



Electoral Institute for Sustainable Democracy in Africa

## *policy brief*

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### EXECUTIVE SUMMARY

Elections on the African continent present both a challenge and an opportunity. Elections can serve as a catalyst for violent contest, and conversely elections have also successfully been used as a mechanism to negotiate political parties out of conflict and protracted civil wars. In post-conflict scenarios, regular competitive elections are a crucial first step towards institutionalizing democratic forms of government. Paradoxically however, elections can also prompt violent resistance when their legitimacy is contested, even in countries where elections have previously facilitated peace.

‘Electoral conflict’ has emerged as an ascendant type of conflict in and of itself on the continent, distinct from other categories of warfare such as civil war, insurgency, or rebellion. However, electoral conflict remains poorly understood as a phenomenon (e.g. what it is, what constitutes as ‘major’ versus ‘minor’ violence; what the proximate versus antecedent and underlying causes to electoral violence are; and finally an investigation into macro versus micro actor motivations). Electoral violence is insufficiently interdicted at the national, regional, continental and international level, despite policy commitments, legal instruments, election observer monitoring, and repeated denunciations.

The APRM Country Review Reports (CRR) provide a useful diagnostic tool in identifying gaps, deficiencies, shortcomings, weaknesses, and conditions that produce conflict within countries. However, the APRM currently does not give sufficient consideration to electoral conflict. There are not enough indicators or measures of electoral violence that are tied to an assessment of whether an election is ‘free and fair’ and how this affects political governance.

The APRM review is best viewed as a learning process, and therefore the review process itself should be a learning exercise. The 2013 revision of the 2004 APRM self-assessment questionnaire used to guide the reports certainly improves in asking countries to report on more detailed and precise governance aspects, of which ‘pre, during and post-election violence’ is one. Reports using the revised self-assessment questionnaire are not yet available for analysis, but would likely enhance the country review and reporting process, establishing the practice of peer review, and ultimately fostering good governance on the continent.

## CALLING A SPADE A SPADE? ELECTORAL CONFLICT IN APRM REPORTING



## CRITIQUE OF THE CONVERSATION

The exact interaction of wide ranging factors in generating conflict in the context of competitive elections is not clear. Some CRR's specifically identify factors which have played a role in a violent electoral outcome, while other reports downplay or ignore the scale or seriousness of conflict on the political and electoral process. The latter case is particularly dependent on whether the occurrence is assessed as 'major' or 'minor' by national, regional, continental and/or the international community.

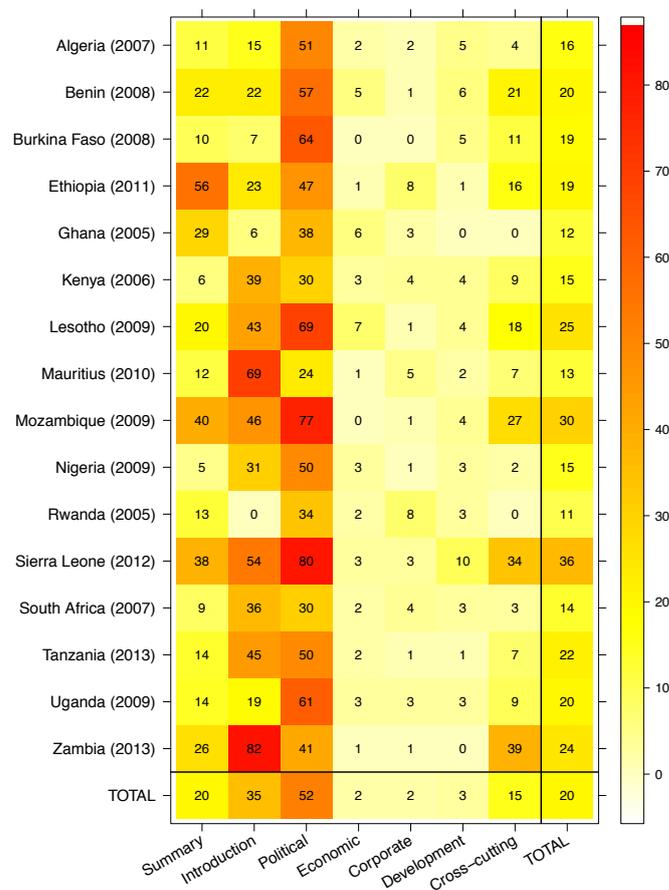
A key limitation of the original self-assessment questionnaire is that no question specifically deals with electoral conflict. This despite electoral conflict being empirically observable on the continent at the time the APRM was formed (2003) and the questionnaire formulated (2004). APRM reporting does not provide a specific, coherent, methodical or analytical assessment of electoral conflict or electoral violence during electoral periods in Africa, despite it occurring across CRR's.

The APRM self-questionnaire posits that "indicators in Democracy and Political Governance are not amenable to quantitative measurement" and that the "focus is on qualitative measurement." There is truth and fallacy to this approach. Certainly, describing political practice and culture rests on a discursive approach, however a more robust evaluation in which a country describes practice, policy or implementation linked with a scored assessment would strengthen reporting by providing an objective aggregate.

Most countries do well in reporting on the technocratic aspects of the electoral process. The 2004 APRM questionnaire currently asks countries to:

- Describe your electoral system, providing relevant legal and institutional provisions as appropriate;
- Assess the effectiveness of the electoral system in terms of its capacity to deliver results that are adjudged to be broadly free and fair;
- Provide reports produced by governmental sources and other sources on recent elections held in your country;
- Provide evidence of recent contentious electoral cases and how they were resolved by the courts."

## 'Elections' (occurrences per ten thousand words)



## RECOMMENDATIONS

**Improving self-reporting quality:** The benchmarking and standardized design of the questionnaire allows for consistent and equivalent comparison across countries. However voluntary contribution/elaboration permits for great variance in detail, depth and length of the reports. This is certainly evident in reporting on incidences and the intensity of conflict/violence/armed clashes/protests related to the democratic process and elections.

**Framing of questions and structure of questionnaire:** A definition of what constitutes electoral violence and electoral conflict is needed in the APRM self-assessment questionnaire. A working definition should include recognition of random or organized acts or threats of violence, harm, intimidation, or coercion against persons and/or property that form

part of the electoral process, the electoral process itself, and other electoral participants. This may include any of the following: physical attack resulting in injury or death, arson, looting, assassination, forced assemblies, confinement, riots, destruction of property, rape, ballot stuffing, candidate visibility, presence of militias/youth gangs, incentivizing electoral participation to name a few. By providing an expanded definition of what constitutes electoral violence or electoral conflict, the CSAR and CRM will be better equipped to report on these identified acts. Elections as a site for contestation are what need to be addressed and targeted in the APRM reporting and this is not dealt with effectively in the APRM reports.

**Scoring of Indicators:** A specific measurement tied to a definition of, and question on, electoral violence and electoral conflict is needed here. This would provide for better comparative data between countries and within countries over time, especially given that the electoral violence is so varied within and between countries. It would also allow for a more targeted understanding of where in a country's 'Democracy and Political Governance' they are under performing, where intervention is needed the most, what type of intervention is necessitated, and whether intervention has been successful. Another benefit of providing quantitative scoring on performance is that claims about meeting technocratic 'donor democracy'

standards (which in some cases is even debatable), versus a lack in 'substantive democracy' can be better extrapolated, understood and analysed. Further, how far a country accords to conceptualizations and measurements of democracy and 'free and fair' elections as provided by the APRM is not always clear or accurate with qualitative reporting: signing and ratifying treaties does not equate into implementation, and where there is implementation, provide an assessment of its impact.

**Country self-monitoring censorship:** Each country should be required to respond to each question and objective in the 4 thematic areas, even if the response is "null" based on country specifics and domestication of the questionnaire. Currently too much leeway exists, and country omission or under-reporting by selection of objectives of which to report on has meant that countries have either not reported on, or have provided rudimentary details on democratic deficits and/or electoral malpractice and conflict.

## REFERENCES

This policy brief was compiled by Melanie Meirotti, drawn from the full report, "Calling a Spade a Spade? Electoral Conflict in APRM Reporting," by Michelle Small, which can be found at ([www.eisa.org.za](http://www.eisa.org.za)).



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### About EISA

EISA is a not for profit organisation established in 1996 based in Johannesburg (South Africa) with field offices in Central African Republic, Gabon, Kenya, Madagascar, Mali, Mozambique and Somalia.

### Our vision

An African continent where democratic governance, human rights and citizen participation are upheld in a peaceful environment.

### Mission statement

EISA strives for excellence in the promotion of credible elections, citizen participation, and the strengthening of political institutions for sustainable democracy in Africa.