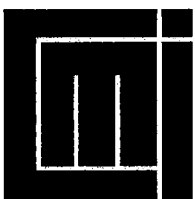


# **Setting a Standard for Africa?**

## **Lessons from the 1991 Zambian Elections**

Bård-Anders Andreassen, Gisela Geisler and Arne Tostensen

R 1992: 5



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**This study was undertaken jointly with the  
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### **Summary:**

This report provides an assessment of the transition to a multi-party system of government in Zambia. The first section gives a general background to processes of democratisation in Africa, while the subsequent ones deal specifically with the situation in Zambia, particularly the general elections held in October 1991. Special attention is devoted to the political context of the election campaign and the domestic and international efforts in monitoring the elections, as well as the role of donor agencies in that process. The elections are judged on balance to have been free and fair despite some irregularities. A concluding section discusses prospects for consolidating democratic procedures and practices. Finally it offers some suggestions as to how donors may support a further deepening of the democratisation process.

### **Sammendrag:**

Denne rapporten gir en vurdering av overgangen til fler-partisystem i Zambia. Et innledende kapittel inneholder en generell bakgrunn for demokratiseringsprosessene i Afrika, mens de øvrige tar opp forholdene i Zambia spesifikt, særlig det allmenne valget i oktober 1991. Spesiell oppmerksomhet er viet den politiske situasjonen under valgkampen så vel som den nasjonale og internasjonale valgovervåkingen, samt bistandsorganisasjonenes rolle i overvåkingen. Valget blir vurdert å ha vært gjennomført stort sett fritt og rettferdig til tross for enkelte uregelmessigheter. De avsluttende kapitlene drøfter utsiktene til å befeste demokratiske prosedyrer og praksis. Dessuten fremmes noen forslag til hvordan bistandsorganisasjoner kan støtte opp om den videre demokratiseringen.

### **Indexing terms:      Stikkord:**

Democratisation	Demokratisering
Elections	Valg
Monitoring	Overvåking
Zambia	Zambia

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This report was originally commissioned by the Norwegian Ministry of Foreign Affairs. But the analysis, views and conclusions drawn are those of the authors and should not be interpreted to reflect the official Norwegian position.

## **Executive summary**

1. The purpose of this study is wider than a mere evaluation of the conduct of the elections, and the processes that led to the introduction of multi-party democracy in Zambia after 18 years of continuous one-party rule. The main objective is to assess the role of international donors, including international observer teams, and to evaluate the potential for supporting democratic processes and democratic elections elsewhere in countries receiving Norwegian aid. This reflects an increasing interest on the part of Norwegian donor circles to make more consistent and legitimate efforts in contributing to the promotion of democratic principles and human rights through aid.

2. International monitoring of elections has become an important method of external involvement in democratic processes, and there is an increasing recognition of the role such monitoring can play in promoting human rights in countries experiencing democratic elections. The main emphasis is often put on formal democratic procedures, and respect for fundamental rights in the election process itself. In order to assess whether an election is free and fair one must also consider provisions of other human rights instruments, such as the rights to hold opinions without harassment or victimisation, freedom of expression, peaceful assembly and freedom of association.

3. Furthermore, institutions that promote social and political participation in an incipient pluralist political culture also need to be developed if democracy is to be sustained and take root in formerly autocratic societies. Under the new political dispensation it has become easier to accept resources from the North in building democratic institutions and enhancing a democratic political culture.

4. The linkage between development assistance and human rights/democracy support involves ethical questions. Although the criteria derive from international human rights law, any form of human rights paternalism should be carefully avoided. Plans and priorities should be worked out in continuing dialogue through which the desires and needs for support are identified and suggested by the cooperating partners themselves. Rather than building new dominant structures, the donor community should aim at supporting existing democratic bodies and institutions in order to promote viable democratic processes.

In the case of Zambia the rapid rise and success of the democratic movement is explicable only against the backdrop of the country's

disastrous economic situation, which was brought about by the ill conceived economic policy of the Kaunda government, and the inefficiency, wastefulness, and unaccountability of a bloated parastatal sector and bureaucracy. The consequent loss of legitimacy and authority of the Kaunda government amongst both urban and rural Zambians but also increasingly in the eyes of the donor community, were pre-conditions for the articulation of demands for political reform. The broad political coalition the opposition did manage to build in the Movement for Multi-Party Democracy (MMD) further helped push the Kaunda government into making concessions with regard to its otherwise apparent disdain for democratic principles.

5. The undemocratic nature of the Kaunda government manifested itself particularly in the virtual amalgamation of party and government, which also extended to the "traditional" leadership of the chiefs. Both at national and local levels the party was inextricably intertwined with the government as reflected in appointments of party functionaries to government positions and of chiefs to party posts. The effects of this "marriage between the party and the state" outlived the official end of the one-party state, and made itself felt, for example, by the indiscriminate use of state funds and resources by Kaunda's United National Independence Party (UNIP) during the election campaign, and the extensive use of government facilities by UNIP party functionaries. This and the dubious role of the chiefs as steadfast supporters and also as parliamentary candidates for UNIP turned into a contentious issue during the election campaign.

6. But before the election campaign gained momentum the adoption of a new Constitution proved to be even more contentious. The 22-member constitutional commission appointed by then President Kaunda in September 1990 was boycotted by the main opposition party on grounds that it was biased towards UNIP in its composition. Later on its recommendations were also largely rejected. After a meeting in July 1991 between the leaders of the main parties, Chiluba and Kaunda, a substantially amended Constitution was finally adopted. Among the main amendments were provisions requiring all cabinet members to be appointed from the ranks of the members of Parliament; an increase in the number of appointed members of Parliament from five to eight; the removal of a provision creating a constitutional court, which had given the President power to declare martial law; and a provision requiring the President to consult with Parliament before declaring a state of emergency and providing for the termination of state of emergency within seven days after the election of a new President.

7. The election system in Zambia is based on majority (or more precisely *plurality*) elections in single-member constituencies, with one round of



elections and "first-past-the-post" as the guiding principles for electing members of Parliament. Supervision of the electoral process is in the hands of an Electoral Commission, appointed by the President. In the 1991 election the Commission was not only understaffed and underfunded, but was also criticised for its lack of impartiality and independence, partly because the President had powers to remove its members. The organisational shortcomings of the Commission became apparent in its role as Delimitation Commission and in the inadequate training of its staff.

8. The registration of voters also caused confusion and criticism. New registration of voters had taken place almost a year prior to the elections, explicitly not for the elections but rather for the referendum, which was subsequently abandoned. Many young voters and others who did not wish to vote in the referendum were thus, in effect, disenfranchised. The electoral rolls were also faulty, partly due to the confusion created by the *ad hoc* manner in which the delimitation of constituencies was made. Calls on the Electoral Commission to allow voting with national registration cards only were rejected, however, on grounds of possibilities for double voting.

9. In the run-up to the elections Zambia was under a state of emergency, which had been in force since 1964. Opposition parties, monitoring and observer teams alike strongly deplored this fact and asserted that the state of emergency was incompatible with the holding of free and fair elections. Under mounting pressure Kaunda succumbed to this criticism. He was advised, however, by the Attorney General that according to the new Constitution he was not authorised to lift the state of emergency without the approval of Parliament which had already been dissolved. A heated debate over the issue ensued, but the state of emergency remained in force. No party exploited this fact immediately prior to or during the elections, but it must be assumed that it may have had an intimidating effect on the electorate.

10. Incidents of intimidation, which were partly related to the state of emergency, became known also during the election campaign. Although both major parties, UNIP and MMD were the culprits, UNIP seems to have had more means and inclinations to that effect. UNIP intimidation of MMD members, both as threats and actual physical attacks, were reported from the end of 1990 onwards. High ranking UNIP officials, including the President, were frequently reported to have threatened to "deal with the opposition" after the elections. Only a few of such transgressions were reported as coming from MMD. The deployment of paramilitary forces by the then ruling party and reports of their brutality, furthermore, created a feeling of living under siege. This was confirmed by UNIP's constant

reference to the possibility of civil strife and brutality during and after the elections, and allegations that MMD planned to take power by force. Comparable allegations against UNIP by MMD were reported only in the last phase of the campaign.

11. State-owned mass media were clearly found to favour the UNIP government, and Kaunda himself publicly ordered media chiefs *not* to cover the opposition. The emergence of newspapers of the opposition were prevented by means of intimidation and denied access to printers, advertisement etc. After considerable pressure from monitoring teams and Zambian interest groups, the printed media sector improved with regard to equity in coverage in the second half of the campaign. The electronic media remained highly biased until an injunction against its director-general succeeded a month prior to the elections. For the larger part of the election campaign the opposition parties were, however, greatly disadvantaged by their limited access to the media.

12. The election campaign was in general not paying much attention to political issues, and gender issues were accorded virtually no attention. The two major parties fielded only very few female candidates and gender issues gained little media coverage. Furthermore, the election monitoring teams and international observers expressed little interest in questions pertaining to democratisation and gender. No electoral data disaggregated by gender are available.

13. The Zambian elections proved to be exemplary with regards to election monitoring and observation. Over 6000 local monitors and over 200 international observers were present at virtually every polling station of the country, preventing any serious attempts of rigging. The process leading up to this successful exercise was, however, more problematic and contentious. Amongst the factors involved were the establishment of the erstwhile sole local monitoring team, the Zambia Independent Monitoring Team (ZIMT), and the role of the international Carter Center/NDI (Z-Vote) team. The latter assumed an overall responsibility for its own as well as for local monitoring activities. Allegations of partiality and insensitivity, and financial misunderstandings led to a split of the local monitoring team and the formation of the Zambian Election Monitoring Coordinating Committee (ZEMCC). At one time this split threatened the viability of the whole exercise. The precarious nature of the democratic process at that juncture contributed to exacerbating the problems just as much as did the very dubious, and at times hostile, position of UNIP against the monitoring and observation exercise. The difficulties encountered put in question the position of local monitors within their own environment and the role of international observers and donors in this sensitive arena. Eventually,

however, both local monitoring teams, in tandem with international observers, made invaluable contributions to ensuring the process of elections as free and fair.

14. The contributions of the donor community to the Zambian democratisation process seem to indicate that the election process itself, that is, the Electoral Commission and national and international observers, were the principal beneficiaries of donor support. It appears that Z-Vote did not only receive disproportionately more funds, but was also commissioned to channel a major proportion of foreign donor support to local monitors. This concentration of funds and the conditionality applied to their disbursement appear to have exacerbated inherent problems.

15. The elections were unanimously declared as having been conducted in a free and fair manner. A number of worries were expressed, however, with regards to the fairness of the election campaign. The state of emergency, the concomitant deployment of paramilitary troops, the bias of the mass media, the misuse of state funds by UNIP, and the incidents of intimidation and bribery, all throw serious doubts on the free and fair nature of the election campaign. Such doubts do not pertain to the actual elections; they were conducted in an atmosphere of solemnity and good will, in sharp contrast to the pre-election mood. Irregularities during the election campaign were by all observers attributed to organisational and logistical inadequacies.

16. The turnout rate of 45 per cent of registered voters was unexpectedly low. This is possibly due both to the faulty electoral rolls and the disenfranchisement of many voters, and the fears of civil strife created before the elections. The results of the elections were nonetheless clear: MMD swept the polls and won 74.7 per cent of the valid votes cast and gained 126 seats in Parliament. UNIP gained only 24 seats, of which 19 were from Eastern Province. However, in view of the low turnout MMD garnered the active electoral support of only 28 per cent of the total estimated eligible voters.

17. After the elections, democratic principles must now take root within society. There will in the future be a need for support to institutions for safeguarding these principles. The forthcoming local government elections, the continued independence of the mass media, and the promotion of gender equality are in this process as important as is the fair treatment of former UNIP appointees, who are now apparently victimised in a purge.

18. The most critical prerequisite for the conduct of free and fair elections in any country is the effective functioning of an authoritative Electoral Commission with adequate resources at its disposal. Donors may play a supportive role in providing resources for election materials such as

printing of ballots, supplying ballot boxes and vehicles etc. The incumbent government should not be allowed to be in a position to use shortage of funds as a pretext for not equipping the Electoral Commission with resources adequate for the discharge of its duties.

19. It is of crucial importance for the effectiveness of local monitoring teams that donor funds are committed and released at an early date so as to allow time for proper organisation of logistics and networks. International observer teams also have a critical role to play, complementary to that of the local monitors. It is of the utmost importance that *both* international and local monitoring teams are *unanimous* in their final judgement of elections as free and fair.

20. It is of paramount importance that great care be taken to compose balanced teams against which no allegations of partiality may be justifiably made lest the entire monitoring exercise be brought into question. The monitoring teams did a tremendous job in recording the amount of time accorded the main contending parties on TV, the English news broadcasts on radio and the space devoted to them in the printed media. However, no corresponding monitoring was made of radio transmissions in vernacular languages. In the future funds should be made available for local monitoring teams to undertake comprehensive monitoring of radio broadcasts, particularly those made in vernacular languages.

21. A workable democratic system of government is not established once and for all by way of multi-party elections. Such a step is just the first one. A relapse back into authoritarianism is a distinct possibility if care is not taken to safeguard the first democratic moves. It is evident that considerable capabilities for monitoring exist within Zambia. But there is a case for involving monitors from neighbouring countries in Southern Africa or the African continent at large.

22. Donors should look further towards additional forms of support which may help deepen the understanding of the democratisation process and help nurture and entrench a democratic political culture. That would be the best "vaccination" or "insurance" against a reversion to the pre-election malaise. But requests for long-term institution-building projects should be appraised very carefully in terms of their potential for long-term viability when donor support has to be phased out. It may be better to bank on already existing institutions where some infrastructure and competence can be found and be built on, e.g. departments of political science at universities. They may be supported in financial terms or through technical assistance from individuals and institutions in the North with proven competence in this particular field. In Norway the principal institutions are the Institute of Social Research

(ISF) in Oslo and the Norwegian Social Science Data Services (NSD) in Bergen.

23. In donor circles and elsewhere there has been a tendency towards neglecting the *practice* of democracy as reflected in the inadequate attention being paid to *civil society*. Generally, civil society is understood as a separate sphere of human relations and activity, differentiated from the state. Activities within the sphere of civil society may be considered a *democratic school* where a *democratic culture* is being nurtured, without which the democratic institutions run the risk of becoming a mere sham. One should see democracy essentially as *a method to arrive at legitimate decisions*. It is more of a continuous process than a structure. Calling and chairing meetings, debating, voting on resolutions and arriving at decisions to be implemented — all of which being elements of a democratic process. It is a practical school for learning the democratic “rules of the game”. Donors should, as part of their commitment to democratisation, consider renewed support for civil society differently from previous practice. Recipient organisations may not necessarily run a “development project” in the conventional sense; they could be chess clubs for that matter.

24. To take on board such a task would mean a new challenge of some magnitude and duration. Output would be difficult to measure in terms of conventional yardsticks, but democracy cannot always be reduced to tangible results, measurable in terms of money, kilometers of roads, tons or kilowatts.

## Abbreviations and acronyms

CBS	Central Bureau of Statistics (Norway)
CCMG	Christian Churches Monitoring Group
CHAKA	Christian Alliance for the Kingdom of Africa
CSO	Central Statistical Office
DKK	Danish krone
DSP	Democratic Socialist Party
ESRC	Economic and Social Research Council (UK)
FIM	Finnish markka
FODEP	Foundation for Democratic Process (successor to ZEMCC)
GDP	Gross Domestic Product
GNP	Gross National Product
ICPSR	Inter-University Consortium for Political and Social Research (USA)
IGO	International Governmental Organisation
IMF	International Monetary Fund
ILO	International Labour Organisation
ISF	Institute of Social Research (Norway)
JADEPA	JAC Democratically Debating Party
MMD	Movement for Multi-Party Democracy
MP	Member of Parliament
MRP	Multi Racial Party
NADA	National Democratic Alliance
NDI	National Democratic Institute for International Affairs (US)
NGO	Non-Governmental Organisation
NDP	National Democratic Party
NOK	Norwegian krone
NSD	Norwegian Social Science Data Services
PAZA	Press Association of Zambia
PO	People's Organization
SATUC	South African Trade Union Congress
SDA	Social Dimensions of Adjustment (World Bank programme)
SDP	Social Democratic Party
SEK	Swedish krona
SIDA	Swedish International Development Authority

TSP	Theocracy Spiritual Party
UN	United Nations
UNIP	United National Independence Party
UNITAR	United Nations Institute for Training and Research
UNZA	University of Zambia
UNTAG	United Nations Transitional Assistance Group (Namibia)
US	United States (of America)
ZCCM	Zambia Consolidated Copper Mines
ZCTU	Zambia Congress of Trade Unions
ZEMCC	Zambia Elections Monitoring Coordinating Committee
ZIMT	Zambia Independent Monitoring Team
ZNBC	Zambia National Broadcasting Corporation
Z-Vote	Carter Center at Emory University and NDI international monitoring team

# **1. Development aid and democratisation processes in Africa**

## **1.1 Introduction**

Recent political changes in Africa have been more profound than ever since independence was won three decades ago. The elections in Zambia were an important illustration of upheavals on the African continent which will have a significant impact on development co-operation and the political context in which aid policies and programmes are carried out. The Zambian elections have "set a standard" for peaceful transition to multi-party competitive democracy, and a swift and orderly transfer of government. Equally important was the fair and free conduct of the elections, although preparations for the elections were not without serious flaws, and the election campaign was not free from political manipulation, examples of intimidation and incidents of politically motivated harassment.

The purpose of this study is, however, to evaluate only partially the conduct of the elections, and the processes that led to the introduction of multi-party democracy in Zambia after 18 years of continuous one-party rule. The main objective of the study is to assess the role of international donors, including international observer teams, and to evaluate the potential for supporting democratic processes and democratic elections in countries receiving Norwegian aid. This reflects an increasing interest on the part of Norwegian donor circles to make more consistent and legitimate efforts of contributing to the promotion of democratic principles and human rights through aid. This area of interest is, however, a relatively new policy field. Consequently, it has been recognised that more insight and knowledge is needed about ways and means by which development aid policies may positively contribute to democratic elections in particular, and more generally to long-term processes aimed at good governance and genuinely democratic systems. In principle, it also requires more systematic research and knowledge about the social, economic and cultural preconditions for the functioning and survival of liberal democracy in Africa. Significant as it may be for aid policies, however, it does not fall within the scope of the present study to address this wider issue.



Members of the team putting together this report also acted as international observers during the elections. More than 200 international observers were present. Although international election observation has gained increasing interest over the last years, Zambia marks the first case in which an African state with an internationally recognised government, and not facing an internal conflict (as in Uganda in 1980), has welcomed international observers. Experiences drawn from this exercise and observations made about the interplay of international observers and the two domestic monitoring teams (with more than 6,000 volunteers) is discussed at some length in chapter 4 of the report.

In addressing the main issue of the report: “how may development assistance contribute to democratic elections and transitions to democracy in Africa” — the approach chosen has been to review the elections in a broader political, cultural and economic context. This has been done, in spite of the very tight time constraints under which the study, including a short fact-finding mission to Zambia, was carried out.

## **1.2 Background: The quest for multi-party democracy in Africa**

The winds of democracy that have been sweeping across the African continent in recent years have produced dramatic and historically remarkable results thus far. As late as in early 1990 as many as 37 out of 53 African states had one-party systems of government or military regimes, while only 14 could be classified as multi-party democracies.<sup>1</sup> When Zambia joined the growing number of countries introducing multi-party political systems, the pro-democracy movement had become a potent political force in a majority of the remaining countries with one-party systems or military rule. In 1990 and 1991 internal opposition groups protested against economic hardship and political repression, and exerted political pressure for political reform and compelled the governments of at least 19 states to announce or adopt significant reforms. In the period from March 1990 to May 1991, democratic elections were held for the first time in the Comoro Islands (March 1990), Gabon (September-October 1990),

<sup>1</sup> *The Weekly Review*, 8 November 1991, p. 35. Reliable classifications of this kind are not easily available and those which exist do differ. Michael Bratton suggests 9 multi-party democracies prior to the elections in October 1991 in Gabon and Cote d'Ivoire. The *Economist* of 22 February 1992 (p. 20) includes a table showing 11 countries to have held “contested elections” in the past five years (and 12 more are likely to be held “soon”).

