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## **Elections in Africa in historical context**

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## 2 Elections in Africa in Historical Context

S. Ellis

### INTRODUCTION

An outstanding feature of the international order established in the aftermath of the Second World War, now undergoing such profound change, was its reflection of certain underlying suppositions about the nature of states and the origins of the power they wield. Every member of the United Nations accepts the proposition that the world is divided into sovereign states which have jurisdiction over a specific territory, and that these states have the right and duty to govern. This was the community of nations which African countries joined, a few as founder-members in 1945, many more as newcomers admitted after they had attained independence from colonial rule, mostly in the 1960s.

Every African member of the United Nations, with South Africa in the period of apartheid constituting the only significant exception, bases its right to govern on the principle that the tenants of power are representatives of the popular will, no matter how diverse are the precise methods which politicians, generals and kings actually use in becoming heads of state. A few African heads of state have been literally born to power (like Morocco's Hassan II or, to a lesser extent, Ethiopia's Emperor Haile Sellassie I), but far more have seized it by force, notably the numerous ambitious soldiers who have carried out *coups d'état*. Some have conquered power after long guerrilla campaigns carried out either against colonists and settlers reluctant to cede power to representatives of African populations, or, more recently, against an incumbent independent government. The first to achieve power in Africa through a guerrilla campaign against a post-colonial government was Hissein Habré in Chad in 1981. This path to power was followed by many others who also made it to head of state, such as

in Ethiopia and Eritrea. In the first generation after independence, many African leaders had actually been voted into power in elections supervised by the departing colonialists, and thereafter retained it until their death (like Presidents Houphouët-Boigny and Kenyatta) or until their overthrow (like President Nkrumah and many others). A few of the first generation of heads of state, elected to power in colonial times, eventually resigned and handed power to chosen successors, like Presidents Senghor of Senegal, Nyerere of Tanzania and Ahidjo of Cameroon. But from the end of the colonial period until the late 1980s, only in Mauritius was one party actually voted out of office and replaced by another in constitutional fashion.

Despite this wide variety of techniques for acquiring power, every African country has experienced fairly regular elections of some sort or another (see the survey by Cowen and Laakso 1997), usually ones in which the whole adult population has, in theory, been allowed to participate. In South Africa, in the days of apartheid, national elections were restricted to white citizens only, since blacks were increasingly deemed to be citizens of the homelands designated by the South African government, and they were expected to cast their votes there. Although white South Africans were free to vote for opposition parties or candidates, in practice a victory by the National Party was always a foregone conclusion. In many other countries, the absence of opposition parties and a stifling political control of every aspect of elections often made such contests useless as means of removing an incumbent government or head of state. In the great majority of cases, the main function of elections was less to choose a government than to serve as a form of legitimization of political choices which had already been made by other means, of confirming political facts. Elections symbolized that the people had an opportunity to express themselves, and thus they made an important contribution to maintaining the principle that the ultimate source of sovereignty was the people's will, any appearance to the contrary notwithstanding. Since 1945, this notion of popular sovereignty has generally been the accepted international standard for the legitimacy of any state, challenged only in recent decades by the emergence of new bases of political legitimacy, notably in those Islamic states<sup>1</sup>

which claim that sovereignty is based on the will of God as it is expressed in holy writ.

The formal view that legitimate government can be based only on the 'will of the people', symbolized by elections, is a relatively recent one even in Europe and North America, where the roots of the contemporary notion can be traced back to the eighteenth century, when democratic theory emerged (Locke, Spinoza, Montesquieu). General suffrage, however, was also in Europe only achieved in the course of the twentieth century. In Africa, the idea of popular sovereignty expressed through elections is in most cases newer still. Before the colonial period, Africa had a great variety of polities – thousands in the later nineteenth century – with widely differing forms of government. They varied from powerful centralized monarchies or empires to the so-called stateless societies particularly common in parts of West and Central Africa, in which some form of public order was maintained without any centralized institutions of the type which Western observers were able to classify as constituting a state (see Horton 1985). Inasmuch as this great variety of systems can be said to have had any principle of legitimation in common it was a religious one: namely, the notion that all power has its ultimate origin in the supernatural or invisible world, and that humans can acquire or lose power only with the acquiescence of the denizens of this invisible world, God or gods and spirits. Hence the institutions by which Africans in pre-colonial times actually regulated access to power were often based on the specific arrangements they made to identify and influence the forces of the invisible world, such as the so-called secret societies which played such a prominent role in the government of many West African communities, or the priests, clerics and diviners who played a role as king-makers in the monarchies of Dahomey, Ashanti or Imerina.<sup>2</sup>

A great error made by political scientists imbued with theories of modernization, and the various officials, technocrats and planners who shared their basic suppositions, was to believe that the principle of the sovereignty of the popular will, to be tested most obviously through general elections, was replacing all other principles of sovereignty throughout the world, and moreover that this was necessary for any country which wished to develop.<sup>3</sup> There is now increasing evidence that the adoption

throughout Africa of constitutions based on notions stemming from the European Enlightenment tradition that power emanates from popular sovereignty, and from the separation of politics and religion, has not displaced other notions of political legitimacy but, in time-honoured fashion, has instead simply been assimilated into a broader range of thought (Ellis and Ter Haar 1998). Thus, while there is abundant evidence that elections, at least until the 1990s, rarely served as effective instruments for the regulation of supreme power in sub-Saharan Africa, they have at the same time become widely established as one technique among others to express the legitimation of power.

Perhaps the oldest example of an African territory having the right to vote in national elections on the European model is the four communes of Senegal, French colonial settlements whose inhabitants had voting rights from the mid-nineteenth century. This was an example of a colonial institution being introduced into African politics, an effect of colonial rule in general. For while colonial governments were notable for their authoritarianism, and based their claim to legitimacy not on any appeal to the will of the people they governed but rather to a mixture of an alleged racial superiority and a supposedly greater skill in public administration, they did gradually introduce elections, among other trappings of popular representation. Some colonial jurisdictions gave rights to certain Africans based on a property qualification, as in Cape Colony in the earlier twentieth century, or allowed individual Africans to acquire the right to vote through assimilation into the European political ambit, as in the French and Portuguese traditions. But generally speaking the introduction of elections in which the mass of the African adult population could participate occurred only after 1945, and in conformity with the new views of international order which we have referred to as forming a central part of the worldwide system of international relations emerging from that period. Generally speaking, British colonial authorities in West Africa realized by about 1950 the necessity of formulating new policies for the accommodation of social forces which had emerged during and after the Second World War, and the last years of the colonial period saw an attempt to build unified, integrated parliamentary political systems that would form the bases for political independence (post-1970). Similar develop-

ments occurred rather later in the British colonies of Central, Eastern and Southern Africa, where the presence of a significant settler population complicated the political strategies of colonial administrations but also assured the early development of administrative and legal structures able to accommodate the aspirations of at least a part of the population to vote regularly for the choice of their political representatives. In the French empire too, ordinances issued in August and September 1945 established electoral colleges which included provision for Africans to elect representatives to the Constituent Assembly which was to plan a new constitutional future for France and its colonies. This was to lead directly to the rights of French-speaking Africans to vote for candidates to the French national assembly and to the holding of regular elections and of multi-party political activity throughout French-speaking Africa. In this sense it could be said that the tradition of regular elections in which the adult population has the right to vote dates in most of sub-Saharan Africa from the late 1940s or early 1950s. These developments occurred later in the Belgian Congo and in Portuguese colonies.

## MULTIPARTY POLITICS AND THE REVIVAL OF ELECTIONS

To reread now some of the early classics of Africanist political science, written in the 1950s and 1960s, is to enter a world of hopes for the most part unrealized (cf. Cowen and Laakso 1997 for an overview of theoretical perspectives). The euphoria which many Africans and many non-Africans felt at independence, and the general optimism that a new world was being created from the best mix of African and European traditions, was soon tempered by the realities of political life. Among the most obvious signs of this was the move towards single-party states in which elections were affairs of mind-numbing predictability, in which diverse Fathers of the Nation, Great Teachers, *présidents-fondateurs* and Great Helmsmen received 99 per cent and more of the vote, as did their parties. Nevertheless, it is sometimes forgotten that there were many examples of African countries which did not become single-party or no-party states: Mauritius and Botswana never did,

Senegal adopted a single-party constitution only for some 10 years, and Ghana, Nigeria and Sudan all oscillated between military rule and multi-party politics in the 1970s and 1980s. With the exception of Mauritius, however, none succeeded in achieving the acid test of multi-party effectiveness, namely the transfer of national power as the result of victory at the ballot box.

Moreover, by the late 1970s, with the rise in world oil prices and profound shifts on world commodity markets, there was also evidence that many African countries were in deep economic and financial difficulties. Senegal was the first to undertake a structural adjustment programme, in 1980, as the condition for receiving loans from the International Monetary Fund and the World Bank without which the government risked insolvency. A clear pattern emerged throughout the decade of the 1980s: one after another, African governments on the verge of bankruptcy requested emergency loans from the international financial institutions, which reacted by first inspecting their economic policies and making recommendations which were, in effect, conditions for the receipt of loans. The experience of intervention in the financial and economic policies of African states soon led the World Bank to the more profound conclusion that the root cause of poor economic performance in sub-Saharan Africa was not merely ill-advised policies, but 'a crisis of governance'. A study published by the World Bank in 1989 was explicit in stating that 'History suggests that political legitimacy and consensus are a precondition for sustainable development' (World Bank 1989: 60), and this was soon to be translated into a demand that African governments which wished to be eligible for aid from the international financial institutions and from the donor community generally should undertake reforms of their systems of politics and government as well as of their detailed economic policies. Occurring as it did at a time when many Africans, particularly in urban areas, were openly demonstrating their dissatisfaction with the people and the institutions which had governed them since independence, this was to lead to a wave of political reform which most often took the form of the adoption of multi-party constitutions and competitive elections. In effect, African states which had for decades used elections as symbols of their legitimacy, even when these were single-party states, now subscribed to the prin-

ciple that multi-party elections which might be considered free and fair were the standard norm for legitimacy.

## DEMOCRATIZATION AND ELECTIONS IN THE 1990s

It now appears that the wave of democratization which was such a pronounced feature of African politics in the early 1990s has produced sufficient results to be subject to a provisional evaluation (Bratton and Van de Walle 1997). A significant number of African states have witnessed changes in government through elections, including Cape Verde, Benin, Zambia, Mali, Madagascar, Namibia and South Africa. However, there is also a significant number in which incumbent heads of state and political parties steeped in the traditions of single-party rule have managed to retain power in multi-party elections, including Côte d'Ivoire, Gabon, Cameroon, Kenya, Togo and others. In two cases – Benin and Madagascar – dictators voted out of office in democratic elections later regained power through subsequent elections in a surprising reversal of fortunes.

The mere fact of an incumbent party or head of state retaining power under a new constitutional dispensation cannot, in itself, be taken as evidence of any failure of democratization, but there is abundant evidence that in many cases this has been achieved through techniques, sometimes verging on illegality, which cannot be considered free and fair. These vary from the use by incumbents of state-controlled media to acquire advantage in campaigning, and gerrymandering of electoral districts and regulations, to the bribing of rival candidates, the manipulation of ethnic loyalties, the intimidation of voters and the rigging of elections, recorded not only by the press but also by international observers.<sup>4</sup>

Even where there have been examples of successful political change through the ballot box, such as in Benin, Zambia, Mali and – most important of all – South Africa, this has not generally produced the changes which advocates of political liberalization had hoped to see, either in terms of increased power-sharing or of greater economic prosperity. A popularly elected government in Zambia has not only reproduced many of the less commendable habits of its predecessor (which it

strongly resembles not least because of the number of ex-ministers who have managed to regain power by switching parties at the appropriate moment), but has also managed to be more deeply immersed in the culture of smuggling and corruption than its predecessor. The democratic government of Mali appears too feeble to have a major effect on its country's fortunes, and has also experienced difficulties in the management of elections (see the chapter by Lange, this volume). While South Africa's transition from apartheid to full-scale democracy clearly marks a major change, it is too early to regard the transition as being complete. There are still many changes taking place in South Africa which can legitimately be regarded as an integral part of the move away from apartheid and which are far from being played out. South Africa is a democracy, but of what type exactly remains to be seen.

We may also make some further observations concerning the role of elections in regime changes. Of prime importance is the fact that elections themselves, while of undeniable importance, may clearly be seen in many cases to be the symbolic recognition by the electorate of political bargains already reached by elite actors. The most significant example of this is undoubtedly the South African general elections of April 1994 which brought to power a government of national unity dominated by the African National Congress and headed by President Mandela. This was the crowning achievement of a new political dispensation reached by a complex mixture of negotiation and violence during previous years, and most notably in the period since 1990 (see Van Kessel, this volume). A similar point could be made in regard to the Liberian election of July 1997, the fairest in the country's history of one and a half centuries, which, however, brought to power the country's leading warlord, Charles Taylor, principally because he was seen as the victor in the preceding seven years of war. One might observe that all elections contain an element of ritual performance inasmuch as the opinions of the voters are formed not only on polling day but in the period of political debate and action which precedes the election. Nevertheless, in situations where political conflict has all too often taken the form of armed struggle, it is a point which should not be overlooked. The Angolan elections of 1992, in which the losing party, UNITA, rejected the results and reverted to armed struggle, serves to illustrate the dangers inher-

ent in placing too much faith in elections alone as an instrument of political change. This has become still more evident to judge from the number of occasions, such as in Burundi and Niger, on which governments democratically elected in the period of reform since 1990 have been subsequently overthrown by military coups. In Congo-Brazzaville, the events of late 1997, in which a former head of state – though decisively assisted by the armed intervention of Angolan government troops – led a major military campaign to overthrow a democratically elected president, set a still more ominous precedent. It suggests that the *coup d'état*, which many had hoped had lost its primacy as an instrument of political change in Africa, is now undergoing a revival.

One of the most penetrating analysts of politics in Africa, the late Claude Ake, in illustrating his contention that multi-party activity had failed to produce genuine democracy in most of Africa, asserts that the reason is that democratization in itself is 'totally *indifferent to the character of the state*' (Ake 1996: 6). He continues:

Democratic elections are being 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 reduction of democracy to multi-party elections. So what is happening now by way of democratization is that *self-appointed military or civilian dictators are being replaced by elected dictators*. (Ake, *ibid.*)

In short, elections, albeit an important institutional aspect of national politics, do not determine the manner in which a state operates and are not even the most important elements of factional political competition. The real stuff of politics, that is, arrangements made for the resolution of conflicts and the distribution of resources within society, is situated in other sites,

and uses other techniques. These are increasingly informal in nature.

Since the late 1970s, sub-Saharan Africa has undergone two great movements of reform, connected to one another. These are in the fields of economics (where they most obviously take the form of liberalization programmes known as structural adjustment) and politics (where they take the form of democratization and the strengthening of civil society and campaigns for good governance). There is evidence that social groups in pursuit of their particular or factional interests create political fields which make incidental use of the institutional forms of a liberal state, but include other forms of mobilization and communication which have no official existence.

Some writers consider that the existence of such parallel or informal networks amounts to a 'shadow state', that is to say, a political system in which political struggle turns upon the control of 'elements of society associated with the production and reproduction of capital' (see Reno 1995: 12). In such a system, despite the collapse of public administration, tenure of state power remains of vital political importance since it is a privileged position for reaching those bargains with elements of society which constitute the shadow state. Such a state is one in which the official apparatus of government is shadowed at every level by an unofficial apparatus consisting of networks of interest within which political and economic bargains are constantly being negotiated. It is the existence of a so-called shadow state which explains why in countries like Sierra Leone and Liberia, despite the terrible tribulations they have suffered in recent years, the state – and especially a normative idea of the state – has not disappeared nor has it entirely collapsed.

## ELECTIONS AND STATES

Perhaps the main problem facing analysts of African affairs in these circumstances – and, even more, confronting political actors who aspire to encourage African societies in the direction of peace, power-sharing and economic prosperity – is to distinguish the real workings of political systems from the institutional forms which states and societies have adopted in an effort to display the trappings of legitimacy, very often under

pressure from the international donors on which they are financially dependent. Some formal institutions of state and government, including elections in some cases, are best considered as façades, institutions of little real substance which nevertheless function to attract attention or to represent principles whose connection to reality is more complex.

Perhaps a key notion in analysing the actual ways in which transactions are made is that of 'informality', originally developed by economists and anthropologists seeking to understand the high degree of economic activity which, in many parts of Africa, has always taken place outside the scope of formal institutions and formal regulation.<sup>5</sup> International proponents of economic reform have made the mistake, basing themselves particularly on influential studies of other continents (De Soto 1989), of assuming that informal economic activity in Africa represented a potential private sector of the economy frustrated only by the heavy hand of state regulation. That this is an inaccurate analysis may be demonstrated by the fact that the widespread introduction of liberal economic reforms throughout Africa has led not to the erosion of the informal sector, but in many cases to its growth. Above all, informal economic activities may be seen not to exist in isolation from a putative formal sector, but above all to be closely combined with it in an integrated whole (Hibou 1996).

If indeed the operations of informal economies can be regarded as a useful analogy for those of informal *political* systems – the exercise of power outside established institutional and legal, and therefore in some way accountable, frameworks – it seems important to emphasize that these should not be regarded as divorced from such formal institutions as electoral laws and regulations, but to see formal and informal political structures as part of a seamless whole.

Subsequent chapters in this book will analyse in detail the social and political context of elections, individual elections, and technical questions arising from their observation. This is a subject in need of further study because elections, even in circumstances when they may often appear to be inadequate as instruments of political change, are certainly not without significance. The history of Africa over the past half century suggests that elections are firmly established as a means by which rulers try to establish or demonstrate their claims to

legitimacy. There is little reason to believe that elections will cease to fulfil this role in the foreseeable future, if only in a rhetorical sense in many cases. How they relate to other systems of legitimation, to the constitution of power, and how these together are connected to the struggles of political and economic life, will be a matter for on-going consideration, especially in assessing the nature and substance of good governance, political liberalization and democratization on the African continent.

## NOTES

1. In Africa, perhaps only Sudan might be qualified as such.
2. On secret societies, see Little 1965–6. For a wider-ranging collection, see Ranger and Kimambo 1972.
3. The literature on this subject is enormous. A good summary is Leys 1996.
4. One example among many is *An Assessment of the October 11, 1992 Election in Cameroon* (National Democratic Institute for International Affairs, Washington DC, 1993).
5. A pioneering article in the study of this field is Hart 1973.

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