

Explaining electoral violence in Africa's 'new' democracies*

*Shola Omotola***

Abstract

The electoral process in many of Africa's 'new' democracies has been characterised by violence. However, recent manifestations of electoral violence have assumed an unprecedented magnitude and changing form and character, with negative implications for democratic stability and consolidation. This paper analyses electoral violence in Africa, with emphasis on its manifestations, causes, implications and possible solutions. The paper argues that rising electoral violence in Africa is closely connected with the neo-patrimonial character of the African state, the nature of contestation for power, the weak institutionalisation of democratic architectures, including political parties and electoral management bodies (EMBs), and the fascinating political economy of

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** J. Shola Omotola, a Ph.D. candidate in Political Science at the University of Ibadan, Nigeria, is Lecturer in the Department of Political Science and Public Administration, Redeemer's University, Redemption City, Mowe, Ogun State, Nigeria. His recent articles appear in *African Affairs*, *African Security Review* and *Commonwealth and Comparative Politics*, among others.

electoral violence. This is complicated by the absence/paucity of democrats, with democratic mindset, to play the game of politics according to established rules. Worse still, avenues for democratic redress, including the judiciary and civil society, are also deeply implicated in the deepening contradictions of the state. The result is the deinstitutionalisation of the people in the democratisation process. Electoral violence is thus a major source of democratic instability with palpable threats of deconsolidation. These contradictions will have to be redressed to tame the monster.

Introduction

The electoral process in Africa's 'new' democracies – the fledgling democratic re-experiments under the so-called 'third wave' of democratisation – has, with few exceptions, been characterised by violence. Though violence has been a long-standing feature of the democratisation process in Africa, its recent manifestations have assumed an unprecedented magnitude and a changing form and character, as this paper will illustrate. This has tended to put the democratisation process on the line in many African states, threatening the prospects of democratic stability and consolidation. Most recent examples include disputed and violent elections in Kenya, Nigeria and Zimbabwe, where the attendant search for redress through official and unofficial responses has, altogether, been largely trapped in deepening contradictions.¹

What is it about the democratisation process in Africa that makes it easily susceptible to violence? In what forms does the violence manifest? What are its implications for the democratisation process? Are there adequate institutional

1 For example, the resort to the election petition tribunals and courts, in the Nigerian case, has raised more questions than answers. So many obstacles, including the huge cost of seeking electoral justice, the near impossible conditions of the 'burden of proof' imposed on the litigant, the undue protraction of litigation, and the seeming lack of independence of the judiciary, have served to limit the reach of electoral justice. In Kenya and Zimbabwe, the struggle for power sharing between the highly 'illegitimate' governments and the oppositions has not been able to bring stability to the countries. Rather, it tends to portray the opposition in negative light as those only interested in power sharing, not minding the implications. Else, why should an opposition, which claimed to have won an election, be prepared to share power with the 'electoral robber', which dispossessed them of their 'victory' in the first instance?

frameworks for mediating and managing electoral violence in Africa? What can be done to arrest the spate of electoral violence in Africa?

This paper seeks to critically engage these questions, with a view to providing tentative answers to them, with illustrations predominantly from Kenya, Nigeria and Zimbabwe. These cases are fairly representative of the continent, with Kenya located in East Africa, Nigeria in the West and Zimbabwe in the Southern African region. Besides, while Nigeria experienced protracted military rule before democratising in 1999, both Kenya and Zimbabwe did not. It is, therefore, baffling to see these countries radiate similar political tendencies in their democratisation process, despite these divergent geographical and historical factors.

The paper argues that rising electoral violence in Africa, including its changing form and character, may not be unconnected with the neo-patrimonial character of the African state, the nature of contestation for power, the shadows of military cum authoritarian overhangs over the democratisation process, and the weak institutionalisation of democratic architectures, including the economic foundations of the democratisation process, political parties and electoral management bodies (EMBs). The situation is complicated by the absence/paucity of democrats who really have a democratic mindset, and can play the game of politics according to established standards and rules, leading to the deinstitutionalisation of the people in the democratisation process. Electoral violence is thus a major source of democratic instability with palpable threats of deconsolidation. Unfortunately, avenues for democratic redress, especially by the judiciary, as well as official responses to the problem, are deeply implicated in the contradictions of the state. These contradictions will have to be addressed to tame the monster which electoral violence has become. Finally, the paper suggests plausible electoral reform directions in this regard.

Democratisation, elections and electoral violence

The relationship between democratisation, elections and electoral violence is a complex one. This complexity may not be all that surprising, however, given the prevailing assumption that democracy and peace are, ideally,

mutually reinforcing,² with elections serving as the connecting cord between them. Elections do not only allow for political competition, participation and legitimacy, but also permit peaceful change of power, thereby making it possible to assign accountability to those who govern. This is why it is often argued that 'elections facilitate communication between the government and the governed, and also have symbolic purposes by giving voice to the public' (Höglund 2006:4). As such, a democratic society is, expectedly, a non-violent and orderly society. This partly explains why elections have become part of the international peace-building strategy, which strongly links peace to democratic development (Höglund 2006:5).

However, democratisation, depending on its form and character, does have security implications that may serve to promote or retard violence. This is as a result of the capacity of democratisation to impact seriously on the distributive and redistributive systems of the state, which elections instrumentalise (Omotola 2008c). The challenges of the democratisation process are, therefore, daunting at all stages, including the transitional contexts, the contents of the transition and the question of consolidation at the post-transition stage. Bayo Adekanye (2001:8–9), a leading Nigerian political comparativist, captures these complexities in a way worthy of copious quotation:

While the majority can agree about the horrible nature of the conditions prevailing within that initial stage of things and from which society is to transit,... and about the desirability of transiting, the question of who presides over that transition process and what methods to employ for achieving it can provoke considerable disagreements. Also, the issue of defining the *terminus ad quem*, including what contents to add to get the set goals as well as its objectives, may prove difficult, and can generate its own disagreements among the relevant political actors or parties. Nor is the post-transition stage free of such. In fact, the disagreements here can be much sharper and more intense; the issues raised here can be fundamental tending as they do to cast doubt on the wisdom of the earlier decision to be part of the process, if not about its continuity. I am talking about issues

2 Paris 2004. See also Gleditsch and Ward 2000.

like 'who bore the brunt of the struggle leading to the transition, and who came to 'own' the transition process and product as such?' Or better: 'whose transition, organized by what groups or parties, towards which ends and in whose interests?'

The above quotation raises fundamental questions the answers to which are central to the direction of democratisation, both as a positive and a negative reinforcement of non-violence. The answers to these questions can, directly or impliedly, be found in elections as integral components of the democratisation process. By implication, the form and character of elections vis-à-vis political competition, participation and legitimacy, are integral to determining the ownership, contents, methods, and product of the democratisation process. As Ted Gurr rightly argues, 'the process of transition creates threatening uncertainties for some groups and opens up a range of transitory political opportunities for ethnic entrepreneurs' (Gurr 2000:68).

As a people-driven enterprise, democratisation retains its meaning, essence, substance and relevance provided it accords the people, irrespective of ideological and/or identity affiliations, adequate recognition in shaping and reshaping issues of governance of their own affairs. The electoral process offers the widest and best avenue to do this, given the premium it places on popular participation. It then follows that the electoral process must be of high integrity, measured in terms of its degree of adherence to the electoral laws, openness, transparency, accountability, competition and participation. Any attempt to pervert the electoral process against these virtues may serve to engender electoral violence (Laakso 2007).

As a concept, electoral violence basically has to do with 'all forms of organized acts or threats – physical, psychological, and structural – aimed at intimidating, harming, blackmailing a political stakeholder before, during and after an election with a view to determining, delaying, or otherwise influencing an electoral process' (Albert 2007:133). The import of this is that electoral violence is multi-dimensional, having physical, psychological and structural dimensions. The physical elements include assassination of political opponents, arson, looting, shooting, kidnapping and hostage taking, forceful disruption of campaign

rallies, armed raids on voting and collating centres, including snatching of ballot papers and boxes at gun point. The psychological dimension relates to official and unofficial actions that create fear in the people, which may be a product of physical violence. These include threats to opposition forces by security agents or through phone calls and text messages. The structural dimension of electoral violence seems much more pronounced, being a product of structural imbalance, including coercion of citizens by government to register or vote, unequal opportunities for political parties and candidates, abuse of power of incumbency, falsification of election results, as well as the politicisation of security and electoral officials (Nwolise 2007).

It is also evident that electoral violence, like an election itself, is not restricted to election day alone. It can happen before, during and after the elections. Pre-election violence may include acts or threats against electoral stakeholders during voters' registration or electioneering campaigns. Election day violence includes the snatching of ballot papers or boxes, assaults on opposition agents or parties, and harassment or intimidation by security agents. In the aftermath of an election, electoral violence may take the form of violent protests against electoral rigging, whether real or imagined, and of the state's deploying its apparatus of force in response to the protest, thereby further fuelling the violence.

Electoral violence is a form, perhaps the most deadly form, of electoral fraud, which has been defined as 'clandestine efforts to shape election results' (Lehoucq 2003:233). This can be perpetrated both by the incumbent power holder to avoid defeat and by opposition elements seeking to wrest political power from the governing party. In most cases, electoral violence is targeted at electoral stakeholders such as voters, candidates, party agents, election workers, media and monitors; electoral information such as registration data, vote results, ballots; campaign materials, for example, vehicles and public address systems; electoral facilities such as polling and counting stations; and electoral events, including campaign rallies (Höglund 2006:8).

Given the fact that electoral violence can be employed by both the ruling and opposition forces, coupled with the wide array of its likely targets as enunciated above, electoral violence no doubt constitutes a major source of democratic

instability. Indeed, it can pose itself as a fundamental threat to the prospects of democratic consolidation. Democracy can be said to be consolidated when it can avoid democratic breakdown and erosion by 'eliminating, neutralizing, or converting disloyal players' (Schedler 1998:96), and moving a step further towards completing and deepening democracy, measured by high 'expectations of regime continuity' (Schedler 1998:103). These demand three core elements, namely the structural, behavioural and attitudinal foundations of democratisation (Schedler 2001).

The structural elements emphasise issues of socio-economic prosperity where poverty is kept to the barest minimum and institutional parameters such as periodic, competitive, free and fair elections, a multiparty system and the rule of law. The behavioural foundations relate to the proven capacity of 'democrats' to roll back anti-democratic challenges. This demands that 'no major political actors violate basic democratic rules anymore' (Schedler 2001:72), by having recourse to electoral violence, the rejection of elections or the transgression of authority, thereby putting democracy at risk. The attitudinal foundations, however, encompass what Andreas Schedler called the basic 'normative, strategic and cognitive' elements required to sustain democracy. The normative elements include democratic legitimacy, defined as the genuine, non-instrumental, intrinsic support for democracy by political elites as well as citizens. The strategic elements entail the ability to mediate in and transform the usual conflicting relationship between democrats and anti-democrats in a consensual way, so that all can work in the interests of the democracy project (Schedler 2001:75–80).

Assessed against the background of the foregoing, the foundation of the democratisation process in much of Africa, suffers serious defects, or, as argued elsewhere, 'is still far off the mark' (Omotola 2008c:276). Structurally, poverty is still largely a continent-wide problem, with very few exceptions. This makes the people easily susceptible to negative manipulation, especially during elections. While elections are now being held periodically, they are everything but truly competitive, free and fair. Electoral processes are severely compromised, which partly explains why elections are still being boycotted and/or the results are being rejected outright by opposition elements, creating deep-seated legitimacy crises for governments. In most parts of Africa, support for democracy by the political

elites as well as by the citizens is hardly genuine, but certainly instrumental. Indeed, this tendency marks one of the faulty foundations of democratisation in Africa, where democracy is presented as the way out of Africa's multi-faceted problems, including political, economic and social dislocations (Bratton and Van de Walle 1997; Omotola 2008b). The situation seems worse for the political elite, whose main reason for embracing the democratisation process seems to be the opportunity it offers them to consolidate their hold onto power and further accumulation of wealth (Omotola 2006b). Worse still, major political actors hardly operate within the limits of constitutional provisions, as they employ extra-constitutional mechanisms to pursue their selfish interests, including the struggle for power elongation and abuse of power of incumbency to frustrate opposition forces.³ This tendency tends to hinder consensus building between the government and the opposition, and to cause a sort of political nightmare in Africa. The perversion of these core foundations of democracy, as subsequent analyses will demonstrate, lies at the root of electoral violence in Africa.

Contextual issues: From hope to despair

The problem of electoral violence in Africa cannot be fully understood without situating it within the political history of the continent. The colonial African state offers a useful point of entry. For, it was under it that some form of electoral politics was introduced to Africa. This was particularly the case in British colonies with the introduction of the elective principle in 1922. Although electoral politics during this period was to a very large extent non-violent, the democratic substance of the elective principle was too limited with income and residential qualifications and could therefore be a potential basis for violence. Possibly as a result of its narrow political base, political discourses about democracy and good governance were essentially elite-driven, while the people occupied a very marginal space, if any (Ake 2000:33–36).

It was, therefore, hardly surprising that electoral violence reared its ugly head shortly after the attainment of political independence by most African States in

3 For the Nigerian example, see Omotola 2006a. (The entire issue of the journal in which this article appeared was devoted to the politics of tenure elongation by ex-President Obasanjo, with several illuminating entries.)

the decade of the 1960s. This was partly so because the promise of independence, as 'extravagantly' articulated by the nationalists in what Peter Ekeh called the 'anti-colonial ideologies of legitimating' (Ekeh 1995), did not show any sign of effective take off, let alone being consolidated. Rather than transform the colonial state, including its narrow democratic base to accommodate popular nationalist aspirations for the new state, the new elite of power in Africa opted to inherit the colonial state into the independent state (Ake 2000:33; Mbaku and Saxena 2004). The attempt to contain attendant popular discontent and protests by the state, including the recourse to a one-party state, represents further closure of the democratic space.

As the state began assuming a more central position over power and other resources, forces of identity, particularly ethnicity and religion, became appealing. Sooner rather than later, these forces became the main drivers of politics. The Nigerian experience is particularly illustrative of this tendency. Beginning from the 1964–65 general elections, violence has been a major feature of electoral politics in the country. The election presented the National Council of Nigerian Citizens (NCNC) and its allies the opportunity to challenge and possibly neutralise the stronghold of the Northern Peoples Congress (NPC). The NPC had dominated politics at the federal level since independence in 1960 and saw the 1964 election as another chance to consolidate its position. The NPC also sought to extend its tentacles to other regions, particularly the west, where it had found a willing (and capable?) ally in Chief S.L. Akinola's Nigerian National Democratic Party (NNDP). For the Action Group (AG), however, the 1964 election was an opportunity to prove that it was still very much on the ground in the region by regaining its lost paradise. By implication, every actor in the election had serious points to prove, which contributed to the volatility of the political environment. The attendant violence, including arson, looting, killing, wanton destruction of properties and the total collapse of public order especially in the western region, was unprecedented and contributed in no small measure to the collapse of the first republic (Osaghae 1998; Akinwumi 2004).

The electoral process during the second republic in Nigeria (1979–1983) was also highly laced with violence, especially during the second election of 1983. The structure of politics, despite the alteration in the structure of the federation from

three (later four) regions of the first republic, to nineteen states, was still largely driven by ethno-religious forces, where each party maintained its stronghold in a given regional/ethnic domain. The National Party of Nigeria (NPN), obviously NPC's successor, controlled the federal government between 1979 and 1983. In the 1983 elections, it wanted to extend its reach to other regions, either by hook or by crook. The attempt to achieve this underscored the massive rigging of the 1983 elections, which resulted in an unprecedented outbreak of violence in the south-west, where the Unity Party of Nigeria (UPN), AG'S successor, held sway. In the then Oyo and Ondo States, two UPN states declared for the NPN, the attendant violence was unprecedented, so that a writer simply described it as 'the house of war' (Barbarinsa 2002). It was so fierce that Ondo state was returned to UPN shortly afterwards. As it turned out, however, this was a belated response and it was not enough to stop the military from seizing power on 31 December 1983 – predominantly, but not only, on account of the violence and attendant contradictions.

The Nigerian experience represents just one among several others in Africa. In East Africa – Kenya, Tanzania and Uganda – electoral violence has been a major feature of politics in the post-independence era. Specifically in Kenya, the attainment of independence on 12 December 1963, with the Kenya African National Union (KANU) forming the first post-independence government has, until recently, failed to provide for pluralist competitive politics. Rather, KANU initiated a constitutional engineering process that gave rise to a new constitution in 1969, which transferred all constitutional powers to the presidency and completely erased the political checks and balances inherent in the independence constitution of 1963. While elections have been held regularly, it has been a one-party show, which was why many have seen Kenya as both a *de facto* and a *de jure* single-party state.⁴ Attendant electoral violence has manifested in the form of assassinations, attempted assassinations, confinement, battering, arson, looting, political thuggery, destruction and damage of property, among others. The trend has not been different in Tanzania and Zimbabwe (Laakso 2007:230–249).

4 See, for example, Friedrich Ebert Stiftung and Centre for Conflict Research 2001:18.

Recent trends and predisposing factors

Africa's 'new' democracies have been seriously violated in many ways (Aremu and Omotola 2007; Mentan 2007; Edi 2007). One outstanding area of violation of central concern to this paper is the deepening crisis of electoral governance partly reflected in the phenomenon of electoral violence. Recent manifestations of electoral violence include physical, psychological and structural dimensions, all with the central motive of influencing the electoral process in favour of the perpetrators of the violence. The timing also reveals that this violence cuts across all stages of the electoral process – before, during and after the elections. In most instances, the main actors have been the state, represented by the ruling party, security agents and electoral officials, and opposition forces. Their activities include various forms of violence earlier identified and directed at various electoral targets as already noted.

Physical dimensions of electoral violence in Kenya, Nigeria and Zimbabwe include political assassinations, riots, assaults, arson, looting, bombing and hijacking of electoral materials at gun point. In Nigeria, for example, the issue of political assassination has been a major issue since 1999. Some of those that have been assassinated include top party chieftains, candidates aspiring to elective offices of high stake and those already in elected/appointed political offices. Notable figures here include Funsho Williams, a gubernatorial aspirant under the Peoples Democratic Party (PDP) in Lagos State (July 2006), and Dr Ayo Daramola, also a PDP gubernatorial candidate in Ekiti State (August 2006). There were also reported and verified cases of bomb explosions in the homes of aspiring candidates. For example, the home of Senator Patric Osakwe in Delta State was bombed on 24 November 2006, so also those of Nduli Elumelu and Theodora Giwa-Amu, both aspirants into the House of Representatives, also in Delta State. These were all before the elections.

The conduct of the election itself witnessed many more cases of physical violence – most notably the open display and use of dangerous weapons such as guns, axes and cutlasses to perpetrate electoral fraud. In the process, many innocent people were killed. In the aftermath of the elections, and especially after the announcement of results, physical violence broke out in many parts

of the country but was much more pronounced in the south-west. This is understandable, given that the region traditionally exhibits a form of radical and opposition politics, which was typified by the late chief Obafemi Awolowo and is currently alluded to as 'Awoism'. But a combination of the use of power of incumbency and the wrong strategy of the then dominant party in the region, the Alliance for Democracy (AD), and especially its ill-defined coalition with the PDP in the 2003 presidential election, occasioned the near eclipse of the party. The 2007 elections, therefore, presented an opportunity to revert to the old order, which the Action Congress (AC) seriously worked for. But this was not to be so – as a result of the abuse of power of incumbency to alter the people's will. The violent response was spontaneous, including the burning of houses, killing, looting and general breakdown of law and order in Ondo, Ekiti, Osun and Oyo states as the most volatile.

These physical dimensions of violence also manifested in recent Kenyan and Zimbabwean elections. Most notable ones include battering, assassinations, arson, destruction, looting and damage of properties, torture, unlawful arrest and detention, rape and disruption of public meetings and campaign rallies.

At the psychological level, the situation does not seem better. The most glaring manifestation of this strand of electoral violence in Nigeria was the infamous declaration by President Obasanjo that for him and the PDP, the 2007 election was 'a do or die' affair (Omotola 2007). This statement, more than anything else, seemed to bolster the resolve of the PDP to go any length to win at all costs, to create fear in the mind of the opposition and electorate, and make them more circumspect about their roles during the elections. The resultant criminalisation of politics through violence further served to heighten fear in the populace. This tendency was replicated at lower levels of state governance. In Oyo State, for example, Alhaji Lamidi Adedibu, generally regarded as the strongman of Ibadan politics until his death recently, shortly after the 2007 elections, boasted on many occasions that only those that were on his side could win elections. In Kwara State, Dr Olusola Saraki, the political 'godfather' of the state, simply declared that there was no vacancy in the government house, and insisted that his son, Dr Bukola Saraki, must be returned for a second term. These were subtle threats

that created fear in most aspiring gubernatorial candidates, and caused them to withdraw/defer their aspirations.

Structurally, violence manifested in the form of systemic disequilibrium predicated upon double standards. In Nigeria, for example, all the parties were not given equal access to the state-owned media, particularly the Nigerian Television Authority (NTA) and Federal Radio Corporation of Nigeria (FRCN). Moreover, the anti-corruption agencies of the state, particularly the Economic and Financial Crime Commission (EFCC), were being used as a political weapon by the ruling party to harass, intimidate and frustrate the opposition out of politics. A notable case in point was the ordeals of Alhaji Atiku Abubakar, the AC presidential candidate, who was hurriedly indicted for corruption without a fair hearing by the EFCC, which formed the basis of his purported disqualification from contesting the election. The overall ineffective governance of the elections, which included the late arrival and shortage of electoral materials and officials, falsification and announcement of false results and the massive disenfranchisement of the people that were the hallmarks of the 2007 elections in Nigeria, represent other dimensions of structural violence.⁵ Some of these features manifested in Kenya and Zimbabwe through the closure of the campaign offices or premises of opposition parties, economic repression, sabotage, eviction and displacement.⁶

How then do we explain the prevalence of electoral violence in Africa's new democracies? The first thesis we want to propose is that the context of the democratisation process has important ramifications for recent electoral violence. Here one is tempted to suggest that there is a political culture of violence in most parts of Africa. This culture of violence in their most recent manifestations seems to be a product of what I call military cum authoritarian overhang shadowing the democratisation process. Nigeria, for example was under the strong grip of the military for an uninterrupted sixteen years prior to 1999. In the process, 'military politicians' built and consolidated their military industrial complexes that saw them dominating some of the commanding

5 See Adebayo and Omotola 2007.

6 See, for example, Friedrich Ebert Stiftung and Centre for Conflict Research 2001:4.

heights of the national economy. Their stupendous wealth seems to confer an advantage on them over and above their civilian counterparts in the new struggle for power (Adekanye 2000). The attendant dominance of the retired officials at all levels, without a corresponding reorientation of values and sufficient time lag to adjust to civil life, meant they came into the democratic job with a military ethos and mindset.

While Kenya and Zimbabwe did not go through the pains of military rule, both also had a history of a culture of violence beginning with the anti-colonial struggle. Beyond this, Kenya is particularly notorious for its unofficial one-party rule under the hegemony of KANU, with little or no space for opposition until recently when the 'third wave' compelled the re-introduction of multi-partyism. Also in Zimbabwe, the situation seems worse with Robert Mugabe in power for close to three decades now. The consolidation of power in both settings had largely been predicated on the use of force. Consequently, the prevalence of electoral violence in Africa's new democracies may be a product of a culture of violence inherited from the departing military cum authoritarian regimes, whose main actors, coincidentally, remain dominant in the current dispensation.

Closely related to the above is the form and character of the state and the nature of contestation for power (Osaghae 1989). Essentially, the African state is a law and order state, predicated upon the use of force to enforce its decisions. Moreover, the state in Africa is totalistic, having dominion over the society in every facet of life. Capturing political power therefore translates to capturing all other things. This situation is not helped by the resurgence and gradual consolidation of neo-presidentialism, where the president almost approximates the state. The increasing centralisation of power in the presidents at the national level and political leaders at other levels of governance tends to heighten political stakes. The result is the unhealthy rivalry and competition for power, since political power has become the main key to all other sources of power. Thus the resort to violence. Nothing illustrates this better than the abuse of power of incumbency in an effort to remain in power at all costs, and if all else fail, to impose a surrogate that will continue to defer to the 'good' judgment of the benefactor. This was the case with Obasanjo's Nigeria with respect to the third term agenda that sought to elongate his tenure beyond constitutional limits of

two terms of four years each. When it failed, he imposed Umaru Yar'Adua, a development at the root of the violent nature of the 2007 elections.

The weakness of the economic foundation of democracy provides another lens through which we can x-ray electoral violence in Africa. Democracy requires some level of economic development, particularly with respect to income and poverty levels. When the poverty level is higher than a standard threshold at \$2 a day for the poverty line and \$1 for absolute poverty, democracy may be at risk. Unfortunately, poverty remains a continent-wide problem, and Nigeria seems to face the greatest challenge here, despite its increasing oil revenue. It is disgusting that in 2002, Nigeria was one of the 21 poorest countries in the world. In 2003, a staggering 70% of the population were said to be living below the poverty line. In 2008, official statistics claim some reduction to about 60%, a contestable claim given prevailing realities, including rising inflation and unemployment. The depth of the crisis is evident in the fact that 'if Nigeria succeeds in just preventing the worsening of poverty, a tall task given current trends, it would still have some 170 million poor people in 2015' (Okonjo-Iweala et al. 2003:7). Estimates indicate that Nigeria would require an annual GDP growth rate of 7 to 8% in order to halve the number of people living in poverty by 2015. Despite the 2004/5 GDP growth rate of 6.9% noted in Nigeria, the poverty problem remains far worse than that in either South Africa or Egypt. World Bank data show that in 2003, 70.8% of Nigerians were living on less than \$1 per day, whereas for Egypt in 1999 this figure was 3.1% and for South Africa in 2000, 10.7%. In the same years, 92.4% of Nigerians, 43.9% of Egyptians, and 34.1% of South Africans were living on less than \$2 per day (World Bank 2007). Situations like these tend to make people easily susceptible to diverse forms of negative mobilisation at the slightest inducement, including electoral violence.

The weak institutionalisation of some key architectures of democratic politics also helps to explain electoral violence in Africa. Some of the most notable institutional architectures of democracy are political parties, EMBs (electoral management bodies) and the judiciary. Ideally, political parties are to be erected on a specific political ideology that will serve as its organising and mobilisational anchorage. In the absence of one, other tools of mobilisation, particularly forces of identity such as ethnicity and religion, become appealing. Given the ease of

manipulation and transformation of these forces, they stand the risk of falling prey to corruption and violence. The glaring ideological barrenness of most parties under Africa's new democracies and the attendant decadence of political parties, which manifest in the gross absence of internal party democracy and the heavy reliance on negative mobilisation to win elections, underlie electoral violence in Africa.⁷ Here, Nigeria presents a good case study where the parties had to rely on unconventional means to mobilise and win elections at all costs.

The situation with the EMBs seems worse. This is because effective electoral governance requires the impartiality, independence, efficiency, professionalism and transparency of the EMB to avoid mutual suspicion and mistrust among political actors. These issues can be determined by the mode of composition of the EMBs, their funding and motivation. In Nigeria, the EMB, by name the Independent National Electoral Commission (INEC), is constituted by the president, does not have an independent source of funding and therefore depends on the presidency, and has political affiliations. The electoral law requires that members should have the same qualifications for membership as members of the House of Representatives. One of these conditions is that one must be a member of a political party. Since Nigeria does not allow for independent candidacy, it then follows that members of INEC must be members of political parties. For these and related reasons, the independence and neutrality of INEC are compromised *ab initio*. INEC, like its counterparts in most other African states, especially Kenya and Zimbabwe, appears like a mere appendage of the presidency, which wields overbearing influences over it. This makes it easy to manipulate EMBs to serve the interests of the incumbents to the disadvantage of opposition parties. In Nigeria, for example, INEC attempted to illegally disqualify Abubakar Atiku from contesting the 2007 election at the instance of the presidency. It took the intervention of a landmark Supreme Court judgment a couple of days before the election to reverse the decision. In several states, including Kogi and Adamawa states, INEC succeeded in disqualifying some

7 One of the most authoritative accounts of political parties and the democratisation process in Africa I have read is Basedau et al. 2007. Two of the chapters particularly by Andreas Mehler and Liisa Laakso speak directly to issues of political violence and electoral violence respectively.

opposition candidates, getting those elections nullified by the court, and calling for a re-run.

Issues such as the political instrumentalisation of EMBs by the incumbent power holders feature prominently in the rejection of election results and eventual outbreak of violence in most parts of Africa. This point was made very loudly in Nigeria, Kenya and Zimbabwe, where opposition parties rejected the results of 2007 elections, alleging manipulation of the EMB by the ruling party.⁸

The contradictions of electoral justice in Africa represent another factor responsible for electoral violence in Africa. In most African states, the electoral laws spell out the procedures and conditions of seeking electoral redress in courts. In Nigeria, for example, the burden of proof lies with the litigant, and a major requirement is that it must be proved beyond any reasonable doubt that the alleged irregularity was 'substantial' to warrant nullification of the elections. These are near impossible conditions for obvious reasons. For one thing, the cost of electoral prosecution is no child's play, so that those outside government may not be able to afford it. For another, the declared winner of the contested election is already sworn-in, with full paraphernalia of office while the legal tussle lasts. This already tilts the electoral justice landscape in favour of the winner, who not only has access to state resources, but also takes full advantage of them to prosecute a personal case. In such circumstances, the huge cost and the burden of proof constitute limitations to the litigants. So also the problem of corruption which has reared its ugly head in the judiciary, and manifests in the allegations of graft against some judges. A notable case with regard to electoral justice was the one relating to the chairman of the Osun state election petition tribunal where he and other members of the panels were reportedly exchanging calls and text messages while the case was going on. Nigerians are still expecting the outcome of the judicial investigation of the matter. By implication, the political economy of electoral fraud and violence in Africa tends to be more rewarding than that of electoral justice. This tendency provides some incentive to play along, given that securing electoral justice in the face of these challenges seems an impossible mission.

8 For the Nigerian experience, see Ijim-Agbo 2007.

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How, for example, do we explain the fact that out of the 1250 tribunal cases (Aiyede 2007:50) that arose from the 2007 general elections in Nigeria, extremely few have been successful. For instance, in the presidential election, there were eight cases, none of which was successful. In the governorship election, there were 105 cases across the 36 states of the federation. Of all these, only one, that of Comrade Adams Oshiomole of the AC in Edo State has been successful in the final appellate court. Unfortunately, the failure of others was not for want of compelling evidence, but due to the impossibility to prove that the fraud was substantial to alter the result. Reports of local and international monitoring teams attest to the monumental fraud and violence that characterised the 2007 elections in Nigeria. President Yar'Adua, the chief beneficiary of the outcome, admitted this reality (Adebayo and Omotola 2007:206–212).

Even in situations where protracted violence compels the 'winner' to agree to negotiate power sharing agreements with the opposition, the incentive to engage in electoral fraud and violence abounds. The mere proposal, let alone the acceptance of going into power-sharing with a robber who came to power through stolen mandates, portends ominous dangers for the future of electoral politics in Africa. It may send the wrong signal that the opposition groups are nothing but selfish power-mongers who will accept any kind of power brokerage at the elite level, without actually fighting for the overall benefit of the populace. This tendency represents another incentive to be involved in electoral fraud and violence.

Consequences of electoral violence

Electoral violence has had some dire consequences in Africa's new democracies. First, there are security implications for the continent in general, and affected countries in particular. Some notable security implications include the collapse of public order, the large numbers of internally displaced persons (IDPs), the flow of refugees, and further militarisation of the state and society. For example, in the aftermath of electoral violence in the 2007 Nigerian elections, there was a collapse of public order in some volatile states of the south-west. The attempt to restore sanity led to the massive deployment of the military and mobile policemen, who subjected the people to various threats, harassment,

intimidation, extortion, torture and rape. The situation in Kenya was worse where a total of more than 300 000 people were internally displaced as a result of post-electoral violence (Kenya Red Cross Society 2008). The regional breakdown is as follows:

Table 1: Regional breakdown of IDPs Camps and total IDPs in Kenya

Region	IDPs Camps	Total IDPs
North Rift	53	67 220
South Rift	154	154 892
Nyanza	58	27 067
Western	19	19 941
Central	7	22 449
Nairobi and environs	5	10 074
Coast	0	0
Total	296	301 643

Source: Kenya Red Cross Society 2008.

Apart from the security challenges in managing such a large population of IDPs, several other complications with security implications have reportedly set in. For example, the congestion in most of these IDPs Camps has given rise to other challenges such as post-traumatic stress, contagious diseases such as Tuberculosis, and sexually transmitted diseases such as HIV/AIDS. These constitute acute security problems from a health perspective.

Electoral violence also accounts for a deep-seated legitimacy crisis across the continent. In Nigeria, Kenya and Zimbabwe, the constitutionality of the new governments is being seriously challenged, not only by opposition forces, but also by the people. Some of the famous ways of protest include peaceful and violent ones – peaceful demonstration and litigation in electoral courts, and violent outbreaks resulting in killing, arson, looting, destruction of properties and the resultant imposition of curfew, and the militarisation of the state and society. These serve as a potent source of diverting government attention away from governance and towards consolidating its illegal/contested capture of power and managing the resulting conflicts. In Nigeria, as in Kenya and Zimbabwe, there

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are still ongoing judicial proceedings and or violent protests challenging the legitimacy of the government more than a year after the elections.

Moreover, electoral violence hampers effective political competition and participation. Since might became right, as in the Hobbesian view of nature, only those with adequate coercive cover became main players. As such, the democratisation process is gradually facilitating the de-institutionalisation of the people to become mere clients, onlookers and/or consumers, instead of acting as the primary stakeholders of democracy. The attendant culture of political apathy represents a major threat to democratic consolidation.

Finally, electoral violence in Africa has important foreign policy ramifications. Ideally, every civilised nation aspires to the values and virtues of the post-Cold War order, where the issue of being a good international citizen features prominently. Good international citizenship requires conducting free and fair elections to be internationally recognised. The inability to do these in most African states has been a sore point in their external relations, most notably leading to an external image crisis. In the aftermaths of recent Kenyan, Nigerian and Zimbabwean elections, the international community has raised critical eyebrows about these countries. This has ramifications for economic diplomacy, as Africa is being seen as incapable of conducting credible elections. The resultant violence scares potential investors away, as much as it retards other forms of assistance.

Conclusion

The electoral process in much of Africa has been marred by electoral fraud and violence in diverse ways. This paper has reflected on these ways, accounted for them as well as teased out their implications for democratic consolidation. It has been revealed that electoral violence, irrespective of diverse motives, actors, targets and forms, has been counter-productive in Africa's new democracies. Both in the short and the long run, violence threatens the democratic foundations of competition, participation and legitimacy. It also brings about the marginalisation of the people in politics. The paper identifies some of the predisposing factors of electoral violence – the traditional context where issues

of military cum authoritarian overhang of previous regimes and a prevailing culture of political violence feature prominently; the nature of the African state and its politics; the weak economic foundations of the democratisation process, including pervasive poverty; and the weak institutionalisation of democratic architectures, particularly political parties, EMBs and the judiciary.

The foregoing revelation has both research and policy implications. At the policy level, official and unofficial interventions should be geared towards redressing the conditions that make the shallow rootedness of democratic infrastructures possible. So far, this is not yet the case. In Nigeria, some of the main steps taken so far include an attempt to reform the electoral process through constituting an electoral reform panel and providing an election petition tribunal. In Kenya and Zimbabwe, engagement has leaned more on power brokerage between the ruling party and opposition party. In both instances, the desired result is still far from crystallising (Omotola 2008a). This is because these interventions do not speak directly to the heart of the problem. If anything, it has only been palliative. For example, it is not yet clear how electoral reform will alter the prevailing culture of impunity among the political class – with little or no regard for the rule of law – or how power sharing will reflect the popular wishes of the electorate in Kenya and Zimbabwe. Their failure is exemplified by recurrent post-election violence in these countries. At the level of research, more focus should be on the political economy of electoral violence, including its democratic pay-offs over and above compliance with the electoral laws. This may help to lay bare the historical, political and economic undercurrents of electoral violence in Africa.

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