Introduction: Rethinking Democratization and Election Observation

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This book brings together studies of the broad theme of elections and democratization in Africa since roughly 1989. In this year, the so-called 'Third Wave' of global democratization, which is held to have started in the 1970s (see Huntington 1991), entered a new stage in Africa. A movement of mass protests and demonstrations then emerged against the authoritarian regimes (Engel *et al.* 1996: 1) that had installed themselves after an initial period of multi-party or single-party politics in the post-independence era. While this tide of popular unrest partly coincided with the end of the Cold War – after the fall of the Berlin Wall in 1989 – its origins predate it, and are rooted in socio-economic and political problems of African societies.

In 1989 also, the World Bank published its report on 'good governance', claiming that much of the African crisis was due to incompetent or irresponsible state leadership and administration (*Sub-Saharan Africa: from Crisis to Sustainable Growth*). This report was important because of the vital role that the Bank and its sister institution the IMF – for better or for worse – played in the developing countries, *and* because of its message: nobody would doubt the idea itself that good governance is of great significance to commonly accepted goals like economic growth, poverty reduction, sustainable development, and social justice. Still, the concept of good governance has been elusive, as have the World Bank policies to durably enhance it. Its programmes to encourage transparent government, institutional capacity or efficient administration have often been drawn up with only marginal attention to the wider socio-political context.[1] The approach is not one inspired primarily by democratic principles as such, but by a global economic and administrative logic

defined in the developed world. In general then, the processes of economic liberalization and administrative reform in Africa in the past decade have been hesitant and show many setbacks.

The tide of political change and democratization efforts in Africa as initiated by citizens' mass protests and the critical opposition has equally yielded inconclusive results.[2] New political openings occurred, but more salient are the continuities with earlier trends of autocratic governance and monopolization instead of sharing of power (cf. Ottaway 1997). Certainly when compared with the high aspirations voiced by the masses and the critical opposition in the late 1980s, it seems that no real irreversible breakthroughs toward democracy have been achieved (see Bratton and Van de Walle 1997, Ihonvbere 1996, Daloz and Quantin 1997, Ottaway 1997). However, there have been gains: many autocrats have gone, most Cold War-related civil wars and regional conflicts have ended, there is more press freedom and freedom of association, more economic opportunity, and, to stay within the orbit of this book, many more elections were held, introducing at least some amount of challenge and competitiveness in the political process. Nevertheless, this does not necessarily imply that 'democracy' is closer now than it was twenty years ago. Indeed, critical observers like the Cameroonian scholar A. Mbembe speak of democracy as only a domain of the 'imaginary', not of reality (Mbembe 1996: 69). New-style autocratic rulers often use electoral procedures as rituals to divide and rule or stay in power, and general social and legal conditions for a consolidation of democratization remain weak. Perhaps the most that can be said is that a broad discourse of democratization and liberalization has been opened up, both within the various African countries and between them and the 'donor-countries' from the industrialized world. This discourse – though it has the danger of being assimilated to a predominantly economic idiom of 'liberalizing markets', reduction of state spending and influence, and so on – has not yet led to the institutionalization of sustainable democratic structures and rule of law regimes. But a new awareness may have been created to deal with issues not only of good governance, but also of meeting the aspirations for democratic decision-making, participation and economic opportunities for the population at large.

In discussing these issues, the perennial question comes up of what 'democracy' is: both for African populations, and in general, as a global ideal. Is the argument that in African conditions of resource scarcity (see Mbembe 1996), economic unpredictability and a weak or arbitrary legal system, democratic ideals must be 'adapted' or cannot work? This is, in our view, only true in the sense that establishing institutional democracy in African conditions will be a long-term process, dependent on the reduction of elite competition at the national level, on broadening the social basis for effective political communication, on economic stability and on international relations with encouraging donor-countries and trade partners. But the evidence on attitudes and opinions of the common African public as well as the middle classes and intellectuals seems to substantiate the existence of underlying ideals of democratic culture, despite the adverse economic conditions which may perpetually put it at risk. On this point it is necessary for both academics, policy-makers and donors to pay more attention to the views and ideals of the wider population. I cite here one example of anthropological research on conceptions of 'democracy' in Uganda by M. Karlström (1996). This author noted that for the average Ugandan the concept of 'democracy', which is strongly related to 'civility' (Karlström 1996: 486), consisted of at least the following elements: a) freedom from oppression, b) freedom of speech and expressing opinions without being sanctioned for it, c) fair and impartial judgement in judgement of dispute and court cases, d) standards of civility, proper conduct and manners, and respect for legitimate authority. Such ideas and values have also been registered by other authors doing local-level research in African settings. They often existed *prior* to the emergence of modern ideas and practices of formal political democracy in the Western sense.

While it is difficult for donor-countries, international organizations or academics to take note of local perspectives on power, legitimacy and governance and to directly base policy on them, the fact nevertheless remains that policies to enhance democracy should take into account such views and not only focus on the ideas and schemes presented by the African elites, who usually have their own agenda.

In assessing democratization there are also other issues to consider, such as the meaning of self-determination (in African

plural societies), and the relation between individual rights, group rights and socio-cultural rights. In addition, what is especially striking in the conceptions of most ordinary Africans is the frequent emphasis they put on a fair, reasonably independent, non-corrupt and non-politicized *legal system*: the *sense of justice*, which most African regimes have tried so hard to undermine and destroy in the past decades, is a core value which defines the amount of public *trust* that people have in their government, or in government in general. In its turn, trust is of course a core value of any democratic society. On this issue, social research, especially by historians and anthropologists, could still contribute much to a better understanding of processes of social reconstruction and democratization, and will yield insights which could be taken into account by policymakers and international organizations.

The topic of elections and their observation or monitoring is one important element in the efforts to stimulate political liberalization and democratization in Africa (although the latter process also depends on, among other things, patterns of economic assistance and cooperation, the role of the military, and issues of ethno-regional pluralism). Elections are not new in Africa: since the late colonial period and especially after the Second World War many countries saw an extension of electoral processes.[3] Neither is election observation a new thing developed only recently in Africa: in Latin America is has been practised for decades (for instance, by the OAS), and the UN has been monitoring and observing elections and referendums across the world since its founding in 1945. But election observation has definitely gained new relevance in conditions of political liberalization in Africa. Furthermore, in 1991 the UN established a new agency called the Electoral Assistance Unit, which has also been active in Africa.

The original scope of 'election observation' was limited: it was an attempt to ensure 'free and fair elections' (Pastor 1995: 407). It has inherent structural constraints, and cannot in itself decisively contribute to the building of a democratic culture. Many observer missions have also failed, by not fulfilling their mandate of observing in a *critical* fashion. However, the signal function of observation in Africa has been significant, and much

– probably too much – was expected of it both by donor-countries and by local voters.

There has been a spate of literature on this subject, largely in the form of field reports and of articles by observers (some of the more valuable are Bjornlund et al. 1992; Geisler 1993; Pilon 1994; Meyns 1995; Fengler and Mair 1996; Nevitte and Canton 1997; Carothers 1997; Elklit and Svensson 1997). The only significant book-length study of election observation is the one edited by Engel *et al.* (1996), a valuable in-depth evaluation of the German experience.[4] There are also manual-like monographs on election observation. These have a more limited scope and are prescriptive more than evaluative and analytic (for some of the most interesting, see Garber 1984; Mair 1997; Tostensen *et al.* 1997; to a lesser extent, Goodwin-Gill 1994). All these studies are essential, but in many of them one notes a tendency of repetitiveness, or at least of identifying common problems and suggesting fairly similar solutions. Really new or striking insights are getting scarce, although the new factual information of the cases studies is important. Indeed, the issues identified by, for instance, Geisler in her path-breaking article (1993) still hold relevance and are widely discussed until this day.

Perhaps this indicates an emerging consensus on the nature and value of election observation. We might think here of the following points which keep coming up in the discussions: a) the need to seriously take into account the *legal* and *political conditions* under which elections are organized and actually take place; hence, more long-term observation would be advisable; b) cooperation between foreign observers and resident diplomats, who know conditions in the country better, should be developed; c) the role of domestic observers should be taken more seriously, and if need be they should be supported with training, materials and funding; d) a 'code of conduct' should be developed for foreign observers; e) in connection with the foregoing, some professionalization of foreign observers should perhaps be aimed at, for example in recruitment, training and actual observation activities; f) the nature of the post-election statements by foreign observers should be constructively critical, enumerating positive and negative aspects, and should not *a priori* take the form of a watered-down overall consensus judgement.

This book includes studies on both electoral processes (and especially of the role of foreign observers therein) as well as on general issues of the historical and socio-cultural backgrounds or contexts of democratization, elections and political legitimacy. Within this broad range, one can discern two main lines: a) the line of political scientists and political geographers, which focuses more on the actual procedures of elections and their observation and contains rich and essential empirical material, and b) that of sociologists, anthropologists or contemporary historians, more concerned with the contextual factors which tell us more about the underlying representations and habits related to local political culture, regime formation,[5] and legitimacy in African countries, as they interact with the actual organization and conduct of elections. The nature of political power, authority and the central state are homogenous but subject to different cultural interpretations and practices (cf. Schatzberg 1993; Tall 1995). Also, the democratic process itself may initially lend itself to confusion and fear (see Van Dijk's chapter below). An unmediated imposition of the logic of democracy in its late twentieth-century Western form is impossible, and by implication the practice of election observation is not unproblematic even if the legal procedures put in place have been followed. This does not necessarily mean that democracy has to be 'adapted to conditions in Africa' (a somewhat paternalistic argument), and that one has to favour relativism. But in order to gauge whether democratization – in the sense of the general aim of enhancing political communication, political freedoms and equitable social justice – has really been served, an analysis of political culture and social context is necessary as well, because of a) the need to identify conditions of inequality that inhibit that aim, and b) the fact that people's ideals and cultural commitments vary significantly across socio-cultural settings.

It is our view that advances in the study of elections and their international observation – both in the academic, comparative sense, and in the more political sense of enhancing democracy and the rule of law state (*Rechtstaat*),[6] ideals upheld not only by donor countries but also, at least rhetorically, by most authoritarian regimes – can only come about by an analytic broadening of the view on elections and democratization and by a

fruitful *combination* of the two approaches mentioned above: the political science and the historical-anthropological perspective.

On the one hand, it seems obvious that yet another series of election observation reports from the field and articles by political scientists and observers will not generate many new structural insights, apart from up-to-date advice on how to improve procedures and practices for the next occasion. There also seems to be an emerging consensus on what meaningful elections, *ceteris paribus*, really are. A reasonably complete list of criteria and issues could now be drawn up which allows us, as people concerned to see the causes of democracy, equality and justice advanced in Africa, to organize reasonable and meaningful elections (not only 'free and fair' – a qualification which is more and more difficult as the crucial indicator of democratic process) and further the growth of a democratic, civic culture. Such a list could be of use in improving current practices of election observation. Some good examples exist (Goodwin-Gill 1994; Mair 1997; Von Meijenfeldt 1995), and lists will also be presented in this book (see for example Van Cranenburgh and Rutten).

But, also for political scientists, this alone is not sufficient. Sustainable democracy needs the consolidation of institutional, social and legal frameworks which make the process of open political communication *independent* of the persons who happen to be in power. The analysis of elections and their observation should hence be seen as a stepping stone to exploring underlying and related issues of democratization *beyond* these occasional election happenings.

On the other hand, sociological-anthropological and historical analysis of these issues of democratization and elections cannot do without drawing upon the latest information from political science, and must continuously test its assumptions and generalities on the context and constitution of power and politics against field realities. Especially the application of specific political science theories (see Hyden 1996 for a brief survey) in these approaches would be very useful. Hence, an integrative view is necessary, with the ultimate aim to come to a long-term evaluation of the past ten-year episode of election observation in Africa in historical and cultural terms. Such a perspective could also stimulate reflection on issues of democracy as a 'trans-cultural' ideal, on the concepts of human rights and

rule of law, and on the discourse of diplomacy as the political buffer in international relations occasionally subverting the lofty and easily proclaimed ideals. Multi-party democracy, elections for a national state parliament, and the *Rechtstaat* are undoubtedly 'Western' in their first formulation, having taken a long time to mature there. And even in the West the gains are not irreversible, witnessing the recent elections in Austria and France, and seeing the steady erosion of the legislative power in favour of the executive. Europe is perhaps still haunted by the ghost of the Nazi rise to power after general elections in Germany in 1933.[7] Election observation – like development aid – in its post-Second World War form, is also in large part a Western invention and should be looked upon as such: the result of a historical and cultural conjuncture and which is not beyond scrutiny and criticism.

Recognizing the fact that election observation has been seen as a means to enhance democratization, several chapters in this book pay attention to shortcomings and controversial aspects of observation (cf. also Carothers 1997: 21–6). In recent years, these have been brought out for a variety of reasons: the meaning of elections and their observation in countries with a notoriously difficult and undemocratic political system is unclear, the mandates of the observers are often not clear enough, their standards and methodology are elusive, the presence of observers and their often hesitant reports can be easily misappropriated by African governments and bent in their favour, donor countries may have other interests or 'hidden agendas' and in the end may even not care much about long-term democratization when economic perspectives of the country in question seem to improve.

As the cultural and political-philosophical underpinnings of both African democratization and election observation are often not fully realized either, we also intend, at least, to put such more fundamental matters on the agenda of scientific debate and stimulate the debates to rise above the empiricist dimension of only describing elections and observation in Africa as a technical exercise. This literature of course has other aims marked by a prescriptive and also repetitive tone, and often tends not to take into account long-term developments in political regime formation and mutation and their effect on

democratization efforts in African countries. Such studies should be valued for their full and critical reporting as well as for their offering many valuable suggestions for policy improvements, but they cannot be the last word on the *meaning* and *future course* of election observation and democratization in Africa.

But we also feel a measure of scepticism: toward the pace and depth of democratization in Africa, but also toward the all too pragmatic and sometimes compromising attitude of those observers and donor agencies purporting to stand for democracy and rule of law, but putting the rules and principles on hold in view of certain economic and political gains they expect. While this may not be the general rule and the dilemmas of observation should not be underestimated (Kumar 1998: 11–12), this attitude subverts the idea of election observation as a serious signalling device for autocratic regimes in Africa. A weak or ambiguous statement will not encourage the culture of democracy. A long-term view on African politics and its international relations context also cautions us as to the transformative potential and the durability of elections, election observation and Western (and other donor-countries') declared support for processes of democratization. The example of Zambia is a case in point: the euphoria of certain observers and analysts on the peaceful transfer of power from Kaunda to Chiluba (Anglin 1992: 33; Bjornlund *et al.* 1992: 431) seems naive and premature in retrospect, considering the discomfiture of a new regime in many respects worse than its predecessor. So despite a seemingly democratic transition things can go wrong. More than just poll watching is needed to make meaningful statements about democratization (Carothers 1997: 22), and democratization, in Africa as elsewhere, will obviously take time (cf. Bratton and Van de Walle 1997: 268). In a sense, the study of foreign election observation is *also* a study of democracy and political culture in Western (and other) donor-countries where the democratic polity has to face new challenges both of a social and technological nature. A comparative perspective on the global varieties of 'democracy' would highlight the nature of similarities and differences in the experience of establishing and sustaining democratic institutions and of the upholding of democratic discourse and values.

This book concentrates on democratization and election observation in Africa because some of the most interesting and challenging material to study this topic comes from there. It contains studies on many aspects of the subject: on the actual vote-casting process, the role of parties and mass media, the actual observation practices of foreign and domestic teams, the role of international organizations and NGOs, and on background issues of political culture, regime formation and legitimation, the role of (armed) force, and attempts at peace-making and reconciliation.

The various contributions here may also have relevance in that prospective observers can, during their preparation and training for observation periods, not only reflect further on the practical and moral issues involved, but also may take into account the wider political and cultural context of elections and their observation as foreigners. Without considering the historical, social and political conditions before and after the actual feat of observation itself, no reliable or credible evaluation can be made on what role the elections play in a process of democratization.

Electoral observation is, in a sense, only the first layer of the policy of promoting good governance and democratic institutions in formerly autocratic countries. The second layer, in which it is embedded, is that of the *conditions* of politics, regime formation, political communication between elites and broad masses of the population, and the nature of the judicial system in the country concerned. On this account Africa is still in deep problems as far as democratic institution-building and elite mentality is concerned (see Bratton and Van de Walle's qualified pessimistic assessment, 1997: 268; compare also the studies in Daloz and Quantin 1997). This is mainly because of ingrained 'neo-patrimonial' political systems[8] – that is, political systems of governance dominated by personalized authority, patronage and clientelism, private appropriation of public funds, selective resource distribution, nepotism and ethnic or other favouritism (cf. Bratton and Van de Walle 1997: 61f). The fact of regimes being neo-patrimonial is related to the issue of resource scarcity and the idea of zero-sum competition and access to state funds at the expense of others (Mbembe 1996). Another, related, development is the growing 'criminalization' of states in Africa (cf. Bayart *et al.* 1997). This is not an

exclusively African phenomenon, but prominent nevertheless. It goes without saying that criminalization – while tuned very well into the global economy – subverts democratic ideals and practices of political accountability, transparency and control, legal impartiality, or resource access and allocation.

For a proper perspective on democratization processes beyond elections it seems inescapable to examine their connection to other social preconditions of politics and governance in Africa, such as:

*   the ideology of power as indivisible, entailing a view of opposition and freedom of opinion and organization as 'illegitimate' or 'divisive';
*   enduring material scarcity: the state is then a machine for resource distribution to capture and a prize that cannot just be given up;
*   entrenched neo-patrimonialism (see above), with personalized power and clientelism;
*   legal insecurity and arbitrariness, suggesting a lack of an independent judiciary and a systematic subversion of rule of law ideals;
*   the constitution and reproduction of (elite) power in non-formal, non-institutionalized domains and networks. This is the 'invisible' aspect of African politics and regime maintenance.[9]

Statements by observers as to whether elections have been conducive to the establishment of democracy in a country cannot be made while neglecting the impact of such conditions on the political process and on the attitudes of the common people. Certainly a *theoretical* explanation of why elections that seem to be reasonably free and fair do not lead to more democracy and rule of law must draw upon a close analysis of such conditions, as they determine the electoral process and the politics of regime survival.

Elections organized and more or less successfully held in a country with an entrenched autocratic regime not respecting basic rights of its citizens and not according any legitimate role to opposition parties, civic society and an independent judiciary, *have no real meaning*, not even in the widest stretch of the imagination. The attempt of foreign observer units to see the best aspects of the process, declaring the faulty elections a 'step in

the right direction' (one of the most worn-out metaphors in this field), and thus come to a joint statement of 'qualified support' or the like, is then an effort in self-delusion and of justifying the effort of funding and observing itself: a form of damage control (if not of downright cynicism in the eyes of the voters in those countries). When this is becoming the habitual practice of foreign observers (as the 1997 Kenyan case again seems to demonstrate), then the critics of foreign election observation are right.

The issues discussed in this volume cover a broad range of phenomena related to election observation and its connection with processes of democratization:

- the historical and ideological context of elections as element in African politics and political liberalization (Van Cranenburgh, Ellis);
- the hopes, promises and possibilities of elections in situations of conflict resolution and establishing civic peace (Van Kessel, De Gaay Fortman). This is a sensitive subject which has not yet been receiving much study, and the two contributions here break new ground;
- wider historical and socio-cultural conditions of politics and elections (Van Dijk, Abbink). These studies relate to cultural representations and historical specificities of a country's 'political culture' and to what could be called the 'imaginary' in politics;
- the fragile texture of election preparation and execution in African countries with a heritage of autocracy and neo-patrimonialism (Doornbos, Dietz and Foeken, Buijtenhuijs, Abbink, Lange);
- 'retrieving' election observation: countering the dangers of its sliding into irrelevance or meaninglessness and thinking about new policies and models to improve election observation (Rutten, Van Cranenburgh).

Most chapters are based on first-hand field experiences of the authors either as official observers or as Africanist scholars carrying out observational field studies in the countries described. They thus can offer not only new factual insights on recent developments in a number of key African countries, but also provide material for reflection on more theoretical and comparative issues related to elections and democratization.

We hope therefore that this book will demonstrate the continued need to study the experiences with election observation in depth, in order to deepen both theoretical and practical knowledge of its potential and meaning, and also to help to adjust over-confident plans and optimistic scenarios.

If we look at things from the political science angle, a crucial point in our view is that the international discourse on 'democratization' should be re-erected on the bedrock of ideas of political and human rights (as indicated by, for instance, Goodwin-Gill 1994, clearly setting out the links between existing international treaties and agreements relating to democratization, elections and humans rights) and of (re)building of state institutions. As we have suggested above, such an approach might be attempted in order to *reconnect* with the views and aspirations of the common people in Africa, who are struggling in the 'informal economies', who are the victims of corruption, nepotism and ethnic discrimination, but are trying to survive and improve their lives. They are yearning for economic breathing space, honesty or at least some legal predictability in business dealings, legal guarantees, and political and media freedoms. We think it is not unfair to say that the diplomats and international organizations have only a rather limited idea of what these views, aspirations and daily struggles of the common people are, and often they are not much interested in them.

It can also be noted that foreigners in Africa, be they diplomats, tourists, businessmen or advisers, suffer from what might be called 'structural amnesia' in their dealings with the country they live in or visit: they do not always take into account recent historical developments, do not remember the peculiarities of local political culture and the impact of crucial events, and 'forget' the long-term political manoeuvres or games played by the power-holders, who are often masters in appropriating the discourse and symbolism of democratization (this subject in itself would be worth a separate study, also to improve the institutional memory on matters such as election observation and policy formulation *vis-à-vis* the developing countries). Among most African elites the conception of many foreigners and donor-country officials as basically gullible and naive is unchanged. Structural amnesia is one of the problems which hinder the faulty democratization process in Africa, next to more commonly identified points such as resource scarcity,

economic vulnerability, political instability, zero-sum game thinking, lack of public trust and lack of a dependable and fair legal system In the context of international assistance and co-operation toward Africa, there is reason to rethink current approaches, perhaps giving attention more than before to legal and judicial matters and enhancing the structure and spirit of a rule of law In recent policy approaches and experiences of donor-country election observation in Africa, more critical assessments are heard In this respect, election observation as a political instrumentality to express commitment to democratization has advanced beyond its beginnings in the 1990s Principled commitment to democratization and rule-of-law thinking is not contradictory to efficient economic assistance programmes and the opening of markets Pragmatic or over-cautious *Realpolitik* fueled by business interests and political competition for influence by donors in some places remains – or can become – predominant But then there should of course be no surprise if politics in Africa – and towards Africa, as buttressed by the conventions of international diplomatic discourse – will continue to be one of the major bottlenecks of realizing stated goals like socio-economic development, legal accountability, growth of public trust or political stability Democratization should not only be seen as an affair of the elites but should be 'given back' to the African populations who courageously started to press for it more than ten years ago

NOTES

1   This is evident from the internal *Country Assistance Strategy* (CAS) documents that outline World Bank–IDA support for certain developing countries These reports have a fairly short term perspective, and ignore or bypass issues like national consensus, the role of the opposition and of civil society organizations, freedom of the press and other media, and the abuse of human rights These issues are not seen by the Bank as being linked in any way with the exercise of governance, power and elite rule in these countries

2   For a critical survey of research on democratization, see Buijtenhuijs and Rijnierse 1993, and Buijtenhuijs and Thiriot 1996

3   An important overview, with a discussion of the main theoretical trends in this literature, is Cowen and Laakso 1997

4   While editing this Introduction, the recent volume edited by Kumar (1998) on post-conflict elections and international assistance (with four chapters on African countries) came to our notice

5.   *Regime* defined as the body of operative rules and practices of governance and of the constitution of power (based on Sandbrook 1996: 85). These 'rules' are partly non-institutionalized and often based on arbitrary, uncontrollable use of force, intimidation and the like.
6.   See on the relation between these two concepts the excellent discussion by Sejersted 1988.
7.   Although it is often forgotten that the NSDAP, in its best national result in July 1932, only received 37 per cent of the national vote, and *not* an absolute majority. The position of political party stalemate, presidential authoritarianism and manipulation of faulty constitutional clauses then led to Hitler's assumption of power.
8.   Which at most essential historical junctures were supported by foreign powers (for example, Mobutu's Zaire, Eyadema's Togo, Mengistu's Ethiopia). This incidentally also holds for most of the so-called 'new leaders' in Africa.
9.   An example would be the dismissal of people from jobs in the state sector because of lack of political loyalty but by accusing them of 'corruption' or 'incompetence': the standards and procedures to determine the latter are often fictitious and the accusations can rarely be upheld in a court of law (where the plaintiff would often have no chance of a reasonable and speedy trial either). Furthermore, the people replacing them are usually equally corrupt and incompetent (foreign observers cannot check such cases in detail and often go by rhetoric and appearances).

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