



ELECTION TALK

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DELIMITATION OF CONSTITUENCIES AND DEMARCATION OF POLLING DISTRICTS IN BOTSWANA

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Introduction

Preparations for the 2004 General Elections in Botswana are at an advanced stage. The elections are likely to take place in mid-October as is now the custom. These will be Parliamentary and Local Government elections, and will be held on the same day in an attempt to achieve cost-effective elections. Polling officers have already been trained. Voters' rolls are being finalised. One such roll has already been certified. The existing three rolls will be consolidated into one roll as soon as all three have been certified. This briefing looks at delimitation of constituencies, demarcation of polling districts and identification of polling stations.

Delimitation of Constituencies

Early in 2002, Parliament passed legislation increasing the number of constituencies from forty (40) to fifty seven (57). Following that, the Judicial Service Commission appointed a Delimitation Commission to determine constituency boundaries. The Commission is appointed every ten years. It usually follows right on the heels of the national population census. The Delimitation Commission determines the limits of constituency boundaries on the basis of a population quota. The population quota is the number obtained by dividing the total population of Botswana by the number of constituencies into which the country is divided. Thus, the Commission tries very hard to ensure that the number of inhabitants in each constituency is nearly equal to the population quota as is reasonably practical.

During the delimitation exercise, the Commission tours the entire country to hold consultative meetings with members of the public, representatives of political parties and local authorities. The Commission uses the information collected in this way to decide on the limits of constituencies. It is worth noting that the decisions of the Commission are final. As soon as the Commission has submitted its report to Parliament, the President issues a proclamation in the *Government Gazette* declaring the boundaries of the constituencies as delimited by the Commission.

Demarcation of Polling Districts

Each constituency has polling districts or what ordinarily are called Council Seats. Since District and City/Town Councils fall under the jurisdiction of the Ministry of Local Government, it is the prerogative of that Ministry to give direction as to how many additional council seats

will be created. Exercising this prerogative, the Ministry decided to increase council seats from 406 to 490. Once the constituencies have been delimited, the law demands that the Secretary of the IEC must divide each constituency into polling districts. This is provided for in Section 5 of the Electoral Act.

Usually the Secretary delegates this responsibility to the District Commissioners (DC) who are assisted by Principal Elections Officers (PEOs). There are twenty such officers in the entire country. The DCs and PEOs facilitate the formation of Local Demarcation Committees. The DC chairs the Committee while the PEO provides the Secretariat. Membership varies from one area to another. But, in general, membership consists of the Council Secretary, City/Town Clerk, Land Board Secretary, Physical Planner, Lands Officer, Headman or his representative, prominent locals and, of course, one representative from each political party. Demarcation Committees define boundaries of polling districts. Their reports are forwarded to the Secretary who is required to give notice of the boundaries of every polling district, where such polling districts are situated, their names and names of polling stations in them and publish the information in the *Government Gazette*.

Identification of Polling Stations

Polling stations are the actual locations where the polling will take place in October. These may be schools, civic centres, community halls, boreholes and such other places as the Secretary may determine. In doing so, the Secretary should try as much as possible to ensure accessibility and proximity of every polling station. There are close to two thousand polling stations in Botswana. One cannot vote in a polling station where one has not registered. This is because the voter's name will

only appear in a roll where they actually registered to vote and nowhere else. In addition, one cannot vote unless a valid Identity Card is produced (Oman as they are called in Setswana) and a voter's registration card. These latter aspects are some of the rules and procedures which strive to ensure that elections in Botswana are correct and honest. It should be clear from this brief analysis that preparations for elections in Botswana, as elsewhere, are a protracted and tedious business.

NOT ALL IS WELL BETWEEN PRESIDENT AND PARTY IN MALAWI: ELECTION POST-MORTEM

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Malawi's democracy is at the crossroads. The country's political problems refuse to die. At first, it was the mismanagement of the electoral process. Now it is about the relationship between the country's new President and his party. The poorly managed and controversial Presidential and Parliamentary elections in May were followed by political tensions and incidents of violence in some districts. Property and several lives were lost. The elections ushered in a minority government that is struggling to gain control. The United Democratic Front (UDF) retained the presidency but failed to win the majority of seats in Parliament. From the day the election results were announced, the party embarked on political manoeuvres to woo some opposition parties to join the government. First to be wooed were the Republican Party (RP) and the Movement for Genuine Democracy (MGOE). The two were promised jointly not less than five cabinet positions. Later, after the Cabinet was appointed, came in the National Democratic Alliance (NDA) in an arrangement that remains a puzzle to many people.

It took some three and half weeks from 20 May, the election date, to 13 June, for the new President, Bingu wa Mutharika, to announce his Cabinet. He left out some key people in the UDF executive; included the five from RP and MGOE in the Cabinet; and at least one former employee of the IMF who became the Finance Minister. The President has been sharply criticised and accused by his party *gurus* for being inconsiderate to those that put him into office. The party *gurus* wished they were the majority in the Cabinet. The new President insists that he will appoint on merit and that he has no time for appeasement. The inclusion of the opposition in the government has also angered some quarters of the UDF who see it as potentially weakening their party. This feeling is strengthened by the view that Mutharika, himself, is seen as an outsider who was brought in by the former President Bakili Muluzi, and imposed on the UDF as a presidential candidate.

The new President has further antagonised the UDF by declaring, "zero tolerance to corruption" and promising to prosecute the suspects "regardless of their position" in the previous or the current government. Such statements have sent shock waves through the UDF *gurus* who see themselves as the potential targets. The new President has taken a few more steps to further distance himself from the party that brought him to power by refusing or

ignoring to fund and to attend its functions. He has ordered the public broadcasters: the Malawi Broadcasting Corporation (MBC) and the Television Malawi (TVM) not to cover live broadcasts of party functions - an order that he, himself, has violated only once.

Anger, frustration, and disappointment in the UDF hierarchy have caused serious rifts resulting in accusations and counter accusations between those that support the new President and those that feel left out. There are reports of internal political fighting between the various factions. Some analysts are predicting serious troubles ahead for the party. The major victims will probably be the opposition parties that have been wooed into some working relationship with the UDF, as their credibility is at stake. There is no doubt that the majority of the Malawians approve of the new President's stance. They like the way he is fast distancing himself from the previous regime, and some of the actions he has taken towards the restoration of the political credibility of his government. A major test for the new President was to live up to his campaign promise to reduce the Cabinet from 46 to 19 positions. He scored rather average scores that were not very impressive, but positive enough. His Cabinet is comprised of himself, his Vice President, 19 full ministers and 8 deputy ministers. The general view is that it is still large for the size of the country's economy, but is a major departure from the extravagance of the previous regime. He has ordered his Cabinet to live in Lilongwe, the capital, in order to reduce government spending. He, himself, is resident in Lilongwe, unlike his predecessor who lived in Blantyre. This has caused tensions with his party *gurus* who see Blantyre as the centre of their activities. It is in the southern region, which is regarded as the stronghold of the party, and the headquarters of the party.

Another test is in the manner in which the new President has appointed people to some key public positions. He has removed both the Army General and the Director of Public Prosecutions (DPP) before the expiry of their contracts. He has replaced the former DPP with a 32-year old inexperienced lawyer, hardly two years from college. To some analysts, this is an indication that the President wants a person who has no loyalties to the previous regime so that he can handle the cases of corruption and graft with some degree of neutrality. However, the public is calling for the removal of the Inspector General (IG) of the Police who is viewed to be rather insensitive to the breakdown in public order, the rising insecurity, and the increasing misconduct of the police. The IG is rumoured to have strong connections to the UDF. His days are surely numbered. As if the above is not enough, the new President has abolished the constitutional office of the Secretary to the President and Cabinet (SPC), replacing it with two positions: the Chief Secretary for the Cabinet and the Chief Secretary for the Civil Service. Both positions have no constitutional or any legal basis. The President's action has attracted calls for his impeachment for violating the country's constitution. Some UDF *gurus*, are reported to have set up a task force to work on the possible impeachment of the President. The party's Secretary General has denied the existence of such a group. The developments cited above suggest that not all

is well between the President and his party. For a person who was voted in by only about 34 per cent of the voters, and is an outsider in his party, it is logical that he should align himself with the majority 66 per cent that rejected him. The way forward is to distance himself from the bad reputation of the previous government and win the confidence of those that were, and are still, opposed to it.

GENDER AND REPRESENTATION AT THE LOCAL GOVERNMENT LEVEL IN NAMIBIA

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Introduction

Namibia is one of only a few African countries that make use of gender quotas to enhance women's representation at the local level. Political parties and independent organisations that register for local authority elections are compelled to have at least 50% women on their lists. In addition, they are encouraged to place male and female candidates in alternating order i.e. employ the so-called "zebra-list" method to ensure that male and female candidates have a near equal chance of being elected into office. This strategy to promote gender-balanced representation formed the basis of a successful lobby of gender activists that ultimately led to the Namibian Parliament changing existing legislation to ensure that the closed-list proportional representation (PR) electoral system be retained for future local authority elections. The recent local elections were thus the first to be conducted under the new requirements. In this paper we assess the effectiveness of the new legislation in ensuring that more women candidates are appointed to local legislatures.

Nominated candidates

The use of gender quotas is highly correlated with the use of electoral systems of the PR kind. Namibia is thus no exception in this regard. The impact of the new quota provisions has to be evaluated at two levels. At the first level, one has to compare the actual number of male and female candidates. Then at the second level, one has to compare the positioning of male and female candidates on the various parties' lists. Table 1 shows the number of male and female candidates by party. With the exception of the very small parties such as NUDO, RP and the Independents, all major parties nominated more women than men as candidates. Therefore overall, more women

than men were nominated as candidates for the 2004 local authority elections.

Table 1: Nominated candidates by gender and party

Party	M	F
CoD	120	127
DTA	121	170
NUDO	71	63
RP	36	32
SWAPO	146	150
Independents	44	43
UDF	59	64
TOTAL	597	649

Table 2 (below) shows the positioning of male and female candidates on the various parties' lists. It shows that across parties, male candidates dominate the first position and female candidates the second position. Males also dominate the third position and women almost every other position after that. This suggests that there are some deviations from the "zebra-list" format. Closer inspection of the party lists revealed that in only 17 instances did parties submit lists of the "zebra-format". SWAPO party had the largest number of "zebra-lists" with 8, followed by the CoD with 5. Only in one instance did a political party (the DTA) submit an all female list, and no party submitted an all male list. Thus far, the data shows that the legal provisions for a gender quota have had an impact: more women have been nominated, and although the parties did not submit "zebra-lists" in all instances, women candidates occupy sufficiently high positions on the lists to afford them a relatively fair chance to be elected. Table 3 provides a breakdown of the number of women elected

Elected representatives

During the previous local authority elections, 43.6% of those that took up places in local authority councils were women. This past elections, despite a 50/50 gender quota, saw a very small decline in the proportion of women elected into office. Currently women comprise 42.8% of all elected local councilors. In real terms, however, more women have been elected in 2004 than 1999. The elections of 1999 brought 99 women into office whereas the 2004 elected 119 women. The overall number of representatives elected was 226 in 1999 and 279 in 2004. This increase is due to a number of newly proclaimed local authorities that have been created since 1999.

Table 2: Positioning of male and female candidates by party

	CoD		DTA		NUDO		RP		LCA		SWAPO		UDF		Total	
	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M
1	11	25	22	21	3	14	1	8	2	8	16	28	5	12	60	116
2	23	14	26	17	9	8	5	4	4	6	24	20	12	5	103	74
3	16	19	23	20	7	10	6	3	5	5	20	24	5	12	82	93
4	19	17	24	19	10	7	4	5	6	4	19	26	12	5	94	83
5	21	15	27	16	13	4	6	4	5	5	25	19	11	6	108	69
6	12	12	21	11	8	7	3	4	5	4	18	12	7	7	74	57
7	15	8	21	9	5	10	4	3	5	4	20	10	8	5	78	49
8	2	3	1	2	2	2	1	0	2	1	1	3	1	1	10	12
9	2	2	2	1	2	3	0	1	1	2	1	2	0	2	8	13
10	1	3	2	1	1	3	0	1	1	2	2	1	1	1	8	12
11	2	1	1	0	1	1	0	1	2	0	1	0	0	1	7	4
12	1	0	0	1	0	1	0	1	2	0	1	0	0	1	4	4
13	0	1	0	1	1	0	1	0	0	2	1	0	1	0	4	4
14	1	0	0	1	1	0	0	1	2	0	0	1	0	1	4	4
15	1	0	0	1	0	1	1	0	1	1	1	0	1	0	5	3

Table 3: Elected councillors by gender and party

Party	Total	Male N	Female N	Female %
SWAPO Party	177	90	87	49.2
UDF	23	14	9	39.1
CoD	34	24	10	29.4
DTA	32	12	20	62.5
NUDO	9	6	3	33.3
Independents	7	6	1	14.3

The DTA is the only party that has more female than male representatives. SWAPO Party is close to the ideal 50/50 split and the other parties are some way off. Thus although near equal number of male and female candidates were nominated for the elections, men continue to dominate representative positions.

Conclusion

Namibia has employed gender quotas to ensure more gender-balanced representation at the local level. These quotas have been successful but only to the extent that more women were nominated as candidates. It has been unsuccessful in increasing the proportion women to men that were elected generally because not all parties submitted "zebra-lists", and generally more men than women occupied the first position on the lists. This means that when small parties won a single seat, it was usually a male seat.

THE ROLE OF CIVIL SOCIETY ORGANISATIONS DURING ELECTIONS IN MOZAMBIQUE

Dr. Eduardo J. Siteo - General Co-ordinator of the Electoral Observatory

A group of six national non-governmental organisations decided to re-launch the successful experience of the 2003 second local elections - an Electoral Observatory, made up of just four organisations. These include the Christian Council of Mozambique (CCM), the Islamic Council of Mozambique (CISLAMMO), the Centre for the Study of Democracy and Development (CEDE), the Mozambican Association for the Development of Democracy (AMODE), the Mozambican Human Rights League (LDH) and the Organisation for the Resolution of Conflicts (OREC). Two other non-national partners provide technical assistance to the Electoral Observatory, namely the TCC and EISA.

As the Chairman of the Electoral Observatory's board of directors, Dr Brazão Mazula, is in many aspects the face of the Electoral Observatory. Reverend Dinis Matsolo of the CCM is also a very crucial player, working closely with Archbishop Dom. Dinis Sengulane who is both CEDE's Chair of its general assembly and CCM's President. The recent admission of the LDH as a leading member of the Electoral Observatory means that the outspoken and courageous human rights activist Alice Mabote has been added to the list of these leaders. All of these, including the rest of the heads of other partner organisations, will fulfil the role of quasi-watchdogs of how the country's electoral bodies, the politicians involved, the *Media* and other actors will conduct themselves during the electoral process leading to the December 2004 third general elections. International partners such as the Swiss Co-operation, SIDA, Dfid and

the Netherlands have agreed to fund the Electoral Observatory with a little less than a million US dollars. These funds will secure the display of about a thousand operators on the ground ranging from long-term observers, conflict monitors to the parallel vote tabulation supervisors and observers. The Electoral Observatory has also entered into a bid launched by USAID/Mozambique in order to secure a further funding for 1.500 parallel vote tabulation and domestic observers. If this fund is secured then the Electoral Observatory will tour the ground during the critical electoral period with a combined force of about 2.500 observers and conflict monitors. This would definitely amount to a small step in the magnitude of a single civil society initiative, but a huge one in the strengthening of civic participation in the opening up, fostering of tolerance and the democratisation of the country.

The critical question however, is to what extent can the intervention of the Electoral Observatory reverse the threefold pattern of the democratisation process in Mozambique - particularly the electoral process - of tensions/peaceful voting/and slow return to normalcy? Indeed, ever since the 1994 general elections, the trend has been characterised by pre-elections' escalation of tensions and political violence, followed by relatively peaceful voting and ending on post-elections' attempts at restoring political normalcy. The story of post-conflict violence in Montepuez, Ayúbe and other places in 2000 indicates the virulence that came out of the 1999's second general elections. Obviously, one can point to the military origins of the two major political parties in the country, and the tendency in the military ranks to launch heavy campaigns to gain territorial dominance ahead of a political and diplomatic negotiation as the root cause of this behaviour and attitude. Whether it is merely political tactics or just political desperation, this pattern needs to be addressed and reversed and the Electoral Observatory has targeted this domain.

Perhaps a good start to the Electoral Observatory's mission has been the open and frank ways in which both the National Electoral Commission (CNE) and the Technical Secretariat for the Administration of the Elections (STAE) welcomed the initiative of the six national organisations in forming the Electoral Observatory. Indeed, both CNE and STAE promised to work in partnership, stressing though the need for the observation of the existing legislation - and each with its own mandate - to make elections work in Mozambique in order to secure peace and political stability in the country. A sense of euphoria was thus invested in all those involved in the initiative and this will constitute a good repository of positive energy that will definitely be handy during the critical days of the December 2004 elections. Will it last long enough?