



## **The International Community and the 2016 Zambian Elections: An Expensive Charade?**

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### **Abstract**

Zambia has long been hailed as a model of good governance—at least by regional standards. Hopes were high that the 2016 presidential election was going to be undertaken in the true spirit of democracy and good governance. That was not to be the case, however, and the façade of democracy crumbled. This paper argues that there was a pretence of following international election standards, but the ruling party, often in plain sight, made multiple transgressions against accepted electoral standards and human rights norms. This paper analyses those transgressions and suggests why they occurred. It also analyses the roles of the international community and regional organisations who are supposed to be the promoters and guardians of democracy and human rights. This paper reveals a remarkable neglect of democratic principles by observer missions and suggests that another agenda was at play. It asks what role external agencies can reasonably play in such circumstances and what can be done to support disenfranchised voters who were unable to protest the results. These questions are especially pertinent given the forthcoming 2021 election, for which the ruling party is currently making preparations, in the midst of a global pandemic.

### **Introduction**

Zambia has often, but somewhat optimistically, been described as a haven of peace in southern Africa, with some even referring to it as a 'model' for Africa (Townsend and Pugh 2016, 1). Smith (2016, 2) called the country “a beacon of hope for democracy enthusiasts and Africa optimists alike”, further elaborating that Zambia was “the only country in the Southern African Development Community (SADC) that has twice achieved a democratic transfer of power to an opposition party since

independence.” Perceptions and reality, however, do not match given that the events taking place during the 2016 election period were marred by many irregularities and infringements of democratic principles and human rights.

I argue that there are important lessons to be learnt from the performance of the international community (and regional agencies) during this election, and that Zambia’s performance was not exceptional in the region. By reviewing the events which took place before, during, and after the election, and the reactions of international observers and others, I present evidence to illustrate that the credibility of the international community and regional organizations is severely damaged. I conclude that their role requires a radical re-think of how future elections are monitored.

Since much has already been written about the election, this paper commences with a brief description of the many irregularities that took place before, during, and after voting day. It shows how the methods used by the ruling party had obviously been learnt from other African countries and attempts to explain why the ruling party acted in such a way. The paper discusses the role of the international community during the implementation of the election processes and how observers and reporters, and representatives of regional organisations, acted. I analyse the observer monitoring reports produced by the international representatives and regional agencies, and also compare them to the reports of various political commentators. The differences in their responses call into question the value of observer missions. Discussing why this situation might have arisen I also explain why citizens felt unable to challenge the behaviour of the ruling party. Finally, I turn to how the government set about signalling that they were following the rules and how this was received by the international community. I conclude by questioning how these dynamics might affect the upcoming 2021 elections.

### **The 2016 Presidential Elections**

The results of the Zambian presidential election on 11 August 2016 were highly predictable. Edward Lungu representing the Patriotic Front (PF) party retained his position. He had held the post since the death of President Michael Sata in October 2014, after a questionable and low voter turn-out election in January 2015. The 2016 result was achieved despite an obvious wave of public sentiment that change was needed, and was evidenced by a much-increased voter turn-out of 56%, up from 32% in 2015 (Allison 2016a). The widespread popularity of the well-organised

major opposition party, the United Party for National Development (UPND), led by Hakainde Hichilema was another indicator of the prevailing atmosphere. There was also much media coverage, including many comments from alarmed citizens demanding change. But there was no way that the ruling party was going to risk losing and, as Allison (2016b, 2) said, it had already anticipated such a result in June “suggesting that the winner of August’s election was [always] intended to be a foregone conclusion.”

It was apparent from the methods used that the ruling party had ‘match fixed’ the election, and that lessons in how to do this were learnt from neighbouring countries. Mills has described how the PF team followed the election ‘text-book’ of authoritarian rulers such as Museveni of Uganda and Mugabe of Zimbabwe (Mills 2016). A former president, Banda, who had a vested interest in the incumbent maintaining his position, even led the African Union (AU) Observer Mission to the February 2016 Uganda elections, which offered a first-hand opportunity to learn from a ‘master’ (Banda 2016). The ruling party also reportedly learnt from the earlier Congolese, Kenyan, and Malawian election experiences, all of which were fraught with issues.

Those lessons included liberal use of government resources for electioneering purposes; muzzling the media; bribing cadres to intimidate voters and use violence against the opposition; preventing the opposition from campaigning freely; and interfering with voter registers ballot papers and election results. The Zambian ruling party followed all of those practices. Opposition campaigners were violently harassed and some shot, with about seven fatalities. Some two thousand opposition members were jailed. The voices of civil society and the independent media were muffled or shut down and the level of violence was reported to have increased closer to the election, according to numerous sources including the Catholic Archbishop (2017) and *Zambian Watchdog* (2016a). Additionally, ministers failed to vacate their positions during the elections. On top of these problems, UPND’s post-election appeal to the Constitutional Court about the illegalities was dealt with in ways which created “a gross miscarriage of justice” (Mills 2017, 3) and raised issues of a constitutional crisis. These infringements indicated abuse of police authority, the legal system, and the Public Order Act.

Among the more obvious signs of the approach being used by the ruling party, and clear evidence of the cash flowing freely from government coffers, was the presence on the streets of jack-booted police in swanky new uniforms. Some were even adorned, laughably, with jungle camouflage. Well equipped with new vehicles and weaponry, with

dark sunglasses adding to their grim appearance, they made a formidable presence on the streets. From their militaristic style, it appeared that Zambia was at war (many photographs were seen in online media). Such a presence was a long way from the much-touted image of Zambia as a peaceful, democratic nation.

In order to explain why such strong measures were put in place by the ruling party, the *Zambian Post* editorial hypothesised that PF's desperation to stay in power was due to fear—fear of loss of power. Paraphrasing Steinbeck, the *Post*'s editor wrote that “Power does not corrupt. Fear corrupts, fear of loss of power” (*Zambia Post* 2016b, 2). That fear was not just simply fear of loss of prestige and control, but undoubtedly included making sure that the excessive government borrowings and looting of public coffers for personal benefit would not be brought to justice. This risk included the prosecution of key PF players and their supporters if the party lost. Simutanyi, the Director of the Centre of Policy Dialogue, also pointed out that the reason for the ‘heavy handedness’ was the ruling party’s awareness that the opposition had strong support and its consequent need to scare people off from voting for or supporting the opposition (Townsend and Pugh 2016).

The result was the declaration on 15 August 2016 of the PF's candidate Lungu as winner with 50.35% of the votes. The narrow margin of 13,021 votes was, conveniently, just enough to prevent a ‘run-off’ and, not surprisingly, regarded as suspicious by the opposition. UPND alleged, with some evidence, that the delayed release of the results was to enable tampering with the ballot (Mills 2016). In addition, the voting pattern clearly split the country into two parts, with the North and Eastern provinces largely voting PF and the North West, Western and Southern provinces supporting UPND. This pattern clearly illustrated the extent of tribalism at play and which had been heavily promoted by PF.

Convoluting and controversial legal processes followed. The rejection of UPND's subsequent appeal to the new Constitutional Court against the processes was widely condemned by senior lawyers who called it a travesty of justice (Chongwe 2016; Hansungule 2016; Ndulo 2016a, 2016b; *Zambian Law Association* 2016). The outraged former Director of the Electoral Commission of Zambia (ECZ), Danny Kalale, even felt compelled to write that “What is happening in Zambia is unprecedented”, naming three cardinal institutions of wrong-doing—the Electoral Commission, the Judiciary, and the Presidency (Kalale 2016, 1). There were also commentaries by many others, including Mills (2016a), Allison (2016b), and Townsend and Pugh (2016).

The following year, repression by the PF-led police reached another level. In April 2017, there was a much-publicised traffic incident involving Hichilema and the president. Shortly thereafter, the leader of the opposition was charged with treason. His home was then violently raided in the middle of the night and he was arrested and jailed for four months on spurious grounds. The latter event finally motivated both the Council of Churches (Council of Churches 2017) and the Catholic Church to speak out. The Archbishop released a lengthy statement which frankly said that “Zambia was now all, except in designation, a dictatorship”. He also lambasted the judiciary for the role it had played (Catholic Archbishop 2017). The Mast newspaper, however, was scathing that the Churches had been so slow to speak out on the issues (Mast 2017). Two months later, on 5 July 2017, a state of emergency was declared—always a classic tool of the dictator. In short, the noose was ever being tightened. Cheeseman (2017, 4) pointed out that the opposition leader’s continued refusal to recognize Lungu “as a legitimately elected leader” must have constituted a real thorn in his side, one which added fuel to his antagonism to Hichilema.

Table 1 lists the major events that occurred before, during, and after the elections.

**Table 1. Timeline of Some Major Events Before, During, and After 2016 Elections**

<b>Date</b>	<b>Event</b>
2015 onwards	On-going repressive/violent activities
20 February 2016	Opposition leader lunch with diplomats
4 March 2016	Election launch
21 June 2016	Closure of <i>Zambian Post</i> newspaper
28 June 2016	Editor and staff beaten and arrested
8 August 2016	Opposition submission to Constitutional Court
11 August 2016	Elections
15 August 2016	Announcement of results
5 September 2016	Opposition petition dismissed by Constitutional Court
13 September 2016	Inauguration
10/11 April 2017	Opposition leader motorcade episode and home violently raided, arrested
12 April–16 August 2017	Opposition leader jailed
23 April 2017	Bishops denounced government
5 July 2017	State of Emergency declared

## **International Involvement and Its Discontents**

Members of the international community were important players in supporting aspects of the election, in line with their role as standard bearers for democratic practices and the maintenance of the rule of law. A key form of support was the considerable amount of funding provided. The main source was a USD \$7.7 million jointly funded project with funds coming from the European Union (EU), British aid, Irish aid and the NDP itself. An additional USD \$2.2 million was provided (seemingly from government) (Daily Nation 2016). This project was implemented by the UN Development Program (UNDP) with the support of the European Court of Justice. Funding was to be provided for community organisations and the media in election monitoring and voter education. ECZ received support for voter registration and related technical equipment and systems, uniforms, and supplies and the training of the Zambian Police Service in effective ‘rights-based’ policing. In addition, other international donors funded civil society groups, such as the Foundation for Democratic Process (FODEP), for involvement in voter education and the monitoring of results.

In the lead up to the election, the international community was active in commenting publicly on some happenings and especially about the many serious infringements of the freedom of the press, including the closing of the major independent newspaper, the Post, in June (Lusaka Times 2016a). This development also drew loud complaints from within Zambia as well as from broader Africa, including the AU, and internationally. Smith, for example, reported that the global watchdog, Freedom House, had already downgraded Zambia to its lowest ‘Not Free’ category in 2015. He also noted that “The first step will be putting the Lungu government on notice that the world is watching” (Smith 2016, 7). But while parts of the world were definitely watching, it was not at all clear that they were doing anything about what they were observing, apart from issuing the occasional media statement. One might have hoped that there was some ‘quiet diplomacy’ going on, but there was little evidence of any impact. Significantly, no donor withdrew their funding support.

In response to the many blatant infringements on democratic rights that were occurring in the lead up to the elections, an unusual and somewhat controversial event (in diplomatic terms) occurred in February 2016, when the UPND opposition party leader Hichilema invited the diplomatic corps to lunch at his home. Hichilema was reported to have said that the main purpose of the lunch was to share the opposition’s serious concerns about state sponsored political violence and the suppression of the media, as well as the misuse of the Public Order Act

(Zambian Post 2016a, 2). While all missions were invited, not all attended. Much was made in the press about whether such a gathering was advisable. In response to the public furore, Foreign Affairs Minister Kalaba made light of the event, saying that it was normal for diplomats to want to meet with opposition leaders and that by allowing such an event the government was demonstrating its democratic nature (Kalaba 2016b). Whatever was said, it was an incident that would not have pleased the ruling party because it seemingly showed strong international support for the opposition leader who had a reputation for being honest and serious, both personally and in business matters.

The American Ambassador (2016) was particularly vocal during the lead-up to the elections. As early as February, he pointedly remarked that it would be difficult for people to accept the results if the elections were violent. But one cannot help questioning American sincerity when, in the same month “a delegation of new US admirals and generals from the US National Defence University” visited Lusaka. The leader, a retired admiral, was quoted in the Lusaka Times as saying that his team was “in the country to exchange notes with their Zambian counterparts”. He also said that “Zambia was one of the African countries with good ties with the US security forces” and that “Zambia and the US had common interests in ensuring peace and security, and that the delegation would today have more discussions with the Ministry of Defence in” (Lusaka Times 2016b, 1). The performance of the USA in Uganda (whose election preceded that of Zambia), however, also suggested a less than innocent approach to African countries (Epstein 2016).

As is common practice, representatives of the international community were also involved in election monitoring. This included a 124 member European Union (EU) team, 17 Commonwealth ‘eminent persons’ and four people from the US Carter Centre, while the US National Democratic Institute ran an extrapolated exit poll. Teams were also fielded by the Southern Africa Development Community (SADC), the Common Market for East and Southern Africa (COMESA), the SADC Parliamentary Forum, the International Conference on the Great Lakes Region, the Electoral Institute for Sustainable Democracy in Africa (EISA) and (with 55 members) the African Union (AU). Various civil society teams also participated.

Despite the many serious, often blatant, infringements of democratic practices and electoral malfeasance that occurred, the majority of reports were largely positive, although variable in the way their judgements were worded. Table 2 categorises these responses according to whether the parties involved saw the election as credible, or had reservations, or saw

it as fundamentally flawed. It shows that the Commonwealth, COMESA, AU, EISA, SADC, UN, and USA were all broadly satisfied that the elections were credible, but with COMESA, AU, and EISA having some reservations. The US also had reservations but, remarkably, flagged its concerns in terms of ‘future elections’. The EU seemed to have a bet both ways and so is also categorised as having reservations. By contrast, the Carter Centre, FODEP, the former Director of ECZ, as well as the Economist and all other knowledgeable political commentators, considered the elections to be significantly flawed. In December, *Africa Confidential* capped them all by including Zambia amongst its list of rigged elections in 2016 (Africa Confidential 2016). These wildly different assessments raised questions about whether the parties involved had been observing the same election.

A former Ambassador to the country was drawn to comment to this author about the many positive reports from the observer missions. Informed by his experience as an observer on the 2016 EU Ugandan elections monitoring mission, he asked why the observer missions, “especially the Commonwealth [and, we might add, regional bodies], feel obliged to pull their punches even in the face of clear bias or the misconduct, especially by the ECZ?”<sup>1</sup> He made the important point that the significant period in an election was not the election lead-up or voting but the tabulation and results-verification phase, crucial for ensuring the accuracy of processes and data. He felt that this phase was one that observers were unlikely to be able to monitor effectively and could be a crucial weakness for the capacity of monitoring teams to attest to the authenticity of electoral processes. There was certainly much evidence available from this election, despite its hundreds of observers, that current observer mission protocols leave much to be desired and are in urgent need of over-hauling. Mills (2016, 2) justifiably suggested that in such a blatantly obvious situation that “the presence of international observers may legitimate fraudulent outcomes.”

After the results were announced, ‘diplomatese’ came into full play as dozens of congratulatory responses were sent to government and then were enthusiastically publicised by the ruling party to help legitimise its position. Both the USA Embassy (USA Embassy 2016) and the UN Secretary General Ban Ki-Moon (UN News Centre 2016) were quick to congratulate the incumbent on his re-election. But, appreciating the tense situation, they both also urged Zambians to maintain peaceful conduct and that if they had objections, to use approved legal mechanisms.

<sup>1</sup> Former Ambassador to Zambia, emailed letter to author, 20 September 2016.



The USA Embassy in Lusaka (2016) also noted that

the statements by many of the international observer missions which highlighted concerns with the pre-electoral environment, specifically increased violence and restrictions on press and assembly, and hoped that the government will address those concerns in the context of *future* [emphasis added] elections to strengthen Zambian democracy.

The final remark seems like an extraordinary thing to say, although such a position was pre-empted by the enthusiastic response to the (also problematic) January 2015 elections by another US representative (Thomas-Greenfield 2015). Perhaps the explanation can be found in the American's remarks in an interview on 'Voice of America Straight Talk, Africa' 12 days after the 2016 election (Thomas-Greenfield 2016). On that show, the representative was challenged by the Nigerian interviewer who quipped that instead of "government of the people, by the people, for the people", it was, in many African countries, actually "government of some people, by some people, for some people." Thomas-Greenfield agreed, but emphasised a number of times during the interview that, essentially, democracy was a work in progress and improving over the years. Is this the answer that explains the US position on the Zambian elections—or is it simply a cop out? Or were there some other motivations for accepting the status quo, as discussed elsewhere in this article?

SADC too contributed to the congratulatory atmosphere but spared any punches. The statements of its Executive Secretary, Stergomena Tax, is worthy of particular mention. Commending President Lungu and the Zambian government Dr. Tax congratulated those involved for "the peaceful, well managed and successful elections" and applauded the president for "the political tolerance and maturity displayed during the elections". She stated that the Zambian people had expressed their will in a way which would significantly contribute to consolidating democracy and political stability, not only in Zambia but also in the SADC region (Lusaka Times 2016c, 2). These comments represented an extraordinarily glossy view of events. The comments of other members of the international and regional community are summarised in Table Two.

**Table 2. Categorizing Observers on the Zambian 2016 Elections**

Credible	Reservations	Distinctly Flawed
<p><b>Commonwealth's</b> interim report concluded: Our overall conclusion is that the voting, closing and counting ..., were credible and transparent'.</p> <p><b>COMESA:</b> ... were generally conducted in a free, peaceful and transparent environment and in accordance with the laws governing elections in Zambia.'</p> <p><b>AU:</b> declared the polls 'peaceful and satisfactory' and 'commended the people of Zambia for the largely peaceful 2016 elections...'</p> <p><b>EISA:</b> elections have met the international, regional and local standards for credible elections.</p> <p><b>SADC:</b> peaceful, well managed and successful elections ... will significantly contribute to consolidating democracy and political stability not only in Zambia but also in the SADC region.</p> <p><b>USA:</b> call for respect for results, encouraged maintenance of good conduct exhibited during the vote, and if objections, to use approved legal mechanisms.</p> <p><b>UN:</b> UN Secretary General congratulated Zambia on peaceful/orderly elections.</p>	<p><b>EU:</b> 'Generally well-administered and peaceful but process was marred by systematic bias in state media, and by restrictions on the campaign.' 33 recommendations made.</p> <p>+ <b>COMESA</b> 'while noting some minor issues ...'</p> <p>+ <b>AU:</b> Also listed areas where matters needed to be improved next time, ... notwithstanding a few incidents of election-related violence'.</p> <p>+ <b>EISA:</b> ... but were conducted 'on an unlevelled playing field'.</p> <p>+ <b>USA:</b> Noted concerns expressed by international observer missions about the pre-electoral environment. Hope these concerns addressed in <b>future</b> elections.</p> <p>+ <b>UN:</b> Reminded all parties to reject violence/refrain from inflammatory and incendiary language, to resolve differences thru constitutional means.</p>	<p><b>Carter Centre:</b> pre-election period was significantly flawed,' and that '... ECZ ineffectively managed the vote tabulation, verification and declaration of results, as well as public expectation surrounding these processes'</p> <p><b>FODEP</b> is of the view that the just-ended election failed to adhere to the republican Constitution, Electoral Process Act, regional and international standards for a free, fair and credible election.' *</p> <p><b>Economist:</b> ... marred by the harassment of the opposition, the closure of the country's leading independent newspaper, accusations of vote-rigging and street protests. ...</p> <p><b>Africa Confidential</b> in end of the year wrap-up for the continent, it included Zambia in its list of rigged 2016 Africa elections.</p> <p><b>Kalele (former ECZ Director):</b> Said "what was happening in Zambia was unprecedented", naming three cardinal institutions of wrong-doing: the Electoral Commission, the Judiciary and the Presidency."</p> <p><b>Journalists, political commentators and academics,</b> including Mills, Allison, Smith, Cheeseeman and Dijkstra</p> <p>Noted many serious weaknesses.</p> <p><b>*NB. FODEP views were later retracted and the lead author removed from his position.</b></p>

All of the congratulatory rhetoric culminated in a photograph of the president standing with ‘Western’ members of the diplomatic corps and the international organisations on the steps at State House in October (Lusaka Times 2016d, 1). The occasion gave him the opportunity to publicly rub-in his position of power, as he pointedly thanked them for their support during the elections. He reportedly, and also pointedly, met separately with the African Heads of Mission. In October, he demonstrated a developing strong-arm approach, telling them to avoid conflict with his government, as he did the following year, after Hichelema had been jailed. He repeated his warning then: “I want diplomats to hear me loud and clear that they will not interfere with our sovereign matters here in Zambia” (Zambia Watchdog 2017b, 1–2).

In a final word about the role of international observer missions, the previously quoted former ambassador to Zambia noted that, “once the Zambian elections were over the observer mission ‘circus’ would have moved on. They would have forgotten about Zambia, with no one looking behind to see what happened afterwards, even when events became worse.” He also added that, as the ruling party well knows, the various observer groups and embassies can shout as much as they like from the sidelines but that “such bleatings are just ignored.”<sup>2</sup>

### **Appeals to the International Community and the Regional Response**

Because of the obvious failure of their own legal system to address the problems which were occurring, some Zambian citizens themselves looked to the international community for help, including Hichelima himself, both before and after the elections. In August, he again “appealed to the international community to pay particular attention to our country’s deteriorating democratic standards, notably relating to press freedom and the rights and freedoms of opposition leaders and supporters” (Open Zambia 2016, 1–2).

Traditional chiefs—important players in Zambian society—were under significant pressure not to speak out because the ruling party had, during the pre-election period, increased their monthly allowances almost three-fold (Lusaka Times 2016e). Nonetheless, some bravely did so, three of whom referenced the international community. One was reported as saying that he wanted “to call upon all the international observers to also do a good job. They shouldn’t just observe and keep quiet ... We appreciate their presence and they shouldn’t fear to speak out where things are wrong” (Musungwa 2016, 1).

<sup>2</sup> Former Ambassador to Zambia, emailed letter to author, 20 September 2016.

Ordinary citizens also spoke out through the media, while one, knowing the author's former UN affiliation, said that the international community "should not wait until people start taking arms against each other ... prevention is better than cure. Let us do something about it now!" He later rightly pointed out that "Human rights are being trampled upon yet we have UN Offices in Zambia, but not even a word has come from them."<sup>3</sup> Some months after the election he expressed his dismay again: "what surprises me is the silence of the International Community, and Observer Missions. Are they still studying all these events?"<sup>4</sup> These concerns were surely legitimate.

Some recognised the similarity of the problems being experienced with those in neighbouring Zimbabwe. Another citizen said to this author during the pre-election period that "If, as a country we allow this to continue, that will be the end of democracy and we will go the Mugabe way!"<sup>5</sup> The following year Tendai Biti, the former Zimbabwean Minister for Finance, also noted the similarities. Undoubtedly arising from his own precarious position, he too felt strongly about the failure of the international community to speak out, especially following the imprisonment of Hichilema in April, and said (Biti 2017) that

the consequences of the soft approach of observers and the international community following last year's contested elections in Zambia appears to be coming back to haunt them ... Their cautious approach and hesitancy to challenge leadership has been taken as near enough a blank check for the elite to step by step deconstruct the law. (4)

Biti criticised the international community for accepting that a country might be excused some election errors just because it was new to democracy and said that this could be a convenient smokescreen. He also went on to say that "it is also a testament of how the region and the international community missed a critical opportunity to stem a tide of poor governance by speaking out against this electoral sham" (Biti 2017, 4).

In allowing (or arranging) the charging of Hichilema for treason, the violent home invasion, and his arrest and jailing in 2017, the president had thrown off the kid gloves and all pretences of being a democratic

<sup>3</sup> Zambian citizen, emailed letter to author, 11 July 2016, Lusaka.

<sup>4</sup> Zambian citizen, emailed letter to author, 12 September 2016.

<sup>5</sup> Zambian citizen, emailed letter to author, 5 May 2016.

leader. But the drama of these incidents only drew a weak international response. Odinga, the former Kenyan prime minister and opposition leader, and Obasanjo, the former Nigerian president, both spoke out, as did Biti, as described above. The regional superpower, South Africa, however, which was also in the grip of ‘Zuma-ism’ at the time, was described as being ‘deafeningly silent’. SADC, the AU, and other African presidents were similarly quiet, Allison (2017b) also noted that the failure of the diplomatic community to speak out meant that civil society and the political opposition were without any support.

### **Lack of Widespread Public Protests**

Despite such blatant election-related malfeasance, there was surprisingly little public protest. The most obvious reason for this was that it was already clear that the ruling party had the physical resources to crack down hard on any protests. This behaviour was understandable, given that during the pre-election period, tear gas, physical attacks, and threats of shooting and incarceration were used. These too were the reasons for the silence from the usually out-spoken NGOs, mainstream churches, and respected elders, at least in the period before Hichilema was jailed.

Life is precarious in Zambia at the best of times, and the scary presence of well-equipped and undisciplined police together with gloating and violent young PF cadres in thrall to the ruling party were, for the average citizen, a serious dampener on any willingness to protest. It was apparent from reports in the press and conversations with Zambians that the citizens were, understandably, cowed into submission. A Bishop wrote in September 2016 about how a new culture of fear had come to permeate Zambian society, saying that “The Zambia we have known has suddenly changed, not only in the political landscape but also with great fear and anxieties in a cross-section of many people” (Chihana 2016). He added that the broken-down economy, skyrocketing prices and fear of joblessness contributed to the grim scenario. As Dulani and Bratton (2017, 1) noted, “Zambia has gone from a country where most people felt free to engage in open political debate to one where most people have begun to look over their shoulders to see who is listening.” So there were good reasons as to why the country did not erupt. To survive they had to lie low.

The ruling party knew the nature of their own people and counted on that—peace at any cost, that is, no large-scale shootings. As a Zambian citizen said to this author in late 2016: “thank God peace has prevailed. This has been another educative experience for this country, but anyway

... peace is what we need.”<sup>6</sup> In a way, this last statement was similar to the approach being taken by the international community—seemingly governed by the belief that as long as there was no major outbreak of violence and multiple killings, the situation was acceptable.

### **What Could the International Community Have Done?**

Dijkstra (2016, 4), in an article published three days after the elections, argued that the EU, with its considerable financial clout as the biggest aid donor and a major trade partner, could “exert a positive influence in what has been a tense and sometimes violent campaign.” He also raised the use of targeted restrictive measures, if diplomatic demarches failed. In other countries, such measures have included targeting key officials with travel bans and freezing international bank accounts. Sector specific trade and aid restrictions, and being removed from the Commonwealth have also been used. But there was no evidence of such measures being put into place at this time. Nor was there any evidence that the EU had been influential in improving the situation, even after its observers attended a briefing by three opposition party leaders on 21 August. UPND’s call for justice apparently fell on deaf ears (Zambia Watchdog 2016b, 2).

All of this said, it is possible that there was some quiet diplomacy taking place which motivated the ruling party to make some minimal changes, like reducing the pressure on the opposition, or not accelerating it. But such actions would hardly have been enough in the circumstances and as Dijkstra (2016) said, Lungu showed no signs of caring about what the international community said. In fact, in the months after the elections some donors did the opposite to instituting ‘targeted restrictive measures’. At least two donors announced new multi-million grants. These examples made it look as if nothing untoward had ever happened.

### **Conclusion**

It was obvious that the 2016 Zambian presidential election was played out with the implementation of a strategic plan of action by the ruling party which guaranteed that the incumbent won, at any cost. All key guiding institutions—the Electoral Commission, the Judiciary, and the Presidency, as well as the security services—failed to follow the ‘rule of law’. It was also clear that the Zambian election was not exceptional on the continent for similar methods had been used in countries in the region, using the same or similar methods obviously directly taken from a ‘dictator’s hand-book’. As the Economist (2016, 2) reported, “African

<sup>6</sup> Interview with Zambian citizen, 15 October 2016.

democracy had stalled—or even gone into reverse.” Disenfranchised voters were unable to protest, cowed into submission by the threats of violence.

What had happened was no secret. Much of the malfeasance had occurred in full view of the public and hundreds of regional and international observers, and the media which reported in detail on the happenings. These events also occurred despite donor agencies having invested millions of dollars of support in running a modern, democratic election, including training in rights-based policing. Clearly the donors had wasted their money—another reason for concern. And yet, most failed to wave a red flag—that duty being left largely to the opposition parties, international commentators, some former African leaders and a few brave individuals. Some of them only did so when Hichilema was jailed in 2017.

What was this very expensive charade all about? Paraphrasing Ware, it was apparent that the international rhetoric on good governance did not tie in with local realities (Ware 2018, 216). Klaas (2016) offers an explanation, that ‘Western’ priorities have changed. Now the goal was to promote regional security, stability and economic growth—even at the cost of democracy and the need to recognise known ‘despots’. That ‘security and stability’ does not seem to be anything to do with electoral niceties, human rights and the rule of law which those very same ‘Western’ countries have been righteously promoting for decades. Nyabola (2018, 3) described the situation as if the ‘gospel of good governance’ was now an old refrain which has been over-ridden by the ‘stability doctrine’ and where “foreign governments tip the political balance in favour of existing power and the state”—even if it is a dictatorship.

If the new goals are indeed ‘regional security, stability, and economic growth’ there is little evidence that they have been achieved—except perhaps that the number of dead bodies is far less than it might otherwise have been. Financially, corruption in the national treasury is hardly likely to have had a positive outcome, especially for the provision of social services and national debt levels. The result will surely be to drag the international community (or certain countries) into an even more expensive rescue mode, and, possibly, ‘fire-sales’ of Zambian assets to foreign interests. Additionally, the heavy expenditure on the repression of citizens by a militarised and undisciplined security forces and violent party cadres has resulted in a society ruled by fear, not law. The UN’s silence on these matters is particularly difficult to understand.

Playing such a false game, the presence of the international community lending ‘a veneer of respectability’ to proceedings, leads, as the Economist has pointed out, to supporting ‘counterfeit democracies’ (Economist 2016). It calls into question the role of all of those who support such processes. There needs to be a major re-think about their role, if any, in elections. Zambia’s former reputation as a model for the region was not just tarnished but ruined, as was the credibility of the international community. The question, then, is whether they are going to play the same charade in 2021? Would they do better, as Mills (2016, 8) said about 2016, “by not pretending, and just staying away.”

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