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Letter from the Editor

Welcome to the first issue of Zimbabwe Political Science Review. This issue explores political issues that characterise political systems in developing countries, in Africa to be particular. Specifically, the issue focuses on elections, civil society, political parties, local government, traditional leaders and government reform among other issues.

The Editor in Chief would like to thank editors and manuscript reviewers for taking their time to work towards the publication of this issue.

For your comments do not hesitate to contact us.

Enjoy your reading

Percyslage Chigora

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The Role of Civil Society in Elections and Democratisation in Africa: A Polycentric Planning Perspective.

By

Akinola Samson Ranti

Abstract

This paper examined the role of civil society in elections and democratisation in Africa. The paper used the Institutional Analysis and Development (IAD) framework to analyse the relationships between elections and democratisation in Africa on the one hand and between the state and civil society on the other hand. The paper found that electoral systems in Africa are bureaucratic, violent, non-people oriented and ritualistic, mainly used to manipulate the people to secure advantages for the ruling elite who care less about the welfare of the people. Similarly, it was found that the so called elected representatives did not deliver electoral promises on public goods and services to the citizens. On the other hand, it was discovered that diverse peoples of Africa in their various ecological and cultural settings, over the years, have relied on associational life and self-organising democracy to address their problems of daily existence. Since elections in most African countries do not contribute to the processes of democratisation, the paper argues that it is imperative to go beyond elections to specify the roles of citizens before elections, during elections and after elections. Therefore, the paper paid attention to participatory democracy that African people, through their self-governing arrangements, practice on a daily basis at the community level through institutions they designed by themselves. It is imperative to adopt these local initiatives and self-governing arrangements as building blocks for the emergence of people-oriented electoral system and true democratisation in the continent.

Introduction

This paper uses the Institutional Analysis and Development (IAD) framework to analyse the relationships between elections and democratisation on the one hand and between the state and civil society in Africa on the other hand. This becomes necessary in the light of the misfortunes of the electoral process and governance crises in the continent. The governance crises cannot be divorced from the persistent gap between elite leadership and ordinary individuals in Africa. This gap is predicated upon the centralised system of administration introduced by the colonialists and subsequently adopted by post-colonial African leaders at independence. The system deviated from pre-colonial structures of African governance that prioritised diffusion of power and authority among African people. Jinadu (1997:2) points out that electoral machinery inherited at independence across Africa was very fragile and stunted, designed to ensure succession favourable to the colonial regimes. Ake (1996) further argues that the inability of the people through their civil society to serve as a moderating influence means that politics assumes a lawless disposition, such that 'every one seeks power by every means, legal or otherwise, and those who already control state power try to keep it by every means (Ake 1996:7).

It is on this backdrop that Olaitan (2004:18) concludes that with politics constituted as warfare, elections invariably become a battlefield for fierce fighting among interest groups and communities. The nature of the state in Africa, by advancing a regime of disengagement with the society, therefore, has negative implications for the electoral process in the continent. Evidence

across Africa confirmed that elected officers were not chosen by the people and are, therefore, not accountable to the electorates after elections (see Ake 1992, 1996; Callaghy 1988; Olaitan 2004; Fawole 2005; Akinola 2003a, 2004, 2006g, 2010). Democratisation cannot be realised through recurrent false and bloody electoral systems across the continent. This view is also supported by Chabal Patrick when he argues that:

Recent moves towards greater political liberalisation in Africa, with the widespread introduction of multi-party elections in many states since 1989, do not necessarily constitute evidence of successful democratisation. In particular, the focus on elections to the exclusion of other essential features of a properly functioning democracy has vitiated much recent analysis of the 'democratic transition' in Africa (Chabal 2002).

Chole has reminded us that: '...uncritical adulation of the current phenomenon of democratisation is unwarranted...the characterisation of African regimes as democratic is something that has to be demonstrated, not taken at face value' (Chole 1995:3). Similarly, Vincent Ostrom's (1994:5) assertion is very insightful when he suggests that 'voting is a very slender thread, hardly strong enough to let us presume that people, by electing representatives, govern.' If democratisation entails a common thought between the electorate and public officials and the people are disengaged from electoral process, then elections alone cannot be used to accomplish the project of democratisation in the continent. Due attention paid to accountability rather than to elections alone will be more rewarding and appropriate to African democratisation projects. It is not sufficient for a regime to be voted into power by popular elections for it to be dubbed democratic. It takes more than free elections to bestow the democratic title on any given regime (Chole 1995:3; Kuenzi and Lambright 2005:2). The essence of democracy resides in the relationship between the state and the people, especially on how much control the latter have over the former (Chole 1995:3).

This paper examines the role played by civil society in social movements that prepared the stage for the emergence of political parties and consequently independence in African countries as well as their roles in contemporary period. The civil society here does not include donor civil society; rather people-oriented civil society that diverse peoples of Africa created by themselves through shared strategy and problem solving interdependency. Hearn (1998) observes that donor 'civil society programmes' in Ghana and South Africa serve to strengthen African elites who share donors' interests in economic liberalisation and procedural democracy. Such elite donor civil society along with African states follow capricious and whimsical rules that have made it difficult for people to understand what is actually going on. The concern of this paper, therefore, is to understand the role of people-oriented civil society (also called self-governing institutions) in elections and democratisation process in Africa.

This paper adopts the Institutional Analysis and Development (IAD) framework developed over the years by Vincent Ostrom and Elinor Ostrom and colleagues at the Workshop in Political Theory and Policy Analysis, Indiana University, Bloomington, USA to analyse the relationships between elections and democratisation in Africa on the one hand and between the state and civil society on the other hand. Since society is a system of human cooperation, people in any society should collectively relate to and deal with their exogenous variables. Exogenous variables are those conditions that affect human livelihoods and which humans have to work upon through appropriate institutional arrangements to better their conditions of existence. However, there are some fundamental imperatives of collective action within action arena. These are collegiality, mutual trust, reciprocity and shared community of understanding. If elections and democratisation are directly related and African state alone informs and shapes electoral rules,

where then is the role assigned to civil society which is an indispensable part of African society? This paper uses data in five African countries (Nigeria, South Africa, Senegal, Zimbabwe and Burkina Faso) to demonstrate how people are revisiting and reviving their old traditions through self-governing techniques and shared strategies to confront their challenges and realise opportunities. The argument is that democratisation project that is bereft of strong and lively people-oriented institutions is not likely to benefit the citizens since state alone cannot valorise the processes of democratisation. By leaving the processes of democratisation in the hand of the state institutions alone will mean that the few elite in the corridor of power will adopt repressive institutional arrangements that will produce electoral rules that are devoid of peoples' interest, and such rules will be parochially interpreted to further the self-interests of the ruling elite. While this paper contends that the ritual of election is insufficient to establish and sustain democratic government and guarantee dividend of democracy in Africa, it also points to other directions we need to look in order to entrench democratic institutions. For instance, what roles should African civil society, communities and their democratic institutions play in democratisation process - before elections, during elections (electoral space) and after elections? This paper further identifies these democratic institutions and at the same time attempts modelling and mapping possible course of action that African continent can follow to experience a passage to a truly and viable democratic society where accountability of public officials and welfare of citizens will be a priority rather than elections alone.

In this vein, the paper advances polycentric planning for reconstructing the public space through appropriate institutional arrangement that is capable of connecting the state and civil society on the one hand and elite and the people on the other hand in matters of elections, governance and development. Polycentric planning is a deliberate act of setting up multilayered and multicentred institutional mechanism that regards self-governing capabilities of local communities as foundation for reconstituting order from the bottom up. It can also be described as the process of ordering the use of physical, human and institutional resources as well as engaging the citizens in contractual relations with the public authority. Polycentric planning and decision making system enhance the capacity of citizens to talk, discuss, dialogue and engage in contestation in an assembly, whether at local or national level. It deals with multiple units of governments (multi-layers and multi-centers) and a way of working with one another among citizens with complementary arrangements for formulating, using, monitoring, judging, and enforcing rules (Elinor Ostrom 2005; Akinola 2008d).

The next section presents the theoretical underpinning upon which the argument for inclusive electoral system and democracy is anchored.

Theoretical Underpinning

According to Vincent Ostrom, one of the important puzzles about the governance of human societies turns upon the relationship of federalism to the widely held aspirations of people for 'democracy.' The term democracy implies that people govern. 'The government,' however, is plainly not the people. People vote and elect representatives who participate in the government. Voting is a very slender thread, hardly strong enough to let us presume that people, by electing representatives, govern. The ordinary use of language strongly implies that the government governs (Ostrom 1994:5). But reality on ground in Africa confirmed that government governs in a limited sense as demonstrated by calamitous failure of the state in responding to the socio-economic and political aspirations of the citizenry. The people also govern in the light of the resilience of self-organising arrangements that the people of Africa

have devised over the years in responding and addressing problems of daily life, the same areas where governments have consistently faltered (Wunsch and Olowu 1995; Sawyer 2005; Gellar 2005; Akinola, 2000, 2003a, 2004, 2005d, 2007a,f, 2008b, 2010).

According to V. Ostrom (1994), if people rely only upon the pronouncements of those who aspire to leadership, democracy will be universally proclaimed - a form of demagoguery, not democracy. To honour democracy by words alone creates false illusions. If democracy has an essential place in the unfolding of human civilisation, the part that people play in the governance of societies must turn upon much more than voting in elections. In order to come to terms with what it means to be a citizen in a democratic society, adequate consideration needs to be given to the concept of federalism as of basic importance. We should be concerned with general features of a system of governance that would be appropriate to circumstances where people govern rather than presuming that governments govern.

The failure of the liberal democratic paradigm and state-centered efforts in Africa requires a rethink on alternative ways of addressing African socioeconomic and political problems. Since it is difficult for individuals to change certain exogenous variables (physical environment in particular), individuals usually adopt and adapt institutions based on their life exigencies. This is where Institutional Analysis and Development (IAD) framework becomes relevant for sustainable development in Africa. The specific variation used in this paper draws from the Institutional Analysis and Development (IAD) framework developed over the years by Vincent Ostrom and Elinor Ostrom and colleagues at the Workshop in Political Theory and Policy Analysis, Indiana University, Bloomington, USA. According to Sawyer (2005:3), institutional analysis helps us to better understand how individuals within communities, organisations and societies craft rules and organise the rule-ordered relationships in which they live their lives. This approach to scientific inquiry, often referred to as 'new institutionalism,' is within the broader tradition of political economy.

Institutions are crafted by participants within action arenas in response to their particular exogenous variables. This normally starts when participants within an action arena respond to exogenous variables or context (biophysical/material conditions, cultural and other attributes of a community, and rules-in-use); and when outcomes are positive the participants will increase their commitment to maintain the structure as it is or to shift to another set of exogenous variables and then on and on like that. However, if outcomes are negative, participants might raise some questions on why the outcomes are negative. They might then move to a different level and change their institutions to produce another set of interactions and consequently, different outcomes.

Relating institutions to Africa, all nation-states created in Africa and rules that sustained them were inspired by European traditions, while the peoples in diverse language communities and ways of life in Africa were ignored (V. Ostrom 2006) and their governance structures were denigrated. This is where elite leadership in Africa could not respond appropriately, especially after independence. Incidentally, the peoples of Africa have been able to respond by exploring pre-colonial governance heritage and to certain extents have been able to address their daily needs. How did these peoples cope and how are they coping? What lessons can we learn from these people-centred creativities and adaptation strategies? How can we synergise the efforts of the people through their institutions and that of governments to resolve African lingering development crises and poverty?

These people-centred creativities that manifest in multiple centres of human activities resemble what Elinor and Vincent Ostrom (2003:12) describe as polycentricity. Polycentricity as an institutional arrangement enhances the capacity of citizens to talk, discuss, dialogue and engage in contestation in an assembly, whether at local or national level. It deals with multiple units of governments (multi-layers and multi-centers) and a way of working with one another among

citizens with complementary arrangements for formulating, using, monitoring, judging, and enforcing rules. Polycentricity improves capacity to solve specific problems through collective action and covenantal arrangements by multiple centers and multilayer jurisdictions. In this sense, it is a means of achieving bottom-up institutional arrangements for democratic self-governance and poverty reduction in Africa.

Paraphrasing Hamilton's fundamental puzzle ([1788] 1961:33) in human societies, the concern is 'whether African societies are really capable or not of establishing people-centered and true democracy from reflection and choice, or whether they are forever destined to depend for their political affairs on the outcomes of false and bloody electoral systems.' If we understand society as a system of human cooperation, this puzzle can be formulated as two questions: Are peoples of Africa capable of cooperating with one another to organise people-oriented elections that will produce accountable leaders of their choice? If the answer is affirmative, under what conditions can they cooperate to achieve such a goal?

Methodology

The methodology adopted in this paper is both qualitative and quantitative. In the course of generating data, two studies were conducted on the performance of politicians between 2005 and 2007. First, in order to measure the impact of politicians on their communities in Nigeria, data were collected from 33 of 137 local government councils in four of six states: Lagos, Ondo, Osun and Oyo in Southwestern Nigeria in 2005. Data was collected on a total of 208 politicians at various levels of government in the region. For the second study, three senatorial districts in Osun and Ondo States in Southwestern Nigeria were selected. Data were collected on the performance of seven MPs. These MPs/lawmakers who belonged to two different parties operated within two tenures: May 29, 1999 to May 28, 2003 and May 29 2003 to 2007. At the inception of civilian regime in 1999, the federal government, in order to ensure that dividends of democracy were within the reach of the electorates, decided to execute community projects through the lawmakers in their respective constituencies. Such projects included health, education, electrification, water supply, roads, etc. Others included provision of financial assistance for people at the constituency level on economic empowerment as well as scholarships to students in higher institutions of learning. In each senatorial district/constituency, four groups of people were interviewed and they were leaders of community development associations (CDAs), youth associations (operators of motorcycle taxi and 'readers clubs'¹) and market women associations.

Primordial Public Space and 'Modern Democracy in Africa: The Missing Link

Drawing from different parts of Africa, this section discusses collective actions among African peoples in pre-colonial era; colonial interventions and adverse consequences they had on the power of collectivity the people had employed in surmounting their problems; the post-colonial domination of African polity and public space by the elite leadership; the disappointments the people met with the state centred institutions; and the reaction of the people to these disappointments by revisiting and reviving their old traditions through self-governing techniques and shared strategies to confront their challenges and realise opportunities.

¹ Readers' clubs comprise people that cannot afford buying dailies but interested in the governance affairs of their communities. These people normally gathered every day at paper stands where paper vendors displayed their newspapers for sale. They read free without purchasing any paper and at times engage in debate on public affairs. They are very conversant with political affairs at community level and are very good sources of obtaining information on current affairs. It is not surprising to find among these people retired civil servants that were not paid their entitlements by governments.

Pre-Colonial African Democratic Life

In most pre-colonial African states, power and authority did not reside in an individual or few people at the helm of affairs, rather they were shared among the various segments of the societies, thus, there were checks and balances as well as shared communities of understanding.

A characteristic of African primordial societies that is relevant to the cross-cultural debate on democracy is the autonomous and participatory nature of their decision-making processes. These systems rested on the devolution of power from the top down to the local unit – territorial divisions, clans, lineages, and extended families, with the individual as a vital member of the community. In this participatory system of governance, decisions were generally reached by consensus and broad-based consultation through group representation at various levels. The ideals of liberal democracy such as the freedom of speech, freedom of association, rule of law and respect of individual rights were present with African pre-independence democracies, usually organised around gender, age-sets, and occupation.

Rodney (1972) shows that Africa has its own institutions and ideas of government before the intrusion of colonising powers. There were cases of flourishing, well-ordered and wealthy empires, kingdoms and city states such as the ancient empires/kingdoms of Ghana, Mali, Songhai, Kanem Bornu, Benin, Oyo, Asante and the city states of the South-south and South-eastern Nigeria. There were the ancient Egypt in the North Africa and the Zulu Kingdom in Southern Africa among others.

In the pre-colonial Yoruba Kingdoms, for example, democratic principles operated through ‘checks and balances’ within a monarchical system. In his account of the life of traditional Nyasaland in Tanzania, Nyerere (1966) points out that free discussion was the ‘very essence of African democracy’. ‘Those who doubt the African’s ability to establish a democratic society’, he argued, ‘cannot doubt the African’s ability to discuss’, which was ‘as African as the tropical sun’. The traditional African society whether it had a chief or not was a society of equals and conducted its business through discussion. ‘They talk until they agree.’ It needs be pointed out that the self-regulatory systems among diverse peoples in Africa are an important factor the people could have developed to design home-grown democracy. It is sad to note, however, that all these democratic principles, which observers have described as robust, could have constituted the foundation for a modern society. But unfortunately, they were rubbished and eroded first by the colonial fiat and second by the post-independence African leaders.

Colonial Intrusion and the Genesis of African Democratic Crises

A major problem that confronts the operation of democracy in Africa is that the norms that derive from the workings of civil society in the ‘primordial public’ sphere have not benefited the operations of democracy in any measurable way. This is because the institutions of democracy and its norms and practices of democracy from the West were copied hook, line and sinker.

Most colonial regimes sharply restricted freedom of association, freedom of the press, and civil liberties for their African subjects. In many colonies, Africans were subject to forced labour, forbidden to organise political parties and trade unions or to publish independent newspapers. The absence of civil liberties permitted forced labour and other abuses of civil liberties (Gellar 2005). For example, the British instituted indirect rule in Yorubaland of Southwestern Nigeria. Thus, they converted the constitutional kings into autocratic agents of the colonial administration and transformed the Yoruba states into untraditional despotisms, resulting in bitter resentment against colonialism from the Yoruba. Consequently, the Yoruba *Obas* collaborated with the colonial master to extract resources to meet the needs of the colonial home country instead of those of the indigenes (Olowu 1996). Many of these rulers conducted themselves as absolute monarchs.

There are cases where traditional chiefs cease being accountable to their people and no longer exercise authority in their interest or on their behalf. African history has its share of local chiefs who were despots (Lonsdale 1986). At the same time, there are numerous cases in Africa where local elites exclude certain groups from participation in community development activities or deny or limit their access to the outcomes of those initiatives (Osmani 2001). This sharply contrasts with pre-colonial governance structures that were people-oriented. Africans can learn some lessons here. After several years of colonial afflictions, exploitation and expropriation and post-colonial disappointment what are those positive and negative experiences at the local level we can work upon to go beyond elections?

Post-colonial Africa and Crises of Democracy

Democracy is not only about the governed choosing their governors; they must do more than that, and control them – and this is where the tenets of democracy become universal. This universality was present in the independence constitutions of African states but was soon denied by the nationalists as they consolidated themselves in political power (Nyong'o 1995:29). A variety of organisations, under the umbrella of civil society, acted as vehicles of social protest – from trade unions, peasant cooperatives and religious societies to self-help associations (Mamdani 1990a). It is these social movements that mobilised different social groups around concrete social issues, and thereby prepared the ground in which nationalist political movements (or parties) came to be popularly anchored (Nyong'o 1995:52). Shortly after independence, however, in attempts to pursue nation-building project, the pendulum swung to the other extreme as African leaders changed to one party system and paid little or no attention to these social capital that once nurtured their ambitions and brought them to power. Invariably, the post-colonial African political elites conceived the state as the prime mover of development and this placed the state as the main provider of goods and services required by the people in all spheres of development (Edigheji 2004:92). The ruling elite did not encourage the development of the private sector where civil society played prominent roles, as the latter was treated with suspicion. Consequently, political mobilisation and popular participation in politics that once constituted the fulcrum of African polity before independence soon became anathema to the task of nation-building (Huntington 1968). Without political mobilisation and popular participation leadership of 'one-party democracy' (and military regimes) became authoritarian as the people could not be mobilised to assert their democratic rights and defend themselves against authoritarianism. Political and civil rights as well as local government and civil, economic and cultural associations were restricted and placed under the tutelage of the state or the dominant party. In the absence of checks and balances, the outcomes of African polity manifested in zero-sum game and winner-takes-it-all. This, invariably, has heightened cut-throat competition during elections among the contenders of political offices, where ethnicity, religion, and money-bag politics are playing major roles across the continent. Consequently, politicians became self-serving, plunderers, pillagers and aggrandised.

Scholars and political analysts have advanced some factors such as ethnicity, corruption, godfatherism, etc. as reasons for lack of democracy. Oyugi (1997:41) shows how ethnicity continues to be a major force influencing the behaviour of politicians and voters in Kenya. Evidence also abounds in countries like Malawi (Kalipeni 1997:152), Cameroon (Belinga 2005), Congo Brazzaville (Goma-Thethet 2005) and Nigeria where the people followed their leaders because of the lingering belief that only one's kinsman can best serve the communal interest if placed in position of power. Similarly, 'monetisation of election' in Uganda (William 1997:168), Kenya (Onsarigo 2005) and Nigeria (Olaitan 2004; Fawole 2005) debased the principles of liberal democracy and condoned corruption as a political virtue. Saba (2005) and Fawole (2005) also note irregularities, fraud and manipulation during elections in Central African Republic and

Nigeria.

Corruption is very rampant and has become a way of life especially to most government officials in African countries. This threatens the democratic transition in the Great Lakes Region (GLR)² (Bwena 2006). It is on record that Nigeria and other developing African countries lose over 40 per cent of their annual budgets to corruption³. The 2009 Global Corruption Report has revealed that political will to fight corruption in Ghana⁴ had been the problem with governments, especially those affecting party faithfuls and financiers. Politicians and public officers collude with the private sector practitioners to enrich themselves. Similarly, cases of embezzlement and low accountability of elected officials have been reported in Ghana (Ayee 1999b; 2006:137), Nigeria (Akinola 2004:51-54), Kenya (Devas and Grant 2003:314), Senegal (Gellar 2005:x) and Uganda (Makara 2000; Devas and Grant 2003; Golooba-Mutebi 2004; Wunsch and Ottemoeller 2004).

For example, the Transparency International, an anti-corruption organisation, in its Global Corruption Report (2007) has ranked Kenya, Lesotho, Nigeria, Niger, Zambia, and Zimbabwe as countries in Africa where there are high political influences over their judiciary (*Nigerian Tribune*, Friday, June 8, 2007, p. 7). For instance, according to Agbo Anayochukwu, Nigerian judges allegedly take bribes (that run into millions of US Dollars) from both parties to an election petition and give judgment to the higher bidder (see for details Agbo 2009:28). If the judiciary, the hope of the masses is corrupt, can there be any hope for true democracy? This, to a large extent, is minimising the efforts at democratising the continent.

Constitution change is another factor that contributes to the demise of democratic transition in the region. Most leaders want to continue ruling despite their tenure end, instead they tend to change its constitution so that it can allow them to contest for other terms. The recent cases in Uganda, Zimbabwe and Kenya constitution change are good examples (Bwena 2006). Opposition supporters were the targets of brutal state-sponsored violence during the campaign by the government of the 84-year-old Mugabe of Zimbabwe, leaving more than 80 dead and forcing some 200,000 to flee their homes. Turnout was put at about 42 percent, and 131,000 ballots had been defaced or otherwise spoiled, apparently as an act of protest (Shaw 2008). The 2008 electoral violence in Kenya in which 1,300 were killed and 300,000 displaced⁵ is another gruelling example.

To ensure impartiality of, and partisan electoral bodies, African countries were making efforts to insulate electoral administration and process from undue interference by the executive branch of the state as occurred in Zambia elections of 1991, and the Kenyan and Ghanaian elections of 1992, Lesotho in 1991 and Nigeria in 1987 (Jinadu 1997:5). Except in Ghana, low progress has been made as little distinction has been noted between the government and the state, between the party in power and the government in the continent.

It is apposite at this juncture to briefly discuss the 2009 elections in Ghana. Adeyeye (2009) identified two fundamentals of Ghana's free, fair and transparent elections. First, Ghana has strong public institutions that politicians respect. Second, the Ghanaian electorate recognised that their votes could make a huge difference in their social and economic lives. The pertinent question is: How did Ghana arrive at this point in spite of the corruption and pillage that wrecked the country's economy about two decades ago? The answer cannot be unconnected with Rawling's 'surgical operation' that executed corrupt leaders of the country. What lessons can

² The Great Lakes Region (GLR) partly includes the six countries of East and Central Africa -Tanzania, Kenya, Uganda, Rwanda, Burundi and the Democratic Republic of Congo (DRC).

³ <http://www.tribune.com.ng/12062007/news/news13.html>. (Accessed 14/6/2007).

⁴ http://www.ghananewsagency.org/s_social/r_8415/ (Accessed 19/11/2009)

⁵ <http://news.bbc.co.uk/2/hi/africa/8296005.stm> (Accessed 12/10/2009).

other African countries learn from Ghana?

It is the contention of this paper, however, that 'the price of freedom does not have to be blood. It can be sweat' (Hickel 2002:251). African scholars and other intellectuals working on Africa can play great role by strengthen civil society capacity in sharing political space with African elite. Organization is the weapon of the repressed in their struggles against the oppressors. 'Change does not come through silence but through a conscious determination to elect patriotic leaders and hold them to their electoral promises' (Erapu 2009:11). The question is: how do we hold them accountable? This is one of the questions this paper sets out to answer.

Though voters in Africa are more interested in public goods than private goods (Young 2009:8), 'greater competition around elections fuels the buying and selling of votes...' (van de Walle 2007b). That is why Van de Walle argued that 'political authority in Africa is based on the giving and granting of favours, in an endless series of dyadic exchanges that go from the village level to the highest reaches of the central state' (van de Walle 2001:51). Further clarifying clientelism in Africa's multi-party era, Lindberg says that 'patron-client relations are primarily about providing material resources in exchange for personal loyalty,' and refers to politicians as needing to employ such practices as 'attending to individuals' school fees, electricity and water bills, funeral and wedding expenses; or distributing cutlasses and other tools for agriculture, or even handing of "chop-money" (small cash sums) to constituents' (Lindberg 2003:123-4). The argument is that clientelism deviates from dividend of democracy in terms of enhancement of societal welfare. Unfortunately, African politicians do not prioritise the welfare of citizens as demonstrated in the findings of studies conducted in Nigeria.

Akinola (2005d:241-242) shows that the majority of politicians (87.8%) in Southwestern Nigeria have no attachment to the community they govern. That is, they had no contribution to their community (in terms of investment) before assuming office and hence have less care for the welfare of the people in those communities. This confirms that majority of politicians in Nigeria are alienated and detached from their communities of origin on which they govern. Accordingly, since they do not have anything at stake, they did not perform and therefore could be likened to political vampires and parasites. They perceive politics as money making venture. In spite of oil revenues from the federal level, abysmal performance is the order of the day at the local government level across Nigeria.

Findings on the performance of selected MPs in southwest of Nigeria confirm that public officials in Nigeria do not prioritise the welfare of the electorate. Between 1999 and 2003, most lawmakers belonged to Alliance for Democracy (AD) because the party controlled the southwest. From 2003 to 2007, Peoples Democratic Party (PDP) controls the region. According to data, between 2000 and 2002 each senator in the three senatorial districts collected ₦35 Million per year for constituency projects from the Federal Government. This amount was reviewed up ward between 2002 and 2003 to ₦50 Million due to inflation. Similarly, ₦20 Million was disbursed to each of the members of the House of Representatives per year for the same period (2000-2002) and reviewed upward to ₦25 Million in 2003. Findings, however, show that regardless of the political parties of these MPs, there were no dividends of democracy for the people.

Analysis of data shows that there was no single project executed by the senator in Osun East Senatorial Districts of Osun State during the four years tenure (1999-2003). In Osun Central Senatorial Districts of Osun State, the political party in control of the constituency, PDP, from 2003 to 2007 authorised the senator and honourable members to choose members of the party including their confidants to decide on project(s) to execute with the money given to them. These selected members usually converged in the house of the concerned senator and honourables and took decisions on constituency projects. This practice was undemocratic as the electorates were not involved in such decisions. This confirmed that the public space was

conscripted for the few ruling elite.

Findings show that most of the politicians in Ondo South Senatorial District of Ondo State along with their cronies, unilaterally took decisions as regards constituency projects. The only 'project' the senator in Ondo South Senatorial District (1999-2003) embarked upon was his mother's burial. He spent a lot of money on the burial. Due to his abysmal and poor performance he was unable to get his party's nomination for the second term, which made him to decamp to another party. One thing about Nigerian political parties is that regardless of a politician's integrity, once he/she decamps from a party and joins another party, the new party accepts him/her and uses this to campaign as a sign of progress of the new party. Is this a sign of a truly democratising society?

The Senator for Ondo South Senatorial District from 2003 to 2007 had an office but it was not operational and functional. Findings show that he gave 100 students ₦10,000.00 each as scholarship. Information from the community revealed that this senator who became wealthy on getting to the senate has acquired choice properties and cars for himself. Not only that, his children left his village immediately after he won the election for prestigious schools in urban centers. Similarly, findings show that the representative of Okitipupa area received ₦75 Million from the federal government for consistency projects but did not execute any project, while the representative of Ilaje Ese-Odo federal constituency did nothing as well. Similarly, the representative for Odigbo-Okeigbo-Ileoluji federal constituency has not executed any project since assumption of office in 2003 except for the few party leaders that he gave some cars as gifts. During the survey, members of these communities were disappointed and very bitter to the extent that some of them vowed never to vote in any future election.

From the foregoing, it is clear that state-centered institutional arrangements in most African countries have made of no effect the simple definition of democracy as 'government of the people by the people and for the people.' Though this definition implies majority takes the vote as determined by election, reality has shown that election has only enabled most African countries to change leaders in offices but has not addressed fundamental problems of underdevelopment and poverty in the continent. On this note, election should not be the ultimate aim if we want to build strong and viable democracies in Africa. We should look beyond election to search for institutional arrangement that can promote inclusive democracy that put priority on effective and meaningful involvement of civil society, diverse interests and groups in elections and democratisation that yield dividend to the people.

Post-colonial Africa and the Reactions of Civil Society to Democratic Failure

This section draws examples from Nigeria, South Africa, Senegal, Zimbabwe and Burkina Faso to justify the robustness and resilience of community self-organizing and self-governing institutions in Africa. Using Kew's (2004:128) classification⁶, this paper is concerned with the first generation of civil society because they are the real agents of socioeconomic, cultural and

⁶ Kew (2004:128) distinguished three groups of civil society. First generation groups – religious institutions, ethnic associations, community associations and traditional institutions largely preceded the creation of the Nigerian state and thus have a neutral orientation toward it. The second generation groups – trade unions, professional associations and business associations, were created with the primary purpose of influencing the state to providing increasing benefits or services for their members. The third generation groups, referred to NGOs feature agendas that sought to restrict the state, democratise it, and/or take over its functions. However, many of these NGOs answer primarily to donors, thus making them incapable of promoting democracy.

political development at the grassroots across Africa. Corroborating this view, Robert Putnam has reminded us that:

...organisations and associations foster norms of reciprocity and trust that provide the cultural pedestal on which democratic institutions are built...civic groups, often informally organised, generates reciprocity, resolution of dilemmas of collective action and the broadening of identities, all of which contribute directly and indirectly to social cohesion and democratisation (Putnam, undated: cited in Thue et. al. 2002).

The local people in Africa have no confidence in those who run African governments, hence, they invest their sovereignty horizontally in one another through collective action and self-organizing and self-governing capabilities and thereby, to an extent, addressing daily challenges – education, health, community hall, postal service, security services, road repairs and other essential services. They achieved these through various forms of associations and community institutions (not donor civil society) by revisiting and reviving their old traditions. The people relied on institutional arrangements, shared norms and mutual agreements in a community of understanding that enabled them to sustain cooperation and advance the common interest of the group in which they belong. It is institutional structures that the people have developed over the years that availed individuals in these communities to make inputs to development in their locality by contributing towards projects (labour, finance and materials) and decision-making in socio-economic and political arenas (See for instance, Akinola 2000:182, 2004:55-57, 2007a:34, 2008b:97-102, 2009a:270).

Recent indications in Nigeria, for instance, confirmed that civic democracy as a daily practice and form of life was rooted in the culture and social organisation of the people, which were based on mutual trust, reciprocity, and common understanding (Akinola 2005d, 2007a:34, 2008b). The people organised themselves into several groups and associations to confront their present day challenges. The power of collectivity and joint efforts among the people are based on contractual relationships, building of trust and reciprocity in their day-to-day existence. The joint efforts, however, require certain rules and laws the people used in checking the individuals' excesses and free-riding. Although these rules, in most of the communities, are not written down, they are already part of the people because their daily existence in all ramifications revolves around cooperation. In some other communities, especially as literacy rate is increasing, associations are now writing their rules. For example, local people demonstrate great entrepreneurial capabilities in the way they handle local/community challenges in Nigeria and have achieved a reasonable level of success in the same areas where state-centred institutions have faltered.

Selection and checking of leaders were based on democratic processes and these have some impacts on the service delivery capacities of these community institutions. A familiar code of social justice is applied and there is a high moral tone in the management of public matters and financial accounts. The moral pressure surrounding the public expectation of prudent spending of public resources is a living source of public accountability. Embezzlement is very rare because of the social stigma it attracts. When this occurs, however, the culprit is made to refund the money and also fined or suspended, while his property may be confiscated and sold to recover the funds.

Indications from South African corroborate the findings in Nigeria. For instance, the Zenzele clubs of the Eastern Cape of South Africa, which date from the late 1920s, were founded by educated African women who sought to improve the lives of rural African women by enhancing their subsistence farming and cooking skills and educating them about household cleanliness,

basic child care and health care. The associations later spread to places like Uganda, Tanganyika and Southern Rhodesia where they catered for rural women and focused on community development. Unlike associations for African women in British colonial Africa, Zenzele clubs in South Africa did not evolve into political organisations. In the white-run segregated and apartheid states that persisted through 1994, Zenzele women did not engage in direct political action; rather, they sought to unite African women across class and ethnic lines and focused their efforts on community development (Higgs 2004).

In Senegal, different occupational groups – traders, farmers, artisans, transporters, etc. form different types of associations that include: tribal associations, women's associations, burial societies, neighbourhood society associations, youth associations, etc. It has been confirmed that urbanisation sparked a sharp rise in associational life in Dakar and other towns in Senegal. Several associations emphasised social and recreational activities, the provision of mutual assistance and credit to finance important life-cycle events, and a safety net to help the needy (Gellar 2005:94). Similarly, in the rural economy of Senegal, traditional age-grades organised themselves into work groups to earn money. There are village-level youth associations that incorporated all members of the same age-grade or several age-grades. These village-level youth groups evolved into the most dynamic and effective associations and constituted the base for a strong peasant movement in many parts of Senegal. It is clearly evident that rural Senegalese successfully adapted and expanded pre-colonial institutions to addressing challenges of daily life (Gellar 2005:98).

These groups, since 1996 have come together to establish their own local development committees that engage in a wide range of economic activities, to evaluate their neighbourhood's needs and to develop plans to improve the level of public goods and services. The rising participation of grassroots organisations in local governance in Senegal has been accompanied by a heightened sense of citizenship on the part of their members (Gellar 2005:105). These developments in Senegal are slowly changing the nature of local politics by undermining patron-client relationships and party control of associational life and making local government officials increasingly accountable to their constituents rather than to their party (Gellar 2005:106). However, this remarkably successful institution received relatively little attention from government decision makers and donors largely because they were not part of national programmes and donor projects (Gellar 2005:98).

Similarly, grassroots women groups are located in both rural and urban areas in Zimbabwe and are predominantly self-help groups that have grown out of local conditions to meet the specific needs of women (Chazan et. al. 1988:89). Two of the most prominent examples in Zimbabwe are the various community AIDS support groups and Savings Clubs. Similarly, voluntary women associations in Zimbabwe provide services and engage in welfare activities such as offering training in basic skills, support networks and operating child care facilities (Chazan et. al. 1988).

The situation in Burkina Faso provides an interesting picture for scholars of civil society. In 1967, the government of Burkina Faso through manipulation, initiated and created the Naam Movement 'from above' with political aim for the purpose of local politicians' elections. However, these organisations have never worked well and never been accepted by the people. At the same time, there had existed the old village social organisations with excellent traditional village organisation which consisted of young men and women undertaking various activities and having highly developed cooperative characteristics. This was called 'Kombi-Naam', which aimed at '...both developing moral qualities such as solidarity, cooperation, friendship, and loyalty in the young, and at the same time accomplishing socially useful tasks for the village.' In

the Kombi-Naam, all were equal, regardless of gender, class, caste, and wealth. This organisation also provides moral, civic, and technical training to village youth. It was observed that the cooperative structures of the Kombi-Naam were in no way inferior to the organisational framework of European cooperatives. A Kombi-Naam group practiced a qualitative democracy: people were chosen not for their position in the social hierarchy (Mossi society is extremely hierarchic) but for their moral qualities. For instance, the Kombi-Naaba, the supreme chief of the Naam group, was chosen for his leadership qualities and his ability to persuade (Pradervand, 1989:20).

The hallmark of Naam is people's participation, as well as self-motivation and taking charge of problems, as essential elements of development. The Naam is a form of development adapted to local needs, created by the people themselves. It starts with what people are (based on a true appreciation of their African identity), what they know (respect for traditional knowledge and values, which implies the considerable effort necessary to become acquainted with them), their know-how (rediscovery of traditional techniques, some of which, for example in the field of water and soil conservation, have proven invaluable), and what they wish to achieve (which implies meaningful grassroots participation in defining the very objectives of development processes) (Pradervand, 1989:22). This Movement attempts to harness low-cost technologies, using local material that can be taught and spread quickly, such as water-conserving techniques of building stone lines along the contours, and a three-stone stove. Therefore, its ideals can be summarised as 'development from within', starting with the people, incorporating indigenous values, tradition and technical knowledge, utilising local resources and endowments with simple technologies, encouraging people's participation, and aiming at self-reliance⁷. The lesson that can be learnt from these institutions is how they are able to mobilise and use local resources judiciously for the common good of their communities.

Evidence abound that these people-centred institutions have also ventured into security of life and property as the fear of crime and feelings of insecurity had led to people losing confidence in official policing. Recent studies have confirmed that the people have exercised considerable entrepreneurial capabilities by exploring their pre-colonial community-based security arrangements. This has resulted into huge investments in private security and community-based security arrangements that include: Vigilante Groups and Oodua Peoples Congress (OPC) in Southwestern Nigeria. The remarkable performances of these community-based security institutions (CBSIs) in crime bursting lend credence to the effectiveness of institutions designed and managed by the people themselves and these confirmed them as alternatives and/or complementary structures for the maintenance of security of life and property (Akinola 2009a:265-267).

As in Nigeria, local people in South Africa have started creating their own parallel structures of law enforcement to enforce safety and security and the result is a growth in the phenomenon of vigilante groups. For instance, security volunteers in SOWETO (South West Township), Johannesburg, South Africa handed over an average of 30 suspects to the Police every month (Prime Time News, (e-news), 18 February 2007). However, tendency exists for these voluntary security associations to have contempt for due process as found in certain parts of Nigeria, especially the Bakassi Boys in the eastern Nigeria. The Bakassi Boys were not in the habit of handing suspected criminals to the Police simply because of corruption and brutality charges against the police. Like in Nigeria, some vigilantes in South Africa do not follow due process when criminals are arrested.

⁷ (Takehiko, Uemura: <http://www.fao.org/sd/rodirect/ROan0006.htm>, Accessed on 17/07/2007)

In spite of this, further indications from other African countries such as Ghana, Chad and Uganda confirm the role of community-based organisations as units of de facto local government (Olowu and Wunsch 2004:11). Africa has its glorious picture of real democratic life necessary for development as depicted by associational life of diverse peoples in the continent. Bratton (1994:5) found that associational life took different forms in different African countries: Christian churches in Kenya and Burundi, Islamic brotherhoods in Senegal and Sudan, lawyers' and journalists' associations in Ghana and Nigeria, farmer organizations in Zimbabwe and Kenya, and mineworkers' unions in Zambia and South Africa. The common denominator is that everywhere that independent associations survived they provided ordinary Africans with an outlet for the urge to combine in pursuit of shared goals. According to Hyden (2006), there is a vibrant associational life in African societies. Had Alex de Tocqueville been able to pay a visit to Africa, he would no doubt have been aroused by what he could see on the ground in the same way as he was when first visiting America. The kinds of civic spirit in African peoples in terms of willingness to make sacrifices are worth commending. They are apt to postpone other personal activities to meet the community needs (Akinola 2006f). In a nutshell, there is a strong sense of community-oriented, people-centered and true democracies among diverse peoples of Africa outside the domain of the state.

There is evidence that civil society – i.e. occupational, community-based, and religious organizations – exists at localities all over Africa, and in some circumstances can be an important participant in service delivery and in enforcing accountability (Olowu, Ayo and Akande, 1991; Bratton 1989, 1990, 1994; Bratton and van de Walle 1997; Olowu and Erero, 1997; Adedeji, 1997; Coulibally, 1999; Akinola, 2000, 2003a, 2004, 2005d, 2007a, 2008b). This self-governing arrangement empowers citizens, protects individual choice and allows for polycentric institutional arrangement that permits citizens to join with one another to take collective action (Wunsch and Olowu 1995:274). These patterns of self-organising and self-governing capabilities of the local people in resolving their daily challenges are described as polycentricity. The doctrine of polycentricity provides alternative strategies to address problems of daily existence at the grassroots level in the face of dismal performance of the modern state institutions.

The existence and operation of these self-governing and community-based institutions, however, does not replace the role of government; rather to redefine it. The most important role of government, in a polycentric order is to help local people resolve their conflicts of interest in a way that remains consistent with societal standards of fairness. In other words, government should not be involved in too many things; rather it should play the role of facilitator to ensure fairness and justice.

In order to reconstruct the public sphere and democratise social relations in Africa, an important task that needs to be accomplished is to build on the existing self-governing structures in the continent. Scholars working on self-governance believe that local people, both in urban and rural Africa, have devised several means of collectively organising themselves to surmount common problems at community level, especially when state centered and so called elected representatives have failed to deliver electoral promises on public goods and services to the citizens. If this is the case, then all our emphases and efforts should not be directed and concentrated on election alone. Election alone cannot be sufficient since election is a fractional part of mechanisms driving democratisation. Individuals must be part of rule crafters right from community level – constitutional level, collective choice level and operational level. Reminiscent of African experience, Vincent Ostrom argues that:

If Africans were to concern themselves more with covenanting with one another to form civil

bodies politic, they would appreciate that African peoples draw upon diverse ways of conceptualising patterns of order in their societies. There is as much to be learned from stateless societies as from those that merged as 'kingdoms' and 'empires' before the intrusion of European empires. Modern democratic societies cannot be imposed from the top. They emerge as people learn to cope with the problems of collective organisation associated with their shared interdependencies (Vincent Ostrom, 1991:18).

Africa has its glorious picture of real democratic life necessary for development as depicted by associational life of diverse peoples in the continent. If it is true that election is at the heart of the conception of democracy and realities on ground confirmed that electoral systems are false, as elected officials are not true representatives of the people, then there is a fundamental problem on the practice of democracy in Africa. Again, if it is true that the disengagement of the people from the state affairs and its workings constitutes false electoral systems and violent electoral process, finding lasting solution to African governance crises invariably means that efforts must be made to re-engage the people and the civil society with the state governance structure. If democracy is not an end in itself but a means to an end (citizens' welfare), then electoral system needs to be properly re-designed to involve the citizens whose welfare is to be enhanced or shaped by democracy. In this way, there is the need to redesign democratic space to be inclusive of the institutions of civil society that the people have relied upon across the continent. How do we go about this such that Africa can be transformed into a democratic society to ensure the delivery of dividend of democracy?

Some pre-colonial political systems in parts of Africa were participatory and inclusive, thus representing a democratic tradition on which modern democratic polity could be built. What is needed therefore is to search for ways that will enable the state and Africa's community-based institutions to be mutually engaged in the public arena, lessening the claims of the state for total ownership of the political space of the public realm. The next section provides some clues on how African electoral process can be democratised.

Democratising Electoral Process in Africa Through Polycentric Planning

African socioeconomic and political challenges are beyond what any political party is capable of addressing except public space is reconstructed for electoral process to be inclusive and democratised. As Claude Ake (1996:7) puts it: 'the state must be transformed structurally before... elections can become a meaningful exercise in democracy.' Africa should embark on political restructuring that will re-shape, re-construct, and re-configure political landscape to make it fertile for the emergence of patriotic individuals who are capable of advancing the continent's development, peace and security. Tocqueville (1966) believed that freedom of association and freedom of the press were more important than holding free and periodic elections in preserving freedom and protecting minorities against the tyranny of the majority. He also believed that the 'art of association' was the key to creating stable, self-governing communities in the democratic era.

Community-based institutions may be of further use for the understanding of democracy in Africa by adapting and incorporating traditional norms and values of civil society into 'modern' or imported democratic practices. Democracy does not survive simply because of parliamentary assemblies, periodic elections, and multi-party systems that allow for credible opposition but it also endures because of its responsiveness to values and norms, which enables its operations to accommodate local traditions, values and aspirations. These norms are informed by the values of community-based institutions. An exceptional case of a successful adaptation of democratic practices from the norms of civil society in Africa can be found in Botswana whose

parliamentary democracy relies very much on its indigenous institutions of '*Kgotla*', a system of 'elder council' in canvassing public opinion (Olayode 2006).

Since state-centered democracy has not delivered as expected in Africa, and considering the fact that diverse peoples of Africa in their various ecological and cultural settings, over the years, have relied on self-organised institutions, otherwise called civic democracy to address their problems of daily existence, it is imperative to use these local and community initiatives and self-governing arrangements as building blocks for the emergence of modern democracy in the continent.

Here the definition of democracy by Alex de Tocqueville (1966) becomes relevant. Tocqueville has defined democracy as equality of social conditions (see also Babara Allen 2005). Social conditions here do not mean equality of access to money or authority but it simply means equality of political rights among citizens (both the elected officials and the electorates) such that individuals in a community have equal opportunity to make input into decisions that concern the welfare of their community in an open assembly at local, state/region, and national levels. Citizens should be involved in decisions on the provision and production of social services from constitutional, collective choice and operational levels.

This can not be achieved without serious deliberations and deliberateness to design people-oriented institutions that can bring elected officials (leaders) and the electorate (the led) together for open discussion of their problems. These two groups of individuals should regard themselves as colleagues with equal standing within political arenas. With this conditions established, shared communities of understanding, trust and reciprocity will lead to mutually productive ways of life and viable democracies across Africa. In this circumstance, it is possible for the people of Africa to cooperate and organise people-centred elections if conditions for mutually productive collegiality exist and when people perceive that the outcome of electoral process will be beneficial to them.

In order to make election relevant to African democracies, certain questions need to be addressed: What should be the role of local people in shaping electoral system before, during and after elections? Should we regard some few individuals as trusted electoral officers who will screen candidates? What role can local people - political stakeholders - play in screening candidates for primary elections? How can few individuals at the federal/central level of government ascertain the integrity of political aspirants at the local level that have never featured beyond their locality? What role can local people (neutral groups) play in monitoring elections at the community level?

In order to answer some of these questions, four issues are discussed: The role that African scholars should play; pre-elections tasks that the local people should perform; responsibilities of citizens and community institutions during elections; and post-elections responsibilities that the civil society with its local associations and interest groups should carry out to ensure the delivery of dividend of democracy to the peoples of Africa.

The Role of African Scholars

Since democracy involves the transformation of economic, political and social structures, the project of democratisation in Africa, therefore, cannot be successful where the political structures alone are transformed (Mbaya 1995:77). In essence, a creative and democratic civil society must be ushered in for Africa to be an economic agent. The democratisation of African societies, therefore, means that African scholars and diverse peoples of Africa must master their economic as well as their political and social structures. The critical issue has to do with how African people can control this process, make it meaningful and executed on the basis of the needs and priorities expressed by the people.

To achieve the objective of development in Africa, democratisation must be effectively

translated into sharing of, as well as involvement and participation in economic, political and socio-cultural power. In this area, African scholars can show the direction on how civil society can be involved in planning, implementation and participation of the population and their various communities and associations in socio-economic, cultural and political projects of the continent. For Africa to be democratised, diverse and multiple centres of human activities that African peoples have established in a polycentric manner should be of significant interest to African scholars.

For example, African Electoral Reform and Democratisation (AERD) model (Akinola 2008p) could be applied to reshape, reconstruct and reconfigure democratic space to include diverse civil society, community institutions and interest groups at community and local level. The application of this model will help to connect government structures with people-oriented institutions such that elected officials (leaders) and the electorate (the led) can engage in open discussions on their problems in their mother tongues at community forum/assembly. The application of this model in Africa would lead to the emergence of people-oriented electoral system that could constitute checks on the excessiveness of politicians. This emerging pattern of political order will invariably enable citizens and community institutions through civil society to play prominent and integral roles before, during and after elections in Africa (see Akinola 2008p:192-193).

Pre-elections Tasks of Citizens and Community Institutions in Elections and Democratisation

We need to emphasise the importance of anchoring electoral process and local governance in the broad-based participation of all categories of local people, both as individuals and as participants in the variety of organisations that define associational life in their communities. It is critical that the participation of individuals and groups be substantive and significant enough not only to demand accountability of leaders, but also to endow ordinary local people with appropriate capabilities and opportunities to serve as local governors. This means that the people at community level must be actors at the constitutional level of decision making; they must be participants in the making of the rules that govern their affairs. The discourse that attends interactions in their community development associations, occupational groups, rotating credit (*susu*) clubs, women's organisations, age-set associations, and others must find expression in the local political process and thereby lend vitality to the local public realm (Sawyer 2005:96). All of these activities - not simply the act of voting in elections - define the democratic character of local governance.

The civil society can play significant and balancing roles in the democratisation project. As has been rightly observed:

A vigorous civil society enhances not only the accountability, but also the representativeness and vitality of democracy. Voluntary associations represent a crucial institutional supplement to democratic political parties (Diamond 1996:101).

The social reality of African countries requires an inclusive democracy with concrete socio-economic rights that would extend to the broader social realm to embrace the workplace, the household, the educational institutions and indeed any economic or cultural institutions which constitute an element of the realm (Fotopoulos 1997). This relates with Professor Claude Ake's notion of 'democracy of incorporation' and 'people-driven democracy' (Ake 1996), which provide insight into elements of social democracy that may promote an inclusive democracy.

In order to effectively address electoral problems in Africa, diverse peoples of Africa, especially the poor people should be brought into the main stream of electoral process through

polycentric arrangements that can permit both the elite and the non-elite to engage in open discussions on electoral matters for mutually productive outcomes. If polycentricity is adopted, African political space would be enlarged to accommodate pro-poor political parties. This is why it is necessary that people in diverse communities should begin to meet regularly in community forum; elite and the non-elite must sit together, discuss in their mother tongues, engage in open contestation of ideas with mutual respect, trust and shared communities of understanding. Issues to be discussed and agreed upon at the community forum include: the integrity and characters of ideal councillor, chairman, and other elected public officials; the attachment of political candidates to their communities in terms of contribution to development and local investment; and how often community representatives should meet with public officials. This is constitutional level where rules are made. Similarly, strategies for implementation will be fashioned out at the collective choice level. At the collective choice level, decisions are made on the issues raised and agreed upon at the constitutional level. For example, how to recover money mismanaged, stolen or embezzled by political leaders at the various levels of government should be collectively decided by the people-oriented assembly at community, local, state/provincial and federal/central levels. Also, procedures on how to apply sanction on rule infractions will be designed. At the operational level, real actions are carried out. This is the level where responsibilities are assigned to individuals. Who does what?

In most cases, however, the boundaries between these three levels may be blurred depending on the type of task at hand. On the issue of elections, all the three levels may take place in pre-elections period. For example, on the election of a mayor or chairman of a local government council, the community assembly will make rules that will specify the qualifications of their local chairman or mayor that may include: educational qualification, the integrity, track record and contributions of such candidate to community development. They may then set up a small committee that will do the searching out of such candidates wherever they are and keep their findings. All along, members of political parties are also part and parcel of the assembly and they are aware of what the community wanted. It is now left for the political parties to search for credible candidates for the various offices they want to fill. Parties, must of necessity, submit their candidates to the community assembly for approval, where the committee will screen all candidates based on agreed rules that the assembly has ratified long ago. The committee will report its decisions on all candidates to the assembly for the assembly approval. If for instance, the candidate for a particular political party is rejected by the assembly, the party will be given another chance to field other candidate(s). It is the approved candidates that are then eligible to contest elections. All these pre-elections tasks approved by communities will be passed into bye-laws at the local government councils and consequently adopted at the state/regional assemblies or parliaments as the case may be. Meaning that bye-laws will vary across local governments in a state/province and the same goes for states/provinces in a country. However, if a community or local government, at any time, felt the need to amend their electoral rules, they are free to do that only to inform the state/provincial assembly of their intention. The most important thing is that such rule changes should not be the work of a few groups of individuals but that of the assembly.

Responsibilities of Citizens and Community Institutions during Elections

Few weeks prior to the elections, all electoral officers from federal/central and state/provincial levels, parties representatives, law enforcement agents and security officials as well as international and local monitors and observers must have series of meetings with community assemblies in the local government of their operations to familiarise themselves with the rules-in use and the workings of the communities they are to operate during the elections. The group that consists of electoral officers, party representatives, law enforcement agents, security officials, monitors and observers that will operate in a particular polling booth must

know themselves and familiarise themselves with the representatives of the community assembly and the geographical area they will operate on the election day.

On the election day, all the electoral procedures will be strictly adhered to and each member of electoral team at a particular polling booth has to append his/her signature at appropriate section of electoral form that will confirm the time election started and ended, the result contained in the form, etc. All the activities that take place on the Election Day should be directed and coordinated by the electoral team that comprises civil society organisations. These exercises are referred to as collective and operational responsibilities.

Post-elections Responsibilities of Citizens and Community Institutions

Post-election activities are operational activities, which occur at operational level. Here all pre-elections' decisions should be implemented and monitored by monitoring group after elections. This includes regular community assembly as agreed upon by the assembly. Various committees that are set up by the assembly will have to take action on specific issues. Project monitoring committee should ensure delivery of services, while accountability committee would ensure quality of projects. In case of default, appropriate sanctions as agreed upon at the constitutional level will be applied on rule infractions.

The outcome of this institutional crafting and subsequent interactions among the people in diverse communities in Africa would reflect African diversity and help us to come to terms with governance capabilities of diverse peoples in Africa. The same exercise will take place at the local government level. It is the representatives of various interests and organisations at ward and/or community level that will converge at the local government level. The same exercise will take place at the state level and the result of the deliberations will produce part of what will constitute people-oriented constitution for that state or region. If this can be implemented in African countries, then it will be easier for African continent to experience a passage to truly democratic societies, where opportunities to serve will be opened for patriotic individuals. In essence, opportunistic space would be shrunk and public space would be enlarged to accommodate diverse associations and their members. We have to work out our own democracies and not necessarily adopt and impose Western model; it is enough for us to learn from outside.

Conclusions

This paper concludes that electoral systems in Africa are hollow and ritualistic involvement of people mainly used to manipulate the people to secure advantages for the ruling elite. It is increasingly difficult for electoral systems in Africa to act as major mechanisms driving the processes of democratisation in the continent. On this note, election should not be the ultimate aim in order to build strong and viable democracies in Africa. We should look beyond election and work towards a new strategy of inclusive democracy.

Since elected officials have not delivered as expected in Africa, and considering the fact that diverse peoples of Africa in their various ecological and cultural settings, over the years, have relied on associational life and self-organising democracy to address their problems of daily existence, it is imperative to use these local initiatives and self-governing arrangements as building blocks for the emergence of modern democracy in Africa. This cannot be achieved without serious deliberations and deliberateness to design people-oriented institutions that can bring elected officials (leaders) and the electorate (the led) together for open discussion of their problems. These two groups of individuals should regard themselves as colleagues with equal standing within political arenas. Shared strategies and problem solving interdependencies that African people practice on daily basis at community level through institutions they designed by themselves should be adopted for the emergence of people-oriented electoral system that

could constitute checks on the excessiveness of African politicians. This emerging pattern of political order will invariably enable citizens and community institutions through civil society to play prominent and integral roles before, during and after elections in Africa.

With this conditions established, shared communities of understanding, trust and reciprocity will lead to mutually productive ways of life and viable democracies across Africa. In this circumstance, it is possible for the people of Africa to cooperate and organise people-oriented elections if conditions for mutually productive collegiality exist and when people perceive that the outcome of electoral process will be beneficial to them. Until democratic space in Africa is reshaped, reconstructed and reconfigured to include civil society, electoral system will not be people-oriented and democratic; tyranny of the majority will continue to predominate; and peoples of Africa, regardless of their endowment and entrepreneurial capability, will continue to suffer.

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Crisis of Communal Leadership: Post-Colonial Local Government Reform and Administrative Conflict with Traditional Authorities in the Communal Areas of Zimbabwe 1980-2008

By

Godfrey Tabona Ncube

Abstract

Rural local government reform measures adopted by the new Government of Zimbabwe at independence in 1980 were largely inspired by the state's modernization initiatives and the need to create a framework for expanded delivery of services to the peasant communities in order to redress the imbalances of colonial neglect. However, the reform measures also sought to undermine the authority of traditional institutions in judicial and land matters in the Communal Areas; firstly because of their perceived pre-independence role as functionaries of colonial oppression; secondly, because some elements within the new Government viewed traditional institutions as antithetical to their modernization project to transform rural society; and thirdly because other elements in the new Government perceived traditional institutions as centers of alternative authority to that of the formal state. The failure by the new Government to incorporate and co-opt traditional institutions into formal state institutions in the first two decades of independence lies at the heart of the confusion surrounding land administration in the Communal Areas after independence. This confusion at the local administrative levels was characterized by a lack of clarity on roles and functions between the traditional institutions of chief, headman and village head, and the elected leadership of Village Development Committees (VIDCOs) and Ward Development Committees (WADCOS) in land matters. It precipitated a crisis of communal leadership in the Communal Areas of Zimbabwe, whereby, on one hand, elected rural institutions had little real legitimacy according to traditional grassroots perspectives, while traditional leaders were not always acknowledged or respected by the formal state's modernization initiatives. However, in many areas of the country, chiefs, headmen and village-heads illegally reacquired some of their defunct authority over land and proceeded to clandestinely allocate land. This crisis of communal leadership manifested itself in many land dispute cases that occurred at district level throughout the country for more than two decades, where there was clear evidence of hostility between the new and the old land administration structures.

Introduction

Since the inception of rural local government reform in 1980, communal leadership in Zimbabwe has been characterized by a profusion of overlapping and incongruent local organizational structures, each with its own boundaries, and drawing on different sources of legitimacy, which has created weak and disparate local institutions. It has been noted in other studies that, in principle, Zimbabwe's local government system now has three formal hierarchies, existing side by side, spanning from the state to the grassroots, i.e. a decentralized local government system encompassing Provincial Development Committees, Rural District Development Committees, Ward Development Committees, and Village Development Committees; a customary chiefly system encompassing chiefs, headmen and village heads; and a multi-sectoral hierarchy of government ministries; all fanning out at the local level into several administrative, developmental, social, political, and other bodies (Sithole 1997, Mandondo 2000). Consequently, at the local level, institutions administering land tenure and natural resources have been characterized by conflicts, particularly between the traditional authorities and elected leadership of the VIDCOs and

WADCOS.

Much of the administrative conflict can be traced back to the combined effect of the Communal Lands Act of 1982, which had divested the chiefs of the land allocation powers vested in them by the Rhodesia Front regime in the 1960s; and the earlier Customary Law and Primary Courts Act of 1981, which had transferred the determination of customary law from the Chiefs' courts to new local bodies appointed by the Minister of Justice under the Act. The Communal Lands Act vested control over land in the President and devolved land administration to Rural District Councils and District Administrators under the then Ministry of Local Government, Rural and Urban Development. Rural District Councils therefore became de jure land authorities. By removing the application of customary law regarding access to and use of land from customary institutions (chieftaincy) to newly elected local government institutions (the Rural District Councils), the new Government of Zimbabwe was effectively vesting the application of customary law in non-customary institutions (Nyambara 1997a). Rather than incorporate and co-opt traditional institutions into state institutions, the Government sought to marginalize them by denying them, among other things, the power to allocate land. In the long term, the combined effect of the Customary Law and Primary Courts Act, and the Communal Lands Act, introduced profound changes in the land tenure situation in the Communal Lands and left the traditional, conservative leaders with little more than a spiritual function (Communal Lands Development Plan 1986). In practice, however, chiefs and headmen always inserted themselves into the process by clandestinely allocating land on the basis of customary, territorial and other claims to the land (Mandondo 2000).

This lack of clarity on the roles and functions of various institutions at the local administrative levels, particularly over issues of land, precipitated a crisis of communal leadership in the Communal Areas of Zimbabwe, whereby, on one hand, elected rural institutions (VIDCOs, WADCOS etc.) had little real legitimacy according to traditional grassroots perspectives, while traditional leaders were not always acknowledged or respected by the formal state's modernization initiatives (Mukamuri & Mavedzenge, 2000). Although the Chiefs and Headmen Act (1988) excluded traditional leaders in land administration, the inhabitants of Communal Areas still referred most land matters and requests to traditional leaders. Furthermore, the Chiefs and Headmen Act (1988) did not recognize the institution of village head, but the village heads remained particularly defiant to their non-recognition and to the imposition of the new structures, and they continued to be involved in the allocation of land, encouraged by both chiefs and headmen who considered the position of village head to be very necessary in traditional local administration (Dore, 1995). The VIDCOs, on the other hand, faced serious problems from their inception in carrying out some of their functions and in most cases they gave up because they were widely viewed as illegitimate structures with no credibility or respect, and no real effective power and resources to implement their roles (Nyambara 1997a, 11). This crisis of communal leadership manifested itself many land dispute cases that occurred at district level throughout the country, where there was clear evidence of hostility between the new and the old land administration structures. Evidence gathered by the Commission of Inquiry into Appropriate Agricultural Land Tenure Systems in 1994 showed that the most serious land conflicts in the Communal Areas had been worsened by the acute breakdown in local administrative structures, and the resultant erosion of authority and responsibility. The Commission "found no legal basis for the VIDCOs in land matters" and observed that there was widespread resistance to VIDCO/WADCO structures as credible authorities over land (Report of the Commission, 1994, 25-26).

Decentralisation and Disempowerment of Chiefs

The restructuring of government at the local level took three forms. First there was a significant de-concentration of central government activities by the creation of new Ministries, such as the Ministry of Local Government, Rural and Urban Development, and the Ministry of Community Development and Co-operatives, which were formally represented down to the district level (Stewart, Klugman & Helmsing, 1994). Secondly, a series of legislative enactments and directives were introduced, which sought to democratize and strengthen local government. The major post-independence legislative enactments in local government reform have been: the District Councils Act of 1980 (amended in 1981 and 1982); the Communal Lands Acts of 1981 and 1982; the Customary and Primary Courts Act of 1981; the Prime Minister's Directive on Decentralization of 1984 and 1985; the Provincial Councils and Administration Act of 1985; the Rural District Councils Act of 1988; the Chiefs and Headmen Act of 1988; the Customary Law and Courts Act of 1990; and the Traditional Leaders Act of 2000 (Stewart, Klugman & Helmsing 1994; Nyambara 1997a; Mandondo 2000). Thirdly, a participatory organizational structure was established to permit local participation in development planning. The participatory structure was established following the issuance of the Prime Minister's Directive on Decentralization (1984 & 1985), which outlined the structure through which peasant communities at sub-district level fitted into the district local governance framework. The directives created VIDCOs and WADCOs, units based on popular representation and envisaging a democratic orientation to the process of planning for local development (Stewart, Klugman & Helmsing 1994; Nyambara 1997a; Mandondo 2000).

The most important piece of legislation that was passed to restructure local government at independence was the District Councils Act of 1980. Through this Act, the new Government of Zimbabwe reconstituted and consolidated over 220 previously fragmented colonial African Councils into 55 District Councils. By and large, the post-independence local government structures were crafted from colonial forms (Helmsing, 1991). The District Councils Act 1980 (amended in 1981 and 1982) set up elected District Councils as key institutions of rural local government in the Communal Lands. Each District Council was an apex of a local governance structure that encompassed peasant communities. The Act helped to revive rural local government after the decade-long guerrilla war against the Rhodesia Front regime had led to the collapse of many African Councils in the early 1970s (Nyambara, 1997a; Stewart, Klugman & Helmsing, 1994). The District Councils became the principal planning and development agencies in the Communal Lands, while the District Administrator, as the Chief Executive of the Council, was responsible for overall planning, development and co-ordination. Although the traditional leaders, who had dominated local government during the colonial era, were not removed, their powers of adjudication and land allocation were transferred to the District Councils (Mandondo, 2000; Nyambara, 1997a).

The District Councils Act 1980 (amended 1981, 1982) and the Communal Lands Act of 1981 (amended in 1982), were the two most important pieces of legislation that governed land use and land allocation in the Communal Areas of Zimbabwe soon after independence. The Communal Lands Act of 1981, vested ownership and control of communal land in the President and devolved its administration to District Councils and District Administrators under the then Ministry of Local Government, Rural and Urban Planning. The Communal Lands Act of 1982 divested the chiefs of their land allocation powers vested in them in the 1960s by the Rhodesia Front regime, and gave them to the District Councils. In the new District Councils, which consisted predominantly of elected members, the traditional leaders, i.e. chiefs and headmen, became ex-officio members nominated under the Act, with greatly reduced powers (Stewart, Klugman & Helmsing, 1994;

Mandondo, 2000). District Councils were given new powers to grant permits to occupy land for residential or agricultural use, with due regard being given to customary law and customary rights to land. The District Councils therefore became *de jure* land authorities (Nyambara, 1997a).

The District Councils Act was later complemented by the Rural District Councils Act (1988) which sought to eliminate the colonial dualism in local government structures, which was based on the separate development of the Black and White races, by combining the structures into a single system of local government. The Act amalgamated the Rural Councils, which formerly represented White land owners, with the District Councils, which represented African interest in the Communal Lands, into Rural District Councils. The Act gave the Rural District Councils the power to enact land-use and conservation by-laws in their jurisdictions (Stewart, Klugman & Helmsing, 1994; Mandondo, 2000). Thus it further endorsed the RDCs as *de jure* land authorities instead of the traditional leadership structures. The Rural District Council Act [Chapter 29:13] established a local government structure that excluded traditional leaders. It is somewhat ironic that many of these structures were inaugurated with the blessing of traditional leaders.

Traditional authorities were further disempowered by the Customary Law and Primary Courts Act of 1981, which formally transferred the determination of customary law from the Chief's Courts to new local bodies appointed by the Minister of Justice, under the Act. While the government affirmed its support for customary law regarding access to and use of land, it removed the authority for its allocation from customary institutions (i.e. the traditional leadership of Chiefs and Headmen), and vested it in elected local government institutions. The application of customary law was thus vested in non-customary institutions: the District Councils. It has been observed that the combined effect of the District Councils Act (1980/81/82), the Communal Lands Act (1981/82), and the Customary Law and Primary Courts Act of 1981, introduced profound changes in the land tenure situation in the Communal Lands that left the traditional leaders with little more than a spiritual function (Communal Land Development Plan, 1986; Nyambara, 1997). All these legal enactments were part of the process of the disempowerment of 'traditional' institutions, a measure purportedly adopted in order to punish chiefs for their pre-independence role as functionaries of colonial oppression (Makumbe, 1998).

Another reform measure which was adopted in order to further disempower the traditional leadership in the Communal Lands was the creation of a participatory structure for peasant communities at sub-district level that excluded traditional leaders in the district local governance framework. This participatory structure entailed the creation of Village Development Committees (VIDCOs) and Ward Development Committees (WADCOs) under the provisions of the Prime Minister's Directive on Decentralization of 1984 and 1985. As elected bodies, the VIDCOs and WADCOs excluded traditional leadership structures and were generally accountable upwards to the Rural District Council, and not to their local constituencies. The VIDCO became the lowest unit of government administration which was expected to identify the needs of the village and articulate the needs through the development of a local village plan. The VIDCO normally consists of 100 households and is presided over by an elected chairperson. The WADCO is usually comprised of six VIDCOs per ward and draws its membership from leaders of its constituent VIDCOs. It is presided over by an elected councilor representing the ward at the district level. The WADCO receives the plans of its constituent VIDCOs and consolidates them into a ward plan. Councilors then forward the plans to the district where they are submitted to the Rural District Development Committee, which is the supreme planning body of the district that consolidates the various ward plans into annual and five-year plans for the district (Stewart, Klugman & Helmsing 1994; Nyambara 1997a; Mandondo 2000). As a consequence of this lack of downward accountability the

VIDCOs have little credibility at the local level. This may be attributed to the fact the traditional leadership, despite their history of involvement in the colonial administration, continued to have significant support at the local level (Mohamed-Katerere, 1996). Thus, there is evidence of an increasing struggle between traditional leadership and the VIDCOs, WADCOs, RDCs around issues of authority and power.

A Land Tenure Commission which was set up in the early 1990s to investigate appropriate land tenure and agricultural systems for various parts of the country, reported in 1994 that many administrative conflicts were taking place between traditional leadership structures (chiefs, headmen, and village-heads) and elected local government institutions (VIDCOs, WADCOs) throughout the country. The Commission cited one of the causes of the administrative conflict between customary institutions and elected local government institutions as the co-existence, side by side, of VIDCOs and WADCOs with traditional institutions of chief, headman and village-head at the local level, making administrative overlap inevitable. It further observed that the two systems did not have clearly defined mandates and communication processes, and relied on different sources of legitimation (i.e. the state for VIDCOs/WADCOs, and tradition for the customary institutions), making conflict between them inevitable. While VIDCOs derived their land allocation powers from a statutory instrument, the Communal Lands Act, traditional leaders, on the other hand, derived their land allocating powers from custom, claiming that the land belonged to their clan for generations, from whom they had inherited ownership and authority. There is evidenced countrywide that, for this reason, some traditional authorities continued to allocate land independent of the VIDCOs (Report of the Commission, 1994).

Conflict with the VIDCOs was also caused by the fact that, although the Chiefs and Headmen Act (1988) had defined the roles and functions of chiefs and headmen, and restored some of the original powers that had been vested in them by the colonial regime in the 1960s, e.g. limited judicial functions, it nevertheless did not recognize the institution of village-head, which both the chiefs and headmen considered to be vital in customary administration. From evidence gathered by the Commission, people repeatedly stressed that “Hapana Ishe kana Sadunhu asina maSabhuku”, which translates to; “there is no chief or headman without a village-head” (Report of the Commission, 1994; Dore, 1995, 25; Nyambara, 1997). Despite their non-recognition by law, village-heads enjoyed wide traditional support in the Communal Areas over the VIDCOs, and continued to perform wide-ranging functions, including land allocation and conflict resolution. Although the law excluded traditional leaders in land administration, the inhabitants of the Communal Areas still referred most land matters and requests to traditional leaders. Furthermore, although traditional leaders were not clearly mentioned in the land laws, the requirement that land administration was to be done by the VIDCOs and WADCOs *with regard to customary law*, implied some role for traditional leaders, given their status as executors of customary law (Report of the Commission, 1994; Sithole 1997; Frost and Mandondo 1999). Consequently, in practice, chiefs and headmen continued to clandestinely allocate land on the basis of customary claims to the land (Mandondo, 2000). The conflict surrounding the institutional administration of communal land manifested itself in the form of numerous land dispute cases that occurred at district level throughout the country, where there was clear evidence of hostility between the new and old land administration structures (Nyambara, 1997).

Conflicts also emerged as a consequence of spatial and jurisdictional overlaps between the domains administered by the traditional village-heads and VIDCOs. Most people interviewed by the Commission in the Communal Areas complained that the delineation of VIDCO boundaries had ignored the existence of traditional villages and often split traditional villages. This had damaged

relations between traditional village heads and VIDCO leaders (Report of the Commission 1994). These Communal land disputes were further complicated by the superimposition of the ruling party ZANU-PF's local structures in land allocation (Tshuma, 1997: 90). Although VIDCOs and WADCOs were elected local governance bodies, in many cases regular elections were not held and the VIDCOs and WADCOs were imposed in accordance with ZANU-PF party cells at the local level. As a result VIDCO and WADCO boundaries tended to ignore traditionally accepted social and administrative units such as village boundaries. The strategy employed was aimed at usurping the role of traditional leaders on the land. The resultant crisis of Communal leadership in land matters created land anarchy, serious land disputes within communities, and increasing conflicts between village-heads and the VIDCO over the allocation of land (Reynolds, 1996).

However, chiefs did not take their disempowerment lying down. Throughout the 1980s chiefs used their representation in the 150-member Legislature by 10 Senator Chiefs to fight for the return of their powers in judicial and land matters (Tshuma, 1997: 87-88). From the early 1980s, chiefs began to voice their demands for the return of their powers in the print and electronic media. They argued that before the attainment of independence in 1980, the land had been looked after properly by traditional leaders. But after all their powers had been taken away from them in 1980, they could neither control the land nor the people. They argued that after the authority to distribute land had been transferred from them, the problems of land degradation, river bank cultivation, deforestation and siltation had escalated to such an extent that that the Government was now spending thousands of dollars trying to remedy the situation (Nyambara, 1997: 8).

In 1987 the Minister of Local Government, Rural and Urban Development announced that Government would soon reinstate limited judicial powers to the chiefs, but would not reinstate their powers to allocate land. He emphasized that land allocation would still remain the responsibility of the District Councils (The Herald, 1987). This was followed soon after by the enactment of the Chiefs and Headmen Act (1988) which restored some of limited judicial powers to the chiefs and headmen, but did not recognize the allied traditional institution of village-heads. In 1990 the Customary Law and Primary Courts Act (1981), which had stripped chiefs of their judicial powers, was repealed and replaced by the Customary Law and Courts Act (1990), which restored the judicial authority of chiefs and headmen to preside over civil cases in customary law courts, but denied them jurisdiction over disputes relating to land. Despite these limited concessions to chiefs' demands by the Government, the chiefs still felt that the institution of chieftainship had been reduced to that of a mere symbolic figurehead, and they continued to fight for the restoration of their full powers in land matters (Nyambara, 1997).

Opposition Politics and The Restoration of Chiefs Powers

It has been observed that democratic considerations did not feature highly in the decision to re-empower chiefs in the late 1990s, and that chiefs were most probably courted to shore up sagging political fortunes of the ZANU-PF government which was facing a serious political challenge from an emergent popular opposition movement in the late 1990s, which culminated in the formation of the Movement for Democratic Change in 1999. Faced with the real threat that the growing opposition would garner support from the Communal Lands, the traditional support-base of ruling party, the state opportunistically moved quickly to incorporate the traditional leaders, as an important, but hitherto alienated, political constituency. It has also been noted that the Land Tenure Commission (1994) was part of the official political courtship of chiefs and allied traditional institutions because chiefs were heavily represented in the composition of the Commission which was appointed by the president, thereby giving them an unfair advantage over other sections of society in defining the shape and form of the powers that were eventually vested in them through

the Traditional Leaders Act (1998) (Mandondo, 2000).

The Report of the Land Tenure Commission made the following observations and recommendations with regard to powers of traditional leaders since independence. It reported that “traditional leaders used to carry more meaningful authority over the use of natural resources but this has now been eroded” (Report of the Commission, 28-29). The Commission also found overwhelming evidence of serious conflicts within the Communal Areas which had been worsened by the acute breakdown in administrative structures, and the erosion of traditional authority and responsibility. It reported that senior authorities in the Ministry of Local Government down to the lowest units of local government (VIDCOs) believed that they had the *de jure* exclusive authority over Communal Land. While the Rural District Councils were expected to take cognizance of customary law in administering Communal land, in practice traditional leaders were not expected by the RDCs to play a role in land administration. Despite this, chiefs, headmen and village-heads in many areas had illegally reacquired some of their defunct authority over land and were allocating land in return for fees, thereby creating tension and conflict with the VIDCOs (Report of the Commission, 25-26). After presenting its findings, the Commission recommended that traditional villages under village-heads were the legitimate and appropriate units for local natural resource management in the Communal Areas, and that village-heads should be given exclusive legal authority over natural resources in their areas (Report of the Commission, 25-29). The recommendations of the Land Tenure Commission (1994) culminated in the formal re-empowerment of chiefs, headmen, and village-heads through the Traditional Leaders Act of 1998.

The roles of chiefs, headmen, and village-heads under the Traditional Leaders Act (1998) were an exact re-enactment of the colonial roles of chiefs and allied traditional leaders. Under the Traditional Leaders Act 1998 chiefs became Presidential appointees who were tasked to supervise headmen, promote and uphold cultural values, oversee the collection by village-heads of taxes and levies for the Rural District Council, and ensure land and natural resources were used in accordance with national legislation, especially legislation prohibiting over-cultivation, overgrazing, and deforestation (Mandondo, 2000). The political courtship of the chiefs increased in 2000 following the emergence of a very powerful opposition party, the Movement for Democratic Change in 1999, which posed a serious political challenge to the ZANU-PF government in the rural constituencies. In this political atmosphere, chiefs’ powers were further increased by the Traditional Leaders Act 2000, and chiefs became very powerful actors in Zimbabwe’s development, usurping that role from locally elected councilors who were now considered to be weak. The Traditional Leaders Act 2000 sought to strengthen the role of traditional leaders over local planning and development issues. It gave the chiefs, headmen and village-heads the powers to coordinate development, allocate land as agents of the RDC, manage natural resources, preserve and maintain family life, culture, health and education, keep population records, try a range of crimes, and collect all levies and taxes payable to the RDC. The Act also gave chiefs a wide range of powers in the planning system. Nevertheless, it has been debated whether the Act can successfully link traditional leadership to the democratically elected RDC structures in a manner that can remove rivalry, tensions, and conflicts in the planning process (Masendeke, Mlalazi, Ndhlovu and Gumbo, 2004, 49).

The political move to re-empower chiefs and allied traditional leaders in 2000, paid huge political dividends for ZANU-PF by guaranteeing the support of chiefs in rallying rural constituencies as vote banks for the ruling party in the elections of 2000, 2002 and 2008. Since 2000, traditional leaders, led by the President of the Zimbabwe Chiefs’ Council, Fortune Charumbira, have repeatedly openly expressed their support for the ruling party (Padera, 2007). The political

expediency inherent in the new wave of flirtations between the state and chiefs is betrayed by the array of privileges that have been given to chiefs, including a salary equivalent to that of a University graduate; Mazda B1800 pick-up trucks; and homesteads constructed by the Ministry of Rural Housing; all of which underline the perceived importance of chiefs as sources of political mileage (Michael Wines, 2007). However, in the recent past, some chiefs that back the main opposition movement, the MDC-Tsvangirai, have had these privileges withdrawn. For example, Chief Ziki of Bikita District and Chief Sengwe of Chiredzi District, both in the southern Masvingo Province, had their monthly allowances withdrawn for backing the MDC party in the run up to 2008 Presidential and Parliamentary elections (BBC News, 26 March 2008).

CONCLUSION

This paper has shown that much of the post-colonial crisis of communal leadership in the Communal Areas of Zimbabwe was precipitated by the post-colonial local government reform measures introduced in the first decade of independence to disempower traditional leaders. It has particularly shown that the evident hostility and conflict between the new and the old land administration structures in the Communal Area of Zimbabwe can be traced back to the battery of legislative measures that were instituted to divest the traditional chiefs of the judicial and land allocation powers vested in them by the Rhodesia Front regime in the 1960s. This paper therefore views the disempowerment of chiefs in the early post-colonial period as punishment for their perceived pre-independence role as functionaries of colonial oppression. The paper also makes the observation that the decision to re-empower chiefs in the late 1990s was opportunistic and prompted by the need to re-incorporate the traditional leaders, as an important, but hitherto alienated, political constituency in the face of sagging political fortunes the ZANU-PF government and the serious political challenge it was facing from an emergent popular opposition movement in the late 1990s. The political move to re-empower chiefs and allied traditional leaders in 2000, paid huge political dividends for ZANU-PF by guaranteeing the support of chiefs in rallying rural constituencies as vote banks for the ruling party in the elections of 2000, 2002 and 2008. In the final analysis, this move underlines the serious adulteration that the institution of chieftainship has undergone in the post-colonial period, and the extent to which it has been patronized by the ruling party since 2000. In the process chiefs have lost their historical role as custodians of tradition and culture, and become political agents and puppets of the post-colonial state, often participating in the oppression of their subjects.

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Elections are the most effective device for connecting citizens to policy makers as they give the citizens a chance to formally express their democratic sovereignty to choose their leaders. Development discuss has established that free and fair elections are an antidote to democracy. In a bid to connect citizens to policy makers, in 2008 Zimbabwe held two historic elections, the March 29 Harmonised elections and the June 27 run-off elections. The intimidations, violence and controversy that characterised the elections stifled the development of democracy since the elections failed to usher in political change. From this backdrop, the book edited by Masunungure is well intentioned at demonstrating how the electoral democratic sovereignty of Zimbabwe was frustrated in 2008. He noted that despite the fact that Zimbabwe possesses many constitutional features of electoral democracy, she has failed to provide a sufficient free and fair arena of contestation that allows political change. It is, perhaps in that sense that one can say, the winds of change were systematically defied by ZANU PF in 2008 as the party frustrated and violated democratic mechanisms intended at ushering in political change.

The book is divided into nine chapters each written by a different writer. The introduction marks the beginning of the text. The editor states that the book is about those who choose the guardians and how their efforts to choose the country`s guardians were frustrated in the 2008 elections. The editor commented that Zimbabwe is a “pseudodemocracy” hence its failure to provide a free and fair arena for contestation that allows political change despite the many constitutional features of electoral democracy it possesses. He has also noted that her struggle to fulfil the requirements of democracy, even in its “thin” sense has frustrated those who choose the country`s guardians. In finalizing the introduction, the editor gave an overall overview of the book where he highlighted the methodology for the research which is an analytic, descriptive approach rather than a theoretical one.

Chapter one by Tarisayi gives a detailed socio-economic account that prevailed in the country prior to the elections. She describes how the run-away inflation that characterised the country`s economy led to shortages of basic commodities, gross levels of unemployment and poverty as well as world breaking levels of brain drain. Tarisai holds responsible the near economic collapse for throwing the voters in a state of despair as they lost confidence in the ruling party Zanu PF. She argues that consequently, on election day, the voters changed party allegiance, and voted for MDC hoping for change.

In Chapter Two, Ndapwadza and Muchena introduce a new concept in Zimbabwean elections, the use of pre-election surveys to ascertain voter`s preference, tap public opinion and predictions about would be winners of the elections. The two explained the research challenges they faced in conducting this political exercise forcing them to substitute highly politicised areas with others. They demonstrated, through pie charts and tables how the results of the three pre-election surveys carried out under the Mass Public Opinion Institute, depicted a shift in support from ZANU PF to MDC, predictions mirrored in the 2008 actual results. The two then concluded that “in predicting political developments, people can sincerely rely on public opinion”p.42.

Journalist Andrew Moyse in Chapter Three challenges the notion that the March 2008 elections

were free and fair given the media environment that prevailed in the country. He argues that the amendment of media electoral laws enacted before the elections were ineffective in improving the bleak media landscape. He is of the opinion that by emasculating the private media, the nation was deprived of its rights to freedom of expression and the right to be informed since electoral issues and events received sporadic inadequate publicity. Given such an unpropitious environment, Moysé is convinced that “the March 2008 elections could not have been free and fair given the restrictive media climate which prevailed in the country”pg.60.

The March 2008 elections are covered by Eldred Masunungure in Chapter Four. He looks at the contesting political parties as well as the presidential contestants. His major argument is that despite the fact that the pre-poll arena was in favour of ZANU PF, MDC won, a sign that both political patronage and propaganda come to a point where they lose their potency. Masunungure observed that nevertheless, it still will be fair to say the pre-election environment was relatively peaceful and sufficiently conducive to the free-expression of the people’s will in the ballot box”pg.78.

Again, in Chapter Five, Masunungure covers the June Presidential elections which he calls a “militarized election”. His central argument is that the June election lost its political character and assumed a military character and in the process, the winds of democratic change were defied as a peaceful, election-centred process of transition from authoritarianism to democracy was interrupted.”pg.97. Masunungure is convinced the voters voted out of fear and not by choice leading him to conclude that “the resultant ballot was more a barometer of people’s fear than of people’s choice”pg.97.

In Chapter Six, Constitutional lawyer Greg Linington largely questions the legality of the June 27 Presidential elections as he reviews the complex legal issues surrounding the run-off elections. He exposes the fact that the elections did not conform to SADC principles and Guidelines governing democratic elections. As he interrogates the action and inactions of the Zimbabwe Electoral Commission and the Electoral Court, he exposes shortcomings in the manner in which the electoral court handled election petitions. The lawyer is convinced that the elections were illegal and did not represent the will of the people. He is emphatic that the March elections were the legal elections and declares that Morgan Tsvangirai ought to have been declared President after the first elections.pg.117.

John Makumbe in Chapter Seven interrogates ZEC’S role in the 2008 elections. From a political scientist’s perspective, he argues that ZEC is not an effective electoral body and recommends serious revisions to existing legislations if the ZEC is to be effective in future elections. Makumbe holds ZEC responsible for thwarting the people’s choice of a democratically elected leader due to the partisan manner in which it conducted itself in the elections. He exposes how ZEC became a willing accomplice of ZANU PF, thereby becoming a “key instrument in defying the winds of change”pg.132.

In Chapter Eight, Derek Matyszak covers the role of civil society in the 2008 elections. He explains how from 1996 a new era of activist civil society was ushered in Zimbabwean political. Matyszak explains how throughout the long election process, civil society organisations notably Zimbabwe Election Support Network, The Zimbabwe Peace Project and Zimbabwe Human Rights NGO

Forum played a crucial role monitoring, documenting, disseminating and exposing democratic malpractice in the face of “state oppression and at great risk to its staff members”. He is of the opinion that “the March elections conformed more closely with democratic requirements for free and fair elections” while the June run-off was “a bloody electoral farce”.

The regional and international responses to the elections are examined by Simon Badza in Chapter Nine. He describes how Zimbabwe’s 2008 elections received varied regional and international reaction. Badza explains how ultimately SADC initiated the creation of a Government of National Unity. He questions the wisdom of a GNU facilitated by SADC and regards as an inadequate solution to Zimbabwe’s post election crisis. His conclusion is that the only lasting solution to any election crisis can be one that affords primary to the freely expressed democratic will of the people rather than the preferences of political gladiators p,g175.

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