing Histories of Contemporary Africa," in *Journal of African History*, 43.

Ellis, S. (2004) "Africa's Wars. The Historical Context," in *New Economy*.

Ellis, S. (2005) "How to Rebuild Africa," in *Foreign Affairs*, September/October.

Ellis, S. (2006) "The Roots of African Corruption" in *Current History*, Ninth Series.

Ellis, S. (2011) *Seasons of Rain, Africa in the World*. Johannesburg: Jacana.

Engel, U. & Olsen, G. (Eds) (2005) *Africa's New Violent Social Spaces*. Aldershot: Ashgate.

Englebert, P. (2000) "Pre-Colonial Institutions, Pos-Colonial States and Economic Development in Africa," in *Political Research Quarterly,* 53 (7).

Eppel, S. (2009) "A Tale of Three Dinner Plates: Truth and the Challenge of Human Rights Research in Zimbabwe," *Journal of Southern African Studies*, 35 (4).

Evans, P.; Rueschemeyer, D. & Skocpol, T. (Eds) (1985) *Bringing the State Back In*. Cambridge: Cambridge University Press.

Fafchamps, M. & Vicente, P.C. (2010) "Political Violence and Social Networks: Experimental Evidence from a Nigerian Election," in *CSAE-Oxford Working Paper*, University of Oxford.

Falola, T. (1998) *Violence in Nigeria: The crisis of religious politics and secular ideologies.* Rochester: University of Rochester Press.

Falola, T. & Heaton, M.M. (2008) *A History of Nigeria*. Cambridge: Cambridge University Press.

Fatton, R. (1992) *Predatory Rule: State and Civil Society in Africa*. Boulder: Lynne Rienner.

Farcau, B. (1994) *The Coup: Tactics in Seizure of Power*. Westport: Praeger.

Florquin, N. & Berman, E.G. (2005) "Armed and Aimless: Armed Groups, Guns and Human Security in the ECOWAS Region," in *Small Arms Survey Special Report*, Small Arms Survey.

Forsyth, F. (1969) *The Biafra Story*. London: Penguin.

Forsyth, F. (1975) *The Dogs of War*. London: Corgi.

Forrest, J. B. (1998) 'State Inversion and Non-state Politics,' in Freund, B (1998) *The Making of Contemporary Africa: The Development of African Society Since 1800*. Houndsmill, Basingstoke, Hampshire: Palgrave

Fourchard, L. (2008) 'A New Game for An Old Practice: Vigilantes in South West Nigeria,' in *Africa*, 78(1).

Fowler, K. (2001) *Medieval Mercenary: The Great Companies*. Oxford: Blackwell Press.

Francis, D.J. (Ed) (2005) *Civil Militia: Africa's Intractable Security Menace*? Aldershot: Ashgate.

Frazer, E. & Hutchings, K. (2008) "On Politics and Violence: Arendt Contra Fanon" in

Contemporary Political Thought, 7 (90-108).

Freund, B. (1998) *The Making of Contemporary Africa: The Development of African Society Since 1800*. Houndsmill, Basingstoke, Hampshire: Palgrave Macmillan.

Galtung, J. (1969) "Violence, Peace and Peace Research," in *Journal of Peace Research*, 6 (3).

Geedes, B. (1999) "What Do We Know About Democratization After Twenty Years?" in *Annual Review of Political Science*, 2.

George, A.L. & Bennet, A. (2004) *Case Studies and Theory Development in the Social Sciences.* Massachusetts: MIT Press.

Giddens, A. (1985) *The Nation-State and Violence*. Berkeley: University of California Press.

Gildea, R. & Simonin, A. (2008) *Writing Contemporary History*. London: Bloomsbury Publishing.

Gillies, D. (2011) *Elections in Dangerous Places: Democracy and the Paradoxes of Peacebuilding*. McGill Queen's University Press: Ottowa.

Giustozzi, A. (2005) "The Debate on Warlordism: The Importance of Military Legitimacy," *Crisis States Development Research Centre*, London School of Economics, Discussion Paper 13.

Gluckman, M. (1960) "Tribalism in Modern British Central Africa," in *Cahiers d'études Africaines*, 1 (1).

Goody, J. (1968) 'The Myth of a State,' in *Journal of Modern African Studies*, 6(4).

Gore, C. & Pratten, D. (2003) 'The Politics of Plunder: The Rhetoric of Order and Disorder in Southern Nigeria,' in *African Affairs*, 102.

Goverde, H.; Cerny, P.G.; Haugaard, M. & Lentner, H. (2000) *Power in Contemporary Politics: Theories, Practices and Globalizations*. London: Sage Publications.

Grundy, K.W. (1968) 'On Machiavelli and the Mercenaries,' in *Journal of Modern African Studies*, 6(3)

Gumede, S. (2011) "Merchants of African Conflict: More Than Just a Pound of Flesh," *ISS Monograph*, Institute of Security Studies 176.

Gumede, S. (2007) "Private Security in Africa: Manifestation, Challenges and Regulation," *ISS Monograph*, Institute for Security Studies, 139.

Halliburton, A.J. (2010) *Pirates versus Mercenaries: Purely Private Transnational Violence at the Margins of International Law*. Berkeley: University of California Selected Works Bepress.

Hansen, T.O. (2009) "Political Violence in Kenya. A Study of Causes, Response, and a Framework for discussing Preventive Action," *ISS Paper 205*, Institute of Security Studies, November.

Hansen, S.J. (2008) "Private Security and Local Politics in Somalia," in *Review of African Political Economy*, 35 (118).

Hayward, F.M. (1987). *Elections in Independent Africa*. Westview: London.

Heald, S. (2007) 'Controlling Crime and Corruption from Below: Sungsungu in Kenya,' in *International Relations*, 21.

Held, V. (2005) "Legitimate Authority in Non-State Groups Using Violence," in *Journal of Social Philosophy*, 36 (2).

Herbst, J. (1996/7) "Responding to State Failure," in *International Security*, 21 (3).

Herbst, J. (2000) *States and Power in Africa: Comparative Lessons in Authority and Control*. New Jersey: Princeton University Press.

Hill, A. (2008) "The Dialectic of Police Reform in Nigeria," in *Journal of Modern African Studies*, 46(2).

Hills, A. (1997) "Warlords, Militia and Conflict in Contemporary Africa: A Re-examination of terms," in *Small Wars & Insurgencies*, 8.

Hoare, M. (1967) *Congo Mercenary*. London: Robert Hale.

Hobsbawn, E. & Ranger, T. (1983) *The Invention of Tradition in Colonial Africa*. Cambridge: Cambridge University Press.

Hochschild, A. (1998) *King Leopold's Ghost: A Story of Greed, Terror & Heroism*. Houghton Mifflin.

Hoffman, S. (2006) *Chaos and Violence: What Globalization, Failed States and Terrorism Mean for U.S. Foreign Policy.* New York: Rowman & Littlefield.

Högland, K. (2009) "Electoral Violence in Conflict Ridden Societies: Concepts, Causes and Consequences," in *Terrorism and Political Violence*, 21 (3).

Holsti, K.J. (1996) *The State, War and the State of War*. Cambridge: Cambridge University Press.

Howe, H.M. (1998) 'Private Security Forces and African Stability: The Case of Executive Outcomes,' in *Journal of Modern African Studies*, 36 (2).

Howe, H.M. (2001) *Ambiguous Order: Military Forces in African States*. Boulder: Lynne Rienner.

Howell, M.C. & Prevenier, W. (2001) *From Reliable Sources: An Introduction to Historical Methods*. Cornell: Cornell University Press.

Hund, J.G. (1983) 'Justice in a South African Township: The Sociology of Makgotla,' in *Comparative International Journal of Southern Africa,* 16.

Huntington, S. (1981) *The Soldier and the State: The Theory and Politics of Civil Military Relations*. Harvard: Belknap Press of Harvard University Press.

Huntington, S. (1991) *The Third Wave: Democratization in the Late Twentieth Century*. Oklahoma: University of Oklahoma Press.

Huxtable, P.A. (Eds) *The African State at a Critical Juncture: Between Disintegration and Reconfiguration*. Boulder: Lynne Rienner.

Hyde, S.D. & Marinov, N. (2011) "Which Elections Can Be Lost?" in *Political Analysis,* 20.

Ifeka, C. (2004) "Violence, Market Forces & Militarisation in the Niger Delta," in *Review of African Political Economy,* 31 (99).

Igbinovia, P. (1981) "Patterns of Policing in Africa," in *Police Journal*, 54.

Ikelegbe, A. (2005) "Ethnic Militias and Conflict in Nigeria," in *Journal of African Studies*, 39 (3).

Iliffe, J. (1995) *Africans: The History of a Continent*. Cambridge: Cambridge University Press.

Jackson, R.H. (1993) *Quasi-states: Sovereignty, International Relations and The Third World.* Cambridge: Cambridge University Press.

Jackson, R.H (1986) 'Negative Sovereignty in Sub-Saharan Africa,' in *Review of International Studies*, 12(4)

Jackson, R. & Rosberg, C. (1982) "Why Africa's Weak States Persist: The Empirical and the Juridical in Statehood," in *World Politics,* 35.

Jackson, S. (2002) "Making A Killing. Criminality and Coping in the Kivu War Economy," in *African Political Economy*, 29 (93/94).

Joseph, R. (1999) 'The Reconfiguration of Power in the Late Twentieth-Century Africa,' in *State, Conflict and Democracy in Africa*. Boulder: Lynne Rienner.

Kaarsholm, P. (Ed) (2006) *Violence, Political Culture and Development in Africa*. Oxford: James Curry.

Kabwegyere, T. (1995) *The Politics of State Formation and Destruction in Uganda*. Kampala:

Fountain Publishers.

Kagwanja, P.M. & Southall, R. (2010) *Kenya's Uncertain Democracy. The Electoral Crisis of 2008.* London: Routledge.

Kagwanja, P.M.; Muthee, W.; Kimaru, T.; Mururi, E.; Kamau, G.M.; & Kagwanja, C. (2010) "Fighting for the Mau Forests: Land, Climate Change and the Politics of the Kibaki Sucession," *Africa Policy Report,* Nairobi: Africa Policy Institute.

Kagwanja, P.M. (2003) "Facing Mount Kenya or Facing Mecca? The *Mungiki,* Ethnic Violence and the Politics of the Moi Succession in Kenya," in *African Affairs*, 102.

Kagwanja, P.M. (1998) *Killing the Vote: State Sponsored Violence and Flawed Elections in Kenya*. Nairobi: Kenya Human Rights Commission.

Kaldor, M. (1999) *New and Old Wars. Organized Violence in a Global Era*. Cambridge: Polity.

Kalyvas, S.N. (2003) "The Ontology of 'Political Violence:' Action and Identity in Civil Wars," in *Perspectives in Politics,* 1 (2).

Kalyvas, S.N. (2006) *The Logic of Violence in Civil War*. Cambridge: Cambridge University Press.

Kande, J. (1999) 'Ransoming the State: Elite Origins of Subaltern Terror in Sierra Leone,' in *Review of African Political Economy*, 81.

Kasozi, A. (1994) *The Social Origins of Violence in Uganda*. Kampala: Fountain Publishers.

Kawabata, M. (2006) "An Overview of the Debate on the African State," in *Afrasian Centre for Peace and Development Studies,* Working Paper Series, No.15.

Keane, J. (2004) *Violence and Democracy*. Cambridge: Cambridge University Press.

Keenan, J. (2008) "Demystifying Africa's Security," in *Review of African Political Economy*, 35 (118).

Kelley, J. (2012) *Monitoring Democracy: When International Observation Works and Why It Fails* New Jersey: Princeton University Press.

Khadiagala, G. (2010) "Political Movements and Coalition Politics in Kenya: Entrenching Ethnicity," in *South African Journal of International Affairs*, 17 (1).

Khadiagala, G. (2010) "Boundaries in Eastern Africa," in *Journal of Eastern African Studies,* 4 (2).

Khadiagala, G. ( ) "Reflections on the Causes, Courses and Consequences of Election Violence

in Africa,"

Khadiagala, G. (2009) "Regionalism and Conflict Resolution: Lessons from the Kenyan Crisis," *Journal of Contemporary African Studies*, 27 (3).

Khadiagala, G. (2008) "The Failure of Leaders and Institutions: Reflections on the 2007 Election Malaise in Kenya" in *South African Journal of International Affairs*

Killingray, D. (1997) 'Securing the British Empire: Policing and Colonial Order 1920-1960,' in Mazower, M. *The Policing Politics in the Twentieth Century*. Berghahan Books.

Killingray, D. (1986) 'The Maintenance of Law and Order in British Colonial Africa,' in *African Affairs*, 85.

King, G.; Keohane, R.O.; & Verba, S. (1994) *Designing Social Inquiry. Scientific Inferences in Qualitative Research.* New Jersey: Princeton University Press.

Knighton, B. (2003) 'The State as Raider Among Karamajong: "Where There are No Guns They Use the Threat of Guns,"' in *Africa*, 73(3).

Kriger, N. (2003) "Robert Mugabe, Another Too-Long-Serving African Ruler: A Review Essay," in *Political Science Quarterly*, 118 (2).

Kriger, N. (2003) "Zimbabwe: Political Constructions of War Veterans," in *African Political Economy*, 30 (96).

Kriger, N. (2005) "ZANU(PF) Strategies in General Elections 1980-2000: Discourse and Coercion," in *African Affairs*, 104/414.

Kriger, N. (2003) *Guerilla Veterans in Post-War Zimbabwe, Symbolic and Violent Politics 1980-1987*. Cambridge: Cambridge University Press.

Kriger, N. (1992) *Zimbabwe's Guerilla War: Peasant Voices.* Cambridge: Cambridge University Press.

Lan, D. (1985) *Guns and Rain: Guerillas & Spirit Mediums in Zimbabwe.* London: James Currey.

Leander, A (2002) 'Conditional Legitimacy, Reinterpreted Monopolies: Globalization and the Evolving State Monopoly on Legitimate Violence,' ISA Panel: Legitimacy and Violence, Globalization and the Displacement of the State, New Orleans, 24-27 March 2002

Le Bas, A. (2006) "Polarization as Craft: Party Formation and State Violence in Zimbabwe," *Comparative Politics*, 38 (4).

Le Billion, P. (2001) "Angola's Political Economy of War: The Role of Oil and Diamonds," in *African Affairs*, 100 (398).

Leedy, T. (Ed) (2003) "Zimbabwe Looking Ahead: Special Issue," in *African Studies Quarterly*, 7 (2) & (3).

Le Vine, V. (2009) "Nation Building and Informal Politics," in *International Social Science Journal*, 192.

Lindberg, S.I. (2006) *Democracy and Elections in Africa*. Baltimore: John Hopkins University Press.

Lindgren, B. (2003) "The Green Bombers of Salisbury: Elections and Political Violence in Zimbabwe," in *Anthropology Today*, 19 (2).

Lodge, T.; Kadima, D.; & Pottie, D. (2002) *Compendium of Elections in Southern Africa*. Electoral Institute of South Africa: Johannesburg.

Loffman, R. (2008) "A History of Violence: The State, Youth and Memory in Contemporary Africa," in *African Affairs*, 108/430.

Lonsdale, J (1992) *Unhappy Valley: Conflict in Kenya and Africa*. Oxford: James Currey.

Luckmann, T. (1987) "Comments on Legitimation," in *Current Sociology*, 35.

Lustik, I. (1996) "History, Historiography and Political Science: Multiple Historical Records and The Problems of Selection Bias," in *American Political Science Review*, 90.

Mackenzie, W.J.M. & Robinson, K. (1960) *Five Elections in Africa: A Group of Electoral Studies*. Oxford: Clarendon Press.

Mabee, B. (2009) "Pirates, Privateers and the Political Economy of Private Violence," in *Global Changes, Peace & Security*, 21 (2).

Mahoney, J (2000) "Path Dependence in Historical Sociology," in *Theory and Society*, 29.

Mahoney, J. (2003) *Comparative Historical Analysis in Social Sciences.* Cambridge: Cambridge University Press.

Makumbe, J. & Compagnon, D. (2000) *Behind the Smokescreen: The Politics of Zimbabwe's 1995 Elections.* Harare: University of Zimbabwe Publications.

Mamdani, M. (2002) 'Making Sense of Political Violence in Post-Colonial Africa,' in *Identity, Culture and Politics*, 3(2).

Mamdani, M. (2007) "Political Violence and State Formation in Post-Colonial Africa," *IDC Working Paper Series*, International Development Centre, Open University, 1.

Mandel, R. (2002) *Armies Without States: The Privatization of Security*. Colorado: Lynne Reinner Publishers.

Marten, K. (2006/7) "Warlordism in Comparative Perspective" in *International Security*, 31 (3).

Mathoma, P.; Mills, G.; & Stremlau, J. (2000) *Putting People First: Africa's Priorities for the UN Millennium Assembly*. Johannesburg: The South African Institute of International Affairs.

Martin, D. & Johnson, P. (1981) *The Struggle for Zimbabwe: The Chimurenga War*. Harare: Zimbabwe Publishing House.

Mayring, P. (2000) "Qualitative Content Analysis," in *Qualitative Research Forum*, 1 (2).

Matlosa, K.; Khadiagala, G.M. & Shale, M. (2010). *When Elephants Fight: Preventing and Resolving Election-Related Conflicts in Africa.* EISA: Johannesburg.

Masungununguре, E. (Ed) (2009) *Defying the Winds of Change – Zimbabwe's 2008 Elections*. Harare: Weaver Press.

Matusitz, J. & Repas, M. (2009) "Gangs in Nigeria: An Updated Examination," in *Crime, Law and Social Change,* 52.

Mazower, M. (2002) "Violence and the State in the Twentieth Century," in *The American Historical Review,* 107 (4).

Mazrui, A. (1980) *The African Condition: A Political Diagnosis*. Cambridge: Cambridge University Press.

Mazrui, A.A. (1984) *The Methodology of Contemporary African History*. Paris: UNESCO.

Mbembe, A. (2001) *On the Postcolony*. Berkley: University of California Press.

Mburu, N. (1999) "Contemporary Banditry in the Horn of Africa: Causes, History and Political Implications," in *Journal of African Studies*, 8 (2).

McCall, J.C. (2004) "Juju and Justice at the Movies: Vigilantes in Nigerian Popular Videos," in *African Studies Review*, 47 (3).

McCormack, J. (1993) *One Million Mercenaries: Swiss Soldiers in the Armies of the World.* London: Leo Cooper.

McGowan, P.J. (2003) "African Military Coups d'état, 1956-2001: Frequency, Trends and Distribution," in *Journal of Modern African Studies*, 41 (3).

McGregor, J. (2002) "The Politics of Disruption: War Veterans and The Local State in Zimbabwe," in *African Affairs*, 101.

McMullin, J. (2009) "Organized Criminal Groups and Conflict: The Nature and Consequences of Interdependence" in *Civil Wars*, 11 (1).

Meagher, K. (2007) “Hijacking Civil Society: The Inside Story of the Bakassi Boys Vigilant Groups of South-Eastern Nigeria,” in *Journal of Modern African Studies,* 45.

Medard, J-F. (1996) “Patrimonialism, Neo-Patrimonialism and the Study of the African Post-Colonial State in Sub-Saharan Africa,” in Markussen, H. (ed) *Improved Natural Resource Management- the Role of Formal Organization and Informal Networks and Institutions*. Occasional Paper 17, *International Development Studies,* Roskilde University

Medard, J.F. (1990) “L’Etat patrimonialise,” in *Politique Africaine*, 39

Mehler, A. (2004) “Oligopolies of Violence South of the Sahara,” in *NORD-Sud Aktuel*, Quarterly.

Mentan, T. (2004) *Dilemmas of Weak States: Africa and Transnational Terrorism in the Twenty-First Century* Weiss (1999).

Meredith, M. (2002) *Our Guns, Our Votes: Robert Mugabe and the Tragedy of Zimbabwe*. Michigan: Public Affairs, University of Michigan.

Meredith, M. (2002) *Mugabe: Power, Plunder and the Struggle for Zimbabwe.* Oxford: Public Affairs.

Miller, N. (1968) ‘The Political Survival of Traditional Leadership,’ in *Journal of Modern African Studies,* 6(2)

Migdal, J. (1988) *Strong Societies, Weak States: State-Society Relations and State Capabilities in the Third World*. New Jersey: Princeton University Press.

Mkandawire, T. (2002) ‘The Terrible Toll of Post-colonial Rebel Movements,’ in “Africa: Towards an Explanation of the Violence Against the Peasantry,” in *Journal of Modern African Studies*, 40(2).

Mockler, A. (1985) *The New Mercenaries: The History of the Mercenary from the Congo to the Seychelles*. London: Sidgwick & Jackson.

Mockler, A. (2006) *Hired Guns and Coups D’Etat Mercenaries: Thirty Years 1976-2006*. Oxford: Hunter Mackay.

Moyo, S. (2007) “The Radicalised State: Zimbabwe’s Interrupted Revolution,” in *Review of African Political Economy,* 34 (111).

Mueller, S.D. (1964) “Government and Opposition in Kenya 1966-1969” in *The Journal of Modern African Studies,* 22 (3).

Mueller, S.D. (2011) “Dying to Win: Elections, Political Violence and Institutional Decay in Kenya,” in *Journal of Contemporary African Studies,* 29 (1).

Mugabe, R. (1981) *Our War of Liberation. Speeches, Articles and Interviews*. Gweru: Masubo Press.

Mulaj, K. (Ed) (2010) *Violent Non-State Actors in World Politics*. London: Hurst & Company.

Musah, A-F. & Fayemi, K. (2000) *Mercenaries: An African Security Dilemma*. London: Pluto Press.

Nair, L (1962) *The Nyasaland Elections of 1961*. London: Athlone Press.

Ndlovu-Gatsheni, S.J. & Willens, W. (2009) "Making Sense of Cultural Nationalism and the Politics of Commemoration Under the Third Chimurenga in Zimbabwe," in *Journal of Southern African Studies*, 35 (4).

Ndlovu-Gatsheni, S.J. (2008) "Patriots, Puppets, Dissidents and the Politics of Inclusions and Exclusion in Contemporary Zimbabwe," *Eastern Africa Social Science Research Review*, 24 (1).

Ngoma, N. (2004) "Coups and Coup Attempts in Africa," in *African Security Review*, 13 (3).

Nieburg, H.L. (1969) 'Violence, Law and the Informal Polity,' in *The Journal of Conflict Resolution*, 13 (2)

Nugent, P. (2004) *Africa Since Independence: A Comparative History*. Houndsmill, Basingstoke, Hampshire: Palgrave Macmillan.

Newman, E. (2004) "The 'New War's Debate': A Historical Perspective is Needed' in *Security Dialogue*, 35.

Obi, C. (2011) "Taking Back Our Democracy? The Trials and Travails of Nigerian Elections Since 1999," *Democratization*, 18:2.

Okumu, W. & Ikelegbe, A. (Eds) (2010) *Militias, Rebels and Islamist Militants. Human Insecurity and State Crises in Africa.* Pretoria: Institute for Security Studies.

Packenham, T. (1991) *The Scramble for Africa: The White Man's Conquest of the Dark Continent from 1867-1912*. New York: Random House.

Peel, M. (2009) *A Swamp Full of Dollars. Pipelines and Paramilitaries at Nigeria's Oil Frontier*. London: I.B. Tauris.

Percy, S. (2009) "Introduction to Civil Wars," in *Civil Wars*, 11 (1).

Percy, S. (2007) *Mercenaries: The History of the Norm in International Relations*. Oxford: Oxford University Press.

Percy, S. (2003) “This Gun for Hire: A New Look at An Old Issue,” in *International Journal*, Autumn.

Posner, D.N. & Young, D.J. (2007) “The Institutionalization of Political Power in Africa,” in *Journal of Democracy*, 18 (3).

Post, K.W.J. (1963) *The Nigerian Federal Election of 1959: Politics and Administration in a Developing Political System*. Oxford: Oxford University Press.

Potholm, K. (1989) ‘The Multiple Role of the Police as Seen in the Africa Context’, in *Journal of Developing Areas*, 3.

Prunier, G. (2004) “Rebel Movements and Proxy Warfare: Uganda, Sudan and the Congo 1986-1999,” 103 (412).

Rapoport, D.C. & Weinberg, L. (2001) *The Democratic Experience and Political Violence*. London: Routledge.

Raftopolous, B. & Sachikonye, L. (2001) *Striking Back: The Labour Movement and the Post-Colonial State in Zimbabwe, 1980-2000*. Harare: Weaver Press.

Raftopolous, B. (1992) “Beyond the House of Hunger: Democratic Struggle in Zimbabwe,” *Review of African Political Economy*, 55.

Raeyemaekers, T. (2005) “Collapse or Order? Questioning State Collapse in Africa,” in *CRG Working Paper*, Conflict Research Group, No.1.

Regan, P.M. & Norton, D. (2005) “Greed, Grievance and Mobilization in Civil Wars,” in *Journal of Conflict Resolution*, 49 (3).

Reno, W. (2002) “The Politics Of Insurgency in Collapsing States,” in *Development and Change*, 33 (5).

Reno, W. (2001) ‘How Sovereignty Matters: International Markets and Political Economy of Local Politics in Weak States,’ in Callaghy, R; Kassimir, R & Latham, R. (Eds) *Intervention & Transnationalism in Africa: Global-Local Networks of Power*. Cambridge: Cambridge University Press.

Reno, W. (2000) “Clandestine Economies, Violence and States in Africa” in *Journal of International Affairs*, 53 (2).

Reno, W. (1999) *Warlord Politics and African States*. Boulder: Lynne Rienner.

Rich, P.B. (1999) “The Emergence and Significance of Warlordism in International Politics,” in *Warlords in International Relations*. MacMillan Press.

Riches, D. (1986) *The Anthropology of Violence*. Oxford: Basil Blackwell.

Roberts, A. (2006) *The Wonga Coup: Guns, Thugs and the Ruthless Determination to Create Mayhem in a Oil Rich Corner of Africa*. New York: Profile Books.

Roeder, P.G & Rothchild, D.S. (2005) *Sustainable Peace: Power and Democracy After Civil Wars*. Cornel University Press: Ithaca.

Roessler, P.G. (2005) "Donor Induced Democratization and the Privatization of State Violence in Kenya and Rwanda," in *Comparative Politics*, 37 (2).

Roitman, J. (2001) 'New Sovereigns? Regulatory Authority in the Chad Basin,' in Callaghy, T; Kassimir, R; Latham, R. (Eds) *Interventionism and Transnationalism in Africa: Global-Local Networks of Power*. Cambridge: Cambridge University Press.

Rogers, A. (1998) *Someone Else's War: Mercenaries from 1960s to the Present*. London: HarperCollins.

Ron, J. (1997) "Varying Methods of State Violence," in *International Organization*, 51 (2).

Rotberg, R. (2002) "The New Nature of Nation State Failure" in *Washington Quarterly*, 25 (87).

Sandbrook, R. (1972) "Patrons, Clients and Factions: New Dimensions of Conflict Analysis in Africa," *Canadian Journal of Political Science*, 5 (1).

Sanger, C. & Nottingham, J. (1964) 'Kenya General Election of 1963,' in *The Journal of Modern African Studies*, 2 (1).

Saunders, R. (2000) *Never the Same Again: Zimbabwe's Growth Towards Democracy.* Harare: Edwina Spicer Productions.

Schedler, A. (2006) *Electoral Authoritarianism: The Dynamics of Unfree Competition.* Boulder: Lynne Rienner.

Schedler, A. (2013) *The Politics of Uncertainty: Sustaining and Subverting Electoral Authoritarianism*. Oxford: Oxford University Press.

Shaw, W.H. (1986) "Towards One-Party State in Zimbabwe: A Study in African Political Thought," in *Journal of Modern African Studies*, 24 (3).

Sheriff, A. (2010) "Race and Class in the Politics of Zanzibar," in *Africa Spectrum*, 36 (3).

Shultz, R.H. & Dew, A.J. (2006) *Insurgents, Terrorists, and Militias: The Warriors of Contemporary Combat.* New York: Columbia University Press.

Sinclair, G. (2007) *Colonial Policing and The Imperial Endgame 1945-80*. Manchester: Manchester University Press.

Singer, P. (2007) *Corporate Warriors: The Rise of the Privatized Military Industry*. Cornell: Cornell University Press.

Sisk, T. (2011). *Between Terror and Tolerance: Religious Leaders, Conflict and Peacemaking*. Georgetown University Press, Washington.

Sithole, N. (1978) *Zimbabwe's Year of Freedom*. Munger Africana Library Notes, Issue Number 43. Pasadena: California Institute of Technology.

Sithole, M. (1999) *Zimbabwe Struggles Within the Struggle, 1957-1980.* Harare: Rujeko Press.

Sithole, M. & Makumbe, J. (1997) "Elections in Zimbabwe: The ZANU-PF Hegemony and Its Incipient Decline," in *African Journal of Political Science*, 2(1).

Sklar, R.L. (1965) "Contradictions in the Nigerian Political System," in *African Studies*, 3 (2).

Sklar, R.L. (1983) "Democracy in Africa" in *African Studies Review*, 26 (3/4).

Skalr, R.L. (1987) "Developmental Democracy" in *Comparative Studies in Society and History*, 29, (4).

Sorenson, G. (2001) "War and State Making: Why Doesn't It Work in the Third World" in *Security Dialogue*, 32.

Soyinka, W. (1996) *The Open Sore of a Continent: A Personal Narrative of the Nigerian Crisis*. Oxford: Oxford University Press.

Sprinz, D.F. & Wolinksy, Y. (2004) *Cases, Numbers, Models: International Relations Research.* Michigan: University of Michigan Press.

Staniland, P. (2013) "Violence and Democracy," unpublished article prepared for *Comparative Politics*. Accessed 22/11/2013. http://home.uchicago.edu/~paul/StanilandReviewElecViolNov13.pdf

Staniland, P. (2015) "Armed Groups and Militarized Elections" in *International Studies Quarterly*,

Stremlau, J. (1977) *The International Politics of the Nigerian Civil War*. Princeton: Princeton University Press.

Sylvester, C. (1990) "Unities and Disunities in Zimbabwe's 1990 Election," in *Journal of Modern African Studies*, 28 (3).

Tamuno, T. (1970) *The Police in Modern Nigeria: 1861-1965*. Ibadan: Ibadan University Press.

Taylor, B.D. & Botea, R. (2008) "Tilly Tally: War Making and State Making in the Contemporary Third World" in *International Studies Review*, 10.

Thies, C. (2002) "A Pragmatic Guide to Qualitative Historical Analysis in the Study of International Relations." In *International Studies Quarterly*, 3.

Tilly, C. (2005) *The Politics of Collective Violence*. Cambridge: Cambridge University Press.

Thompson, J. (1994) *Mercenaries, Pirates and Sovereigns: State Building and Extraterritorial Violence in Early Modern Europe*. New Jersey: Princeton University Press.

Tickner, A. (2003) "Seeing IR Differently: Notes from the Third World," in *Millennium Journal of International Studies*, 32 (295).

Tignor, R. (1971) "Colonial Chiefs in Chiefless Societies," in *Journal of Modern South African Studies*, 9(3).

Toft, M.D. (2010) "Ending Civil Wars. A Case for Rebel Victory?" in *International Security, 34* (4).

Tosh, J. (2010) *The Pursuit of History, Aims, Methods and New Directions in the Study of Modern History.* Oxon: Routledge.

Trevelyan, G. M. (1920) *The War and the European Revolution in Relation to History*. London: University of London.

Tucker, G.E. (1978) "Machiavelli and Fanon: Ethics, Violence and Action," in *Journal of Modern African Studies*, 16 (3).

Ukiwo, U. (2003) "Politics, Ethno-Religious Conflicts and Democratic Consolidation in Nigeria," in *Journal of Modern African Studies*, 41 (1).

Urban, W. (2006) *Medieval Mercenaries: The Business of War*. London: Greenhill Books.

Usman, A.T. (2005) "The Perverse Manifestations of Civil Militias in Africa: Evidence from Western Sudan" in *Peace, Conflict and Development,* 7.

Venter, A.J. (2006) *War Dog: Fighting Other People's Wars The Modern Mercenary in Combat*. Pretoria: Casemate.

Villafana, F.R. (2009) *Cold War in the Congo: The Confrontation of Cuban Military Forces 1960-67*. New Brunswick: Transaction Publishers.

Wantchekon, L. (2004) "The Paradox of Warlord Democracy: A Theoretical Investigation," in *American Political Science Review*, 98 (1).

Warner, C.M. (1999) " The Political Economy of 'Quasi-Statehood' and the demise of 19th Century African Politics," in *Review of International Studies*, 25.

Warner, C.M. (2001) "The Rise of the State System in Africa," in *Review of International*

Studies, 27.

Weber, M. (1968) in Roth, G. & Wiitich, C. *Economy and Society: An Outline if Interpretive Sociology*. New York: Bedminster Press.

Weinberg, S. (1994) *Last of the Pirates: The Search for Bob Denard*. London. Jonathan Cape.

Welch, C.E. (1967) 'Soldier and State in Africa,' in *The Journal of Modern African Studies*, 5(3).

Wells, A. (1974) "The Coup d'Etat in Theory and Practice: Independent Black Africa in the 1960's," in *The American Journal of Sociology*, 79 (4).

Wilkinson, S.I. (2004) *Votes and Violence: Electoral Competition and Ethnic Riots in India*. Cambridge University Press: Cambridge.

Williams, M.C. (2010) "The Public, the Private and the Evolution of Security Studies," in *Security Dialogue*, 41 (263).

Wrong, M. (2001) *In the Footsteps of Mr Kurtz: Living on the Brink of Disaster*. London: Harper Collins.

Young, C. (1988) "The African Colonial State and Its Political Legacy," in Rothschild, D & Chazan, N (Eds). *The Precious Balance: State and Society in Africa*. Boulder: Westview Press.

Young, C. (1994) "Zaire: The Shattered Illusion of the Integral State," in *The Journal of Modern African Studies*, 32 (2).

Young, C. (1994) *The African State in Comparative Perspective*. New Haven: Yale University Press.

Young, C. (2004) "The End of the Post-Colonial State in Africa? Reflections on Changing African Political Dynamics," in *African Affairs*, 103 (410).

Young, D.J. (2009) "Is Clientelism at Work in African Elections? A Study of Voting Behaviour in Kenya and Zambia. A Comparative series of national public attitude surveys on democracy, markets and civil society in Africa," in *Afrobarometer Working Paper*, No.106.

Young, T. (1993) "Elections and Electoral Politics in Africa" in *Africs*, 63 (3).

Zakaria, F. (1997) "The Rise of Illiberal Democracy," in *Foreign Affairs*, November/December Issue.

Zartmann, W.I. (Ed.) (1995) *Collapsed States*. Boulder: Lynne Rienner.

Grey Literature

African Charter on Democracy, Elections and Governance; *NEPAD*

African Union Panel of the Wise (2010) "Election-Related Disputes and Political Violence" Strengthening the Role of the African Union in Preventing, Managing and Resolving Conflict," *The African Union Series*, New York: International Peace Institute.

Abdullahi Smith Centre for Historical Research, (2002) "Election Violence in Nigeria: The Terrible Experience 1952-2002. A Documentary Source Book," *Abdullahi Smith Centre for Historical Research*, University of Michigan.

Agbu, O. (2004) "Ethnic Militias and the Threat to Democracy in Post-Transition Nigeria," *Nordiska Afrikainstitutet Research Report*, N.127.

Alemika, E.; Igbo, E. & Nnorom, C. (2006) Criminal Victimization, Safety & Policing in Nigeria. Lagos: *CLEEN*.

Bekoe, D. (2010) "Trends in Electoral Violence in Sub Saharan Africa," *USIP Peace Brief*, United States Institute of Peace, 13, March 10.

Bratton, M. & Logan, C. (2006) "Voters But Not Yet Citizens: The Weak Demand For Political Accountability in Africa's Unclaimed Democracies. A Comparative series of national public attitude surveys on democracy, markets and civil society in Africa," in *Afrobarometer Working Paper*, No.63.

Bratton. M. (2008) "Vote Buying and Violence in Nigerian Elections Campaigns. A Comparative series of national public attitude surveys on democracy, markets and civil society in Africa," in *Afrobarometer Working Paper, No.99.*

Copson, R.W. "Zimbabwe Backgrounder," (2001) *Congressional Research Service*, Foreign Affairs, Defense and Trade Division, Report RL31229

Courson, E. (2009) "Movement for the Emancipation of the Niger Delta (MEND). Political Marginalization, Repression and Petro-Insurgency in the Niger Delta," *Nordiska Afrikainstitutet Discussion Paper*, 47.

Guichaoua, Y. (2009) "How Do Ethnic Militias Perpetuate in Nigeria? A Micro-Level Perspective on the Oodua People's Congress," in *MICROCON* Research Working Paper, 19. www.microconflict.eu

Hazen, J.M. & Horner, J. (2007) "Small Arms, Armed Violence and Insecurity in Nigeria: The Niger Delta in Perspective," *Small Arms Survey Occasional Paper*, Graduate Institute of International Studies.

Hiller, D. (2007) "Africa's Missing Billions," *IANSA, OXFAM &SaferWorld Report*, October.

Kirk-Green, A.H.M. (1975) "The Genesis of the Nigerian Civil War and the Theory of Fear," *Scandinavian Institute of African Studies*, Research Report N.27.

Kirwin, M.F. & Cho, W. (2009) "Weak States and Political Violence in Sub-Saharan Africa. A Comparative series of national public attitude surveys on democracy, markets and civil society in Africa," in *Afrobarometer Working Paper,* No.111.

Kuenzi, M.T. (2008) "Social Capital and Political Trust in West Africa. A Comparative series of national public attitude surveys on democracy, markets and civil society in Africa," in *Afrobarometer Working Paper*, No.96.

Lewis, P. (2007) "Identity, Institutions and Democracy in Nigeria. A Comparative series of national public attitude surveys on democracy, markets and civil society in Africa," in *Afrobarometer Working Paper*, No.68.

Logan, C. (2008) "Traditional Leaders in Modern Africa: Can Democracy and the Chief Co-Exist? A Comparative series of national public attitude surveys on democracy, markets and civil society in Africa," in *Afrobarometer Working Paper*, No.93.

Maroleng, C. (2005) "Zimbabwe: Increased Securitisation of the State?" *ISS Situation Report*, Institute of Security Studies, 7 September.

Masunungure, E.V. (2008) "A Militarized Election: The 27 June Presidential Run-Off," *MDC Information Department*.

Mehler, A. (2010) "Nigeria: A Prime Example of the Resource Curse? Revisiting the Oil-Violence Link in the Niger Delta," *GIGA Working Papers*, GIGA Research Programme: Violence, Power and Security, N.120.

Mehler, A. (2004) 'Oligopolies of Violence in Africa South of the Sahara,' in *NORD-SUD aktuell*, Quartal 2004.

Mehler, A. (2008) "Not Always in the People's Interest: Power Sharing Arrangements in African Peace Agreements," in *GIGA Working Papers*, GIGA Research Programme: Violence, Power and Security, N.83.

Mehler, A. (2008) "Breaking the "Insecurity Trap?' How Violence and Counter-Violence are Perpetuated in Elite Power Struggles," *GIGA Working Papers*, GIGA Research Programme: Violence, Power and Security, N.87.

Mehler, A. (2009) "The Production of Insecurity by African Security Forces: Insights from Liberia and the Central African Republic" in *GIGA Working Papers,* GIGA Research Programme: Violence, Power and Security, N.114.

Mehler, A. (2009) "Hybrid Regimes and Oligopolies of Violence in Africa: Expectations on Security Provision From Below" in *Berghof Research Center for Constructive Conflict Management,* April.

Mehler, A. (2009) "Reshaping the Political Space? The Impact of Armed Insurgency in the Central African Republic on Political Parties and Representations," in *GIGA Working Papers,* Giga Research Programme: Violence and Security, N.116.

Moyo, M. (2007) Chair of Legal Resource Foundation (LFR); 'Zimbabwe's Gukurahundi: Lessons from the 1980-1988 Disturbances in Matabeleland and the Midlands. Meeting Summary, 4 September 2007, *Chatham House.*

Mustapha, A.R. (2006) "Ethnic Structure, Inequality and Governance of the Public Sector in Nigeria," *Democracy, Governance and Human Rights,* United Nations Research Institute for Social Development, Programme Paper Number 24.

Obi, C.I. (2005) "Environmental Movements in Sub-Saharan Africa: A Political Ecology of Power and Conflict," *Civil Society and Social Movements,* United Nations Research Institute for Social Development, Programme Paper Number 15.

Ploch, L. (2010) "Nigeria," *CRS Report for Congress,* Congressional Research Services, February 12.

Rotberg, R.I. (2007) "Nigeria: Elections and Continuing Challenges," *Council on Foreign Relations,* The Center for Preventative Action, CSR No.27, April

Sachikonye, L.M. (2006) "The Impact of Operation Murambatsvina/ Clean Up on the Working People in Zimbabwe," *Labour and Economic Development Research Institute of Zimbabwe (LEDRIZ).*

Sachikonye, L.M. (2005) "Political Parties and the Democratisation Process in Zimbabwe," *EISA Research Report,* Electoral Institute of South Africa, N.16.

Smith-Hohn, J. "The Zimbabwe Crisis: A Situation Report," (2009) *ISS Situation Report,* Institute for Security Studies, 10 September.

Von Kemedi. D. (2006) "Fuelling the Violence: Non-State Armed Actors (Militias, Cults and Gangs) in the Niger Delta," *Economies of Violence: Our Niger Delta,* Institute of

International Studies, Working Paper 10.

---"Africa's Unemployment Crisis: Evolving Public Attitudes. A Comparative series of national public attitude surveys on democracy, markets and civil society in Africa," (2004) in *Afrobarometer Briefing Paper*, No.10.

---"A Consolidated Report on the Food Riots 19-23 January 1998," *Amani Trust*, Zimbabwe Human Rights NGO Forum. March 1998.

---"Africa Yearbook" (2011) *BRILL Online*, ECAS, African Studies Centre.

Kenya Volume 1-6

Zimbabwe Volume 1-6

Nigeria Volume 1-6

http://www.brillonline.nl/subsriber/entry?entry+ayb_ayb2004-COM-0035

---"Breaking the Cycle of Electoral Violence," (2010) *USIP Special Report*, United States Institute of Peace, Report 263 December.

---"Breaking the Silence and Building True Peace: A Report on the Disturbances in Matabeleland and the Midlands 1890 – 1988," (1997) *Catholic Commission For Justice and Peace in Zimbabwe*, Legal Resources Foundation.

---"Criminal Politics: Violence "Godfathers" and Corruption in Nigeria," (2007) *Human Rights Watch*, 19 (16) (A).

---"Do the Votes Count? Final Report of the 2003 General Elections in Nigeria," (2003)*Transition Monitoring Group*, July.

---"Kenya: ICC Proceedings and Transcript," *ICC*, ICC 01/09-01/11, April 18 2011.

---"Kenya: ICC Report on Post-Election Violence," *Waki Report: Commission of Inquiry into Post-Election Violence (CIPEV)*, ICC, 16 October 2008.

---"Kenya: Fact Finding Mission 6-28 February 2008," (2008) *OHCHR Report*, United Nations Commissioner for Human Rights.

---"Kenya: Ballots to Bullets: Organized Political Violence and Kenya's Crisis of Governance" (2008) *Human Rights Watch*, 20 (1) (A).

---"Kenya: Final Report. General Elections 27 December 2007," *European Union Election Observer Mission*, 3 April 2008.

---"Kenya General Election," (2008) *The Report of the Commonwealth Observer Group*, Commonwealth Secretariat.

---"Kenya General Election," (2002) *The Report of the Commonwealth Observer Group*, Commonwealth Secretariat, 27 December 2002.

---"Kenya: Ending Cycle of Impunity," (2001) *Amnesty International*, AI Index: AFR 32/011/01, 26 June.

---"Kenya: Political Violence Spirals," (1998) *Amnesty International*, AI Index AFR 32/19/98, 10 June.

---"Kenya: Report on the 1997 Generla Elections in Kenya 29-30 December," (1998) *Institute for Education in Democracy; Catholic Justice and Peace Commission; National Council of Churches of Kenya*.

---"Kenya: Multipartyism Betrayed in Kenya. Continuing Rural Violence and Restrictions on Freedom of Speech and Assembly," (1994) *Human Rights Watch*.

---"Kenya: The December 29 1992 Elections," (1993) *IRI Report*, International Republican Institute.

---"Kenya: Divide and Rule: State Sponsored Ethnic Violence in Kenya," (1993) *Africa Watch*, Human Rights Watch.

---"The Swamps of Insurgency: Nigeria's Delta Unrest," (2006) *ICG Africa Report*, International Crisis Group, N.115, 3 August.

---"The Bakassi Boys: The Legitimization of Murder and Torture," (2002) *Human Rights Watch/CLEEN Report*.

---"The International Criminal Court and Post-Election Violence in Kenya," *ICC Briefing Internews*, May 2010.

---"The O'Odua People's Congress: Fighting Violence with Violence," (2003) *Human Rights Watch*, 15 (4) (A).

---"Mitigating Election Violence" *IFES*, October 21, 2009. Accessed 12/07/2011. http://www.ifes.org/Content/Publications/Opinions/2009/Oct/Mitigating-Election-Violence.aspx

---"Nigeria's Elections: Reversing the Degeneration," (2011) *ICG Africa Briefing*, International Crisis Group, No.79, 24 Febraury.

---"Nigeria: Final Report; Gubernatorial and State Houses of Assembly & Presidential and National Assembly Elections," (2007) *EU Election Obersever Mission to Nigeria*, European Union, April 14 -21.

---"Nigeria State and Federal Elections," (2007) *Report of the Commonwealth Observer Group*,

Commonwealth Secretariat, 14 and 21 April.
---"Nigeria 2007 National Elections: Pre-Election Assessment Final Report," (2007) *IRI Report*, International Republican Institute.
---"Nigeria State and National Elections," (2007) *IRI Election Observer Mission Report*, International Republic Institute, 14 and 21 April.
---"Nigeria: Failed Elections, Failing State?" (2007) *ICG Africa Report*, International Crisis Group, N.126, 30 May.
---"Nigeria's Faltering Federal Experiment," (2006) *ICG Africa Report*, International Crisis Group, N.119, 25 October.

---"Nigeria Presidential and Gubernatorial Elections," (2003) *EU Election Observer Mission*, European Union, 22 April.
---"Nigeria National Assembly and Presidential Elections in Nigeria," (2003) *Report of the Commonwealth Observer Group*, Commonwealth Secretariat, 25 April.
---"2003 Nigeria Election Observation Report," (2003) *IRI Report*, International Republican Institute, April 12 and April 19.
---"Nigeria's 2003 Elections: The Unacknowledged Violence," (2003) *Human Rights Watch*, June.
---"Nigeria: Want in the Midst of Plenty," *ICG Africa Report*, (2003) International Crisis Groups, N.113, 19 July.
---"Nigeria: Testing democracy. Political violence in Nigeria." (2003) *Human Rights Watch.*
---"Nigeria: Vigilante Violence in the South and South East," (2002) in *Amnesty International Report*, November, AI Index AFR 44/014/2002.
---"Neither Consolidating Nor Fully Democratic: The Evolution of African Political Regimes 1999-2008" (2009) in *Afrobarometer Briefing Paper*, No.67.
---"Observing the 1998-99 Nigeria Elections," (1999) *The Carter Center & National Democratic Institute*.
---"Oputa Panel Report: Human Rights Violations Investigation Commission (HRVIC)," (2005) *Nigerian Democratic Movement*, Volume 1-10, January 1.
---"Organized Violence and Torture in Zimbabwe in 2000," (2001) *Human Rights Legal Unit*, Zimbabwe Human Rights NGO Forum.

---"Organized Violence and Torture in the June 2000 General Election in Zimbabwe," (2002) *Amani Trust*, 28 February.
---"Playing With Fire: Weapons Proliferation, Political Violence and Human Rights in Kenya," (2002) *Human Rights Watch*.
---"Political and Electoral Violence in East Africa," (2001) *Centre for Conflict Research (CCR),* Working Papers on Conflict Management, Friedrich Ebert Stiftung, No.2.
---"Politically Motivated Violence in Zimbabwe 2000-2001," (2001) *Zimbabwe Human Rights NGO Forum*.
---"Politics As War: Human Rights Impact and Causes of Post-Election Violence in Rivers State Nigeria," *Human Rights Watch*, 20 (3).
----"Popular Justice," (2001) in *Human Rights Committee Quarterly Review*, Human Rights Watch, January 2001.
---"Second Annual Report on Public Violence (2007-2008)," (2008) *Nigeria Watch*.
---"They Do Not Own This Place," (2006) *Human Rights Watch*, 18 (3) (A).
---"Violent Social Conflict and Conflict Resolution in Nigeria" (2002) in *Afrobarometer Briefing Paper*, No.2.
---"Zimbabwe: ZANU-PF Youths On A Rampage in Chivi," (2010) *ZESN*, ZZICOMP Alert4.
---"Zimbabwe: Position Paper on the Funding of Political Parties in Zimbabwe," (2009) *ZESN Report*, Zimbabwe Electoral Support Network, October.
---"Zimbabwe: 'Bullets For Each of You' State Sponsored Violence Since Zimbabwe's March 29 Elections," (2008) *Human Rights Watch*, June.
---"Zimbabwe: Report On The Zimbabwe 29 March 2008 Harmonized Elections and 27 June Presidential Run Off," (2008) *ZESN*, Zimbabwe Election Support Network.
---"Zimbabwe: A Trail of Violence After the Ballot," (2008) *Amnesty International*, AI Index AFR 46/014/2008.
---"Zimbabwe's Security Forces Torture and Kill," (2008) *Amnesty International*, AFR 46/03/2008.
---"Zimbabwe: Hunger As A Political Tool," (2007) *Amnesty International*, AFR 46/036/2007.
---"Zimbabwe's Gukurahundi: Lessons from the 1980-1988 Disturbances in Matabeleland and the Midlands," (2007) *Chatham House Conference Notes*, 4 September.
---"Zimbabwe: Political Violence Report July 2006," (2006) *Zimbabwe Human Rights NGO Forum*, 11 September.
---"Zimbabwe: Report on the 2005 General Election," (2005) *ZESN Report*, Zimbabwe Election Support Network, April.
---"Zimbabwe: National Youth Service Training "Shaping Youths in A Truly Zimbabwean Manner": An Overview of Youth Militias Training and Activities in Zimbabwe October 2000-August 2003" (2003) *Solidarity Peace Trust*, 5 September.
---"Zimbabwe: 2002 Presidential and Local Authority Elections Report," (2002) *ZESN Report*, Zimbabwe Electoral Support Network, April.
---"Zimbabwe Presidential Elections 2002," (2002) *SADC Observer Mission Report*, Southern African Development Community Parliamentary Forum.
---"Zimbabwe and The Politics of Torture," (2002) *USIP Special Report*, United States Institute of Peace, 92, August.
---"Torture By State Agents In Zimbabwe: January 2001 to August 2002," (2003) *Zimbabwe Human Rights NGO Forum*, March.
---"Zimbabwe: Enforcing The Rule of Law in Zimbabwe," (2001) *Zimbabwe Human Rights*

NGO Forum, Special Report 3.
---"Zimbabwe: Politically Motivated Violence 2000-2001," (2001) *Zimbabwe Human Rights Non-Governmental Organisations Forum*, August.
---"Zimbabwe: Parliamentary Elections 24-25 June 2000," (2000) *The Report of the Commonwealth Observer Group*, Commonwealth Secretariat.
---"Zimbabwe: Account of the Mission to Observe the Parliamentary Elections," (2000) *EU Election Observer Mission*, European Parliament, 24-25 June.
---"Zimbabwe: "Wages of War," (1986) *Lawyers Committee for Human Rights*.
---"Vote ZANU-PF or Starve: Zimbabwe August to October 2002," *Physicians for Human Rights, Denmark*, 20th November 2002.
---"Destructive Engagements: Violence, Mediation and Politics in Zimbabwe", *Solidarity Peace Trust*, 10 July 2007
---"Why Do We Study Electoral Violence?" Electoral Violence and Mitigation (EVER) Project, IFES. Accessed 18/02/2013. http://www.ifes.org/Research/Cross-Cutting/Election-Violence-Education-and-Resolution/Nav/Electoral-Violence-and-Mitigation/Why.aspx

UN Resolutions

Resolution A/Res/45/150 on "Enhancing the effectiveness of the principle of periodic and genuine elections" 1991 – 1994 and A/Res/49/190 on "Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization." 1995- 2010. See *United Nations Department of Political Affairs* (UNDPA). Accessed 03/06/ 2013.
http://www.un.org/wcm/content/site/undpa/main/issues/elections/resolutions
A/Res/60/164 02 March 2006 (1991 – 2006) see *United Nations Department of Political Affairs* (UNDPA). http://www.un.org/wcm/content/site/undpa/main/issues/elections/resolutions

News Sources

Corey-Boulet, R. (2011) "In Kenya, Forced Male Circumcision and a Struggle for Justice," in *The Atlantic Monthly*, August 1.
Doe, J.K. (1999) "Liberia; Mercenaries and Death Squads: Two Sides of the Same Coin," in *The Perspective*, March 29.
Englebert, P. (2010) "To Save Africa, Reject Its Nations," in *New York Times*, June 11.
Freeman, C. (2001) "Colin Freeman interviews Morgan Tsvangirai: Simbabwe's Mogran Tsvangari tells of the challenges of a coalition with Mugabe," in *The Telegraph*, June 19.
Freeman, C. (2001) "Colin Freeman interviews Emmerson Mnanagagwa: Zimbabwe's Minister of Defence Wants to Heal the Country's Divisions'," in *The Telegraph*, June 11.
Murumbi, J. (1963) "Regions: Can They Work?" *Daily Nation*, 6 May
Kamara, T. (2000) "Liberia: The Curse of Mercenaries," in *The Perspective*, December 19.
Koch, E. (1995) "Comores Cocktails and Kalashnikovs in Coup-Coup Land," in *Mail & Guardian*, October 6 1995.
---"Will Zimbabwe Again Regress?" in *The Zimbabwe Mail*, November 13 2011.
---"Court Authorizes Inquiry of Kenyans," in *New York Times*, March 31 2010.
---"Prosecutor Expects Two Kenya Election Violence Cases," in *The Associated Press*, April 1 2010.
---"Interview: Brian Kagoro and Wilfred Mhanda," in *The New Zimbabwean*, December 5 2008.
---"Jabulani Sibanda 'Personally I hate violence," in *IRIN*, 26 June 2008.
---"Rally behind the President in runoff, soldiers told," *The Herald*, 31 May 2008.

---"Death Threats/Fear For Safety," *AI Press Release,* AFR 32/001/2008, 30 January 2008.
---"Zimbabwe: Ban of Public Demonstrations and Rallies Repugnant to Democracy," *ZESN Press Statement,* 22 February 2007.
---"Zimbabwe: ZESN Condemns Politisation of Food Aid," *ZESN Press Statement,* 9 February 2007.
---"Kenya: Police Operations Against Mungiki Must Comply with Kenya's Obligations Under IHR Law," *AI Press Release,* AFR 32/008/2007, 11 June 2007.
---"Kenya: Russian Mercenaries Relocated, Says Lang'ata MP," in *The East African Standard,* March 11 2006.
---"Kenya Mercenary Claim is Wild Goose Chase" in *The Nation*, March 18 2006.
---"Outposts of Tyranny: Zimbabwe," in *The Washington Post,* April 12 2005.
---"Freeing a Nation From a Tyrant's Grip," in *The New York Times*, June 24 2003.
---"Cote d'Ivoire; SA Man Arrested for Mercenary Activity in Ivorian Conflict," *IRIN*, July 28 2003.
---"Kenya: Tensions Rises in Advance of Polls as All Sides Are Involved in Political Violence" *AI Press Release,* AFR 32/029/2002, 23 December 2002.

---"Civic, Parliamentary and Presidential Candidates, Voters in 27 December 2002 General Elections" *AI Press Release,* AFR 32/026/2002, 18 December 2002.
---"Build and Alternative to MDC & ZANU(PF) Neo-liberalism," in (2002) *Social Worker*, July-August.
---"Uganda; Parliament Wants South African Mercenaries to 'Eliminate' Rebels," in *African Eye News Service,* July 8 2002.
---"Madagascar; US Says No To Mercenaries," in *The East African*, June 24 2002.
---"Election Arithmetic," in *African Confidential*, March 8 2002.
---"PanAfrica; Mercenaries; Messiahs Of Terror" *AllAfrica*, June 8 2001.
---"Government Must Act Now to Stop Spiral Of Violence," *AI Press Release,* AFR32/21/98, June 10 1998.
---"Fear for Safety/Excessive Use of Police Force," *AI Press Release*, AFR 32/10/99, May 4 1999.
---"Angola War Spawns Complex Web of Profiteers. Fierce, deadly conflict continues," *Guardian News Service*, April 5 1993.
---"British Mercenaries Aid FNLA" in *World Affairs*, February 7 1976.
---"Biafra Rejects View Conflict in Civil War," in *The Phoenix*, January 17 1969.
---"These Guns for Hire," in *The News and Courier*, July 28 1968.
---"Mercenaries in Nigeria," in *The Calgary Herald*, December 27 1967.
---"White Mercenaries Prolong Turmoil in African Nations," *The Press Courier*, November 19 1976.
---"Tribal Leaders are expelled from Ghana," (1957) in *The Afro American*, September 21
---"Zimbabwe: Enforced Disappearance/Fear for Safety," (2008) *AI Press Release*, Amnesty International, AFR 46/039/2008.
---"Zimbabwe: Repression of Political Opponents Continues, with New Incidents of Police Brutality," (2007) *AI Press Release,* Amnesty International, AFR 46/015/2007.
---"Zimbabwe: Free Participations in Election Process Impossible," (2005) *AI Press Release* Amnesty International, AFR 46/004/2005.
---"Zimbabwe: Government Uses Repressive Legislation to Put Rights Under Siege," (2003) *AI Press Release,* Amnesty International, AFR 46/020/2003.

---Zimbabwe: Assault and Sexual Violence By Militia," (2002) *AI Press Release*, Amnesty International, AFR 46/032/2002.
---"Zimbabwe Politically Motivated Violence Deliberately Targeting Opposition Political Activists and Farming Communities in Rural Areas," (2000) *AI Press Release*, Amnesty International, AFR 46/07/00.
---"Zimbabwe: Local Elections Marred by State-Sponsored Violence," (2002) *AI Press Release*, Amnesty International, AFR 46/046/2002.
---"Zimbabwe: Orchestrated Campaign Targeting Opposition in Run Up to Local Elections," *AI Press Release*, Amnesty International, AFR 46/042/2002.
---"Zimbabwe: Political Violence Intensifies Ahead of September Local Elections," (2002) *AI Press Release*, Amnesty International, AFR 46/039/2002.
---"Zimbabwe Disappearance" (2000) *AI Press Release*, Amnesty International AI Index AFR 46/24/00.
---"Mwai Kibaki Presidential Inauguration Speech", Uhuru Park, Nairobi, 30 December 2002. *BBC Monitoring Service. Accessed 22/07/2011.*
http://news.bbc.co.uk/2/hi/not_in_website/syndication/monitoring/media_reports/2615369.stm
---Daniel Arap Moi, Presidential Inauguration, Uhuru Park, Nairobi, 30 December 2002. *BBC Monitoring Service. Accessed 22/07/2011.*
http://news.bbc.co.uk/2/hi/not_in_website/syndication/monitoring/media_reports/2615369.stm
---'Pre Election Violence hits Kenya', *BBC*, 5 December 2007. Accessed 22/07/2011. http://news.bbc.co.uk/2/hi/africa/7129477.stm;
---'EU condemns pre-election violence in Kenya', 21 December 2007. Accessed 22/07/2011. http://reuters.com/article/idUSL2120415120071221?irpc=932
---'Nigeria: Political Violence and 2011 General Elections', *AllAfrica.com*, 13 November 2010. Accessed 25/07/2011. http://allafrica.com/stories/201011150795.html
---Zim 2008 election: Taken by a gun, not a pen', *Mail and Guardian*, 10 August 2012. Accessed 25/05/2013. http://mg.co.za/article/2012-08-10-00-zim-2008-election-taken-by-a-gun-not-a-pen
---'Zimbabwe: Post-harmonised election violence in July 2008', *EISA*. Accessed 22/07/2011. www.eisa.org.za/WEP/zim2008.postd.htm
---'Commonwealth should help Zimbabwe prepare for 2012 elections' *CAB Commonwealth Advisory Bureau*, 27 October 2011. Accessed 16/12/2011.
www.commonwealthadvisorybureau.org.
--- Robert Mugabe March 29, 2008 in response to Presidential poll. Accessed 22/07/2011.
http://www.huffingtonpost.com/2011/02/22/robert-mugabe-birthday-zi_n_826801.html#s244413

Archive Sources

British National Archives, Kew.

Kenya

CO822/435-441 Mau Mau activities: banning of meetings of the Kenya African Union
CO822/444 Assessment of strength of Mau Mau in Kenya
CO822/447-449 Reports on the Mau Mau situation by the Commissioner of Police, Kenya
CO822/453-455 Trial of Jomo Kenyatta in Kenya on a charge of managing Mau Mau activities
CO822/458 Memorandum by Colin Legum of the "Observer" newspaper about the background to Mau Mau
CO822/461 Communist aspect of the Mau Mau situation in Kenya
CO822/495 External assistance for the Mau Mau movement in Kenya

CO822/498 Proposals to prevent Mau Mau leaders from returning to Kikuyu country, Kenya
CO822/778 Operation HAMMER against Mau Mau terrorists in Kenya
CO822/780 Infiltration of Mau Mau into tribes other than Kikuyu in Kenya
CO822/800 Mau Mau oath ceremonies in Kenya
CO822/1220-1222 History of Mau Mau Emergency in Kenya
CO822/2858 Publication of Mau Mau literature in Kenya
CAB21/2906 Situation in Kenya: Mau Mau activities
WO32/15834 Court of Enquiry into conduct of troops in Kenya during operations against Mau-Mau: setting up; background papers; summary of report
WO276/509 Mau Mau personalities: personal details and information
WO276/196 Mau Mau operations: casualty statistics for Mau Mau, security forces and loyal civilians
WO276/378 Mau Mau emergency intelligence summaries
WO276/406 Intelligence summaries on Mau Mau
DO35/5352 Kenya: operation "Anvil"; round-up of 50,000 unemployed Kikiyu and lawless elements in Nairobi in anti Mau-Mau campaign
DO35/5357 Activities of Peter Evans, English barrister and associate of Joseph Murumbi (GV); expelled from Kenya for support of Mau-Mau terrorists
KV2/1787-89 COMMUNISTS AND SUSPECTED COMMUNISTS, INCLUDING RUSSIAN AND COMMUNIST SYMPATHISERS
BW95/2 The Mau Mau emergency: reports by R A Frost (Representative, East Africa)

Zimbabwe

FCO36/2719-22 Internal Political Situation in Zimbabwe
FCO36/2723-26 Miscellaneous Briefs on Zimbabwe
FCO36/2734 Garfield Todd, former Prime Minister of Southern Rhodesia. Charged With Assisting and Failing to Report Zimbabwe African National Union – Patriotic Front (ZANU (PF)) terrorists.
FCO36/2800-01 Zimbabwe Military Policy: General Walls
PREM 19/117 RHODESIA. Lord Boyd's report on the election held in Zimbabwe/Rhodesia, April 1979.

Nigeria

FCO7/233 Activities of William Kurt Wallersteiner: stated to be arms smuggler for Biafra but using name of Ecuador as end user
FCO23/182 Nigeria and Biafra
FCO23/185 Export Licences: Trans World Leasing Ltd proposed purchase of 18 surplus Beverley aircraft and suspicions they would be used in either Biafra or Rhodesia
FCO 24/768 Sales Of Arms to Biafra Using Forged Documents of Embassy of Indonesia
FCO 25/232 Commonwealth Africa: Nigeria Political Affairs – Internal Secession of Eastern Region
FCO25/208 Arms smuggling via Cameroons to Biafra
FCO25/236 UN and Biafra
FCO26/299-302 Nigeria: publicity and propaganda about Biafra and civil war
FCO26/305-307 BBC news reporting on Biafra with claims of inaccuracies and bias
FCO38/211-222 Secretary of State briefing on the situation in Biafra
FCO 38/229 Nigeria: Political Affairs (External) General and Multilateral. Nigeria and the United Nations Organization

FCO 38/230 Nigeria: Political Affairs (External) General and Multilateral, Nigeria and the United Nations
FCO 38/249 Nigeria Political Affairs (Ext-Bilat.) Eastern Secession, Recognition Countries Other Than the UK
FCO38/283-89 Concern over the extent of Britain's involvement in arranging supplies of arms to *Biafra*
FCO 38/284 Nigeria Defence Military Operations Against Biafra
FCO 38/285 Nigeria Defence Military Operations Against Biafra
FCO 38/286 Nigeria Defence Military Operations Against Biafra
FCO 38/288 Nigeria Defence Military Operations Against Biafra
FCO 38/290 Nigeria: Mercenaries
FCO65/178-183 Briefing on Nigerian civil war
FCO65/996 Position of former leader of Biafra, Nigeria, Colonel C O Ojukwu: possible admission to UK
FCO65/1197-1198 Position of Colonel C O Ojukwu, former leader of Republic of Biafra (state seceded from Nigeria, 1967-1970): visit of Mrs Ojukwu to UK
FCO65/1361-1362 Position of former rebel leaders of Biafra: excluding Colonel Ojukwu
FCO65/1787 Policy of UK towards Colonel Ojukwu, former Biafra leader, in exile from Nigeria
FCO65/205 Lord Brockway's Committee for Peace in Nigeria: includes record of discussions following Lord Brockway's visit to Biafra
FCO65/209-210 Comments on Biafra press statements
FCO65/227-230 Group Captain Leonard Cheshire and Hanning visit to Biafra and subsequent efforts to mediate in civil war
FCO65/231 Reports on internal situation in Biafra
FCO65/248-250 World opinion on Nigerian civil war
FCO65/266-72 France: military support of Biafra and effect on Anglo-French relations
FCO65/277 South African Arms to Biafra
FCO65/342-343 Arms purchases by Biafra: attempt to export 6 ex-RAF Provosts halted. Missing
FCO65/354-357 Illegal procurement of UK aircraft for Biafra
FCO65/362 Mercenaries in Biafra
FCO65/446 Comments by journalists covering Biafra war
FCO95/573 Angola: supply of arms for Biafra
FCO65/446 Comments by journalists covering Biafra war
OD 65/1 The Problem Of Forfeited Bank Balances in Eastern Nigeria
DO 186/1 Eastern Nigeria- Biafra
PREM 13/19/1949 BBC Broadcast on Nigeria
PREM13/3470 SECURITY. Leak of confidential report on Nigerian civil war written by Defence Adviser, Colonel Scott, and published in Sunday Telegraph
PREM 15/177 Leak of confidential report on Nigerian civil war written by Defence Adviser, Colonel Scott, and published in Sunday Telegraph

Rhodes House, Bodleian Library, University of Oxford.

Kenya (Mau Mau/Civil War)

MSS Afr s 2159 (Manby Papers: Security & Intelligence; 1952-1963)
MSS Afr s 2445 (John Githongo)
MSS Afr s 1915 (Mau Mau Emergency)

MSS Afr s 424 ff 359-402 (Mau Mau Emergency)
MSS Afr s 235 (Mau Mau Emergency)
MSS Afr s 424 f 525 (Mau Mau Emergency)
MSS Afr s 1534 (Mau Mau Emergency)
MSS Afr s 1720 (Kenya After Mau Mau)
MSS Afr s 1579 (Loyalist versus Mau Mau)
MSS Afr s 1676 (Mau Mau)
MSS Afr s 2166/2100 (Mau Mau)
MSS Afr s RES (Tribal Police)

Nigeria (Biafra/Civil War)

Mss Afr s 2447 (Britain-Nigeria Association)
Mss Afr s 1911 (Britain-Nigeria Association)
Mss Afr s 2399 (Britain-Biafra Association)

Zimbabwe (Matabeleland/Civil War)

MSS Afr S 2313 (Land Reform in Zimbabwe)
MSS Afr s 2368 (Crisis in Zimbabwe Coalition)
Mss Afr s 1748 (1980 Election)

Commonwealth Secretariat Archive, Marlborough House, London.

Nigeria

1999/98/2F - Nigeria Background Documents 1960-1968
1999/19/1of2 – Colonial Office Report of the Commission to Enquire into Fears of Minorities and Means of Allaying Them (1958); January 15 Before & After 1966 Nigerian Crisis; Nigeria & Biafra The Parting of Ways
1999/19/2of2 – Nigeria 1966 Federal Government
1999/20/3of3 – House of Lords Debate on Nigeria Hansard Vol 289 no 39 of 13/2/68

Zimbabwe

2011/081- 2011/088 – Southern Rhodesia Elections, Feburary 1980. The Report of the Commonwealth Observer Grosup on Elections Leading to Independent Zimbabwe. (ISBN 0 850921775)

Political Archives Project, Senate House, London

PG.RH.MISC.1 Intimidation in Central Africa: Vote for Me or Else! 1962 Pamphlet. East Africa and Rhodesia.
JQ 2968 NAT SHL. "Courting Disaster: A Report on Continuing Terror, Violence and Destruction in the Rift Valley, Nyanza, and Western Provinces of Kenya," (1993) *National Election Monitoring Unit (NEMU).*

WikiLeaks

Kenya

06NAIROBI4629 EMBASSY NAIROBI "Two Meetings With Uhuru Kenyatta" 2006-10-27
06NAIROBI1114 EMBASSY NAIROBI "An Unsettled Kenya Awaits Next Shoe to Drop," 2006-03-10
06 NAIROBI1077 EMBASSY NAIROBI "Musyoka: Lies, Lovers and Mercenraires in Kenya's Politics," 2005-03-09
06NAIROBI1090 EMBASSY NAIROBI "Justice Minister Won't Question Police Raid," 2006-03-09

07NAIROBI4429 EMBASSY NAIROBI “Kenya Elections: Electoral Commission Chair,” 2007-11-13
07NAIROBI3993 EMBASSY NAIROBI “Kenya Elections: Internal Security Minister Michuki on Elections,” 2007-10-09
07NAIROBI1439 EMBASSY NAIROBI “Opposition Politics: Suspicion, Allies, and A Hummer” 2007-03-30
07NAIROBI4427 EMBASSY NAIROBI “Kenya Elections: Presidential Candidate,” 2007-11-13
08NAIROBI2551 EMBASSY NAIROBI “Post-Election Violence Commission Report,” 2008-11-04
08NAIROBI1373EMBASSY NAIROBI “Kenya Corruption Update, Looking Back, Looking Forward,” 2011-03-02
08 NAIROBI1378 EMBASSY NAIROBI “Kenya: Linking Visas to Violence,” 2008-0205
08 NAIROBI1311 EMBASSY NAIROBI “Kenya Electroal Crisis: Violence Flares in Kalenjin/Kikuyu Border Towns,” 2008-01-29
08NAIROBI1239 EMBASSY NAIROBI “Kenya’s Electoral Crisis- Pushing Kibaki-Odinga,’ 2008-01-27
08 NAIROBI1574 EMBASSY NAIROBI “Kenya: Behind A Calm Façade Hardliners Prepare for More Violence,” 2008-02-27
08NAIROBI1199 EMBASSY NAIROBI “Kenya: Did Kibaki Really Steal The Election?” 2008-01-17
09NARIOBI1168 EMBASSY NAIROBI “Key Parlimentarian Pessimistic on Reforms,” 2009-06-11
09NAIROBI1293 EMBASSY NAIROBI “The Reform Agenda, Keeping the Pressue on Kibaki,” 2009-06-26
09NAIROB11080 EMBASSY NAIROBI “A/S Carson and NSC Senior Director Gavin’s Meeting with President Kibaki,” 2009-06-20
09NAIROBI1579 EMBASSY NAIROBI “Anti-Corruption Chief on Kenyan Kelptocracy,” 2009-03-24
09NAIROBI1083 EMBASSY NAIROBI “A/S Carson and NSC Senior Directo Gavin’s Meeting With Minister Ruto,” 2009-06-03
09NARIOBI1296 EMBASSY NAIROBI “Uhuru Kenyatta – Presidential Ambitions and the Reform Process,” 2009-06-26
10NAIROBI1171 EMBASSY NAIROBI “Severe Coalition Government Tensions Surface,” 2010-02-16

Nigeria

05LAGOS605 CONSULATE LAGOS “Militant Delta Youth Set Aside Arms and Differences,” 2005-04-25
06ABUJA59055 EMBASSY ABUJA “Chevron Nigeria Seeks Long Term Solution to Delta Unrest,” 2006-04-03
08LAGOS447 CONSULATE LAGOS “Nigeria: Edo’s New Governor Seeks Radical Change,” 2008-12-29
08LAGOS479 CONSULATE LAGOS “Nigeria: Vice President’s Senior Special Assistant,” 2008-11-28
08LAGOS386 CONSULATE LAGOS “Nigeria: Ambassador Hears Bayelsa’s Governor Views,” 2008-10-02

08ABUJA1907 EMBASSY ABUJA "Nigeria: MEND Declares Ceasefire After Week of Heightened Activity," 2008-09-22
08ABUJA1898 EMBASSY ABUJA "Political Maneuvering Delays Decision on Pick for Niger Delta Minister," 2008-09-22
08ABUJA1016 EMBASSY ABUJA "(S/NF) Nigeria: xxxxxxxxxxx," 2008-06-02
08LAGOS763 CONSULATE LAGOS "Nigeria: Ambassador's Meeting With Governors Forum," 2008-09-24
08ABUJA320 EMBASSY ABUJA "Nigeria, Kano Businessman Alleges Yar'Adua Corruption," 2008-02-21
09LAGOS201 CONSULATE LAGOS "Nigeria: Ijaw Youth Council Tells Consul General of Campaign for Amnesty, DDR," 2009-04-22
09LAGOS191 CONSULATE LAGOS "Nigeria: Leading Niger Delta Activist Briefs Ambassador on His Vision for Development of the Niger Delta," 2009-04-17
09LAGOS74 CONSULATE LAGOS "Nigeria: Ijaw Youths Take Back the Struggle at Yenagoa Meeting," 2009-02-19
10ABUJA215 EMBASSY ABUKA "Goodluck Jonathan Remains Acting President of Nigeria," 2010-02-26

Zimbabwe

00HARARE5461 EMBASSY HARARE "ZANUPF Reportedly Interested in Deal With MDC," 2000-09-27
07HARARE638 EMBASSY HARARE "The End is Nigh," 2007-07-13
07HARARE1073 EMBASSY HARARE "UNCLAS Section 01 of 04 HARARE," 2007-11-30
07PRETORIA356 EMBASSY PRETORIA "Exiled Zimbabwean Businessmen Float Zimbabwe," 2007-01-30
08LONDON1135 EMBASSY LONDON "An Update on HMG Expectations and Predictions for Zimbabwe," 2008-04-22
08LONDON1014 EMBASSY LONDON "HMG Considering Options In Aftermath of Zimbabwe's Elections, Including Possible UNSC Action," 2008-04-09
08LONDON1678 EMBASSY LONDON "UK Red Lines On UN Action on Zimbabwe, Possible Statement By Nelson Mandela," 2008-06-23
09LONDON1516 EMBASSY LONDON "Zimbabwe: Tsvangirai Visit Further Support Only With Further Progress," 2008-06-30
09HARARE865 EMBASSY HARARE "MDC Focuses on Security Sector, Gono," 2009-10-30
00HARARE6677 EMBASSY HARARE "Assistant Secretary Meets With Zimbabwe," 200-11-29
08HARARE1016 EMBASSY HARARE "Regime Elites Looting Deadly Diamond Field," 2008-11-21
09HARARE24 EMBASSY HARARE "Military Expansion Fuels Diamond Chaos," 2009-01-09
09HARARE51 EMBASSY HARARE "Military Plans to Displace Thousands of Residents," 2009-01-23
09HARARE930 EMBASSY HARARE "Ambassador Ray's Visit With German Ambassador to Zim," 2009-12-02
09HARARE1004 EMBASSY HARARE "Tsvangirai Asks The West for Help on Changing The Status Quo," 2009-12-24
10HARARE93 EMBASSY HARARE "XXXXXXXXXX's Observations on The Political Landscape and U.S. Zimbabwe Relations," 2010-02-10

Personal Interviews

Zimbabwe
Former MDC, June 2011
Member of Parliament, June 2011
Former ZANU-PF, June 2011
Senior ZANU-PF Minister, June 2011
War Veteran, June 2011
Former ZAPU, June 2011

Kenya
Retired Army General, October 2011
Former student leader, October 2011
Senior Member of PNU, October 2011
Senior Member of ODM, October 2011
Senior Member of KANU, October 2011

Nigeria
Former Head of Opposition Party, April 2011
Senior Member of APC, April 2011
Former MEND Member, April 2011
Former Governor, April 2011
Senior Member of PDP, April 2011