

**Testimony of Dorina A. Bekoe**  
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Chair Bass, Ranking Member Smith, and Distinguished Members of the Committee, thank you for the invitation to testify on democratic backsliding in Sub-Saharan Africa. I am a research staff member at the Institute for Defense Analyses, where I am part of the Africa team. I have worked on Africa’s politics and conflict dynamics my entire professional life – and on elections, in particular, for 15 years. My testimony will focus on elections and political transition. It draws on my research on Africa’s elections, politics, conflict dynamics, and governance. My testimony will also be informed by the considerable amount of time I have spent on the ground in several African countries, working with civil society organizations to develop workshops on preventing electoral violence and conducting fieldwork.

My testimony will provide an overview of elections in Africa, insights on Africa’s citizens’ assessment of their own countries’ elections, areas of progress, and persistent and emerging concerns regarding elections in Africa. Given that electoral violence represents a stark example of democratic backsliding, I will also offer recommendations for how the U.S. government could help support fragile electoral environments, to increase the possibility of free, fair, and peaceful elections.

### **Elections in Africa**

As the cold war came to a close in 1990, only a few countries in Africa had experience with regular, multiparty elections. The collapse of the Soviet Union ushered in the “third wave” of democratization: African countries quickly began to transition from authoritarian and military regimes to multiparty politics. By 1997, 75 percent of Africa’s countries had adopted multiparty elections.<sup>1</sup> Today, all countries in Africa, except Eritrea, hold elections. Ideally, elections promise citizens regular changes in government, peaceful political transitions, and a voice. Have Africa’s elections delivered on these promises? Africa’s experience in the last 30 years has been mixed. While there have been notable strides and important innovations, worrisome trends undermine governance and security in some African countries.

There is great variation in Africa’s experience with political transition. Some countries have robust political parties and have experienced peaceful transitions between parties. For example,

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<sup>1</sup> Stephanie M. Burchard and Meshack Simati, “The Role of the Courts in Mitigating Election Violence in Nigeria,” *Cadernos de Estudos Africanos*, 38 (2019): 125. <http://journals.openedition.org/cea/4407>.

Ghana has successfully transferred political power between the two major parties three times. Sierra Leone and Liberia have also had similar political transitions. In other countries, political parties are weak or marginalized, resulting in the same party ruling for decades. For example, in Uganda, Rwanda, and Chad, multiparty elections take place regularly. Yet, state harassment, intimidation, and violence has rendered the political opposition weak and enabled the presidents of these countries to stay in power for decades.

### *Toward Regular Changes in Government*

In the decades that followed independence, military and authoritarian regimes defined many countries in Africa. From 1952 to 1990, there were 65 coups d'état in Africa, representing an average of one to two coups annually. The adoption of democratic norms – with their hallmark of regular, free, and fair elections – brought hope that violent political transitions would come to an end. In fact, elections have reduced the frequency of coups: between 1990 and 2019, Africa experienced 24 coups – less than one a year.<sup>2</sup>

While applauding the reduction in coups, it is important to ask why they still occur. Mali's 2012 coup d'état occurred, even though a regularly scheduled election was just one month away. The coup in Mali in August 2020 took place, despite the presidential election in 2018 and legislative elections in 2019. In my view, the continued use of coups to change governments is less a reflection of generalized backsliding, rather than one of stalled democratization within particular countries in Africa. Most countries in Africa do not experience coups. However, in cases where coups do occur, an explanation may lie in the failure of democratic institutions to deliver on promises of good governance, security, and economic development.

Elections may not only reduce the number of coups, but also guard against authoritarianism, by offering opportunities for regime change. One important defense against authoritarianism is term limits. Presently 21 countries have respected their constitutionally mandated two-term limit, but 14 countries modified or eliminated the two-term limit; 8 countries never adopted term limits. In Africa today, 10 leaders have served for 20 years or more; in Togo and Gabon, the current presidents took over from their fathers, each constituting 53 years of uninterrupted rule by a single family. Notably, most of the attempts to modify or eliminate the two-term limit have taken place in the last six years.<sup>3</sup> Elections have failed to deliver on the promise of providing opportunities for regime change.

West Africa, once considered one of the regions with the strongest adherence to the two-term limit, is showing signs of weakening. In 2015, the Economic Community of West African States (ECOWAS) failed to institutionalize the two-term limit among its 15 members. Togo and The Gambia, whose presidents were serving beyond two terms, did not support ECOWAS' proposal to formally adopt such a norm.<sup>4</sup> Even as Senegal's citizens approved a referendum in 2016 *reducing* the number of years of a term (from seven to five years), Côte d'Ivoire and Guinea

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<sup>2</sup> Center for Systemic Peace, "INSCR Data Page," accessed September 23, 2020, <https://www.systemicpeace.org/inscrdata.html>

<sup>3</sup> Joseph Siegle and Candance Cook, "Circumvention of Term Limits Weakens Governance in Africa," Africa Center of Strategic Studies, *Infographic*, September 14, 2020. <https://africacenter.org/spotlight/circumvention-of-term-limits-weakens-governance-in-africa/>

<sup>4</sup> "West African leaders shelve third-term ban proposal," *BBC*, May 20, 2015, <https://www.bbc.com/news/world-africa-32808685>.

approved constitutions – in 2016 and 2020, respectively – that eventually paved the way for third terms<sup>5</sup> Later this year, Côte d’Ivoire and Guinea will hold elections in which the incumbent argues that the change in the country’s constitution permits him to re-set the clock on his tenure. The third-term attempt has resulted in violent clashes in both countries. Although incumbents couch arguments for third- (or more) terms within the legal framework of a constitution, eliminating or elongating term limits runs contrary to the fundamental objective of elections.

### *Citizens’ Perspectives*

While the regularity of elections and the opportunity for regime change are a central component of democratic advancement, quality is an equally critical factor. Opposition parties do not always compete on a level playing field with the ruling party. In Uganda, Rwanda, and Niger, opposition party leaders have been marginalized, arrested, intimidated, and physically harmed -- effectively hindering their chances of fairly competing for power. In Côte d’Ivoire, the question of citizenship and eligibility to vote, undermined elections, served as the basis of a brief civil war, and resulted in one of the worst instances of post-electoral violence on the continent. In Kenya, pre-election violence has routinely displaced, discouraged, and eliminated potential voters.

How do Africa’s citizens rate the quality of their countries’ elections? Afrobarometer, an independent, pan-African research institution that has regularly surveyed African citizens on their attitudes on democracy, governance, economic concerns, and social issues, provides a rich source of data. On the question of fairness of elections, opinions have been largely stable since 1999 across the continent: on average, approximately 40 percent of Africa’s citizens rated their countries as having organized “completely free and fair” elections.<sup>6</sup>

At times, the election quality can vary within the same country. For example, during the 2011-2013 round of surveys by Afrobarometer, 40 percent of Ghanaians rated the elections as free and fair, reflecting perhaps a drawn-out contestation of the 2012 election results at the Supreme Court. In contrast, Afrobarometer’s 2016-2018 round of surveys reported that 65 percent of Ghanaians rated elections as completely free and fair, possibly indicative of the 2016 electoral environment, where the electoral commission implemented extensive reforms.<sup>7</sup> Still, the consistency of low marks across Africa, spanning two decades, suggests a level of stagnation and persistent problems in a number of countries.

Citizens also communicate by turning out to vote. Across the continent, voter turnout has declined slightly over the last 30 years, reflecting a global trend.<sup>8</sup> In the early to mid 1990s, presidential elections resulted in nearly 70 percent voter turnout on average; more recently, voter turnout averages approximately 60 percent. Turnout for parliamentary elections has been

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<sup>5</sup> “Senegal referendum approves shorter presidential terms,” *BBC*, March 23, 2016, <https://www.bbc.com/news/world-africa-35885465>.

<sup>6</sup> Afrobarometer, “Online Data Analysis,” accessed September 25, 2020, <https://afrobarometer.org/online-data-analysis/analyse-online>

<sup>7</sup> *Ibid.*

<sup>8</sup> Abdurashid Solijonov, “Voter Turnout Trends around the World,” *International IDEA*, 2016: 24-25. <https://www.idea.int/sites/default/files/publications/voter-turnout-trends-around-the-world.pdf>

steadier, averaging approximately 63 percent over the last 30 years.<sup>9</sup> What message does voter turnout send? My research with Stephanie Burchard on this issue reveals that voter turnout can reflect citizens' intimidation by political parties: reduced voter turnout was among one of the many the effects of pre-election violence in Kenya.<sup>10</sup>

Low voter turnout also reflects low political engagement. In Mali, the sustained low voter turnout – approximately 30-40 percent – has often been cited as evidence of the public's disengagement, disdain for pervasive corruption, and mistrust in the country's democratic institutions. Many concluded that such sentiments facilitated the acceptance of Mali's 2012 coup d'état.<sup>11</sup> Consequently, low and declining voter turnout can signal decreasing confidence in the electoral process, fear, disinterest in political engagement, and the inability of political parties to connect with citizens.

### *Creating Conditions for Peaceful Political Transitions*

Electoral violence manifests as the clearest signal of democratic backsliding or lack of progress in democratization. While intense electoral violence draws attention, the range of electoral violence is much broader. In addition to fatalities, electoral violence also includes harassment and intimidation of political party supporters and targeted assassinations of political party leaders or operatives.<sup>12</sup> There are gender dimensions to electoral violence, as well. Female political aspirants suffer intimidation, intended to discourage their participation. Women sometimes are subjected to domestic violence, for participating in political activism or supporting particular candidates.<sup>13</sup>

Among Africa's 333 presidential and parliamentary elections, from 1990-2017, approximately 65 percent – or 216 elections – experienced violence, ranging from physical harassment and intimidation to mass fatalities. Most of the violence among the 216 elections – 60 percent – comprises verbal harassment of voters, discouraging political aspirants, vandalizing election materials or promotional items, impeding the media, and riots. Repeated targeting of specific candidates or incidents resulting in a limited number of fatalities occurred approximately in 22

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<sup>9</sup> International IDEA, "Voter Turnout Database," accessed September 25, 2020, <https://www.idea.int/data-tools/data/voter-turnout>

<sup>10</sup> Dorina Bekoe and Stephanie Burchard, "The Contradictions of Pre-election Violence: The Effects of Violence on Voter Turnout in Sub-Saharan Africa," *African Studies Review*, 60, no. 2 (September 2017): 73-92. <https://www.cambridge.org/core/journals/african-studies-review/article/contradictions-of-preelection-violence-the-effects-of-violence-on-voter-turnout-in-subsaharan-africa/AAAC0536FBFDA4D11E1617B0058D7737>

<sup>11</sup> Alexis Arieff, "Crisis in Mali," Congressional Research Service, January 14, 2013: 8. <https://fas.org/sgp/crs/row/R42664.pdf>; Baz Lecocq, Gregory Mann, Bruce Whitehouse, Dida Badi, Lotte Pelckmans, Nadia Belalimat, Bruce Hall & Wolfram Lacher, "One hippopotamus and eight blind analysts: a multivocal analysis of the 2012 political crisis in the divided Republic of Mali," *Review of African Political Economy*, 40:137 (2013): 347, DOI: 10.1080/03056244.2013.799063

<sup>12</sup> Scott Straus and Charlie Taylor, "Democratization and Electoral Violence in Sub-Saharan Africa, 1990–2008," in *Voting in Fear: Electoral Violence in Sub-Saharan Africa*, ed. Dorina A. Bekoe (Washington: United States Institute of Peace, 2012): 15-38.

<sup>13</sup> Gabrielle Bardall, "Breaking the Mold: Understanding Gender and Electoral Violence." *IFES White Paper* (2011). [www.ifes.org/publications/breaking-mold-understanding-gender-and-electoral-violence](http://www.ifes.org/publications/breaking-mold-understanding-gender-and-electoral-violence).

percent of elections. Extreme violence, defined as 20 or more fatalities, occurred in 18 percent of violent elections.<sup>14</sup>

The timing of electoral violence has implications for its severity. Nearly 95 percent of electoral violence takes place *before* the election.<sup>15</sup> However, post-election violence, while less frequent, is deadlier.<sup>16</sup> Africa's worst incidents of electoral violence have nearly all occurred after the election. These incidents include: Côte d'Ivoire (2010), with approximately 3,000 fatalities and 1 million displaced, and Kenya 2008, with more than 1,100 fatalities and 700,000 displaced.<sup>17</sup>

The adoption of regular, multiparty elections was expected to reduce violence in Africa's political transitions. However, electoral violence has shown no distinct pattern of decreasing. Rather, it remains erratic.<sup>18</sup> It regularly occurs in specific countries – such as Kenya and Nigeria. Violence can also vary between elections – with some contexts resulting in more violence than others. The lack of a clear trend of the ebb and flow of electoral violence indicates that some countries have persistently weak institutions to manage political conflict.

### *Encouraging Signs in Electoral Practices*

Emerging practices among civil society organizations and some state institutions provide viable options for preventing electoral violence and stemming electoral decline. The 30 years of democratization has brought innovation in organizing and monitoring elections. Notably, civil society organizations in many African countries have become active partners in ensuring elections proceed peacefully. Domestic organizations are often regarded as less independent than international organizations. In some environments, domestic organizations are weak, easily politicized, and under-resourced. While that may be true in some cases, domestic organizations have distinct advantages, especially when operating in permissive environments. In particular, they understand political networks and nuances, can cultivate trusting relationships, and are on the ground long before and after international organizations.

With the appropriate support and in specific settings, domestic organizations, with international partners, have adopted and developed impressive mechanisms to create conditions for peaceful elections. Kenya's civil society, for example, through the development of *Ushahidi*, pioneered electronic platforms where citizens can record incidents of fraud, harassment, and violence. Today, some form of electronic reporting of conditions on the ground exists in many African countries. Civil society in Nigeria launched "Election Situation Rooms" – now prevalent in many other countries – to monitor and address tension and violence in the electoral process. With an election situation room, observers on the ground send reports to a central office, where

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<sup>14</sup> Dorina A. Bekoe and Stephanie M. Burchard, "The Use of Electoral Violence," in *Routledge Handbook of Democratization in Africa*, eds. by Gabrielle Lynch and Peter VonDoepp, (London: Routledge, 2019): 258-272.

<sup>15</sup> Charles F. Taylor, Jon C.W. Pevehouse, and Scott Straus. "Perils of Pluralism: Electoral Violence and Incumbency in Sub-Saharan Africa." *Journal of Peace Research* 54, no. 3 (2017) : 397 – 411.

<sup>16</sup> Stephanie M. Burchard, *Electoral Violence in Sub-Saharan Africa: Causes and Consequences*, (Boulder: Lynne Rienner Publishers, 2015).

<sup>17</sup> Freedom House, "Freedom in the World 2012,"(2012) <https://freedomhouse.org/report/freedom-world/2012/cote-divoire>; Gabrielle Lynch, "Kenya's Election 2013: An Eye On the Rift Valley," *Democracy in Africa*, July 20, 2013, <http://democracyinafrica.org/kenyas-election-2013-an-eye-on-the-rift-valley/>.

<sup>18</sup> Straus and Taylor, "Democratization and Electoral Violence,"15-38.

analysts evaluate conditions and develop responses to reduce tensions.<sup>19</sup> Parallel vote tabulation, another form of monitoring developed in the Philippines, is a tool employed in many African countries to substantiate official results.<sup>20</sup> Finally, a few other countries, like Ghana, have developed a national peace infrastructure, which plays an active role in creating a peaceful environment for elections.<sup>21</sup>

Judiciaries play an increasingly important role in leveling the electoral playing field and resolving electoral disputes. After Ghana's 2012 election, the losing party challenged the results in the Supreme Court. While the results were upheld, the court required the electoral commission to implement 27 reforms to increase transparency and credibility. Kenya's Supreme Court nullified the 2017 election, due to substantial irregularities that undermined the integrity of the polls, requiring the electoral commission to re-run the election. Similarly, Malawi's Constitutional Court nullified the 2019 presidential election, due to severe irregularities, mandating a re-run of the election. In Malawi's case, the intervention by the Court proved even more consequential: the second election reversed the result of the first, bringing the opposition to power.

Appealing to the judiciary can serve to prevent violence, but only under certain conditions. In Kenya's 2007 elections, Raila Odinga, an opposition leader, famously called his supporters to the streets, rather than contest the results through the courts, which he considered biased.<sup>22</sup> Over the course of four months of violent responses by security forces, ethnic clashes, and retaliatory violence, approximately 1,100 people died and 700,000 were displaced.<sup>23</sup> The judiciary is most useful in preventing violence when citizens regard it as independent; the mere presence of courts does not necessarily assist in preventing violence.<sup>24</sup> In Ghana's case, the leader of the opposition pledged to uphold the decision of the Supreme Court, even before he knew the ruling<sup>25</sup> – simultaneously calming a tense environment and demonstrating faith in the judicial process.

## Conclusions and Recommendations

Africa's elections appear in the news when there is controversy and violence. The stories that come to our attention describe tense environments where clashes result in hundreds or thousands of fatalities - such as Kenya (2007-2008); Côte d'Ivoire (2010); Nigeria (2011); Togo (2005); Ethiopia (2005); and Republic of Congo (1993-1994). Africa's elections also come to the world's attention when losing candidates refuse to concede defeat. These include many

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<sup>19</sup> Amanda Fortier, "From a "Situation Room," Democracy Spreads in West Africa," *Voices*, Open Society Foundations, October 20, 2014, <https://www.opensocietyfoundations.org/voices/situation-room-democracy-spreads-west-africa>

<sup>20</sup> The ACE Electoral Knowledge Network, "Election Observation," accessed September 28, 2020, <http://aceproject.org/ace-en/topics/eo/onePage>

<sup>21</sup> William A. Awınador-Kanyirige, "Ghana's National Peace Council," *Policy Brief*, Global Responsibility to Protect, August 2014, <http://s156658.gridserver.com/media/files/awınador-ghana-national-peace-council.pdf>

<sup>22</sup> "Kenya's Defeated Presidential Candidate Vows to Fight Poll Loss in Court." *The Guardian*, March 10, 2013, [www.theguardian.com/world/2013/mar/10/kenya-candidate-fight-poll-courts](http://www.theguardian.com/world/2013/mar/10/kenya-candidate-fight-poll-courts) .

<sup>23</sup> Freedom House, "Freedom in the World 2012."

<sup>24</sup> Burchard and Simati, "The Role of the Courts."

<sup>25</sup> "Akufo- Addo Pledges to Accept Supreme Court Decision." *Modern Ghana*, May 17, 2013. [www.modernghana.com/news/464470/akufo-addo-pledges-to-accept-supreme-court-verdict.html](http://www.modernghana.com/news/464470/akufo-addo-pledges-to-accept-supreme-court-verdict.html).

countries with intense post-election violence, as well as others, like The Gambia, that drew in ECOWAS to mediate a peaceful handover.

The intense electoral violence and problematic political transitions may suggest that the continent's democracy and multiparty election processes are failing. Africa's 55 countries offer a more nuanced conclusion: in some countries, electoral institutions are strengthening and predictable; other countries are struggling to advance; and a few have suffered serious setbacks. Still, Africa's citizens remain supportive of democracy,<sup>26</sup> providing opportunities for international partners to help improve electoral processes.

The U.S. government, in particular, can play an important role in improving the organization, management, and processes of elections in Africa. Working with partners on the ground and globally, the U.S. government's assistance would be particularly impactful in three areas: the pre-election environment; institutions to adjudicate electoral disputes; and support civil society and regional organizations, where possible.

1. *Pre-election environment*: In most cases, electoral violence is neither inevitable nor unexpected. Elections bring out social cleavages and awaken long-existing conflict drivers in many countries. The data also tell us that nearly all violence occurs months before the election. Therefore, assistance should focus on pre-election processes to identify hotspots of violence and develop mechanisms to reduce tension. Focusing on the pre-election environment is particularly important, as post-election violence is usually deadlier.
2. *Electoral dispute adjudication*: A viable and trusted avenue for addressing electoral grievances can reduce the incentive to use violence, improve transparency of the electoral process, and increase the credibility of the polls. Supporting efforts aimed to mediate electoral disputes – whether through the court system, negotiations through trusted stakeholders, or other mechanisms – could help reinforce environments with weak institutions.
3. *Support to civil society organizations*: Domestic organizations, by virtue of their vested interests in preventing violence, may have distinct advantages over international organizations. Credible and independent civil society organizations have emerged as trusted monitors of elections and mediators to conflict. Providing support to civil society to enhance institutional capacity could serve to prevent electoral violence and enhance the quality and credibility of elections.

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<sup>26</sup>Robert Mattes, "Democracy in Africa: Demand, Supply, and the 'Dissatisfied Democrat'," *Afrobarometer*, Policy Paper No. 54, February 2019, [https://afrobarometer.org/sites/default/files/publications/Policy%20papers/ab\\_r7\\_policypaperno54\\_africans\\_views\\_of\\_democracy1.pdf](https://afrobarometer.org/sites/default/files/publications/Policy%20papers/ab_r7_policypaperno54_africans_views_of_democracy1.pdf)