

WHAT NEXT FOR THE PRESIDENTIAL BY-ELECTION?

Peter Henriot

The third day of September 2008 was certainly an historical and very impressive day here in Zambia! The religious service and burial ritual of the late President Patrick Levy Mwanawasa was simply splendid in dignity, pomp and solemnity.

As I heard again and again on that day, “Zambians can be proud!” Proud of the leader being buried, proud of the funeral ceremonies, proud of the peace that prevailed in what could have been a tense and unsettling time.

I could not help but study the faces of the visiting Heads of State, as television frequently showed them during the day. And I wondered what they might be thinking: “Would my people honour me in such a beautiful way? Would my country be able to carry off such a complicated ritual in such a smooth fashion? Would peace prevail if I were suddenly to die?” It certainly was noticeable that President Mugabe kept his face down most of the time, perhaps lost in thoughts about his own uncertain and distressful future....

ELECTORAL PROCESSES

But now Zambia must turn to the serious business of replacing President Mwanawasa. Only a few weeks remain before the constitutional deadline of by-elections comes upon us. Two major Opposition Parties have already designated their candidates. And in a flurry of heated activities – including the revelation of a supposed endorsement for one candidate by the deceased President – the Ruling Party has just named its candidate.

Three serious problems are surfacing that must be faced wisely and courageously for the elections to go forward smoothly.

First, can the Ruling Party stay together, overcoming the wounds of its recent internal struggles? Some extremely harsh words were said about both the two leading candidates for the MMD nomination. These words included accusations of corruption that really need probing if the party wants to present a clean face to the public. Will we hear some honest explanations in the days ahead?

Second, how strong will be the push to accept agreement for only one candidate, thereby invoking the constitutional clause that that one candidate would be declared President without going to elections? “Saving money” is the alleged reason being offered. Personally, I view such a step to be a dangerous defeat of democratic processes and one that could haunt Zambia in the future. Would not the next President, whoever it might be, have more popular support nationwide for his programmes by having been publicly elected by the people rather than being chosen by backroom political party bargaining?

Third, can the electoral process genuinely be democratic without severe curtailing of the Ruling Party’s employment of government resources? I refer to the use of vehicles and institutions and “development” handouts, and the misuse of public media (television, radio and newspapers). We need simply review the many court petitions filed after each recent election to remind ourselves of the seriousness of this problem. What would it take to oblige the Ruling Party to practice the fairness in democratic processes that it claims to support?

ELECTORAL ISSUES

So much has been said about the “legacy” of President Mwanawasa and the need for whoever succeeds him to be faithful to that legacy that citizens could understandably be wondering if they are being asked to vote up or down on the record of a deceased person or on the platform of a new person. Yes, “legacy” is important and in my POST column of two weeks ago I mentioned some of the more obvious elements of his legacy that deserve praising and preserving.

But surely the issues to be raised in good democratic elections within the next few weeks relate to what more or what different can be done by whoever gets elected. President Mwanawasa is not running this time, nor is his “legacy” the only defining set of issues. This can be said without the slightest disrespect. Recall that in his “will” which was aired on national television one day after his burial the late President spoke of the need to move forward on issues of poverty, corruption, economic development, etc.

Yet one clear issue that focused his attention can be found in this statement from his “will”: “I believe that the nation can only develop with sustained rule of law and democracy.” Central to that, of course, is putting into place a new Zambian constitution within the shortest time possible. So it is surely important that we hear very soon from all candidates from the Ruling Party or Opposition Parties what their view is about a new Constitution with a new Bill of Rights, including Economic, Social and Cultural Rights (ESCR).

Moreover, electoral issues that would move well beyond “legacy” are the actual fulfillment of many of the points in that “legacy” – for example, the commitment to implementing the African Peer Review Mechanism (APRM), the unpacking of necessary steps in the Fifth National Development Plan (FNDP) and the Vision 2030 (would I be correct to say that most Zambians don’t know these major documents?). I also feel that much more needs to be done on the practical level to deal with an educational system and a health system that threatens Zambia’s future. What do candidates propose to do that President Mwanawasa couldn’t do to keep our Universities open all year long and our medical staff serving satisfactorily in our hospitals?

ELECTORAL FAIRNESS

Looking back over the past few weeks, it is clear that some electoral frenzy had clearly begun even before the President was buried on 03 October. That, of course, was to be expected. Even during the period of his hospitalisation in Paris there were calls for steps to be looked at should elections be necessitated by either his death or his being declared unable to function as president. Frequently such calls were silenced by stating that cultural norms should override constitutional expectations. Whether such silencing was wise or not is something to be evaluated now with honesty and openness.

If the Electoral Commission of Zambia (EZC) announces a date very soon for the presidential by-election, the questions about electoral processes and electoral issues will become even more pressing. And one point that must be put to rest is the way the issue of a “designated successor” was handled in public and in press. In a democracy, preferences may be stated. But should that be so binding that anyone who disagrees is called “disloyal” to the deceased?

I know I’m not alone in raising the question of the propriety, let alone the correctness, of some of the language used in the editorials of the esteemed newspaper that gives me widespread access to Zambian readers each week. I can raise the question here because

the policy of THE POST has never been to suppress views contrary to its editorial views – a policy not always followed in the government media!

A Zambian friend of mine wrote a letter to THE POST after last Wednesday's editorial called the Acting President "Judas Iscariot" for what the editorial writer considered a "betrayal" of President Mwanawasa's preference of another candidate for MMD leadership. "We are a democratic country built on democratic principles," my friend wrote, and those who would seek nomination for MMD leadership "are merely exercising their democratic rights and freedoms."

In my opinion, that letter embodies the spirit of democracy so very necessary if we are to move forward to deal with the electoral processes and issues challenging Zambia these days.

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