

An Investigation on the challenges of the Electoral Process in Zambia

A Case of Lusaka District.

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Abstract

Zambia has been having a number of elections as per the democratic requirement in the constitution. It has been hoped that with the number of elections held, there will be a growth in the democratic practice in the country. However, it has been noted that with every election that comes and goes there is a lot of growth in the discontentment with the entire process and in particular with the presidential elections.

This study has analysed both global and local literature in order to investigate the challenges of the electoral process in Zambia. The literature revealed different electoral processes that are practiced around the world.

By using a qualitative approach to research inquiry with some little combination of quantitative method, the researcher purposefully and randomly issued the research questionnaires to fifty (50) respondents. The study revealed the main challenges associated with the electoral process and provided some of the possible solutions and strategies that can be employed in order to eradicate or minimize on the challenges of the electoral process. The research also showed that the electoral process has a possibility of influencing the voting patterns.

This study provides the necessary foundation for future research that can be carried out particularly in the specific area of determining what kind of electoral system could be suitable for Zambia. There are countries that use a combination of the electoral process such as the first past the post and the proportional representation systems.

The research results pointed to the fact that a relook at the current electoral system would be ideal in order to address most of challenges that arise after the elections are over.

Key words: Electoral process, Voting Patterns, Challenges, strategies, solutions

1. Introduction and Background

This study was undertaken to look at the challenges of the electoral process in Zambia. Elections have become one of the greatest phenomena that has characterised the African continent in the twenty first century. Africa is one of the continents that had a problem in replacing political leaders as most of the leaders were running autocratic type of governments. Even in the advent of the democratic dispensation, cases such as Burundi, Rwanda and Democratic Republic of Congo still abound where leaders still want to cling to power. It has not been easy to remove African Leaders hence giving justification to the bullet or ballot speech (Malcolm X: 1964).

Zambia had its first elections after independence on 19th December, 1968. The composition of parliament was 105 elected deputies and five (5) appointed by the Head of State. The parliamentary was for the period of five years just as it is now (Norris 2008). Zambians of all walks of life, sex were permitted to vote except for the mentally challenged and those individuals who were barred by court decisions of their political and civil rights. Anybody above the age of 18 years was allowed to vote and to be eligible for an elective parliamentary office one had to be of the age of twenty-one (Norris 2008).

According to Parliamentary Developments in the World (109-111), the two political parties that contested these general elections, the first to be organized in Zambia since it achieved independence in 1964, The ruling United National Independence Party (UNIP), led by President Kenneth Kaunda, submitted candidatures in every constituency, while the African National Congress (ANC), headed by Mr. Harry Nkumbula, put forward only 73 candidatures. Three (3) other independent candidates also contested seats in 2 constituencies where the ANC was not represented. It should be mentioned that the third political party called the United Party (UP) was not allowed to participate because its leaders were “declared guilty of acts endangering the country’s security and public order” (Parliamentary developments in the World: 11).

1.1. Electoral Systems

An electoral process is the method and law for holding an election and explains laws and customs that must be followed by all partakers and must produce free and fair elections (Cyllah 2014). There are many types of electoral systems used today in the world.

A research Why Electoral Systems Matter: An analysis of their incentives and effects on key areas of governance (Menocal 2008:3) explains that “there are many different electoral systems currently in use and many more permutations on each form”. Menocal (2008) categorized electoral systems into three broad families: plurality/majority systems, proportional representation systems, and mixed systems. Within these, there are nine ‘sub-families’: First Past The Post (FPTP), Block Vote (BV), Party Block Vote (PBV), Alternative Vote (AV), and the Two-Round System (TRS) are all plurality/majority systems; List Proportional Representation (List PR) and the Single Transferable Vote (STV) are both proportional systems; and Mixed Member Proportional (MMP) and Parallel systems are both examples of the mixed model. In addition, there are other systems such as the Single Non-Transferable Vote (SNTV), the Limited Vote (LV), and the Borda Count (BC) which do not fit neatly into any category and can be regarded as three further sub-families.

According to Reynolds *et al.* (2005) the key characteristics or features of the three main electoral families are that in most plurality or majority systems (e.g. FPTP, AV, TRS), there is only one seat per electoral district (that is, the district magnitude is 1), and only one

candidate can be elected from a given district. Under plurality, candidates can win a seat when they win the most votes without necessarily winning over 50 percent of the vote. However, majoritarian systems (e.g. AV and TRS) try to ensure that the winning candidate receives an absolute majority, that is, over 50 per cent, essentially by making use of voters' second preferences to produce a winner.

Zambia is one among countries that is using the majoritarian system for the presidential elections and the First Past the Post system for parliamentary and council elections. Electoral system designs also affect other areas of electoral laws. According to Reynolds *et al* (1995), the choice of electoral system has an influence on the way in which Districts boundaries are drawn, how voters are registered, the design of ballot papers, and how votes are counted and numerous other aspects of the electoral process. The electoral systems have many other consequences such as to whether political parties shall be formed or that only individual candidates shall be recognized such as the Ugandan case. It should also be noted that electoral systems determine the number of political parties that can be formed and they also determine the way political parties conduct their campaigns. Electoral systems can also influence votes. Andrew Reynolds *et al* (1995) argues that at the basic level, electoral systems translate the votes cast in a general election into seats won by parties and candidates. Electoral systems have the potential of determining or rather directing the voting patterns.

1.2. Voting patterns

Many political scientists believe that voting behaviour and partisanship is such a complex phenomenon that cannot be explained by a single model (Roth 1998). It is true that what governs the voting patterns at times cannot easily be determined. There have been trends that have been observed in terms of voting patterns in Zambia's elections. The alignments that voters find themselves in stem from different activities. It has been noted that voters are able to align themselves with individual candidates, issues and at other times with political parties and social groupings (Young 2009).

Zambia has seen a fair share of such attributes. As to whether they are a reality or a perception is something that this study had to test. What influences the Zambian voting pattern looks diverse as at times even mob psychology seems to have a fair share of it. It has been a general observation that at times the voting patterns swing with a political party. In other words, political parties can reshape the perceptions that the voting public have over certain candidates hence at the end of the day recycled politicians end up bouncing back in the political scenario depending on the strength of the party they sided with (Norris 2008).

1.3. Statement of the Problem

The problem that was investigated in this study was that with the growth of democracy and the number of elections that have been held the country should be experiencing the systematic growth in electoral process and reduced electoral challenges. However, despite the number of elections that have been held, there seems to be growing tendency of little or no confidence in the electoral process and the trends seem to be growing with every election thereby influencing the voting patterns. The researcher sought to investigate the fact that there is a growing tendency in doubting the electoral process and the kind of voting patterns that have emerged are a danger to the country's democracy. The study investigated the challenges of the electoral process. The researcher looked at the challenges, strategies and tried to find the solutions to some of these challenges.

2. METHODOLOGY

This study employed a combination of the qualitative and quantitative methods. A qualitative method was concerned with the descriptions, analyses and quality. The design enabled the researcher to have an understanding of a number of things which include but not limited to the perspectives of the participants, explored the value they attach to elections and understood their views on the voting patterns.

The study which was conducted in the Lusaka District of Lusaka Province of Zambia focused on the electoral process and the voting patterns in the District. A total number of fifty respondents were used in this study using hardcopy questionnaires as the method of data collection.

3. RESULTS

3.1. Challenges

The research revealed a lot of challenges that are associated with the electoral process. The first challenge relates to the independence of the Electoral Commission of Zambia (ECZ). Most respondents felt that the ECZ is not independent and therefore cannot deliver a credible election. It was the view of the respondents that the appointment of the Chairperson of the ECZ and a number of Commissioners by the President compromises its independence and integrity.

The other issue highlighted by the respondents relates to the issue of counting of votes. It was the view of the respondents that there is a lot of secrecy between the counting and the announcing of votes. Most respondents felt that there is no transparency at this stage.

The other issue raised relates to the transportation of ballot papers. It was felt that the transportation of ballot papers is done under a cloud of darkness. The respondents also made an indication on the emerging voting patterns along tribal lines. Most respondents felt that the current voting pattern is tribal.

There was also the challenge of electoral violence, divisions and confusions that was raised. The respondents attributed the issue of lack of a free and fair election due to electoral violence. Most of the campaigns are not done in a free environment and most of the times it's a challenge that does not seem to receive attention during and especially after the elections.

The issue of unfair media coverage was also raised by the respondents. The media is a great tool in the life of the campaigners yet it was noted by the respondents that there is unfairness in terms of public media coverage and this will continue to be a challenge.

3.2. Strategies and solutions

One of the prominent solutions pointed out in this research is the issue of education. There was a general response that there is a need to educate the electorate on elections and how to vote. It was the view of the respondents that people should be educated not to vote based on party slogan or the tribe of the candidate. In the same vein, the respondents stated that there is a need for voter sensitization in order to curb some of the challenges that are being experienced during elections. There is a need to invest in the electoral process and this voter education should include educating the Presidential and other candidates as well who are the flag bearers of their political parties.

On the issue of the ECZ, it was the view of the respondents that the Chairperson of the ECZ and other Commissioners should not be appointed by the President. It was felt an independent board should be able to appoint the ECZ officials if not the Judicial Service Commission.

The respondents also raised a solution against electoral malpractices especially corruption. It was the view of the respondents that there is need to create strong punitive measures against electoral malpractices. The unselective application of the electoral code of conduct can address many challenges that are faced. It stands as a major solution to most of these challenges as it has addressed most if not all issues.

4. DISCUSSIONS

This study primarily sought to investigate the electoral process in Zambia in the context of the following research objectives;

1. To examine the extent to which the electoral process influences the voting patterns.
2. To establish the strategies and solutions for the challenges of the electoral process
3. To ascertain the suitability of the current electoral process in Zambia

The discussion therefore follows the above-mentioned objectives;

1. To examine the extent to which the electoral process influences the voting patterns.

It is imperative to take note that the electoral process has the element of influencing the voting patterns. The current voting pattern is something that should begin to worry all political players and the ECZ in particular. The research attributes ethnicity (Figure 9) as the major influence on the voting style of a person. Most people seem to start choosing the candidates by looking at the tribe before they can look at anything else. This is a worrying development because it cannot help to get the best candidates into parliament. This nature of voting pattern on tribe seems to be dividing the country into regions with one block covering the Southern, Western and North Western and other covering the remaining seven provinces. There other voting patterns that are emerging have got nothing to do with tribe but they are more based on mob psychology. Figure 9 shows that some voters are influenced by the slogan of the party. In business this works but in politics it's something else. It is very possible for a party to coin up a very good slogan that attracts multitudes but it has nothing to do with the policy of the party. ECZ should come up with mechanisms to address this growing pattern failure to which it may breed disaster for the country. It is imperative to mention that this not ECZ problem alone but also political players. Perhaps one way of changing this trend is to find a different electoral system. There are many electoral systems that can help address some of these trends. Although it is not guaranteed to what extent, there is definitely a possibility that using a different electoral system can curb on the growth of these negative voting patterns. The nature of the voting patterns doesn't add value to the electoral process. Matter of fact, it degrades the democratic gains that have been attained so far.

It is also vital that the root of this voting pattern is addressed. There is an understanding that the growth of the tribal voting pattern is a product of the negligence of some of the areas from partaking from the nation cake. The distribution of worth as well as development is more concentrated in some areas than others and so there is a feeling that the only way these neglected areas can receive attention and attain meaningful development is to elect their own tribes' mate. Such a thought is highly justified with the existent of practical examples especially with the last three presidents. It's evident that Chipata, for instance, has received

attention since the advent of Rupiah Banda as the President of the country from Eastern Province. The same can be said about Mpika, that it has received unprecedented development since the days of the late Michael Sata as President. If such examples continue to grow, there is no verbal communication that can undo that conviction that development can only be attained when one of the tribe members is President. It is incumbent upon the Presidents to know how to spread development without any tribal inclinations. The President is the flag bearer of the nation and he should be in the forefront of fighting negative trends in the country without fear or favour.

Kenneth Kaunda knew how to spread the nation cake with almost every province having something to talk about hence tribalism was not a major problem in his time.

2. To establish the strategies and solutions for the challenges of the electoral process

There are many solutions that can be used to sort out some of these challenges that the electoral process faces. The issue is not the lack of solutions but the lack of will especially the political will to sort out the challenges. Every person who takes over the reins of power seem to be benefiting from these ills and challenges hence it is not easy to have the challenges dealt with.

The Patriotic Front is one party that stood against the application of the public order by the police during the Movement for Multiparty Democracy rein. It was expected that upon taking over the office, they will repel the public order act. It is six years into power and still counting and nothing has been done. Matter of fact, they have gone ahead to use it to suppress the opposition and other people with divergent views.

Therefore, there is no lack of solutions and strategies but a lack of political will. If the political will can be there to handle these challenges, it will be easy to do so. The problem maybe enormous but that does not mean there is nothing that can be done about it. The political will is one great element that has been lacking.

The first solution given to the challenges of the electoral process is to improve the voting system. It has been suggested by some of the respondents that the ECZ should employ the electronic voting system. This is understood to be one of the ways in solving the electoral challenges. While this can solve the issue of speed transmission of the final results, it cannot easily solve the issue of tempering with the results. It may even bring in a lot of challenges that cannot be handled by the technical expertise of both the ECZ and Zambia Information and Communications Technology Authority. For a country still growing in technology, this could be the best gamble that can be taken. Political parties with no popularity on the ground but have financial power to hire technology expertise can do so and hack the system thereby having access to tempering with the results. It has been reported on several occasions that the ECZ website had been hacked forcing the commission to issue a press statement to discard the results posted on the website (www.lusakatimes.com 22/09/2011). Therefore, getting the electronic system is a big mountain to climb and requires an addition of resources to ensure that the system is free from any form of hacking and tempering with the results. It might create a problem that is bigger than the current ones.

The second solution raised is the issue of electoral education. It should be said from the onset that there are many forms of electoral education that take place in Zambia by both the ECZ and a number of Non Governmental Organizations (NGOs). There have been campaigns on the issues of voter apathy, electoral violence and many others but this does not seem to be bringing the desired results. It is time maybe the concerned stakeholders looked at the methods being used to educate the masses. Electorates can be educated on a number of issues

and but it's time to reflect on whether they are the right or only target. The people who need electoral education in the first place are the key players and their cadres. Cadres are the ones who cause electoral violence and not so much of the general voting public. It is necessary that those who do education should look at ways of educating the political cadres of different parties including the main drivers of these parties. This education should filter from the top downwards. The candidates should not be exempted from the education on electoral conduct.

The solution of the challenge of media coverage for all political parties particularly on public media lies in the electoral code. It was provided for under the statutory instrument (SI) number fifty two (52) of 2011 Electoral Act 2006, the code of conduct regulations of 2011 part II 14(1) that a public television, radio and electronic media shall allocate public air time equally to all political parties and candidates for their political broadcasts. As stated in the opening remarks, the problem is not the law but the enforcement or enforcers of the law. It cannot be denied that electoral code's failure is a product of the selective application of it. If the code is applied lawfully and fairly, there cannot be some of the complaints that are received.

The electoral code has addressed most of the major challenges that are associated with the electoral process but it is the enforcement that lacks. There is no political will to allow the law enforcement officers to act on the code as provided. This lag does not only affect the police but it is seen to be affecting the judiciary as well. Despite the fact that the judiciary is a third wing of government, it seems to be controlled and muzzled with impunity by the Executive. An effective electoral process' survival partially lies in the hands of an impartial judicial system.

3. To ascertain the suitability of the current electoral process in Zambia

There are a number of respondents who expressed their dissatisfaction with the electoral process hence it is not surprising that a good number of people favour the issue of changing the electoral system.

Although the research results seem to favour the need to change the electoral process it is sad that most respondents do not know the electoral process or system that Zambia uses at the moment. This makes it very difficult because people cannot advocate for the change of the system which they are ignorant about. This ignorance should be blamed on the electoral education maybe which does not address all the issues related to the electoral process.

Zambia uses both the majoritarian system and the first past the post (FPTP) system. The majoritarian system is used for the presidential elections where the winner is required to attain fifty percent plus one vote (50%+1). This unfortunately many people interpret as fifty one percent which is not correct. The correct interpretation is that the winning candidate should attain fifty percent of the votes cast plus one individual vote that sets the winner above a fifty percent margin. In the case where there is no candidate who has attained that number, the two leading contenders are required to go for a rerun. The FPTP system is applied to the parliamentary and council elections. This means that the winner is the one who has the highest number of votes irrespective of the marginal difference with immediate follower. A person can be declared a winner by simply having more votes than the other contenders.

The call to change the electoral system is justifiable in that most people are looking for a system that can be appreciated by many stakeholders and that cannot easily be manipulated by any stakeholders. The greatest challenge with the current electoral process is not necessary the easy with which it can be manipulated but the fact that it is a winner takes all system. This system makes other participants get out of the election totally with nothing irrespective

of how well they performed especially at presidential level. It is of necessity that Zambia should begin considering a hybrid systems. There are systems that make every political party relevant especially the minority parties. The British and Israeli systems are such good examples in cases where one political party fails to garner votes beyond fifty percent. In order to attain such a system Zambia should shift from politics of individuals to politics of political parties. The current system makes individuals stronger than political parties. When an individual is stronger than a political party, then the party begins to owe its existence to that individual even if they never formed the party. This is what breeds hero worship and weakens the performance of individuals because they are perceived to be enemies when their influence grows in the party and the nation. The British and Israeli system is one consideration that can be taken as there are no complete losers in the election.

The alternative system is the electoral process used by either the South Africa or Lesotho. The South African provides for proportional representation where the parliamentarians from each participating political party are allocated according to the number of percentages they have garnered from the electorates. Parliament then in turn elects the President. The concentration of the campaigns are more on the party and not individuals, this to some extent helps to sort out the tribal tag in the elections in general as people and campaigns are more concentrated on the party than the qualities, qualifications and attributes of individuals. The Lesotho system on the other hand allows for some parliamentary seats to be elected at constituency level and others are allocated based on proportional representation system. These systems may have their own weaknesses but they sort out the problem of winner takes it all. Every political party that does well in the election is guaranteed to have a representative in parliament due to the number of votes they have attained converted into percentage.

Political parties invest a lot financially, morally and economically in the campaigns hence when they walk out of an election empty handed, they feel aggrieved. It is of paramount importance that Zambia should start looking at a system that allows political players to walk away with their heads high irrespective of the loss.

Proportional representative system or the British and Israeli systems are better alternatives to the current system if the need for change is acknowledged.

Political parties will always have some strongholds where they are assured of having the great number of supporters and votes. It cannot be disputed that strongholds are formed by different strengths which include ethnicity. Strongholds are generally a product of ethnicity. In South Africa, there was an indication of the election votes being based on ethnicity lines Ramutsindela (2002:53). This has bred strongholds of different political parties in different areas based on ethnic lines

5. CONCLUSION

This was an investigation into the electoral process in Zambia looking at the challenges, solutions and strategies. The investigation was undertaken under the lenses of the theoretical framework of the Consociational theory. The theory of Consociational democracy is linked to the works of one Arend Lijphard. The theory of Consociationalism argues that power sharing arrangements have important consequences for “kinder, gentler” governance (Lijphard 1968). The current election process seems to have served its purpose and it looks like it is time that Zambia began to look at other alternative voting systems that will be transparent and will account for every vote that is cast. It is important to note that electoral system can influence votes and voting patterns (Reynolds *et al* 1995). It is for this reason that one of the ways that can be used to defeat the emerging tribal voting patterns is to change the electoral systems. Voting patterns are a product of electoral systems and dealing with the electoral system can help change the tribal voting patterns.

The current electoral process has a lot of challenges ranging from the delay in the announcing of final results to the emerging and growing voter patterns of tribalism. These challenges have got solutions and most of the solutions are provided for in the electoral code of conduct. In order for this to be realised, there is need for political will especially from the ruling party to see to it that they do not take advantage of the systems that favour them. This research also exposed the fact that most of the voters do not know the electoral system that Zambia uses which could partially contribute to the reasons the elections do not pass without some controversy. Though this is the case, the great number of respondents stated that the electoral process is effective and there is satisfaction in the manner ECZ handles the process.

The researcher believes that this study can assist in managing and addressing the challenges of the electoral process from a more holistic perspective. It is also the view of the researcher that the challenges raised in the management of elections should be addressed in order to increase the credibility of the electoral process in Zambia. This research should be able to assist further research especially on which electoral system could be suitable for Zambia.

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