



ELECTION • TALK

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MALAWI 'S PRESIDENTIAL RACE UNDERWAY

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The Malawi election campaign period was officially launched on Saturday 19 March 2004 by the Chairman of the Malawi Electoral Commission, Justice J. B. Kalaile, who exhorted all contenders to practice tolerance and refrain from violence during the campaign period. In referring to the opposition parties' uproar on the inaccessibility and biased reporting by the national media, he stated "the two public media institutions will be required to provide fair and balanced reporting of campaign policies, meetings, rallies and press conferences of contestants during the campaign period". However serious concerns continue to be expressed *vis a vis* the impartiality of national media institutions. The General Elections, which will cater for the Presidency as well as the Legislature, are slated for Tuesday, 18 May 2004, and show every sign of being a heated contest

The preceding weeks have been rife with acrimony, animosity and violent incidents that do not auger well for a smooth process. The Presidential race features six contenders. They are as follows: **Dr. Bingu Wa Mutharika** is the candidate for the ruling party, the United Democratic Front (UDF) and is vigorously supported by the incumbent President Dr. Bakili Muluzi; **Mr. J. Z. U. Tembo** is the flag bearer of the Malawi Congress Party (MCP), who had held total power for 30 years under Dr. Hastings Kamuzu Banda during the one-party dispensation prior to 1994. He was reputed to be the "power behind the throne" during Dr. Banda's declining years and is now counted as one of the major contenders in the race; **Mr. Brown Mpinganjira** is the National Democratic Alliance (NDA) presidential candidate. He was one of the earliest members of the ruling UDF when it was operating as an underground movement resisting the MCP one-party state. He featured prominently as a UDF heavyweight until he fell out of favour with Dr. Bakili Muluzi in 2000, when he was suspected of having presidential aspirations. He is reckoned to pose a substantial challenge in the forthcoming race. **Mr. Gwanda Chakuamba** heads the Mgwirizano Coalition, comprising of six opposition parties; namely the Republican Party, The People's Progressive

Movement (PPM), MAFUNDE, PETRA, and the Malawi Democratic Party (MDP), who joined ranks to defeat a common foe. Mr Chakuamba was the President of the MCP, but formed his own political party (the Republican Party) after suffering a defeat at the hands of Mr. Tembo during the contest for Party President at the MCP Convention. It is worth noting that his running mate is Mr. Aleke Banda, a seasoned veteran from the Banda era, who fell out of grace, suffered long years of imprisonment, and re-emerged on the political field with the onset of multi-party democracy. He held the position of Vice President of the ruling party (UDF), until resigning in protest over the method of nomination of Dr. Mutharika for the presidential candidacy by Dr. Muluzi during the latter half of 2003. Mr. Banda subsequently joined PPM and was elected as Party President during its convention in January 2004. He was therefore mandated to run for State Presidency by the PPM rank and file, but accepted the post of running mate for the coalition presidential candidate after the selection process had been duly completed. **Mr. Justin Malawezi** is the only independent candidate in the contest. He is still the State Vice President and held the position of 2nd Vice President of the ruling UDF until January 2004, when he resigned abruptly and joined PPM,

where he was elected as 1st Vice President at their convention. When PPM joined the coalition (Mgwirizano), he broke ranks and decided to stand as an independent – espousing a campaign based on issues and not character assassination. This move took most political players by surprise and is still a hot topic of debate. **Dr. Hetherwick Ntaba** hails from once exalted heights as a member of the Kadzamira family that once held sway as a virtual aristocratic clan in Dr. Kamuzu Banda's heyday (Cecilia Kadzamira was the Official Hostess to Dr. Banda). Dr. Ntaba was also Dr. Banda's personal physician and was once deemed as the next generation in line for the succession of power in the MCP. He fell out with his uncle, John Tembo and split from the MCP to form his own party – The New Congress for Democracy (NCD) in December 2003. All in all, the contest promises to be a “no-holds barred” melee and tension is already growing. There is a feeling that violence may break out at any time, and the nation is watching the unfolding scenario with bated breath.

THE IMPACT OF PARLIAMENT EXPANSION ON THE ELECTORAL PROCESS IN BOTSWANA

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The electoral playing-field has undergone radical change in the run-up to national elections in Botswana near the end of 2004. In circumstances where life expectancy, under the impact of HIV-AIDS, had fallen below 40 and where the population growth-rate is slowing, Parliament's size was increased from 40 to 57 elected members in February 2003. Parliament decided upon the increase in its size, and the exercise of creating the new constituencies was placed in the hands of a Demarcation Commission appointed by the State President. The political parties were not consulted, and were variously reported to be dissatisfied with the outcome. The demarcation, nevertheless, was final as of February 2003, and neither Cabinet nor Parliament could change the Commission's report. The voters had not been consulted nor adequately informed about this big change in their representation.

While Parliament's expansion by almost 40 per cent was favourable for popular representation in general, its impact on the political parties was bound to be inequitable. The ruling Botswana Democratic Party (BDP) was easily in the best

position to profit from the demarcation. Well resourced in terms of finance and campaign capacities, with favourable access to the media through government-run radio and television stations, it could readily command a good field of potential parliamentary candidates. The BDP was the only party of government in charge over the life of the independent country, and for an ambitious young man or woman, it represented upward advancement in politics and government. Government is easily the country's biggest employer, and access to its upper echelons comes best through the BDP. In sharp contrast, the under-resourced opposition parties, which previously faced difficulties in fielding even forty candidates, now have to find and field fifty seven. Even the best of them face little or no realistic hope of seats or jobs. For the BDP, as predominant in Botswana as is the ANC in South Africa and SWAPO in Namibia, Parliament's expansion meant an augmentation of that predominance. For weak and disunited opposition parties, the hurdle had been raised higher against them ever achieving meaningful representation. It is little wonder that supposed voter apathy is a perennial problem in Botswana's electoral democracy. It was seriously addressed in the report of the Democracy Research Project of the University of Botswana in March 2002. It was also noted however, that the country's political history militated against political participation, and that hereditary chieftainship specifically disfavoured democracy in both the past and present. The non-participatory impulse did not spring entirely from the voters themselves, for a survey conducted a little earlier by the project found that 55.8 per cent of the people supported the direct election of the President, instead of the established indirect method where the choice of the President is reserved for MPs.

When Million Motlokwa of Francistown wrote to *The Botswana Guardian* in November 2003, he noted that “our elections do not change anything...whether voting for the ruling party or not the results are always the same.” The electoral environment, he continued, “is not conducive for free and fair elections. The ruling party, he stated, is “a player and referee at the same time.” The low turnout in the then recent by-election in Francistown East occurred because “people realised that it was worthless voting in [what was] a fruitless election.” This sounds more like the voice of positive abstention rather than that of apathy. Botswana's ruling elite,

moreover, does not always promote a big turnout. When important referenda were held in 1997 to, among other things, lower the voting age to 18 years, some ministers, distrustful of the capacities of the youth, reportedly campaigned in favour of a No vote, and turnout was less than 18 per cent. But the clearest indication that low electoral participation was acceptable to the elite came just after the last, 1999, national elections, when President Mogae declared that Botswana took pride in its dull elections. Abstention in such circumstances could well be a rational response to the ruling party's longevity and the absence of credible opposition, and a positive response by ordinary voters to the overweening power of elites. The expansion of electoral constituencies from 40 to 57, without consultation or discussion with the people, appears unlikely to alter this problem.

DISPUTES OVER LAND DISTRIBUTION AHEAD OF THE NAMIBIAN ELECTION

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It seems as if Southern Africa has found a traditional concurrence between elections and the promises and/or threats for involuntary land seizure, to expedite the processes for the redistribution of land ownership. For instance the land ownership question became a central plank in the political campaigns of the various forces that were vying for political office in the Zimbabwean Presidential and Parliamentary Elections of 2000 and 2002 respectively. Similar threats were also made by the Landless People's Movement (LPM) in Bisho in the Eastern Cape Province of South Africa, following a march by more than 300 members of LPM to the Premier's Office, where they gave the government seven days to either give them land, or witness forceful occupation of farms in this province on election day of 14 April 2004. The ruling African National Congress (ANC) was quick not only to distance itself from these threats, but also to make a counter-threat of its own that hooliganism aimed at creating chaos and discord, as well as at misleading people will not be tolerated.

On 25 February 2004, the Namibian Government, through Prime Minister Theo-Ben Gurirab, announced its plans to expropriate commercial agricultural land, in an effort to speed up land

redistribution. This announcement was made in the context of the five regional by-elections and the local authorities elections scheduled for May this year, as well as the Parliamentary, Presidential and Regional Council elections pinned for the end of the year. Although the Minister of Lands, in a follow-up address, hinted at the fact that officials from his Ministry were about to identify farms for expropriation and planned to contact the owners within the subsequent four weeks, nothing concrete has transpired to confirm that the government had the full intent to expropriate land. However, the rhetoric about land expropriation is important as it presents a number of interesting parallels for these upcoming elections.

Firstly, it seemed as if the ruling party was set on a collision course with the trade union movement, when the government stepped in to halt the threats by Namibia Farmworkers' Union (NAFWU) leadership to unilaterally institute a process of land sharing, by resettling some of their members on the farms from where they were arbitrarily dismissed by the land owners. Therefore, given the fact that NAFWU is an affiliate of the National Union of Namibian Workers (NUNW), which is one of the formidable affiliated allies to the ruling party, the Prime Minister's announcement can also be seen as a confidence-building strategy that is designed to appease the trade union movement. Credibility to this analogy derives from the fact that a list of eight farms that was revealed in the Swapo mouthpiece, *Namibia Today*, included those farms that NAFWU had initially targeted for its unilateral land sharing scheme.

Secondly, the upcoming presidential elections will mark a major watershed for Namibia, in that the founding and incumbent President may retire, hence paving the way for a pre-election race for succession among a number of party stalwarts. Among those whose names are being mentioned as favourites for nomination at the Extra Ordinary Congress scheduled for May 2004 is the Hon. Hifikepunye Pohamba, the current Minister of Lands. For him this announcement could be important, in view of the procrastinated progress towards the implementation of the Swapo Party Congress resolution taken two years ago, which empowered government through the Ministry of Lands to proceed with the expropriation of the listed 192 farms covering about 1 268 911

hectares, which are owned by absentee landlords. Despite, the announcement analysed above, there is optimism that the upcoming elections are not likely to be marred by violence, since the Prime Minister's announcement and all the subsequent announcements were accompanied by an unequivocal undertaking that the land expropriation process is set to proceed in accordance with the Namibian Constitution and the relevant legislation, including the promise that all those farmers who will lose their farms would be justly compensated as provided for in the Namibian Constitution.

DELAYS IN THE ELECTORAL LEGISLATION REVISIONS AHEAD OF MOZAMBIQUE'S ELECTIONS

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Mozambique is preparing for the third multiparty presidential and legislative elections that are scheduled to take place during the last quarter of this year. After the municipal elections of November 2003, which took place without major problems, signs of growing political tension between Frelimo, the ruling party, and Renamo, the main opposition party, are starting to emerge in the horizon. This emerging tension revolves around the electoral legislation. As a matter of fact, the Ad hoc Committee tasked to revise the electoral legislation, has not yet reached a consensus about the provisions that should govern the election of the President of the Republic and the deputies of National Assembly, despite working on it over the last two years. Since the new legislation must be adopted with a minimum period before the voting date, so as to allow enough time for the electoral authorities to organise the process and also for political parties to organise themselves according to the new law, it is absolutely critical that the Parliament approves the Electoral Act during the current sitting adjourning in May. However, taking into account the public statement made by the chair of the Ad hoc Committee, it would appear that the debate is deadlocked and there are no signs that Frelimo and Renamo Electoral Union can achieve a breakthrough. The main point of disagreement is a draft put forward by the Renamo contingent proposing that a series of provisions calling for the establishment of district and town counting levels should be inserted into the law. This

proposal is rejected by Frelimo who want to maintain only two levels of counting, the existing provincial level (which correspond to the constituencies for the legislative elections) and the national level, in addition to the voting station count.

The Renamo Electoral Union, who has questioned the validity of previous election results, argues that its proposal is aimed at ensuring greater transparency in the counting process and at reducing the potential for fraud in the counting and tabulation processes. On the other hand, Frelimo argues that establishing an intermediary counting level which does not correspond to any representation level is unjustified. The clear difficulty within the Ad Hoc committee in arriving at a consensual draft, to be submitted to the plenary for approval, has different implications for the contenders. Frelimo has absolute parliamentary majority and no legislation can be approved without its consent. On the other hand, as it has been hinted by the chairperson of the Ad hoc Committee, the failure to get the reviewed legislation approved on time would not have a big impact on the realisation of the election, for elections can always take place under the existing legislation. If this scenario does not constitute a concern for Frelimo, since it seems quite comfortable with the current legislation, it does however seem to represent a problem for Renamo Electoral Union, largely because the opposition would have lost some of the important gains they obtained during the revision of the municipal electoral law. Of those gains it is important to single out the fact that presiding officers are obliged to provide the tally sheets and polling station minutes to the party agents immediately after the counting.

Over and above the strictly technical aspect of the process, the root cause of this disagreement is essentially the opposition's deep-seated mistrust of the electoral management authorities. In fact although it is already more than a decade after the General Peace Agreement was signed (1992), the political landscape in Mozambique continues to be characterised by low levels of inclusion of the opposition in governance. This trend tends to feed the mistrust in the institutions and allows for situations of high political tension to build up which as witnessed in 1999, can easily degenerate into violence.