



Political Advisory Programme Southern Africa

Programme Zambia

Report on the elections of September 2011

Change of Power in Zambia - A Step Towards More Democracy

Heiner Naumann

Maike Jakusch

Lusaka, 26th September 2011

1. The finals - a victory for democracy

It was a historic moment for Zambia and the development of democracy in Africa when, on the 23rd of September 2011, Michael Chilufya Sata was sworn in as the new President of Zambia. Subsequent to three defeats in previous elections in 2001, 2006 and 2008, he evolved as the winner of the presidential elections of 2011, and thereby became the 5th President in the history of the country.

The defeated opponent from the 20-year ruling “Movement for Multiparty Democracy” (MMD), incumbent President Rupiah Banda, participated in the ceremony and so did Kenneth Kaunda, who governed the country from 1964 till 1991.

In a press conference on Friday morning (23.9.), Banda conceded defeat, accepted the poll results, and called for co-operation with his successor.

The estimated more than 70.000 followers of Sata’s party, the Patriotic Front (PF), turned the ceremony into a festival. Yet, prior to this peaceful handing-over, a fierce election campaign had taken place, followed by a tedious and lengthy counting of votes, the results of which were only announced on Thursday night with the declaration of Michael Sata’s victory. Thereby, it was the second time in the history of Zambia that a peaceful transfer of power due to an election victory by an opposition party had taken place. This change of power will considerably alter the political landscape in Zambia.

Fortunately, the wide-spread fear of fundamental riots during and after elections did not manifest itself.

2. Between the closure of polling stations and counting of votes

It was on Thursday (September 22nd), shortly before midnight, when the Chief Justice declared Michael Sata the winner of the elections. On the basis of 143 out of 150 counted and verified constituency election results, Michael Sata was declared to have gained 1.150.045 votes (43%), and the incumbent President Rupiah Banda 971.796 (36%) votes. The candidate of the smaller opposition party UPND, Hikainda Hichelema, gained 489.944 (19%). Seven more candidates achieved in total a mere 2% of all counted votes. With this declaration the long time of waiting for the results came to an end.

Then, on Saturday (September 24th), the results of the parliamentary elections were announced. According to these, PF had won 62 seats (2006: 43), the MMD 55 (2006: 73), whereas UPND had

obtained 28 seats. Three mandates went to independent candidates. In two of the constituencies the elections had to be postponed to the sudden death of candidates. The President is furthermore entitled to appoint 8 Members of Parliament of his own choice. Nevertheless, even with these additional appointed parliamentarians, the PF does not control a majority in Parliament.

During the course of Wednesday (September 21st), only 20 more constituency results for the presidential elections were publicised. By Thursday afternoon, 30 more were added to these, and a trend in favour of Michael Sata could be derived. Between 12:00 and 18:00 hrs the electoral commission (ECZ) did not announce any further results. Allegedly, a hacker had attacked the internet-site of the electoral commission and increased the results of Michael Sata. These results therefore had to be verified once again.

Towards 17:00, five contesters of smaller parties hosted a press conference, where they urged President Banda to “acknowledge the trend and act like a statesman, as did President Kaunda in 1991 when he conceded defeat”. Around 18:30, the chairperson of the electoral commission then declared that on the basis of 80 counted and verified constituency results, Michael Sata had a lead of 190.000 votes. As by that time the majority of the strongholds of the governing party had already been counted, the de facto victory of Michael Sata was ascertained.

As transpired from sources close to MMD on the next day, there had been discussions at State House in the course of the afternoon of 22nd September on how to deal with these preliminary election results.

Whereas delegates of the electoral commission tried to convince the President of the inevitable defeat, influential MMD cadres from Eastern Province tried to persuade the President to hang on to power “at all costs”. When it became obvious that a manipulation of the election results was no longer feasible due to the overwhelming majority for Sata, President Banda then publicly accepted defeat.

Up to the 26th of September, the electoral commission could not present further constituency results, and also no final results for the presidential elections. From the circles of PF it was therefore already stipulated that a total recount of votes has to take place, anticipating an even higher outcome for Sata.

3. Election campaign and election day

The now voted out President Rupiah Banda was elected into office in 2008, after the sudden death of President Levy Mwanawasa. Although entering the elections as Vice President, he only succeeded with

a small margin of 30 000 votes over the now winner Michael Sata. Even at that time, his election was surrounded by rumours of manipulation as the ECZ (Electoral Commission of Zambia) did not publicise any more detailed results than the accumulated figures per province. According to the regulations stipulated by the Zambian Constitution, this election was a by-election, thereby limiting the term of office for the president to 3 years instead of the usual 5 years.

One year later, in 2009, the two opposition parties PF and UPND agreed on a 'pact' which foresaw the two parties to jointly enter the elections of 2011. Michael Sata was to obtain presidency, whereas Hakainde Hichelema was to be vice president and his party was to obtain 40% of all ministerial posts. Towards the end of 2010, this 'pact' was terminated by UPND.

On the 28th of July 2011, the President officially dissolved Parliament and declared the 20th of September as election date. This was the on-set of a dirty and unlevelled election campaign, in which personal slander and defamations became daily features. Whereas PF and UPND had limited resources and hardly any access to the media, the MMD in power used the state media (TV, radio and 2 daily newspapers) to emphasise the achievements of the ruling party and to defame and spread doubts on PF's and its candidate's ability to govern the country. Vehicles of the opposition's candidate were confiscated by the Government, and Sata was alleged to have sympathies for homosexuals (which in the Zambian political culture is considered as very derogatory). Organisations controlled by the MMD like the National Trade Union ZCTU or allied civil organisations were urged to praise the work of the government and to warn of a take-over by the opposition, because these allegedly lacked the necessary competence.

At the same time, the close-to-opposition newspaper, the "Post", undertook all efforts to even undercut the level of the state media. There was no longer any respectable journalism taking place in the print media.

Conspicuously generous was the campaign budget, which the governing party had at their disposal. Observers noted that no previous election campaign was conducted nearly as costly by any party in power as was this one. Furthermore, the campaign was heavily aided by the use of resources from government institutions which supported the Government's activities through the use of material and personnel input.

During the pre-election year, various opinion polls were conducted. In one, commissioned by FES, the survey predicted in May that PF would lead with 41% over MMD with 38%, although with a high percentage of undecided voters. Two further polls which could be viewed respectable saw MMD ahead of PF. Aside from these, opinion polls were invented and bogus results disseminated to the public.

The actual casting of votes was peaceful and without any notable number of abnormal incidents. National civil society organisations and parties, here special mention is to be made of CARITAS, had positioned election observers in nearly every polling station who overlooked the casting of ballots and the publication of election results. An election centre, specifically created for this purpose, received the incoming election results as well as reports of any incidents at the stations. In a press statement on Wednesday, the elections were then declared free and fair.

All in all, more than 600 international observers from EU, SADC, Commonwealth, COMESA, EISA, etc. as well as delegates of accredited diplomatic missions visited polling stations all over the country. The EU observer mission, in a press conference on September 21st, declared the elections as well organised, but criticised the uneven playing field on which the different candidates had to compete. “A generally well administered election day and a highly competitive campaign, despite the absence of a level playing field“.

4. Analysis of the elections

Nearly all observers and stakeholders were surprised by the extent of Michael Sata's election victory.

Observers are convinced that it was only due to the considerable margin for Michael Sata and the widespread presence of election monitors which has hindered state offices from manipulating the election results. The hesitant announcement of the individual polling stations' election results cannot be sufficiently explained by alleged technical problems. Even 48 hours after the closure of the polling stations, no results were yet published from the capital's constituencies.

A fair election campaign did not take place. The governing MMD heavily utilised the state-owned media (TV, radio, and the two dailies) for their campaign. They had a very high campaign budget at their disposal and covered the country with placards, gave away t-shirts and baseball caps. Government institutions' resources such as cars, aeroplanes, and maize stocks were diverted to support the MMD's campaign. Targeted groups of the population such as government employees, inhabitants of MMD strongholds etc. were severely pressurised.

The opposition parties had little to counteract this. Although the daily newspaper "The Post" supported PF, it could not create a nation-wide effect due to their low volume numbers. The private TV-station "MUVI TV" strived for objectivity but held back when it came to evaluative comments. It was the approximately 100 private radio stations owned by churches and civil organisations which actually guaranteed fair reporting.

Obviously successful was also the "Don't Kubeba" (Don't tell) campaign of the PF, which implied that PF supporters should accept all gifts handed out by the governing party without revealing their own party affiliation.

According to the available election results, PF has won the majority of votes in at least four of the nine provinces (Lusaka, Copperbelt, Northern Province and Luapula). MMD won in Eastern, Central, North-Western and Western. In Southern Province the party of Hakainde Hichilema (UPND) was successful.

In the majority of their strongholds, the PF was able to widen their majority and increasingly mobilise their supporters. The voters' participation in PF strongholds was recorded as above national average. In Western Province, where MMD in 2008 with 67% as opposed to 10% of PF still clearly scooped victory, the PF now recorded a massive gain of votes. The unfortunate procedure of the Government when discussing the part-autonomy of this province (Barotseland Agreement), which led to numerous deaths due to the brutal actions of the police force, has massively manifested itself in the election results.

Decisive for the success of PF were certainly on the one hand the allegations of corruption against the Government and the President and his inner circle. A satiety of the since 1991 governing MMD could clearly be felt in many places.

On the other hand, the populist orientated campaign of PF was certainly successful. The 90-day programme of PF which promised "more jobs, less taxes, and more money in the pocket" and a forceful fight against corruption was obviously appropriate to mobilise supporters. Target groups of the PF campaign were first and foremost the poor in the urban areas.

Numerous party cross-overs by prominent MMD politicians such as ex-minister Mike Mulongoti and the well-known Member of Parliament Sylvia Masebo brought further support for PF from the up-to-then MMD strongholds. Backing of PF by respected former politicians such as Rodger Chongwe increased the acceptability of a possible PF victory. Along this line was also the participation of former President Kenneth Kaunda at the Patriotic Front party convention. In 2008, Kaunda still supported the MMD candidate Banda, who is his brother-in-law.

When evaluating the election victory of Sata, one should not forget that MMD can refer to a very successful economic policy. The politics of liberalisation, which were pursued vigorously during the last 20 years, led to high growth rates, increased foreign investment and greatly increased foreign exchange reserves, at the same time maintaining low rates of inflation. Only last summer has the World Bank confirmed that Zambia is amongst the countries with world-wide highest growth-rates.

5. The new President

Michael Sata was born in 1937 in Mpika in Northern Province. He worked as a railway employee, a trade unionist and a policeman before starting his political career by joining UNIP of Kenneth Kaunda in 1963. During the sixties he spent some time in England which stimulated a London newspaper to write on the occasion of the election result “Former British Rail platform cleaner sweeps to victory in Zambian election”.

1985 he was appointed Governor of Lusaka and very quickly gained a good reputation as he ensured that roads and bridges were well maintained. It was also during this time that he acquired the nick-name “King Cobra”, owing to his sharp rhetoric and his political tactics.

In the first MMD government under Chiluba, he held various ministerial posts such as Labour, Local Government, and Health. 1995 he was appointed Minister Without Portfolio, thereby rising to be the most important Minister.

When in 2011, President Chiluba proposed Levy Mwanawasa as MMD presidential candidate, Sata left the MMD and founded PF for whom he stood for presidency in 2001, 2006 and 2008. Although these attempts were unsuccessful, they showed a trend of increasing votes.

Sata is said to be a disciplined and hard worker for whom observers at times coined the phrase “Prussian African”.

In his inauguration speech, Michael Sata set the following benchmarks for his future politics:

- Reduction and renewal of the civil service
- Strengthening of domestic demand and fight against poverty
- Creation of more jobs
- Fight against corruption

6. The new politics at a first glance

The PF receives particular support of the Bemba who live predominantly in the North and in the Copperbelt and who are the biggest ethnical group (30%) in Zambia. In the central committee of PF the Bemba comprise the biggest group, but not the majority. Other major ethnical groups are also represented there. Nevertheless, the election victory of Sata implies a shift in the balance of power in the country. During the era of Kaunda's presidency, leadership positions of the sole party UNIP were by majority occupied by representatives of the Eastern Province. After the victory of MMD in 1991, which was also dominated by the Bemba, representatives of the Eastern Province slowly took over leading positions in Government again. The biggest ethnical group in the Southern Province, the Tonga, is presently also not sufficiently represented in leading positions of PF. In the formation of the new government PF will here have to take into consideration the balance of power in the country. "One Zambia – One Nation" is the motto under which so far the balance of power among the ethnical groups was pursued.

The second major group of supporters for PF are the urban poor in the country. In the PF party manifesto big expectations have been raised in this respect, which the new Government certainly will not be able to fulfil completely. Given the prospering economic situation, increasing tax income will be guaranteed for the next two years. Yet, this will probably not suffice to fulfil all demands deriving from the PF party manifesto.

Particular expectations the new President will face will be voiced by the traditional Lozi leaders and the population of Western Province. Since Independence, this part of the country, but specifically the traditional ruling family (Barotse Royal Establishment) had been granted special rights which contained elements of partial autonomy. During the election campaign, Sata promised this Province more rights of self-government. In other speeches, this was linked to an envisaged policy of greater decentralisation for the whole country.

So far, the urban middle- and upper echelons of society take an apprehensive, if not hostile, stance towards PF as their new wealth is mainly rooted in MMD's politics. Yet, it is to be expected that support will increase with the expected enhanced anti-corruption and security policy, as well as with a possible reduction of the comparatively high direct taxes (pay-as-you-earn). In order for the news leadership to

be successful, these groups will have to be integrated. With respect to the envisaged fight against corruption, a commentary in the PF-friendly “Post”-newspaper on 25th September has shown the direction: “Revenge No – Justice Yes”.

Foreign investors have so far reacted with uncertainty to the election results. They fear, with justification, changes in company taxation as well as in labour legislation. The re-introduction of the ‘windfall-tax’ on copper exports, which had been waved since 2008, is to be expected. One will have to observe which signals the new Government will send out.

Particularly uncertain was the response of Chinese enterprises and migrant labourers towards the election results. Previously, there were no publicised figures available on direct Chinese investments, nor on the number of Chinese migrant labourers. All decisions were channelled directly through the President’s office. Michael Sata, who, in 2008, still openly mocked against Chinese immigrants showed restraint on this topic during the election campaign.

With respect to further democratisation of the country and the steering back from an observed increased tendency to authoritarian leadership in Government, the new Government has to be measured against its first steps. The following promises were made:

- A change in the present restrictive labour legislation. The independence of trade unions shall be enhanced.
- The independence of the private media shall be maintained, government influence on state media shall be reduced.
- Independence of Parliament and Judiciary shall be enhanced.
- The fight against corruption shall be intensified.

With respect to foreign policy, no declaration has yet been made by the new President. Reports published abroad about an alleged admiration of Sata for Zimbabwean President Mugabe could not be confirmed during the last five years. A more focussed direction of foreign policy beyond the Zambian fundamental position of “supporting peace and stability in the region” has yet to be delineated.

Overall, it must be stated that democracy in Zambia has been strengthened by this election. The general wide consent of the population to multi-party democracy has yet once more received confirmation. Politics with strong social elements are to be expected.

A victory by MMD would certainly have considerably impaired the consent to multi-party democracy.

At this point in time, the international community can only be advised to support all initiatives of the new Government towards a better “good governance” as the political will, as far as it is articulated, is not endowed with sufficient country’s own resources.