CAUSES OF ELECTORAL VIOLENCE IN AFRICA

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Published by Democracy Chronicles, November 2016

Abstract
The return to multiparty politics and elections in Africa in the early 1990s was viewed as a positive step towards democratisation on the continent after three decades of autocratic rule. While the frequency of elections barometrically spelled advancements in the quality of democracy, this development has been closely accompanied by another, much more worrying trend of election-related violence. This study examined 100 elections in 44 African nations between 2011 and 2015. The main objective was to carry out a general overview of the areas in which the causes and enabling conditions of electoral violence in African countries can be underpinned. Using electoral violence theory by Höglund (2009) as the framework for analysis, these causal mechanisms are effectively related to: the nature of politics in transition and conflict societies; the nature of competitive elections; and the incentives created by the electoral institutions. Policy recommendations to solve electoral violence take into consideration this analysis. In considering actor specificities, a debate was introduced on the idea of erecting Election Management Bodies (EMBs) as semi, if not whole institutions with constitutional guarantees for their independence and separation from the other three traditional State institutions of government.

Keywords: elections, election violence, multi-party, politics, Africa.
1. Introduction

In Africa there were pre-independence attempts at competitive elections carried out under the auspices and design of the colonial powers, from whose perspective it was a form of “tutelary” democracy that Africans were expected to learn as a precondition for independence. At independence, the very leaders who had benefited from the peaceful multi-party elections that placed them at the helm of the new nation-States argued that ‘stability’ and ‘uniformity’ were important for national development and integration. Benefitting from the Cold War, these leaders established autocratic rule with the institution of more than 40 single-party regimes by 1975. Elections however continued within these one-party systems...[with] only Uganda [suspending] elections completely. Unlike now, African elections in the 1960s and 1970s were often followed by regime breakdown as a result of the undemocratic and uncompetitive nature of elections under the single-party systems. The end of the Cold War however spelled the collapse of these single-party regimes as there was no longer any ideological reason for western powers to tolerate autocracy on the continent. Between 1989 and 1994, 38 African countries...held competitive elections... 11 others followed suit, holding founding elections between 1995 and 1997, while 16 states embarked on a second elections run..., [an outlook now common in Africa]. Unfortunately, the return to multi-party politics as from 1990 was to prove a difficult transition as 30 years of disruption in multi-party politics and elections meant a difficult restart. This is proven by the fact that despite the frequency of elections and the advancements in the quality of democracy across the continent [since 1990] that generated a sense of demo-optimism, the holding of elections has been closely accompanied by another,
much more worrying trend of election-related violence...that threatens democracy, peace, stability and sustainable human development.⁶

In Angola, one of the worst cases, the 1992 elections led to a ten (10) year civil war; in Ethiopia, the widely acclaimed first truly competitive multi-party elections of May 2005 was marred by post-election violence during which during which 193 people were killed, several hundreds were injured and around 30,000 people were arrested⁷ between June and November 2005; the 2007/2008 elections in Kenya were marred by pre-election violence that continued after the elections transforming into nothing short of bloodshed. The post election violence (PEV) of 2007/08 in Kenya left over 1,500 people dead and 660,000 displaced. The International Criminal Court (ICC) even charged four instigators of the violence – [two of whom are currently president and vice president⁸] – with crimes against humanity;⁹ in the Ivory Coast, the 2010 presidential election led to a contested outcome, [five months of rivalry between the two antagonists, Gbagbo the incumbent and Ouattara the opponent who both claimed to be the elected President], an international intervention to assist in the removal of [Gbagbo], and more than 3,000 deaths.¹⁰

These are a few examples of many election related violence cases during any post Cold War multi-party elections period observed in Africa (especially sub-Saharan Africa, SSA) that show the prevalence and intensity of electoral violence on the continent. From 2004 to 2008, there was a substantial year-to-year variation in the frequency of election violence occurring, with some years much more violent than others. Since then, the trend line seems to be decreasing but still remains close to 50%.¹¹ This worrying picture persists in Africa and electoral violence seems to have become a ‘resident evil’ threatening the positive prospects for not only democracy, but equally for human rights and socio-economic development that the return to

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⁸However, the ICC has dropped charges for Uhuru Kenyatta (BBC 5th December 2014).
¹⁰Ibid, p.2.
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multi-party politics and elections created. The recent 2016 post election crisis in Gabon\textsuperscript{12} that left scores dead seems to shows that electoral violence is an intractable phenomenon on the continent. However, unlike the rather evident manifestations and consequences of electoral violence,\textsuperscript{13} the causes of electoral violence are not immediately ascertainable and its resurging nature on the continent requires continuous reflections on the matter. We make a qualitative analysis of the causes and enabling conditions of election related violence in Africa using electoral violence theory by Kristine Höglund (2009) as the framework for analysis.

2. Concepts: Democracy, Elections and Electoral Violence

Although this paper does not consider democracy as elections, [underscoring this] strong relationship between [them is necessary] for a better understanding of the subject of this work. Democracy is “a form of government where there exist constitutional safeguards for individual and political rights, the independence of the courts and free and fair elections.”\textsuperscript{14} In a “representative democracy” “…power is wielded by the people and exercised indirectly through elected representatives who make decisions.” Representative democracy as opposed to direct democracy\textsuperscript{15} is often dubbed “Majority Rule” and it is the most widely used variant in the contemporary situation [in Africa].\textsuperscript{16}

From what precedes, elections can be defined as “the symbolic competitive, periodic, inclusive, definitive processes [organized in independent, free fair and transparent frameworks] in which the chief decision-makers in a government are selected by citizens who enjoy broad freedoms to criticize government, to publish their criticism and to present alternatives.”\textsuperscript{17}

\textsuperscript{13}Of the gravest consequences of elections violence is the negative impact on the future of democracy in Africa.
\textsuperscript{14}Even if within a given national space the practical safeguards for such do not exist vis-à-vis the formal frameworks whose quality can still be an object for contention.
\textsuperscript{15}”Direct Democracy,” [a first variant of democracy], is often described as true democracy. It involves the direct choosing or sanctioning of leaders and the involvement of citizens in rule making. This means the people are sovereign and the power and competence to choose who shall practice political power on their behalf is devolved solely on them.
\textsuperscript{16}K. J. Kewir and V. T. Banlilon, \textit{op. cit}, p.122.
“Although three common types of electoral systems can be identified, namely: proportional representation, majority system and the mixed electoral system...none appears to be more democratic than the other. The definition of elections given above thus describes democratic elections, whether in a proportional, majority or mixed system. Undemocratic elections usually lack one or more of the adjectives used to describe elections above. It should be noted that when people use the term election, they more often mean Democratic Elections.”

While elections are clearly a means of choosing representatives, they are not a straightforward means of conflict prevention and/or resolution or simply of conflict management as this is conditioned by their being free, fair, frequent enough and highly transparent and independent. Where these conditions are not met for their proper management/administration, the election itself can lead to a situation where “the social forces underlying a country’s most important underlying conflicts are...mobilized to ‘fight’ the election [...]. In this way, an election can bring to a head the very conflict it is supposed to eliminate, leading to electoral violence...” Election violence is regarded as a sub-category of political violence that is primarily distinguished by its timing and motive.

“[Electoral violence is] any spontaneous or organized act by candidates, party supporters, election authorities, voters, or any other actor that occurs during an electoral process, [starting from the pre-electoral period or context through] [...] voter registration to the date of inauguration of a new government, that uses physical harm, intimidation, blackmail, verbal abuse, violent demonstrations, psychological manipulation, or other coercive tactics aimed at exploiting, disrupting, determining, hastening, delaying, reversing, or otherwise influencing an electoral process and its outcome.”

18K. J. Kewir and V. T. Banlilon, op. cit, p.122.
21M. Reif, ‘Making Democracy Safe: How Institutions and Democratization Influence the Use of Violence as an Electoral Strategy’ PhD Candidate, University of Michigan, 2014, p.22
Seemingly disparate acts, these behaviours have one thing in common - they are meant to affect the outcome of an election through force.\textsuperscript{22}

3. Literature review and theoretical framework

Several scholarly works have attempted to identify the causes of electoral violence in Africa. A first category includes those that have looked at single case studies of various instances of electoral violence.\textsuperscript{23} Second, there are those that carry out cross-national studies of two or more cases.\textsuperscript{24} A third category is two-fold; studies that analyse/underscore electoral violence as a by-product of ‘new’ democracies or societies in transition on the continent on the one hand\textsuperscript{25} and; on the other hand those that carry out this analysis for conflict-ridden or post-conflict societies.\textsuperscript{26} Most of these studies do not stop short of pointing out the manifestations and consequences of electoral violence for society and for the future of democracy.\textsuperscript{27}

\textsuperscript{22}S. M. Buchard, \textit{op. cit.} p.12.
Even though these studies collectively provide a comprehensive account of the causes of electoral violence on the continent, they have the tendency of placing these causes under two, sometimes three broad categories/perspectives with often different appellations. For example: cultural and structural; pent-up and proximate; and so on. The cultural perspective presupposes the existence of “a political culture of thuggery that generally predisposes actors to engage in violence and intimidation during political contests”, while the structural explanation suggests that “society and politics are organized in a manner that generates conflict.”

Pent-up causal factors include horizontal and vertical inequalities, youth frustration due to unemployment and “the capture of every facet of opportunity by a gerontocratic cabal, couched army power ambitions, constitutional tinkering, identity-based discrimination and lack of non-traditional security issues.”

Proximate factors relate to election flaws.

These approaches are pertinent but they expose these causes under varying rubrics with the ones and the others appearing under sometimes contradicting areas depending on the perspective/approach. Also, several causal factors may be omitted even when the study was carried out meticulously. This calls for a common guiding framework.

A number of recent scholarly efforts to determine the causes of electoral violence in Africa have been guided by Kristine Höglund’s theory of electoral violence. The enabling conditions and triggering factors can be identified in three main areas: 1) the nature of politics in [transition and] conflict societies, 2) the nature of competitive elections, and 3) the incentives created by the electoral institutions.

These clusters of factors are important for understanding electoral violence both between different societies and across elections in a specific country.

Scholars like Seifu have used this framework to situate any specific causal factor within one of three broad categories determined by Höglund.

29 Ibid.
31 Ibid.
33 Ibid.
However, Höglund’s theory indicates that under the three main areas, the causes of electoral violence are perceived as ‘enabling conditions’ and ‘triggering factors’. With a strict application of this framework, the specific inter-play between these enabling conditions and triggering factors and the actual escalation may be missed. Depending on the study it might be necessary to clearly distinguish the causes from the enabling conditions of electoral violence.

The objective here is not to develop theory but to build mainly on the electoral violence theory by Höglund (2009) to contribute to a general overview of the causes of electoral violence in Africa. Most studies use only two or three cases to extrapolate; we look at 100 elections in 44 Africa countries during a five year period.

4. Causes of electoral violence in Africa

Between January 2011 and December 2015, over 100 elections were held in 44 African countries. No less than 05 referenda, 21 general elections, 35 elections to the legislature, 26 presidential elections, 14 gubernatorial and 5 local/municipal elections took place. In the light of the definition of electoral violence coined by Reif,35 almost all of these elections had cases of electoral violence at one stage of the poll but elections in at least 20 of these countries36 were fraught with serious electoral violence. In fact, two elections during this period were preempted by successful coup d’êats, in Guinea Bissau37 between the two rounds of the presidential elections and in Mali38 a month prior to the scheduled elections.39 There was a military takeover in Niger in February 2010 as a result of President Mamadou Tandja’s decision to stay in power after two mandates as stipulated by the Constitution that existed before the Constitutional referendum he organised on 04 August 2009. The situation in Niger further degenerated to cases of electoral violence. In Burkina Faso, the population refused Compaoré’s attempt at a revision of the Constitution in a bid for a third term and the transition government involved the military.

35Supra page 9
36A total of no less than 45% of the elections.
3718th March 2012 Presidential election.
3829th April 2012 Presidential elections and referendum.
39E. V. Adolfo et al., op. cit. p.2.
We use electoral violence theory by Höglund (2009) to determine the enabling conditions and triggering factors, otherwise the causes, of electoral violence during these elections. We also attempt to explain why electoral violence actually occurred.

### 4.1. Nature of politics and actors

According to Höglund, patrimonial politics, conflict cleavages, violence as a legitimate political tool, cultures of impunity and access to arms are enabling conditions of electoral violence in conflict-ridden societies. However, for these conditions to effectively lead to electoral violence they must necessarily be accompanied or exploited by the triggering factors indicated by Höglund, i.e. violent actors and/or a biased [security] force. We equally argue that these enabling conditions and triggering mechanisms are not proper to conflict-ridden societies in Africa but are equally visible in almost, if not all States in transition in Africa.

Under patrimonialism, the power and “the right to rule is ascribed to a person rather than an office.” The ruler acts as if the State were his private domain and sovereignty is considered as belonging to him and not to the people. Argued to be necessary for unification and development after decolonization, these regimes have supplanted the role of the inherited colonial institutions for the benefit of a few individuals. Democratic transition and post-conflict construction from the 1990s has given rise to neo-patrimonialism. Under such a system, there is a distinction between the institutions and individuals but this is difficult to observe because the system is pervaded by relationships of loyalty and dependence. In many countries such systems are ordering politics. Also termed “patron-client relationships,” they have been described as “relationship[s] in which the ‘patron’ provides protection, services or rewards to the ‘clients’ (usually individuals of lower status) who become the patron’s political...
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followers.” In states with such features, politicians gain power through the informal networks they control through patronage. In some countries such networks are comprised of family members.

Where neo-patrimonialism prevails and is deep-seated, it raises three major problems:

“\(a\) only segments of society are included [including ethnic politics], and the system therefore risks alienating or marginalising part of the population, \(b\) it rewards loyalty over efficiency, and \(c\) it encourages corruption and side-lines the rule of law. All three factors can foster electoral violence. In addition, political power becomes highly important for the “patron,” and he/she has cadres of followers who have an interest in keeping that person in power, even with violence. [This means that security forces are co-opted by the regime to perpetrate electoral violence].”

Angola combines these 03 (three) factors in a near-perfect mix that demonstrates how neo-patrimonialism can cause electoral violence.

Angola has a semi-presidential political regime with a unicameral parliament. For Freedom House, Angola is not an electoral democracy. On 31 August 2012, Parliamentary elections were held in Angola with the ruling MPLA of President Dos Santos winning 71.84%, 175 seats in parliament. The main opposition party, UNITA headed by Isaías Samakuva, won 32 seats or 18.66% of the total votes. CASA-CE of Abel Chivukuvuku had 6%, i.e. 8 seats. The 2012 Parliamentary elections were the second post war Angola elections. After the 2008 elections, the constitution was revised in 2010 scrapping direct elections to the Presidency. Article 109 of this constitution states that “the individual heading the national list of the political party or coalition of political parties which receives the most votes in general elections shall be elected President of the Republic, Head of the Executive.”

44K. Høgulund, op. cit. p.421.
45Ibid.
46In Equatorial Guinea, the current President’s kin occupy a good number of Government and Diplomatic positions. Also in the CAR, former President, François Bozizé had effectively transformed the CAR Government into a family affair.
47K. Høgulund, op. cit. p.421.
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With the 2010 constitutional amendments and the de facto attempt to circumvent parliament’s ability to check and audit the Executive, [Dos Santos] improved his centralized Marxist State and consolidated his grip on Angolan society, by using especially MPLA’s specialist committees, which encroach on all sectors of society, especially the non-partisan spaces. As a mechanism for control and patronage, they permeate all professional areas with the exception of the church, the military and the police...Any professional wishing to advance his/her career has to do so via these committees.

During the 2012 election in Angola, there were irregularities and contradicting procedures linked especially to the management of contracts connected to the process. This imbroglio involved Government and security officials. There were: unaudited voter registration rolls as a result of multi-EMBs despite a law that hands elections management to the CNE; parallel organs and fraud; false accreditation and ghost polling stations; voter profiling and forced abstention. Despite filed complaints by the opposition there was no government enquiry. This is logical as the irregularities were orchestrated by the same government under the tight grip of Dos Santos. An election that was intended at imbuing Dos Santos electoral legitimacy therefore instead turned out to prove how autocratic he was. The post-election period was equally marred by PEV in protest to this cheating. But like in 2011 these protests were met by unnecessary use of force by the Government security forces.

Djibouti and Gambia, both not considered as electoral democracies, are repressive and like Angola, their neo-patrimonial regimes are sustained by their geopolitical and geostrategic advantages (Djibouti) and traits of demagogy are even found in Gambian politics.

Djibouti’s 2011 Presidential election was preceded by a constitutional amendment which notably scrapped the limitations on Presidential terms. This action by the UMP confirmed its

50However, Dos Santos appoints to both military and civil occupations and therefore has control over the country’s defence and security forces.
51A. S. Roque, op. cit.
52Ibid, pp.7-8.

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usurpation of the State. The campaign was marred by harassment of opposition leaders and a clampdown on public gatherings.\textsuperscript{53} Opposition parties argued that the restrictions made it impossible to contest the election fairly and decided not to select candidates for the Presidential race.\textsuperscript{54} As a result, the opposition boycotted the election and Omar Guelleh, Guelleh ultimately faced only one challenger, [the independent Mohammad Warsama], and won with 81\% of the vote.\textsuperscript{55}

Guelleh has used Djibouti’s strategic location on the Gulf of Aden to raise millions of dollars in State income by renting military bases to allies USA, France, Japan\textsuperscript{56} and recently China.\textsuperscript{57} With money and his global friends, he can forge a neo-patrimonial State.

In The Gambia, official corruption remains a serious problem.\textsuperscript{58} Freedoms of the press and of speech are hampered by laws on sedition. Scholars and journalists indulge in self-censorship. People even fear to discuss freely for fear that they may be under surveillance or that they might be arrested by the NIA. Despite freedom of religion, State forces in 2009 led mass hunts for those accused of witchcraft, kidnapping nearly 1,000 people and many others brought to secretive detention centres where they were forced to drink hallucinogenic substances, and beaten; two people were reported to have died from the substances.\textsuperscript{59}

In July 2010, President Yahya Abdul-Aziz Jemus Junkung Jammeh stressed that people should believe in God, saying that “If you don’t believe in God, you can never be grateful to humanity and you are even below a pig.”\textsuperscript{60} Government even issues its own sermons.

60 Ibid.
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Freedoms of assembly and association, though legally protected, are, in practice, constrained by State intimidation. Jammeh controls both the Judiciary and the legislative. The judicial system recognizes customary law and Sharia (Islamic law), primarily with regard to personal status and family matters.  

Jammeh manipulates the population, including civil servants and regime supporters with hoax coup attempts that are foiled at the eleventh hour only to be followed by yet another wave of arrests, firings, and detentions at Mile II, the country's notorious prison. There is impunity for the NIA and the agency can, according to the 1995 decree, search, arrest, or seize any person or property without a warrant in the name of State security. In 2011, individuals continued to be arrested without warrants and held incommunicado. Torture of prisoners, including political prisoners, has been reported. Jammeh practices ethnic politics, giving preferential treatment to the Jola in the military and Government.

With this neo-patrimonial repressive State of affairs, the 2011 Presidential election was marred by voter intimidation and Government control of the media. Such violence was perpetrated by the supporters of Jammeh so as to ensure victory for him.

The President of Gambia is elected by popular vote for unlimited five-year terms. Of the 53 members of the unicameral National Assembly, 48 are elected by popular vote, with the remainder appointed by the President; members serve five-year terms.

“Electoral laws exist on paper to guarantee universal suffrage, free and fair elections through secret balloting supervised by an Independent Electoral Commission (IEC) and monitored by domestic and international observers. However, following the 2001 presidential election in which he won a second five-year term, President Jammeh once

61ibid.
64Freedom House, ‘Countries at the cross-roads, the Gambia’, op. cit.

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more amended the constitution to a ‘first-past-the-post electoral system to replace the required 51% margin of victory needed to become President. Jammeh was never threatened politically, but he uses the new law to further limit what little opportunity exists for political change, leadership rotation, or redress of popular and opposition political party grievances.’

Burundi, Republic of Congo (Brazzaville), Ethiopia, Guinea Bissau, Guinea Conakry, Kenya, Liberia, Senegal, Mali, Niger, Nigeria, Sierra Leone, Zimbabwe and especially the DRC, (countries that have all experienced electoral violence between 2011 and 2015) have been identified as neo-patrimonial States. Neo-patrimonialism is significant because it affects almost all African States to differing degrees.

Apart from the fact that neo-patrimonialism is globally an enabling condition for electoral violence as seen above, it has certain peculiarities in Africa which make it particularly dangerous for elections; two of them are important.

In matters of African politics, there is evidence that there is strong unrestrained libidinal search for power. Power is all about pleasure, enjoyment and showmanship or personality cult in Africa and must be kept by all means possible using every crafty strategy imaginable. Enjoyment of power at the helm of State has led to a situation where the economic fall-outs and privileges of being in power have been made enormous by the ruling class. Resource disputes therefore ensue as a result of political races and can cause electoral violence. At another level this has led to over ambitiousness, over politicisation and polarisation. At the level of the governed, while they have become over politicised due to manipulation from the political elite, they are not enjoying the economic fall-outs of citizenship. Years of deliberate

66Freedom House, ‘Countries at the cross-roads, the Gambia’, op cit.
68A. F. Huertas, op. cit.
70ibid.
71F. Okpotor, op. cit., p.20.

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bad governance have led to mismanagement of State resources and the result is: general confusion; lack of accountability; impunity; poverty and youth unemployment for the people. These same poor and unemployed youths who have been pre-conditioned to be over politicised and polarised are easily manipulated by political entrepreneurs who use their situation to transform them into electoral thugs.²

With respect to the unrestrained libidinal search for power this is clearly depicted in what has been termed as an upsurge in “third termism.” The shift from autocracy to democracy in post-Cold War Africa has not changed much in the relationship between libido and power. Neo-patrimonial networks are at work to enforce one-man rule and one-party dominance. The strategy used was that whereby most regimes in place during the 1990s, and even other regimes that replaced incumbents after the 1990s, accepted the condition of a maximum of two Presidential mandates resulting from the democratisation process in order to keep their power. In the course of the early transition period, most of these regimes then transformed the patrimonial autocratic rule that prevailed during pre-post-Cold War multi-partism into neo-patrimonial authoritarian and semi-authoritarian electoral democracies. The consolidation of this neo-patrimonial State and one-party dominance has further led to two strategies to stay in power. The first is that whereby most incumbents are seeking third terms in power by requesting, through referenda or constitutional amendments in parliaments under their control, that the limitation on presidential mandates be removed. The second strategy is that in which the limitation of mandates exists but the constitution is fine-tuned or interpreted in a manner as to enable the incumbent stay in power beyond two terms and for as long as possible. Both strategies have led to electoral violence where especially referenda are used or where protests arise in the run-up to or in a pre-electoral context as a result of such manoeuvres.

As concerns the first strategy, the referendum of 25 October 2015 in the Republic of Congo (Brazzaville) is a good example of how third termism can lead to electoral violence. Congo was a Marxist Leninist State from 1970 to 1991. Incumbent Sassou Nguesso was President of neo-Marxist, or should we say pseudo-marxist Congo from 1979 to 1992 and then later on ²Youths are often used to perpetrate electoral violence. This occurred in Guinea and DRC between 2011 and 2015.

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President of the Republic of Congo from 1997 till present, a total of 30 years in power. However, much has not changed in the way that country is ruled especially under long time President Sassou Nguesso who runs the country in a semi-authoritarian neo-patrimonial style. The country is therefore not an electoral democracy and the President’s heavy handedness on the electoral process has led to several instances of electoral violence including the 15 July 2012 and 05 August 2012 legislative elections, as a result of perceived cheating by the ruling PCT. To make matters worse, President Sassou resorted to “third termism” like many other African Presidents before him in order to lift the limitation of Presidential terms so as to stand for the 2016 Presidential elections. He called for a constitutional referendum on 25 October 2015 intended to remove limitations from presidential mandates as he wishes to stand for a third seven year term in 2016. This referendum was met by resistance from the opposition. The overwhelming vote of 92.27% for the revision of the referendum has been referred to as a “manipulation”. The pre-referendum period was marred by extensive protests and violence to which the Government responded with police brutality with a death toll of at least four persons.73

If third term seekers like Sassou have recently succeeded in twisting the constitution in their favour and staying in power, like so many other African Presidents before him, others have been unsuccessful and have met electoral violence and/or military action along their path that has unseated them.

In Burkina Faso, Blaise Compaore took power in 1987 after he orchestrated a successful coup against his long time friend and associate, Thomas Isidore Sankara. He put in place a semi-authoritarian regime. Compaore who had ruled Burkina Faso for 27 years with a firm grip met unprecedented anger against his regime when on 21 October 2014 he attempted to push for a bill in Parliament to uplift limitations on Presidential mandates from two five-year terms non renewable to unlimited number of terms. From 28 October 2014 the angry protesters showed that they were not going to accept any concessions from Compaore apart from him stepping down. They demonstrated this by setting ablaze the Parliamentary building on 28 October


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2014 where a defiant pro-Compaoré legislature was going to sit to consider revising the constitution. The population equally showed defiance to any announced state of emergency and curfew. Compaoré then tried to appease the public by reshuffling the cabinet but this did not go down with the population. He finally resigned under added pressure from the military on 31 October 2014. Thereafter he fled the country reportedly to Ivory Coast (where he has now been granted citizenship by Alassane Ouattara, another show of lack of patriotism from African leaders). In his wake, a military government under General Honore Traore claimed power, only to be replaced 24 hours later by another under Colonel Isaac Zida.\textsuperscript{74} Subsequent protests against military rule saw the army, civil society and political party leaders agree to a one-year transition to civilian rule under the presidency of former Foreign Minister Michel Kafando.\textsuperscript{75}

The transition Government charged Blaise Compaoré with High Treason for trying to change the Constitution to increase Presidential term limits even though his new Ivorian citizenship can now help him to escape judgement. MPs that backed this “constitutional coup d’etat”, up to 42 of them, mostly members of the Compaoré’s CDP party were equally strapped of the right to run for the 2015 elections as they were said to have been Compaoré’s accomplices in the coup.

In the wake of these exclusionary measures there was a military coup on 16 September 2015 by the RSP that overthrew the transition Government of Kafando. A new transition body, the CND was formed and was headed by General Gilbert Diendéré.\textsuperscript{76} The military coup involved holding hostage the transitional President Michel Kafando, Prime Minister Isaac Zida and two...
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ministers... in the wake of demonstrations against the takeover, it... also involved cracking down on protesters, killing at least 13 people and injuring over 100. 77

Negotiations between ECOWAS and the CND and a move by the regular army led to a return of the transition Government of Kafando, with Yacouba Isaac Zida as Prime Minister; the transition Government reversed most of the decisions of the CND and froze the assets of Diendéré and other coup backers. Bassolé was arrested on 29 September 2015 for backing the coup. 78 The transition Government later on fixed the election for 29 November 2015. 79

Roch M. Kaboré won the municipal, parliamentary and presidential elections. The Election Day and post election period were seen as a victory for democracy as they were not fraught with violence. However, the exclusionary policies of the transition government in a bid to make sure that the Compaoré page is completely closed though salutary are perceived by several scholars as a future danger for the country.

Burkina Faso’s situation is similar to that of Niger where the January 2011 elections were the first to be held since a February 2010 military coup, ousted the then President Mamadou Tandja. They were held in parallel with the presidential polls.

Tandja’s successive actions to secure the constitutional revision are nothing short of mad craving for power. He announced a constitutional referendum in May of 2009 which was opposed by the opposition in the National Assembly. Even the Constitutional Court ruled against the referendum stating it was anti-constitutional. On 5 June 2009, Tandja and his Council of Ministers went ahead to organize the referendum, setting the date for the 4th of August 2009. Later that month, the Constitutional Council still ruled against the referendum, annulling it completely. Tandja decided to dissolve the court and appoint a new one which

approved the referendum and the official results showed that the new Constitution was approved by 92.5%.\textsuperscript{80}

What followed in the new Sixth Republic was complete failure with arbitrary arrests of opposition leaders like PNDS leader Elhadj Mahamadou Issoufou, arrested on charges of financial crimes and released on bail.\textsuperscript{81} ECOWAS called for an indefinite postponement of the election of 20 October 2009 in favour of dialogue with the opposition but was not headed by Tandja. With failed negotiations, anti-government demonstrations involving over 10,000 people took place in the capital, Niamey on 4 February 2010.\textsuperscript{82}

On 18 February 2010, soldiers calling themselves the CSRD staged a coup and detained President Tandja,\textsuperscript{83} then charged him with corruption and placed him under house arrest.\textsuperscript{84} The CSRD suspended the Constitution and all State institutions, including the National Assembly then assumed both legislative and executive powers until new democratic institutions were established.\textsuperscript{85} The CSRD oversaw the drafting of a new Constitution and a new referendum. The draft Constitution provided for a unicameral parliament, the National Assembly, and set the presidential term at five years, renewable once. It specified that the article on the presidential terms cannot be reviewed or amended in the future.\textsuperscript{86} On 30 November 2010 the new constitution approved in the referendum of 31 October 2010 by 90\% of Nigeriens was promulgated, paving the way for the 2011 elections.\textsuperscript{87} The elections saw the victory of Mahamadou Issoufou in the National Assembly. He equally won the Presidency of the Republic of Niger and was sworn in on 8 April 2011 and convened the new National Assembly.

\textsuperscript{81}Issoufou claimed that the charges were politically motivated and left the country.
\textsuperscript{82}ibid.
\textsuperscript{83}Alarabiya, ‘Niger coup successful, President arrested’, in Alarabiya, 17 October 2010 00:37 am (KSA) 21:37 pm (GMT), accessed on 09 December 2015, \textlangle https://goo.gl/m6c0GF\rangle
\textsuperscript{85}ibid.
\textsuperscript{86}IPU, ‘Last Elections – Niger, Assemblée nationale (National Assembly)’, \textit{op cit.}
\textsuperscript{87}ibid.
In the meantime, on 29 July 2010, much like in Burkina Faso later in 2014, the CSRD embarked on undermining the capacity of the former regime to return to power. Tandja regime cronies like former Speaker Oumarou and others were arrested on grounds of embezzlement though they were subsequently released on bail. CSRD commission to investigate economic and financial crimes committed during Mr. Tandja's rule implicated Mr. Tandja and over 2,000 others in alleged fraud.

In December 2010, the CSDR lifted Mr. Tandja's presidential immunity. He was subsequently charged with misappropriation of State funds amounting to nearly US $125 million. On 16 January 2011, Mr. Tandja, who had been under house arrest, was transferred to a prison near Niamey (though later on released). On the same day, official campaigning for the parliamentary and presidential elections started.

The cases of Burkina Faso and Niger equally demonstrate a certain tendency of the military to be involved in power brokering. In fact elsewhere in Guinea Bissau and Mali, the outcome of elections in 2012 was coup d’etat.

The other strategy used by African leaders in order to perpetuate power is to fine-tune the constitution or interpret it in a manner that even with limits on Presidential terms they will still remain in power for a third term and even beyond. In matters of elections, such an attitude can lead to violence as were the cases of Burundi (2015), and Zimbabwe (2013).

In Burundi, incumbent Pierre Nkurunziza and his partisans craftily interpreted the Arusha Accords of 2005 as they saw suitable to them, stating that the limitation of mandates to two

88 The transitional government created various institutions to prosecute corruption, including the State Audit Court and the Commission on Economic, Financial, and Fiscal Crime.
89 Ibid.
90 Ibid.
91 Ibid.
92 In Guinea Bissau, the immediate causes of the coup d'état include the dissatisfaction of army with the management of the MISSANG by Prime Minister Carlos Gomes while the structural causes lie in the long history of violence and and deep seated neo-patrimonial politics that includes the ethnicisation of the army. Whatever the case, the army desired to remove the Prime Minister from power by force as he was vying for a second mandate in the presidential polls.
In Mali, the army was dissatisfied with President Amadou Toumani Touré’s management of the Tuareg problem and sort to prevent him from staying in office.
terms as stipulated by the said Accords did not include the first mandate, since Parliament, not the population, voted Nkurunziza to power. Nkurunziza then went on to request the confirmation of his eligibility for the July 2015 Presidential election from the Constitutional Court. His deliberate actions led to severe electoral crisis, probably the worst, during the period from 2011 to 2015, with a huge death toll and refugee crisis.

The Referendum of 16 March 2013 in Zimbabwe checked Mugabe’s powers to a certain extent. The new Constitution limits presidential mandates to two terms but this is not retroactive so Mugabe with already over 30 years in power can stay on for 10 more. Even though the new constitution checks the President’s powers to rule by decree, it does not really take away his control over land issues. Despite this, the security forces and his ethnic supporters and those benefitting from the land issue still tried to deter voters during the referendum through violence. Mugabe won both the Parliamentary and Presidential elections in the general elections organised later that year.

Elsewhere in Rwanda, constitutional fine-tuning worked for incumbent Paul Kagame and was consecrated by a peaceful referendum. After his FPR won in the 18 September 2013 parliamentary elections, a Constitutional Referendum took place on 17 December 2015 giving Paul Kagame the possibility to rule right up to 2034. Even though this move was widely criticized by national and international opinion, the referendum was peaceful.

If this fine-tuning/interpretation strategy has worked for Nkurunziza, Mugabe and Kagame, it failed to work for President Abdoulaye Wade.

President Abdoulaye Wade of Senegal failed to keep his promise of not seeking a third term in office and shrewdly connived with the Constitutional Council to interpret the Constitution in favour of a third term for him. A Presidential election was held in Senegal in 2012 with the first round on the 26 February 2012 and the second round (Presidential run-off) on the 25 March 2012. There were equally parliamentary elections on 01 July 2012. Thereafter, municipal elections took place on 29 June 2014.

The first round of Presidential election was preceded by widespread violence against Wade’s bid for a third term. In the runoff, Macky Sall, formerly a protégé of Wade defeated the incumbent. In the parliamentary elections, The Benno Bokk Yakaar coalition supporting the country’s new President, Mr. Macky Sall, won a resounding victory, taking 119 of the 150 seats at stake. Former President Abdoulaye Wade's PDS and the Bokk gis gis (Bgg) coalition, formed by PDS dissidents, came in a distant second and third, taking 12 and 4 seats respectively. Senate President Pape Diop and Speaker Mamadou Seck were both elected on a Bgg ticket. The 15 remaining seats went to 10 smaller parties.

President Maky Sall seems to have started a “programme” of dismantling the networks put in place by Wade. With a majority in the National Assembly, he pushed for the dissolution of the Senate (in which Wade’s supporters had a strong standing) on 12 September 2012. He argued that money from the Senate (about $15 million) would be used to manage the severe floods that started in July 2012. Macky Sall’s regime has also embarked on prosecuting former regime members of Wade including Wade’s son, Karim Wade, for embezzlement.

Presidential election took place in Nigeria on the 16 April 2011, postponed from 9 April 2011. Despite controversy, especially within the ruling PDP, whether a northerner or southerner should be allowed to become president given the tradition of rotating the top office between the north and the south, Jonathan, who became President, after the death of Umaru Yar’Adua, a northerner, was declared the winner on 19 April 2011. Widespread PEV erupted in the northern Muslim parts of the country immediately after the election.

The causes of the violence which led to the killings of at least 800 people have been widely studied in scholarly literature. They have been linked broadly to over political ambition and polarisation, ethnic politics, the high stakes, conflict cleavages, monetization of politics, violent actors, and so on.

However on 28th March 2015 there was another general election. The APC, established in February 2013 by four opposition parties, won the Parliamentary and Presidential elections, defeating President’s Goodluck Jonathan's PDP, which had ruled the country since the end of
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military rule in 1999. The APC took 212 seats in the House of Representatives and 60 seats in the Senate. Mr. Muhammad Buhari of the APC - a retired Major General in the Army who ruled Nigeria between 1983 and 1985 and whose utterances according to Okpotor, did contribute to flaring anger during the 2011 elections - was sworn in as the new President on 29 May 2015. Despite some cases of violence, the 2015 elections in Nigeria were relatively peaceful and well organized.

Relating to the 2011 elections in Nigeria, it is evident that consequences of libidinal strive for power characterized by its prolongation by all means and typified by over-ambition and the over-politicization and polarisation of the African society were very flagrant.

Neo-patrimonial States are over-politicized and polarised in part as a result of the actions of over-ambitious politicians who wish to achieve power by all means possible. Several scholars have demonstrated that some electoral violence is caused by opponents who wish to become President of the Republic or attain some high elective position such as Governor by all means including the use of electoral violence. Even those who are not vying for electoral positions but are benefitting from the patron-client relationships are involved in instigating electoral violence. This is one of the causes of the electoral violence in Nigeria especially in 2011 and also during the gubernatorial elections between 2011 and 2015.

“Unlike before, Nigerians have become highly politicised...The demand to participate in politics keeps on increasing in geometrical progression while the absorbing capacity of these participants increases in arithmetic progression. This leads to a very high competition among the participants who are prone to take the most extreme measure in order to win and maintain political power.”

96 F. Okpotor, op. cit., p.20.

Ngah Gabriel, in Democracy Chronicles, November 2016
The rewards of being in power are also an incentive to violence. In neo-patrimonial States in Africa elective posts are well remunerated and the public service takes central stage in national life at the detriment of the economic (business/private) sector.

“In the time past, political offices did not attract money as it is today. The Government had made politics more financially attractive that nobody wants to engage in any other profession than politics. Thus as it is now, the 109 senators receive ₦4,066,212,458.00. The 350 members of House of Representatives receive ₦11,496,523,333.00. The 36 State house of assemblies receive ₦17,129,465,597.00 while about 600 Councillors receive ₦74,766,456,000.00 per annum...Seeing these [giant] benefits Nigerians determine to enter into politics and win at all cost.”

This is true for other African countries where salaries of Presidents and Lawmakers and members of other State institutions are among the highest in the world. Added to these salaries, they have other huge monthly benefits and allowances that make them very wealthy as compared to the average citizen. This makes the propensity to instigate electoral violence very high when there is a possibility of losing. Since holding public office is considered as an important means of exerting substantial influence to secure benefits from [several] spheres [alongside the huge pay package], politicians of electoral authoritarian regimes may resort towards stealing elections. Other than this, fears of future legal prosecution in connection with alleged economic crimes and human right abuse motivates them to maintain their political office by any means.

The enjoyment of privileges and power has led to two types of violent actors in neo-patrimonial Africa. First, we have those in power who wield the privileges of the State monopoly of power. Second, we have opponents who, especially in conflict-ridden societies, do

98 1 USD = 199.048 NGN (2016-01-05 01:55 UTC).
100 For example in Angola in 2013 in another move to dilute power, a series of military promotions were made by President Dos Santos. Many officers, and even the president of the Supreme Court and the former head of the information services, Andre Oliveira Sango, were promoted to the position of general, which comes with a bountiful state retirement fund allegedly amounting to US$10 million each.
have some firepower. Even in transition economies some politicians are simply hardened thugs. This culture of thuggery is deeply entrenched in neo-patrimonial politics in Africa.

However, unlike political entrepreneurs who at some stage of their careers will enjoy the “national cake” the masses are generally poor, unemployed or are facing severe hardship due to wages that do not match the cost of living together with high unemployment rates. The reason is that all State resources are concentrated in the hands of a few who are controlling the neo-patrimonial system. Those who benefit from these resources are those from segments of society that are favourable to the existing patronage. Poor youths often provide a huge source of electoral thugs for unscrupulous political entrepreneurs depending on the nature of mobilisation during elections. These youths are often organised along ethnic lines and while those in power promise to improve their lot as they are “better placed” to know what they need and how to go about giving it to them, the challengers, who also mobilise these youths along ethnic lines, give unbearable graphic details of how the ruling party is the principal foe of the youth, the poor and the unemployed (even though mostly true) and should be removed by all means necessary. Whatever the case, such utterances have led to violence as was the case in Nigeria in 2011.

“Some observers have accused Buhari of being complicit in the 2011 violence because of certain utterances that he made in the days leading up to the election and his reaction to the violence. For example Buhari had warned of an “Egypt-style revolt” if the elections were not free and fair. He also said that going to court to contest the election results should they be disputed, would be a waste of time, implicitly suggesting to his supporters that their only recourse was to take to the streets. Furthermore, on Election Day Buhari accused the ruling party of rigging the elections and when violence broke out, he did not immediately condemn it...”

103In South Africa, Elections were held on the 7th of May 2014. President Jacob Zuma’s African National Congress (ANC) won the elections, taking 249 of the 400 seats at stake in the National Assembly. However, the elections were fraught with serious violence that started with workers of the mining sector who were demanding for higher wages. The protests later on became widespread and Zuma was accused of not doing much to improve the economic livelihoods of mostly black South Africans.
As compared to the 2007 elections in Kenya that were marred by bloodshed, of which politically-connected youth gangs were implicated, the March 2013 elections in Kenya were relatively peaceful. Perhaps because of the impending ICC trials and because the eyes of the world were on Kenya, politicians from all parties largely avoided the ethnic hate speech and sponsorship of ethnic violence and crime that characterized the 2007 election. Apart from serious violence in Mombasa there were only isolated cases, though grave in nature, in other parts of the country. However, there were still cases of ethnic motivated violence as the supporters of Raila Odinga took to the streets in violent protest to the Supreme Court Decision of 28 March 2013 that was against the CORD petition of their candidate disputing the election results. Their protests were met by police force.

Ethnic politics and (violent) youth mobilisation is present in all neo-patrimonial African States and was partly responsible for the few cases of electoral violence in Cote d’Ivoire in 2011 and contributed considerably to the severe electoral crises in Guinea-Conakry (2013) and the DRC (2011).

Looking at the DRC general elections of 28 November 2011, the notions of conflict cleavages, violence as a legitimate political tool and impunity find all their meaning as causes of electoral violence.

Presidential and Parliamentary elections were held in the DRC on 28 November 2011; a facultative run-off on 26 February 2012 was shelved with a change in election laws. The Government passed laws to abolish the second round of presidential election and tried to change the electoral system to the legislature from proportional to majority representation, which has been strongly criticised by the opposition. The President’s majority won the highest number of seats in the National Assembly. The final results [of the Presidential elections] announced by the Supreme Court confirmed Joseph Kabila winner with 48.95%,

107 Ibid.
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followed by Etienne Tshisekedi - [of the UDPS, a prominent politician who served under Mobutu and entered actively into the opposition in the 1980s] - with 32.33%. 108

Tshisekedi denied defeat and declared himself President and proceeded to give the government an ultimatum to release his imprisoned supporters or have them forcibly released by their fellow supporters. 109 Language that is oblivious of the rule of law. Despite having scheduled several protest marches, strikes, and his own presidential inauguration ceremony, Tshisekedi and his allies [are still to] mobilize enough popular support to pose a significant challenge to Kabila’s rule. 110 As a result of his victory declaration, Tshisekedi was kept under de facto house arrest from early December 2011. 111

After the declaration of the results, protests that had already begun even before the elections intensified as a result of perceived cheating from the regime. These protests were met by extreme repression from the regime. At least 24 civilians were killed, and many others were injured by Congolese security forces in the weeks following the announcement of election results. 112 Those killed included opposition members and others gathered on the street or even in their homes. 113 There were also atrocious killings and detentions [in total impunity] by the President’s Republican Guard. 114 The guard is tasked solely with protection of the President but forbidden by Congolese law to arrest civilians. 115 But neither their brutality nor that of other defence and security forces comes as surprise as inside the army the culture of violence and impunity remains largely unchallenged due to historic and strategic reasons. 116 After the

108Ibid.
111Ibid.
113Ibid.

Ngah Gabriel, in Democracy Chronicles, November 2016
announcement of provisional results for the presidential election, Kinshasa saw clashes between the MP supporters and opposition parties challenging the results. The PNC was deployed to volatile parts of the city. On 09 December 2011, three (03) people were killed and many others injured in the neighborhoods of Ngiri-Ngiri and Makala. In Lubumbashi and Mbuji-Mayi, protests following the results escalated to clashes with several injuries involving opposition supporters and security forces.\(^{117}\) There were equally cases of violence in Goma in the volatile eastern DRC.

The political cleavages that have characterised Tshisekedi’s relationships with Mobutu Sese Seko, Laurent Kabila and now Joseph Kabila are an important factor in understanding the deadlock in any negotiations between the two rivals. Negotiations are difficult between the two antagonists as well as between Joseph Kabila and other politico-military and ethnic factions in the country. In September 2015, Tshisekedi called off negotiations in Brussels between his UDPS and Kabila meant for organising the upcoming 2016 Presidential elections. Kabila is accused of trying to stay in office beyond his two term mandates. This spells looming danger for the 2016 elections.

4.2. Type and nature of elections

“The type of election—whether it is a referendum, a local election, a presidential election, or a parliamentary election—will influence the nature of electoral competition and the propensity of actors to use violence. For instance, the holding of a referendum often makes the electorate extremely polarized, and projects a situation of all-or-nothing if you win or lose the ballot.”\(^{118}\) In this way, election outcomes produce outbreaks of violence, as we have sufficiently provided evidence for in the cases of Congo Brazzaville, Niger, Zimbabwe, DRC, and so on.

\(^{117}\)Ibid.
\(^{118}\) K. Høgulund, \emph{op. cit.}, p.422.
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Still with respect to the nature of elections, Höglund refers to the level of competitiveness and the manner in which political mobilization occurs during the election. Political competition which is the essence of elections, calls for mobilization of large sections of society. To win support, differences are emphasized rather than the common elements which bring people together.\textsuperscript{119} For this reason, there is a danger that existing social conflicts and cleavages are intensified.\textsuperscript{120} The type of language used during the elections can lead to inflammatory behavior in the supporter base. The expressions coined can also be problematic. For example, Conde, 77, had gone into the 2013 presidential campaign in Guinea promising to deliver a "KO blow" to his opponents by winning in the first round and avoiding a run-off against his closest rival.\textsuperscript{121} Such expressions can be vexing enough to lead to violence.

At another level, closely competed races may lead to electoral violence. In other words electoral contests with close margins of victory create higher level of uncertainty about the final outcome and eventually may lead to the outbreak of violence...\textsuperscript{122} In some cases what motivates using violent mobilization and resulting to violence in close races is that a party in power that fears the looming economic and political uncertainties of losing an election will use force to stay in power. As such, elections involve elements of high stakes.

The fear of losing access to State resources or that of being prosecuted for economic and political crimes makes the use of [electoral] violence particularly attractive for incumbents and their cohorts. The cases of Burkina Faso and Niger are good examples. With respect to the crisis in Burkina Faso from 2014 to 2015, this type of attitude motivated the coup d'état of the RSP led by General Diendéré.\textsuperscript{123} Each attempt at undermining the interim government [was] stirred by fear over personal interest and desire for self-preservation.\textsuperscript{124}

\textsuperscript{119}K. Höglund, \textit{op. cit.}, p.421.  
\textsuperscript{120}Ibid.  
\textsuperscript{122}T. Seifu, \textit{op. cit.}, p.29.  
\textsuperscript{123}E. Bertrand, \textit{op. cit.}  
But like in October 2014 the RSP/CND coup d’état was met with fierce mobilization of the people of Burkina Faso.  
\textsuperscript{124}Ibid.

Ngah Gabriel, in Democracy Chronicles, November 2016
“The CND justified the coup by claiming the transitional government was unable to lead the country to democracy, citing the barring of political figures close to Compaoré from running in the upcoming elections, as agreed in the Electoral Code adopted in April 2015. This argument strangely echoes Compaoré’s own justifications in 1987 after he led the assassination of Thomas Sankara and took power for himself in order to “rectify” the mistakes of the Sankarist revolution... Individuals within the RSP, including General Diendéré, also [feared] being dragged into judicial cases related to the Compaoré era, such as the re-opened case of the assassination of former President Sankara.”

Accessing State resources using violence is not proper to incumbents and their cohorts. Marginalized politicians and sections of the society may wish to use these means (violent mobilization) and reasons (the close margins) to access power and eventually the enjoyment of State resources. From observation of elections in Africa from 2011 to 2015, electoral violence mostly affected Presidential elections. Executive power is very central in neo-patrimonial Africa and becoming Head of the Executive means controlling the entire system.

When there is violent mobilization and thuggery is flared, there is a risk of attacks on party candidates and other political actors during the elections.

While Nigeria (religious, ethnic, regional and other factors) and Guinea (ethnic politics, ambition, cultures of violence and impunity) are examples for violent mobilization, the electoral violence in Ghana in 2012 provides a good example of electoral violence resulting from indecent language and close races; meanwhile, the attacks on politicians in both the Ghana 2012 and especially the Liberia 2011 elections depict the dangers faced by politicians in such environments.

In Ghana, President John Dramani Mahama’s NDC won the 7th December 2012 parliamentary elections with 148 seats and the NPP of Mr. Nana Akufo-Addo took 123 seats. Mr. Mahama, 126

125bid.
126K. Høglund, op. cit., p.421.
who had assumed the presidency in July 2012 following the death of President John Atta Mills, won the presidential elections with 50.7%, narrowly beating Mr. Akufo-Addo who took 47.8%, later filing a petition at the Supreme Court to challenge the results, citing irregularities. The Electoral Commission denied the allegation and filed a separate petition at the Supreme Court, requesting the details of the irregularities. 

The elections were marred by widespread violence and attacks on political figures. The degree of violence varied from one phase to the other. The pre-election phase recorded 57.7% of violent incidents, 30 percent occurred during the election period and 12.2% after the elections.

Perceived mismanagement by the Electoral Commission and possible complicity with the incumbent and other government officials, as well as the possible threat emanating from the presence of Ivorian ex-combatants in the country led to violence. The registration phase of the election was marked by attacks on political figures while the police failed to arrest and prosecute perpetrators. This impunity led to further fears and doubts about the successful conduct of the elections. In fact, mobilisation became violent and was exacerbated by continuous use of indecent language in political discourse in the media.

“The persistent use of intemperate language affects the quality of policy discourse and also creates tension at every election year. Faced with the use of indecorous language at every election year, a common feature of elections in Ghana is the numerous appeals for peace from all sections of society. The use of indecent words by political actors thus poses a serious threat to Ghana’s democratic dispensation as it can escalate into serious conflict with social, political and economic ramifications.”

128Ibid.
129Ibid.
132M. Abdallah, op. cit., p.3.
133Ibid.
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There was excessive use of abusive words on airwaves and political campaigns [during the 2012 elections in Ghana].\(^{135}\)

The 2011 Liberian general election was held on 11 October 2011, with a Presidential election runoff held on 8 November 2011. On the line was the Presidency of the Republic as well as all seats in the House of Representatives and half of the seats in the Senate. The NEC oversaw the elections.

Sirleaf’s UP had a comfortable number of seats in parliament. In the first round of the presidential election, incumbent President Ellen Johnson Sirleaf led the presidential field with 43.9% of the vote, followed by CDC candidate Winston Tubman with 32.7%.\(^{136}\) In the second run scheduled for the 08 November 2011, Tubman alleged that the first round had been rigged in Sirleaf’s favor and called on his supporters to boycott the run-off.\(^{137}\) Sirleaf was declared the winner of the run-off on 15 November 2011 with 90.7% of the vote.\(^{138}\)

Senator Gloria Musu Scott of the UP claimed that her vehicle convoy had been attacked on 9 August 2011 while travelling to Monrovia from Maryland County, where she had been renominated as the Unity Party’s candidate for the county’s Senate seat.\(^{139}\)

On 15 August 2011, angry protestors attacked George Weah at his home, though he was unharmed. That same day, another group attacked Senator Geraldine Doe-Sheriff, National Chairman of the CDC, and other party officials at the CDC headquarters in Bentol.\(^{140}\) Doe-Sheriff and the officials were physically beaten and prevented from leaving the building, while a

\(^{135}\)Ibid.
\(^{140}\)Ibid.

Ngah Gabriel, in Democracy Chronicles, November 2016
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journalist covering the event was also attacked. The protestors were reportedly angered over alleged fraud in the CDC legislative primaries held the previous day.\textsuperscript{141}

Other prominent Liberian politicians who were attacked included: UP party official, Eugene Nagbe (17 August 2011), with fingers pointing at the CDC and; Assistant Information Minister for Culture Jacqueline Capehart (23 August 2011).

Political actors have also been attacked in recent elections in Angola, Zimbabwe, the DRC, Ethiopia, Gambia, and Djibouti.

4.3. The electoral system and administration

In matters relating to electoral administrations as a source of electoral violence, the enabling conditions are: systems creating clear winners and losers: few regulations about electoral conduct, administration with few checks and little power.\textsuperscript{142} On the other hand, the triggering factors are: political usage of electoral administration; electoral fraud and; unwanted or unexpected outcome of the election.\textsuperscript{143}

Of the common types of electoral systems, namely: proportional representation, majority system and the mixed electoral system ...none appears to be more democratic than the other\textsuperscript{144}. [However], it has been argued that in systems where a small number of votes can make a big difference on the outcome of the election, such as first-past-the-post arrangements, violence is more likely to occur.\textsuperscript{145}

The ‘winner-takes-all’ semblance of Ghana’s politics appears to make general election periods very tensed and the atmosphere becomes so charged, which some individuals have asked for its revision.\textsuperscript{146}

\textsuperscript{141}Ibid.
\textsuperscript{142}K. Høgulund, \textit{op. cit.}, p.423.
\textsuperscript{143}Ibid.
\textsuperscript{144}K. J. Kewir et V. T. Banlilon, \textit{op. cit.} p.123.
\textsuperscript{145}K. Høgulund, \textit{op. cit.}, p.422.

Ngah Gabriel, in Democracy Chronicles, November 2016
In the DRC, the Government passed laws to abolish the second round of presidential election and tried to change the legislative electoral system from proportional to majority representation, which has been strongly criticised by the opposition. This was a major cause of the exacerbation of the PEV in the DRC in 2011.

The case of Angola’s article 109 of the electoral law establishing an indirect way of electing the President poses a problem and did lead to electoral violence in 2012. The youth demands of 2011 included that this article should be removed in favour of direct presidential elections. Indeed, this system can be seen as encouraging vote rigging by the MPLA as it is an imperative for them to have a majority in parliament so as to guarantee Dos Santos’s re-election as Head of the Executive.

However, what seems to be more problematic in matters of electoral institutions is the election management body.

“The choice of electoral administration may influence electoral violence since issues relating to impartiality and independence, efficiency, professionalism, and transparency are particularly important in the context of suspicion and mistrust that characterize post-conflict [and transition] elections. There are a wide variety of institutions managing the practical aspects of elections. In some countries the government is administrating the elections, while in other countries the government runs the elections under supervision of another kind of authority, such as an independent electoral commission.”

Due to neo-patrimonialism in Africa, governments (incumbents) generally have a hand in the running of Electoral Management Bodies (EMBs). In Cameroon for example, the President of the Republic appoints by decree the President of ELECAM and the members of the Electoral Council. He equally appoints the Director General of Elections and can terminate the contracts of all members of ELECAM. This has been clearly pinpointed as being problematic by the

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147 R. Batota-Mpeho, op. cit.
148 K. Høgulund, op. cit.
149 Cameroon Law N° 2006/011 of 29 December 2006 to set up and lay down the organization of Elections Cameroon.
opposition of that country since they consider that the President, who is a member of a political party and a candidate shouldn’t be running electoral affairs. In almost all African States, the Head of the Executive determines who shall be a member of the EMB. This has created a lot of distrust for EMBs in several countries as they are generally seen as “party branches” of the ruling party despite the fact that electoral laws often stipulate that members of the EMB shall not be members or even sympathisers of any party. Being a high-ranking member of an EMB is a privileged position and when the head of a neo-patrimonial regime appoints an individual to be part of that EMB this individual would necessarily be favourable to the aspirations of the said head.

From the moment where a person or party running for elections already has a hand in the administration of an EMB either directly or indirectly, it becomes evident that this can lead to mistrust for the EMB and consequently electoral violence.

Also, the techniques and methods used in voter registration as well as the technology available for this purpose and for the purpose of the actual elections may also be a source of electoral violence. Recent elections in Africa from 2011 to 2015 have demonstrated this hypothesis extensively, holding it true.

In the Angola 2012 parliamentary elections, the MPLA and Dos Santos Government were accused of controlling the CNE and thereby engineering the elections to create the desired results for their regime. This was one of the causes of PEV in that country during that year.

What can be qualified as “shameless” rigging and electoral fraud by CENI was probably the main cause of the post-electoral crisis in the DRC in 2011.

“Given the nature and degree of electoral fraud...the election debacle was not the result of technical and accidental factors but was the product of a systematic and State-sponsored design to rig the elections in favour of the incumbent president and members of Parliament from his political camp. In order to quell popular protest

150Angola, Gambia, DRC...

Ngah Gabriel, in Democracy Chronicles, November 2016
against stolen elections the incumbent used illegitimate and excessive violence aimed at terrorising the people and forcing actual and potential protesters into submission.”  

In the Ghana 2012 Presidential polls, attacks on political figures, breakdown of BVR and VS technology and perceived collaboration between the EC and the ruling NDP led to the NPP rejecting the election results. At its 11 December press conference, the NPP said:

“It is obvious from the preponderance of evidence available to us, some of which was made available to the Commissioner prior to this evening’s declaration [during the mediation process] that the ruling National Democratic Congress, led by President John Mahama, conspired with certain EC officials in constituencies across the country to falsify the election results in favour of the President of the Republic, thereby, disregarding the mandate of the people of Ghana.”

Even though the swearing in ceremony took place there were still pockets of violence as journalists of various TV and radio stations were reported to have been attacked by NPP supporters and thugs after the declaration of the results.

In Guinea-Conakry the main cause of the political protests and violence in the 28 September 2013 election was the threat by the Guinean opposition coalition to withdraw from the electoral process on 24 February 2013, which was followed by an appeal to citizens to stage nationwide protests. This decision was provoked first by mistrust for the election commission. The National Electoral Commission’s approval of South African software firm Waymark Infotech in compiling a new list of registered voters for the elections was unacceptable to the opposition. The opposition argued that the firm is “open to voting fraud” as it was chosen by the ruling party and has a history of discrepancies in not just Guinea

151Ibid.
152M. Abdallah, op. cit., p.3.
153Ibid.
elections, but also other African elections. In September 2012, thousands of Guineans marched in Conakry in protest of Waymark only to be dispersed by police with tear gas.\textsuperscript{156}

The case of the Liberia 2011 presidential elections also shows a situation in which distrust for electoral management and perceived rigging made Tubman to call for a boycott of the Presidential runoff.

5. Conclusion and recommendations

In this paper, we attempted a general overview of the causal mechanisms of electoral violence in Africa using empirical evidence. Using electoral violence theory by Hoglund (2009) we established that the enabling conditions and triggering factors lay in the nature of politics, the nature of elections and the nature of the electoral institutions. We used evidence from no less than 100 elections that took place in Africa from 2011 to 2015. In effect, in neo-patrimonial States like Angola, Djibouti and Gambia, the usurpation of the State by the ruling parties and incumbents of these nations has created an environment that is not conducive for free, fair, transparent and violence-free elections. In these States, the incumbent autocrats and their parties have extensive control over all institutions. Due to patron-client networks created in such systems, those in support of the regime in place are often ready to rig elections and/or perpetrate violence in order to maintain their champion(s) in power. The security forces are often mobilized in this vein as was the case in the DRC in 2011 where the Republican Guard carried out violence against politicians and civilians who opposed President Kabila.

In neo-patrimonial Africa there is a strong relationship between libido and power. As such incumbents often desire to stay in power for as long as possible, not to say for life. This has led to the “third termism” phenomenon. In Congo Brazaville, Niger, Burkina Faso, attempts to stay in power have been met by serious opposition. While Sassou Nguesso of Congo Brazzaville recently succeeded to change the constitution by referendum in October 2015 so as to seek a third term in 2016, his peers of Niger and Burkina Faso were less successful and were eventually ousted from power. In both countries there was protracted pre-elections violence with the involvement of the military in the transitional arrangements. Some other Presidents

\textsuperscript{156}ibid.

\textit{Ngah Gabriel, in Democracy Chronicles, November 2016}
have resorted to fine-tuning and/or interpreting the constitution so as to stay in power for a third term without necessarily uplifting the limitation on Presidential terms. This worked for Paul Kagame of Rwanda and for Mugabe in Zimbabwe through constitutional referenda in both countries. However, in Zimbabwe, Mugabe supporters and the police proved over-zealous on the matter and carried out serious acts of pre-electoral violence on opposition parties, especially the MDC-T. In Burundi, Nkurunziza interpreted the constitution as he wished and remained in power in elections in 2015 amidst what was probably the worst case of electoral violence from 2011-2015. In Senegal, Wade saw in the law a certain non retro-activeness but this did not work as he was met with stiff opposition during the 2012 presidential polls. Much like in Niger (2009–2011) and Burkina Faso (2014–2015), the new President of Senegal, Macky Sall, embarked on exclusionary strategies aimed at undermining the political strength of the former ruling party.

In some countries, some incumbents have even pushed their desire to stay in power forever to the hereditary level. This was the case in Togo where the current President took over from his father in 2005 and in Gabon where Ali Bongo succeeded his late father in 2009 as “President of the Republic” or should we say of the “Presidential Monarchy”. This tendency was seen in Abdoulaye Wade who is said to have wanted to place his son, Karim Wade, in power after him. This same Karim fell under the exclusionary strategies of the current incumbent of Senegal, Macky Sall, as he (Karim) was sentenced for embezzlement of State funds in 2012.157 Other Presidents who are generally perceived as desiring to place their children in power after them are Dos Santos of Angola, Museveni of Uganda, Obiang Nguema of Equatorial Guinea.

Neo-patrimonialism has impoverished the masses and enriched the political classes who will stop at nothing to get into an elective office. This over-monetisation of elected officials and administrators was seen to be a major cause of electoral violence in the Nigerian general election of 2011. In the meantime the poor masses are at the mercy of political tigers that have over-politicised and polarized them to the extent of making them an ever available reservoir of electoral thugs. This culture of thuggery concerns both politicians of parties in power, the

157He was released on presidential pardon in June 2016. However, his prison sentence was issued with a $240million fine. The presidential pardon does not cover this fine. (See Al Jazeera, https://goo.gl/ZP1QJv)
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opposition party candidates and of course the masses and festers in an environment of conflict cleavages. The population is further atomized into especially ethnic affiliations, making mobilization during elections very dangerous as utterances from runners can lead to vexing situations (like in Guinea Conarky) or where youths are mobilized in a manner as to make them violent, (as was the case in Nigeria 2011 and DRC 2011. Violent mobilization often leads to physical aggression of politicians (Cote d'Ivoire, Liberia).

At another level the nature of the electoral administration (institution) can cause violence at two levels: where the electoral laws are perceived as being unfair especially to the opposition (Angola and DRC) or where the electoral commission is seen to be championing the cause of one or more of the parties (Ghana, Guinea-Conakry, DRC, Angola, Liberia).

Between 2011 and 2015 almost all elections had cases of electoral violence. However, elections in up to 20 of these countries were fraught with severe cases of electoral violence. As such, while the frequency of elections and the advancements in the quality of democracy across the continent [since 1990] has generated a sense of demo-optimism, the accompanying trend of election-related violence, ever present in elections in Africa, at least until now, is a threat to democracy, peace, stability and sustainable human development. It would therefore be important to make a certain number of recommendations that could help reduce electoral violence on the continent and even eliminate it. These recommendations are at the UN, AU and national levels.

- The UN should adopt a binding and enforceable convention that regulates the organization of free, fair and transparent elections than the existing standards. Such a convention should give the UN important prerogatives in the monitoring and even the management of elections (however, the sovereignty of States should not be undermined by such an initiative);

- The organization of free, fair and transparent elections by an independent electoral commission and the limitation of Presidential mandates to two terms of no more than

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five years must become a sacrosanct principle on the African continent to be upheld by
the AU;

- The AU should encourage the establishment of stable institutions in Africa and make
  recommendations for more transparent electoral institutions;

- The AU should no longer recognize governments that come to power by force, whatever
  the form of political violence used, especially electoral violence;

- The amount of money paid to elected officials should be reduced and the private
  sector liberalised;

- The army and other security branches not mandated to secure elections should be
  barred from doing so by using clear legislation.

- The electoral laws including: the EMB, the nature of campaigning and elections finance
  should be a matter of consensus between ruling and opposition parties;

- Ideally, the EMB should be erected as independent institution separate from the other
  three arms of government. The UN could enforce this as being one of the conditions
  under which she accepts membership and/or economic aid. If this can be done, the
  usual tendency of incumbents, who are often candidates for elections, to control the
  EMB, will be terminated.

This last recommendation is particularly important for a debate. The very object and scope of
our study limits an in-depth analysis of this idea. In effect, we are of the opinion that in
representative democracies the tool that permits the realization of this representation should
hold equal importance to the other three arms of Government (Executive, Legislative and
Judiciary). While these traditional institutions or arms of government work within a system of
checks and balances in order to reduce abuse of power and foster accountability, there is
actually no independent institution per se that permits the people to directly sanction elected
officials in free, fair, transparent and independent elections. Existing EMBs are not independent
as they are under the control of the Executive. Often than not, the leader of the executive is a
candidate for election and the temptation to cheat through excessive control of the EMB and
electoral laws is very high. An independent EMB means that none of the traditional arms of
Government has a hand in its management. Modalities for the establishment of such an
institution can be the object of more academic reflections.

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# Abbreviations and acronyms

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<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>ADF-RDA (Burkina Faso)</td>
<td>Alliance for Democracy and Federation – African Democratic Rally</td>
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<td>AEF</td>
<td>French Equatorial Africa</td>
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<tr>
<td>ANC (South Africa)</td>
<td>African National Congress</td>
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<td>AO</td>
<td>French West Africa</td>
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<tr>
<td>APC (Nigeria)</td>
<td>All Progressives Congress</td>
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<tr>
<td>AU</td>
<td>African Union</td>
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<tr>
<td>Bgg (Senegal)</td>
<td>Bokk gis gis</td>
</tr>
<tr>
<td>BVR (Ghana)</td>
<td>Biometric Voter Registration (System)</td>
</tr>
<tr>
<td>CAR</td>
<td>Central African Republic</td>
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<tr>
<td>CASA-CE (Angola)</td>
<td>Convergence Angola Salvation-Wide Electoral Coalition</td>
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<tr>
<td>CDC (Liberia)</td>
<td>Congress for Democratic Change</td>
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<tr>
<td>CDP (Burkina Faso)</td>
<td>Congress for Democracy and Progress</td>
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<tr>
<td>CENI-DRC</td>
<td>National Independent Electoral Commission</td>
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<tr>
<td>CND (Burkina Faso)</td>
<td>National Council of Democracy</td>
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<tr>
<td>CNE (Angola)</td>
<td>National Electoral Commission of Angola</td>
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<tr>
<td>CORD (Kenya)</td>
<td>Coalition for Reforms and Democracy</td>
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<tr>
<td>CSRD (Niger)</td>
<td>Supreme Council for the Restoration of Democracy</td>
</tr>
<tr>
<td>DRC</td>
<td>Democratic Republic of Congo</td>
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<tr>
<td>EC (Ghana)</td>
<td>Election Commission</td>
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<tr>
<td>Ecowas</td>
<td>Economic Community of West African States</td>
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<tr>
<td>ELECAM</td>
<td>Elections Cameroon</td>
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<tr>
<td>EMB</td>
<td>Electoral Management Body</td>
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<tr>
<td>FNLA (Angola)</td>
<td>Angolan National Liberation Front</td>
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<tr>
<td>FPR (Rwanda)</td>
<td>Rwandan Patriotic Front</td>
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<tr>
<td>HRW</td>
<td>Human Rights Watch</td>
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<tr>
<td>ICC</td>
<td>International Criminal Court</td>
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<td>ICJ</td>
<td>International Court of Justice</td>
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<tbody>
<tr>
<td>IPU</td>
<td>Inter-parliamentary Union</td>
</tr>
<tr>
<td>ISS</td>
<td>Institute for Security Studies</td>
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<tr>
<td>JRPG</td>
<td>Journal of Research in Peace, Gender and Development</td>
</tr>
<tr>
<td>MDC – T (Zimbabwe)</td>
<td>Movement for Democratic Change - Tsvangirai</td>
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<tr>
<td>MISSANG (Guinea Bissau)</td>
<td>Angolan Military Mission in Guinea Bissau</td>
</tr>
<tr>
<td>MP</td>
<td>Member of parliament</td>
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<tr>
<td>MPLA (Angola)</td>
<td>Popular Movement for the Liberation of Angola</td>
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<tr>
<td>NDC (Ghana)</td>
<td>National Democratic Congress</td>
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<td>National Elections Commission</td>
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<tr>
<td>NEC (Liberia)</td>
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<tr>
<td>NESTF (Ghana)</td>
<td>National Election Security Task Force</td>
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<tr>
<td>NIA (Gambia)</td>
<td>National Intelligence Agency</td>
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<tr>
<td>NPP (Ghana)</td>
<td>New Patriotic Party</td>
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<tr>
<td>OAU</td>
<td>Organisation of African Unity</td>
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<tr>
<td>PCT (Congo, Brazzaville)</td>
<td>Congolese Workers’ Party</td>
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<td>PDP (Nigeria)</td>
<td>People’s Democratic Party</td>
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<td>PDS (Senegal)</td>
<td>Senegalese Democratic Party</td>
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<td>PEV</td>
<td>Post Election Violence</td>
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<tr>
<td>PNC (DRC)</td>
<td>Congolese National Police</td>
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<tr>
<td>PNDS (Niger)</td>
<td>Nigerien Party of Democracy and Socialism</td>
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<tr>
<td>PRS (Angola)</td>
<td>Social Renewal Party</td>
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<tr>
<td>RSP (Burkina Faso)</td>
<td>Regiment of Presidential Security</td>
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<tr>
<td>SADC</td>
<td>Southern African Development Community</td>
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<tr>
<td>SSA</td>
<td>Sub-Saharan Africa</td>
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<tr>
<td>UDPS (DRC)</td>
<td>Union for Democracy and Social Progress</td>
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<tr>
<td>UMP (Djibouti)</td>
<td>Union for the Presidential Majority</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
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<tr>
<td>UNEP</td>
<td>United Nations Environment Programme</td>
</tr>
<tr>
<td>UNITA (Angola)</td>
<td>National Union for the Total Liberation of Angola</td>
</tr>
<tr>
<td>UP (Liberia)</td>
<td>Unity Party</td>
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<td>USA</td>
<td>United States of America</td>
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<td>USIP</td>
<td>United States Institute of Peace</td>
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<tr>
<td>USN (Djibouti)</td>
<td>National Salvation Union</td>
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<tr>
<td>VS (Ghana)</td>
<td>Verification System</td>
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<tr>
<td>ZANU-PF (Zimbabwe)</td>
<td>Zimbabwe African National Union – Patriotic Front</td>
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