

BURUNDI'S 2010 ELECTIONS: DEMOCRACY AND PEACE AT RISK?

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Abstract

This article focuses in particular on the 2010 elections to contribute to the debate on elections as a means of consolidating democracy and peace. The 2010 elections in Burundi were a milestone for the consolidation of democracy and peace in the country. When viewed against the literature on the self-reinforcing power and the self-improving democratic quality of successive elections, these so-called second post-conflict elections supposedly signalled a potential for a step towards consolidating democracy and peace. However, the electoral outcome showed that elections are not a guarantee in themselves that this goal would be achieved. Rather than being a step towards more democracy and peace, Burundi's last elections gave an overwhelming majority to one party, the CNDD-FDD, and marginalised the opposition because of its decision to boycott the process as a way of contesting the results of municipal elections. With one party dominating all institutions and with an authoritarian response to opposition parties who, in the absence of dialogue, could still consider the option of using guns to voice their concerns, democracy and peace are at risk.

This article analyses the causes and consequences of the electoral boycott by the majority of opposition parties in Burundi's 2010 elections. It looks at political party behaviour in the prevailing socio-political context and against the background of the country's recent electoral history. It examines, in particular, the reasons, both contextual and within the party functioning, of the choice of the political opposition to boycott the elections. In this perspective, this article aims to respond to the need of more systematic knowledge on political party behaviour especially related to electoral competition in a context where the struggle for power equals the struggle for access to economic resources. In this context, the contrast between winners and losers is often huge. Election winners enjoy recognition, legitimacy but most importantly the right to rule the country and access to economic resources. Losers, on the other hand, stagger politically, entering an institutional limbo where they are unable to find their own place, role and resources. In this context, the acceptance of election results by the losing candidates and parties becomes a real challenge, but a crucial condition to legitimate the entire electoral process and to pave the way to the consolidation of competitive politics.

Keywords

Elections, consolidation of democracy, peace, Burundi, political party behaviour, electoral boycott.



1. INTRODUCTION

Political parties form the cornerstone in a representative democracy. Both in academia and in international relations, political parties are considered a given. Yet, “*although parties are part of our daily discussion, there is little systematic knowledge of how they are regulated and how they function internally in different countries. We know very little about the operational problems and seldom think of the challenges they face*” (International IDEA 2007). This observation applies in particular to sub-Saharan Africa where, despite the introduction of formal features of political liberalisation, the underlying and often neo-patrimonial political reality remains greatly determined by a post-colonial legacy of decades of single party rule. Moreover, democracy based on political parties and party systems, as a specific type of government in sub-Saharan Africa, has largely been imposed, rather than developed organically from within societies. Consequently, political parties, at least in form, were constructed along superficially imposed formulaic lines, without the necessary content and substance to give effect to that form. In addition, political party functions, such as recruiting leaders, presenting election candidates and developing competing policy proposals, are often insufficiently performed. Parties often do not manage to offer a variety of choice, because of the lack in organisational coherence and effectiveness as well as the lack in skills or means to develop and articulate consistent and credible policies. This influences their functioning both internally and when competing in elections. One consequence noted in several countries is the growing trend of dominant party systems that tend to reinforce the dominance of ruling parties while simultaneously accentuating the enfeeblement of the already fragmented opposition parties.

In most African contexts the state is the dominant resource and generally unavailable to those not part of the political elite. Thus, parties in power find it difficult to get out, as they will lose this privileged access to state resources. When it comes to elections, these parties are inclined to organise the electoral machinery so that they are sure to win. In addition, in their position, they enjoy various degrees of routine electoral advantages and privileges through the abuse of state institutions and resources. Such resources can be used to manipulate potential voters, especially in a context of poverty and low literacy rate where voters can be easily patronised with food, drinks and other material advantages.

Consequently, advantages of incumbency become a problem when it gives an unreasonable benefit to one party or candidate to the detriment of another; creates an uneven playing field; and makes it excessively difficult for challengers to contest. In these conditions, it becomes very difficult to unseat incumbent office holders. On-going incumbency is prevalent in Africa. This does not mean that ruling parties can never lose elections or that access to resources is the single key factor for winning elections. However, as elections showed in the Democratic Republic of Congo and Zimbabwe, to name only two examples, unpopularity and poor performances of incumbents are not sufficient for the opposition to win elections. Ruling parties lose elections when voter disillusionment and unpopularity of incumbents combine with fair elections and opposition parties that are well organised and able to offer a valuable political alternative. The 2010 elections in Ivory Coast and the 2012 elections in Senegal illustrate this statement. Hence, for democracy to be sustainable, political pluralism and well-functioning political parties are crucial.

In a democracy, an election process is a means of pursuing or retaining political power. Elections are expected to allow for an open competition for votes. They are a necessary, but not sufficient, condition to consolidate democracy. Moreover, the organisation of elections has become the key ingredient of peace processes since it is widely considered to be the main method of achieving a peaceful resolution to political controversies. In several

African countries, however, as a consequence of dominant party systems, and the “winner-loser” dichotomy, tensions and occasional conflict between ruling and opposition parties, characterise the electoral process.

The technical quality of an election is a decisive factor in determining if an electoral process will derail into conflict or not, but more important is whether the elections engender or not a broad political and public confidence in the process and the outcome. Electoral shortcomings are often not the cause of conflict but rather the trigger to ignite deeper social, economic and political tensions. The acceptance of election results by the losing candidates and parties seems to be a crucial factor in determining the post-election climate in terms of consolidating competitive politics and peace. Especially in post-conflict contexts, first and second elections represent the decisive test for peace-building and democratic consolidation. However, the contrast between winners and losers is often huge: election winners enjoying recognition, legitimacy and the right to rule the country, whereas losers stagger politically, entering an institutional limbo where they are unable to find their own place and role. For losers to be able to accept their fate, the uncertainty of the electoral outcome must be counterbalanced by the certainty of the roles that both contestants will play after the elections (UNSSC 2011).

When looking at the Central and Eastern African region, 2010 and 2011 were significant election years. Burundi, Rwanda, the Democratic Republic of Congo (DRC), Cameroon, Chad, the Central African Republic, Gabon and Uganda all organised elections in 2010 and 2011. All of these elections confirmed and renewed the legitimacy of the ruling leaders. A common feature in these countries is that formal elections were organised according to the legislative framework but, in all contexts, the incumbent party retained maximum control over the election machinery and public opinion. The opposition parties were institutionally weak and/or divided and had to defend themselves using means that were insufficient to compete with those of their opponents.

This article uses the specific case of the 2010 elections in Burundi to illustrate this uneven playing field between incumbent and opposition parties and thus the tendency for on-going incumbency. However, the 1993 and 2005 elections showed that political change is possible. We will look at Burundi’s three multiparty elections that were organised since the beginning of political liberalisation in the early nineties to analyse political party behaviour as one of the key elements in understanding the electoral outcome.

The article focuses in particular on the 2010 elections in order to contribute to the debate on elections as a means of consolidating democracy and peace. The 2010 elections in Burundi were a milestone for the consolidation of democracy and peace in the country. When viewed against the literature on the self-reinforcing power and the self-improving democratic quality of successive elections (Lindberg 2006, 2009), these so-called second post-conflict elections supposedly signalled a potential for a step towards consolidating democracy and peace. However, the electoral outcome showed that elections are not a guarantee in themselves that this goal would be achieved. Burundi’s last elections gave an overwhelming majority to one party, the CNDD-FDD (National Council for the Defence of Democracy / Forces for the Defence of Democracy), and marginalised the opposition because of its decision to boycott the process as a way of contesting the results of municipal elections, the first in the cycle of five subsequent elections. With one party dominating all institutions and with an authoritarian response to opposition parties who, in the absence of dialogue, could still be considering the option of using guns to voice their concerns, democracy and peace are at risk.

To put it briefly, the Burundian experience is a perfect illustration of the more realistic theory concerning the advantages and restrictions posed by elections, which, in a “traditional” view, were presented as the ultimate instrument of democracy. More recent

scientific literature acknowledges that election processes may hold the prospect of democratisation as well as the danger of instability and even the return to an authoritarian regime (Lindberg 2009).

This article analyses the causes and consequences of the electoral boycott by the majority of opposition parties in Burundi's 2010 elections. It looks at political party behaviour in the prevailing socio-political context and against the background of the country's recent electoral history. In particular, it examines the reasons, both contextual and within party functioning, for the boycotting of the elections by the opposition. In this perspective, this article would like to respond to the need of more systematic knowledge on political party behaviour especially related to electoral competition in a context where the struggle for power equals the struggle for access to economic resources.

In general, this article will use the electoral cycle approach, situating the 2010 elections within the broader context of Burundi's electoral history and paying particular attention to the pre-electoral and post-electoral phases, these phases being decisive for the electoral outcome and the future for democracy. The Burundi example shows how the pre-election phase is highly influenced by the post-electoral phase of the preceding electoral cycle and that the pre-electoral phase has the major ingredients to predict the electoral outcome. Moreover as the period between the two elections shows (2005-2010), the country seems to be caught in a continuous political campaign preparing for the next elections instead of concentrating on governance and development.

Moreover, this article provides an overall picture of where Burundi stands at its 50-year anniversary of independence in terms of democracy, governance and prospects for peace and stability. Rather than a contribution to the theoretical reflection on democratisation, elections and political parties, this article aims to give a concrete example of how these concepts apply in a given society and based on extensive field research by the author¹.

2. THE 2010 ELECTIONS AGAINST BURUNDI'S ELECTORAL HISTORY

2.1. Elections: A struggle for economic resources

By looking at Burundi's electoral history, some recurrent patterns can be observed. As has been noted in the introduction, elections tend to be associated with violence. Indeed, elections in Burundi constitute a highly tense moment, as they are mainly a struggle for power as a means of gaining access to economic resources.

Burundi is one of the poorest countries in the world with a GDP per capita of \$170, 7 and the majority of the people living from agriculture (90 per cent) generally at subsistence level (IMF 2011). The Burundian economy has a small internal market and limited purchasing power. It is landlocked, which increases transport costs, while over-population causes severe pressure on the land. The industrial and private sectors are very small. As a matter of fact, the State, as the country's largest employer and main economic actor, is seen as a major source of income. As stated in the latest International Crisis Group (ICG) report on corruption in Burundi, access to senior government administrative positions and their benefits as well as

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² At the time of the 2005 elections, the President of the Republic of Burundi was elected by the parliament, as specified by Article 302 of the Constitution. This states that, "as an exceptional measure, the first President of the Republic of the post-transition period is elected by a two-thirds majority of the members of the National Assembly and the Senate, sitting jointly as the Congress".

³ Unlike in 1993, electoral competition today is no longer dominated by ethnic rivalry. Nevertheless, in the

control of public procurement and financial administration is seen as the best way to get rich (ICG 2012). Controlling the state becomes a vital objective.

Against this background, Burundi has faced conflict throughout most of its history since its independence in 1962. While strife has generally been interpreted as ‘ethnic’, it is in fact political, aimed at maintaining or capturing power as a means to controlling the state. This does not mean that ethnicity plays no role: quite the contrary. It is a powerful mobilising force, used and manipulated by elites in their political strategies. As a result, Burundi’s society has been characterised by an ethnic polarisation in this struggle for power and economic resources for a long time. The Hutu constitute a large demographic majority (about 85 per cent), the Tutsi (about 15 per cent) and the Twa (under 1 per cent). Until recently, the Tutsi have dominated politics, the army, the civil service, the judiciary, education and the economy (Reyntjens 2000).

In the following section, we look at the electoral history of Burundi in order to understand the political behaviour of the main political actors in the 2010 elections and its aftermath.

2.2. 1993 elections: The failed democratic transition

Since its independence in 1962, Burundi has held elections on four occasions. Both the 1965 and the 1993 electoral processes were followed by the violent overthrow and breakdown of the emerging political regime. One year after the elections of 1965, a one-party system was established through a military coup. The party in power, Uprona (the Union for National Progress), dominated by the Tutsi minority and with a monopoly on the army, ruled for almost 30 years.

Mirroring a wider trend on the African continent, a process of political liberalisation paved the way for multiparty elections. In 1992, a new Constitution called for the first multiparty elections in June 1993. Despite some incidents and accusations that Uprona was taking undue advantage of its position as the former single party, the country moved quite smoothly towards Election Day. Although eight political parties were registered for presidential election, the contest was very much a two-party affair. The Frodebu (Front for Democracy in Burundi) emerged as the only significant challenger to the entrenched rule of Uprona because of its successful nationwide recruitment campaign, its organisation, the commitment of its members and the undeniable charisma of its leader Melchior Ndadaye. In addition, many sympathisers of the outlawed rebel movement, Palipehutu-FNL (Party for the Liberation of Hutu People - National Forces of Liberation), saw Frodebu as a valid legal alternative to further the Hutu cause. As a matter of fact, ethnicity emerged as a major electoral element.

Despite an electoral campaign characterised by ethnic tensions and even violence, the elections of 1 June took place in a generally calm atmosphere, under the watchful eyes of about 100 foreign and 1,000 national observers. Apart from a number of minor technical problems, observers confirmed that the operation was conducted in a fair manner. In a press release, one of the observer missions, the National Democratic Institute for International Affairs, stated that: *‘the June 1st elections have been organised in an atmosphere of calm and transparency, thus allowing the free expression of the Burundian people in the choice of their new President’*. (Translated from the French) (Reyntjens 1993).

There is, of course, a clear connection between the honest running of the elections and the result, which surprised so many observers and which meant a major change in Burundi’s political history. Ndadaye (64.75 per cent of the vote) decisively beat Buyoya (32.39 per cent). The turnout was a massive 97.3 per cent of registered voters, a clear sign of the interest

of Burundians in their first opportunity ever to determine who should be their head of state by means of a competitive election and to cast their vote for political change (Reyntjens 1993).

The country quickly underwent a process of 'Frodébisation' at various levels of public administration and the former Tutsi elite saw its grip on the economy seriously jeopardised. The electoral defeat posed quite a threat since it undermined the Tutsi's access to multiple resources hitherto guaranteed by political power: employment, credit, education grants, land, business contracts, international aid, etc.

While these elections were widely applauded as an example of seemingly successful instant democratisation, the elected president was assassinated in a military coup four months later by those who had enjoyed privileges for three decades. The October 1993 coup was clearly a means of resistance to political change and an attempt to recapturing political power and privileges by the Tutsi elite, lost or endangered after the June elections. As political power goes hand-in-hand with the maintenance of economic privileges, the sharing of power, let alone the loss of it, was not just a political threat to these Tutsi elites, but, above all, a challenge to their economic power (Reyntjens 2000).

This left the country in institutional chaos and rendered the 1993 founding elections nearly meaningless. In political terms, the institutional vacuum that followed the military coup gave rise to the perception, notably on the side of the Hutu, that the election results were being renegotiated, if not annihilated altogether. It also paved the way for large scale inter-ethnic massacres, and a civil war between the predominantly Tutsi government army and predominantly Hutu rebel forces.

As elections resulted repeatedly in conflict, mainly because the losing party not accepting the results, elections became associated with violence in the people's mind-set. This so-called "electoral trauma" had an impact on future elections, which were experienced with fear and mistrust.

After several years of negotiation, the Arusha Agreement for Peace and Reconciliation was signed on August 28, 2000. Supported both politically and financially by the international community, this Agreement aimed at putting an end to the ethno-political conflicts which had shaken Burundi society by causing the deaths of close to 300,000 people and the forced displacement of several millions more, and at laying the foundations for the establishment of the Rule of Law in Burundi. The signatory parties agreed on the establishment of transitional institutions, presided in alternation by Uprona and Frodebu. Aside from the new constitutional framework, these authorities were expected to use the transitional period to ensure the repatriation, relocation and reinsertion of Burundian refugees, the adoption of an electoral law and the creation of an independent electoral commission in view of holding local and national elections.

However, the pursuit of conflicts between the regular forces of defence and security, and the rebel movements still in activity, delayed the execution of most of the measures stipulated in the Agreement. It was only on 16 November 2003 that the most significant rebellion, the CNDD-FDD, integrated the army and transition institutions. This integration immediately normalised the security situation in most of the territory (only the Palipehutu-FNL continued its armed struggle) and it enabled to adopt the Constitution and to prepare for the 2005 elections. In the run-up to the elections, rebel forces (except from the Palipehutu-FNL) were integrated into the national army, police and intelligence service. For the first time in Burundian history, these forces were ethnically balanced (as before the army was dominated by the Tutsi minority).

The March 2005 Constitution foresees a consociational power-sharing regime, based on a complex system of (corrected) proportionality and ethnic quotas to guarantee the representation of Hutu, Tutsi and – to a minor extent – Twa societal segments at the national political level. As argued by the predominantly Tutsi political parties during the Arusha peace

negotiations, a purely majoritarian system would inevitably be perceived as life-threatening from the Tutsi side. Hence, the Constitution, states that institutions must be composed of 60% Hutu and 40% Tutsi representatives, with a minimum of 30% women and a minimum representation of the Twa ethnic group. If the election results do not reflect these constitutional requirements, the electoral commission co-opts additional members. This system contributes to de-ethnicise the electoral competition. Furthermore, the constitution and the electoral legislation require that predominantly Hutu parties also include Tutsi candidates on the electoral lists, and vice versa. Furthermore, Tutsi citizens can vote for Hutu candidates, including those running on predominantly Hutu parties, and vice versa (Vandeginste 2011).

2.3. 2005 elections: A radical change in Burundi's political landscape

As in the 1993 elections, the 2005 elections were again a crucial moment in the struggle of state control and economic resources. While the 1993 elections were opposing two parties based on ethnic lines, the 2005 elections replaced the old tensions between Hutu and Tutsi parties with new ones, mainly between predominantly Hutu parties – CNDD-FDD and Frodebu. Hence, for the first time since independence, a violent dispute over power among Hutu parties eclipsed the traditional Hutu-Tutsi interethnic conflict.

Although not free from violence, especially during the electoral campaign, international observers reported that the electoral process generally was free and fair (EU 2005). The elections were a resounding success for the CNDD-FDD, again a radical change in Burundi's political landscape. The CNDD-FDD received 54% of the seats in parliament and 62, 6% of the vote in the communal elections. As the head of the largest elected party, the National Assembly and the Senate in joint congress chose CNDD-FDD leader Pierre Nkurunziza as President² (Palmans 2008). With Nkurunziza as President, and with a majority in parliament, the CNDD-FDD established itself as the ruling party in Burundi. Contrary to the 1993 elections, results were accepted by all major players and for the first time in Burundi's history, elections were not followed by major outbreaks of violence.

The CNDD-FDD's large victory has often been explained as a clear will for political change but also as the only way of guaranteeing peace. As an ex-rebel movement, and with the national army composed of 40 per cent of its forces, the CNDD-FDD presented itself as having the monopoly on security. They claimed to be the only party having the means to guarantee peace and losing elections would mean a return to armed struggle for power for them.

Another factor explaining the CNDD-FDD success is its widely established network and influence on voters in the countryside. According to the latest ICG report (ICG 2012), the CNDD-FDD, as a former rebel movement, developed a parallel system of administering resources. In the rebel-controlled areas, it established agricultural production groups to supply the movement and arranged coffee exports independently. In addition to the financial and in-kind contributions it received, the rebels also taxed stores and businesses in their area of influence. When entering the government in 2003, CNDD-FDD integrated into state political, administrative and security institutions. In addition to the interior ministry, the CNDD-FDD obtained the good governance and privatisation portfolio, whose minister was the party's leader, Pierre Nkurunziza. These positions allowed the party to prepare its control over

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economic resources in view of the 2005 elections even better. Moreover, general fatigue and dissatisfaction vis-à-vis the traditional parties were favouring a vote for change.

2.4. The CNDD-FDD government: Paving the way for authoritarian rule

Nkurunziza's government faced considerable challenges. Foremost was the process of transforming the CNDD-FDD from a rebel movement into a democratic political party in power – one whose members had little civil administration experience. The government had to reconstruct an economy devastated by more than a decade of civil war and economic embargo. It also had to negotiate a peace agreement with the last rebel movement, the Palipehutu-FNL. The CNDD-FDD showed a rather authoritarian response and a lack of respect for the Rule of Law in dealing with these challenges. A contributory factor in the government's so called "authoritarian drift" has been the failure of the country's institutions to provide oversight of the executive. Courts and parliament were dominated by the CNDD-FDD, and the political opposition was divided. In addition, the government arrested those who were critical of it, especially journalists and civil society activists and restricted democratic spaces (ICG 2006).

To maximise its comfortable position as a majority party, the CNDD-FDD made sweeping changes to governance arrangements, often in violation of the law. This caused a withdrawal of Frodebu and later of Uprona from government. As a consequence, institutions weakened. Internal division within the CNDD-FDD resulting in the removal of Hussein Radjabu as the head of the CNDD-FDD and his arrest in the beginning of 2007 provoked a deep crisis within the party as 22 deputies loyal to Hussein Radjabu left the CNDD-FDD parliamentary group and henceforth voted with the opposition in the National Assembly. This caused a blockage in Parliament as the CNDD-FDD lost its two thirds of the votes needed to pass laws and other decisions. Weakened and because of this impasse, the CNDD-FDD had to form a new government, this time respecting the Constitution in appointing its members.

Concerning the peace negotiations between the government and the Palipehutu-FNL, the government wanted to dispel the rebellion within political and military institutions in order to prevent the Palipehutu-FNL from becoming an alternative for the 2010 elections in the eyes of the electorate. For its part, the Palipehutu-FNL wanted to copy the route and timing of the integration of the CNDD-FDD in 2003, in the hope of obtaining the same electoral result. In order to reach this point, they wanted to postpone their integration as long as possible by capitalising on the frustration of the population and malfunctioning of the institutions for their own political capital. These fundamentally opposed strategies slowed down the peace process. It was only on 22 April 2009, one year before the elections, that the former rebels officially transformed themselves into a political party and 3500 FNL combatants were integrated into the armed forces, 5000 others were demobilised and 33 FNL officers were appointed to civil institutions. For example, Agathon Rwasa, the leader of the former rebels, was appointed director of the National Social Security Institute. Despite the progress, the tense atmosphere between the government and the FNL continued. The former rebels criticised the government for continuing to persecute militants, while the government accused the FNL of not having handed over all of its weapons and not having ceased all violence. It quickly became clear that the integration into the official institutions had severely weakened the FNL, since demobilisation had demystified the movement. The government managed to exploit the party's internal divisions and to create satellite parties with the sole objective to internally weaken its main opponent (Berwouts 2012).

Not only was President Pierre Nkurunziza's party controlling all levels of political power and security apparatus, it also tried to shape the economic life to its advantage. If in the running to the 2005 elections, one of the campaign strategies of the CNDD-FDD had been to

denounce the political-ethnic control of the state and neopatrimonial practices of its political opponents, once in power, they adopted the same practices. The same can be said for civil service where senior officials appointed by the government were mainly members of the president's party. Clientelism and the politicisation of public sector recruitment spread as never before. The CNDD-FDD carried out sweeping personnel changes in state companies, local administration and the court system, with most positions going to its own members. Moreover, corruption scandals had a negative impact on the credibility of the CNDD-FDD and deteriorated the relations with the international donor community. These relations worsened as the government made it clear that it did not want foreign "interference" in domestic affairs, despite the fact that donors were financing 60 per cent of its budget (ICG 2010).

In terms of governance, the President spent his mandate mainly in running its next "electoral" campaign. For the first time in Burundi's history a president was very close to the public and very actively involved in the rural area. While his popularity increased at the grassroots, the President's trips to the countryside left a political vacuum at the central government level. Increasingly, different centres of interest were organised openly as a faction within the party. Towards the end of his term in office, President Nkurunziza managed to take control of the party. The crucial aspect in this process of refocusing around Nkurunziza was everyone's awareness that the President was much more popular than the party itself. Two decisive factors contributed to this: on the one hand, his populist approach, and on the other hand, the fact that he embodied the first regime in Burundi's history that drew its legitimacy from the rural population of one of the world's least urbanised country.

A part from the popular social programs in the area of health and education, the President set up a special fund to support a controversial programme entitled "support for good initiatives". This fund allowed him to distribute money and food, finance projects in favour of his loyal supporters not only reinforcing clientelist practices, but also contributing to his personalisation of power. Another of his strategy in gaining popularity was to allude to the will of God in explaining how he was the first elected president of the country to end his term of office without interference.

Against this background of governing through the control of state apparatus, civil service, and security, CNDD-FDD's strategy of weakening political opponents, menacing counter voices such as media and civil society and the long-lasting popular campaign by the President in the rural areas, the party focussed all of its efforts to create the necessary conditions for winning the 2010 elections.

3. THE 2010 ELECTIONS

3.1. Preparing for the 2010 elections: Conflict triggers as a consequence of systematic disagreement between CNDD-FDD and opposition parties

Contrary to the 2005 elections that benefited from substantial funding from the international community and the logistical and security support of the United Nations Operation in Burundi (Opération des Nations unies au Burundi – ONUB), the organisation of the second post-conflict elections in 2010 was the full responsibility of the Burundian authorities. Burundi had to face the challenge to conduct free and fair elections in a peaceful environment.

Given Burundi's electoral experience within the context of a tumultuous and bloody political transition, the 2010 elections posed serious challenges. Would these second elections after the civil war allow Burundi to move towards enhanced democracy, as part of the scientific literature suggests (Lindberg 2006)? Would the dominant party's control over the

state, including the local administration, the police and education services, allow for free and regular elections? Would the complex system of power sharing be able to comfort those who lost the elections to the point of making them recognise defeat and thus preventing a regression that might put an end to the fragile peace that was attained with such great difficulty?

The general context wherein the negotiations over electoral laws, the forming of the National Independent Electoral commission (CENI) and voter registration had to take place was one of violations of freedom of expression, assemblies and violent murders with the main victims being militants of opposition parties. This trend was already observed during the first mandate of the CNDD-FDD and its authoritarian attitude became systematic in dealing with the preparation of the elections. All stages of electoral preparation were at the centre of enflamed debate and disagreement between CNDD-FDD and most of the other parties, even the ones officially part of the government (Frodebu, Uprona and CNDD of Leonard Nyangoma).

In the run-up to the elections, the CNDD-FDD repeatedly – but unsuccessfully – tried to arrange the legal and institutional context to ensure that it could not lose the elections. A presidential decree of December 2008, on the establishment and functioning of the CENI, left little, if any, room for the commission to work independently, and placed it largely under the control of the incumbent government. The list of proposed members of the CENI, whom President Nkurunziza nominated in January 2009, was another indicator of his desire to fully control the electoral process. The nominees were all closely linked to the incumbent party even though the commission's members were supposed to be independent persons, as the constitution provides. It was only after forced dialogue and international pressure that the CNDD-FDD agreed on the appointment of persons accepted by all, especially by the political opposition. The new names for the CENI were chosen either because of their presumed political neutrality or because they did belong to particular political parties. Neither the president nor the vice president – both former ministers – had known links to the CNDD-FDD or the President (OAG 2009). This is an important factor in enhancing the credibility of the process and in avoiding the non-acceptance of results based on the accusation of lack of CENI's impartiality. However, in practice this seemed not to be a sufficient condition to avoid this type of accusations by the opposition parties after having lost the elections.

Another attempt at unilaterally changing the rules of the game failed when the opposition managed to renegotiate the CNDD-FDD's proposed amendments of the electoral code. One contentious issue was the sequencing of the elections and the other was the type of ballot paper to be used. While the CNDD-FDD insisted that the presidential election should be held first (hoping that, after a re-election of Nkurunziza, his party would also win at all other levels), the opposition requested a bottom-up approach, starting with the communal, then the legislative and finally the presidential elections (hoping that at the local level, many people might vote for the opposition, which would affect the remainder of the electoral marathon). Concerning the type of ballot papers, the CNDD-FDD favoured the use of multiple ballot papers for each election while the opposition parties insisted for the use of a single ballot paper, to avoid any risk of the voters being subjected to pressures and threats. The latter claimed that in the 2005 election the CNDD-FDD forced voters to present the party with unused ballot papers carrying emblems of the other parties, ensuring that voters had given their support – a classic form of intimidation of the electorate.

After some weeks of heated debate and political dialogue, a new electoral code was finally adopted by consensus in September 2009. The new text envisaged starting the 2010 general election cycle with the municipal polls, followed, respectively, by the presidential, legislative, senatorial and local community elections and provided for the use of multiple ballot papers.

A new conflict trigger was the deliverance of identity cards, a document needed to obtain a voting card to register as a legitimate voter. Hence, the deliverance of the nationality identity cards became a political stake and electoral issue. The opposition parties accused the incumbent party of distributing selectively free identity cards to its supporters while refusing to deliver them to militants of opposition parties. The opposition suspected that the attempts to manipulate voter registration aimed to alter the make-up of the electoral roll in favour of the president's party. Thanks to the response of the CENI, allowing for registration not only with the identity cards but also with a document, known as a "voter identity certificate", tensions calmed down and allowed for the process to move on to the actual election phase (EU 2010).

In general, the pre-electoral phase showed major attempts by the incumbent party to force the process into its advantage. Thanks to the intervention of the political opposition party's representatives and to the consensual approach of the CENI, favouring dialogue and solutions acceptable to all, the preparation phases could be finalised with the CENI being credible and independent in the eyes of most of the political stakeholders. This is crucial for the confidence of all actors in the process.

The CNDD-FDD for its part, failing in modelling the electoral apparatus to its complete advantage, adopted the strategy of force and intimidation. The political opponents were directly targeted by the restriction of political freedom, the arrest of opposition leaders, and the attempt to weaken opposition parties by dividing them internally. The CNDD-FDD youth wing's (*Imbonerakure*) physical training, war songs and quasi-military organisation, raised the spectre of militia violence and a large-scale intimidation campaign. In response, the FNL and the Frodebu mobilised their own youth wings to oppose intimidation tactics. (HRW 2010). This brought to mind the memory of Burundi's electoral history: elections being associated with violence, intimidation and fear.

Between May and September 2010, elections were held at five different levels: communal (or municipality) elections on 24 May, presidential election on 28 June, national assembly elections on 23 July and (indirect) senate elections on 28 July, and finally, hill elections on 7 September (the last ones not involving political parties, are not discussed in this paper).

The highly tense political climate running up to the elections, found one of its major causes in the stakes these elections represented in terms of the political future of each party. As is generally the case in the run up to elections, political parties emerged to try their chance to get a part of the power. At the starting of the elections in 2010, 44 parties were officially registered. However, this diversity of political parties did not reflect a diversity of political programmes. On the contrary, most of the parties based their electoral campaign on criticising the CNDD-FDD leaders by denouncing suspected corruption and authoritarian practices without offering a concrete alternative political vision or programme.

In general, political parties in Burundi are characterised by internal divisions, lack of political culture and commitment of leaders and militants and lack of resources. According to the 2005 Constitution and the law on political parties, the State does not finance the functioning of political parties and external funding is not allowed. The same law foresees a state contribution for electoral campaigning. However, in the 2010 budget, no amount had been foreseen for this provision and no public financing was available. Obviously, the absence of public financing contributed to the uneven playing field between the incumbent and opposition parties. In general, the incumbent party has easy access to state resources giving it considerable financial and logistical advantages vis-à-vis the opposition parties.

Political competition in the 2010 elections, contrary to 2005 (mainly opposing two so-called Hutu parties), became more fragmented because of the multiplication of political parties. Among the most important competing parties, apart from CNDD-FDD, were Uprona

and Frodebu (its partners in the coalition government put in place after the 2005 elections, although both of them increasingly positioned themselves as the main opposition parties), FNL (the former rebel movement led by Agaton Rwaso), Movement for Solidarity and Democracy-MSD (a newly registered party led by the charismatic former journalist Alexis Sinduhije), Union for Peace and Development-UPD (a breakaway faction of the CNDD-FDD around former party strongman Hussein Radjabu), Frodebu Nyakuri (a breakaway faction of Frodebu around former Frodebu chair Jean Minani, considered to be a satellite party of the CNDD-FDD), and the ‘original’ CNDD (which was established in 1994 by dissident Frodebu members and led by Leonard Nyangoma) (Vandeginste 2011).

As electoral survey did not exist in Burundi, it was difficult to predict what would be the political weight of each party. The general climate on the eve of Election Day, was one of uncertainty, no one was sure who would win. Despite the authoritarian practices, the uneven playing field, and the general climate of voter intimidation that had marked the electoral campaign, the opposition remained hopeful that Burundians, dissatisfied with the government’s record of corruption, would vote for change. The first elections in the electoral marathon therefore became a test and the results would be decisive for the further political trends. Speculations on coalitions among opposition parties to form a block against the ruling party were circulating. However, parties preferred to wait for the communal results to measure their forces before taking decisions on forming coalitions and they presented themselves separately. Surprisingly, all the political leaders believed in their victory. As stated by a political leader (FIDH 2010): *“It’s tense. It’s electric. For the first time, no-one knows who will win!”*.

Given the stakes in these first elections, although being local elections, the campaign was organised as if it were national elections, with national party leaders and future candidates for the presidency dominating the campaign, almost completely ignoring local candidates and community development programmes. This strategy influenced the outcome of the elections, in the mind-set of the people, as being the first round of the presidential election.

3.2. The results of the communal elections at the origin of a political impasse

Out of the 44 political parties registered, some 23 participated in the communal elections. Eight parties presented lists of candidates in more than 100 of Burundi’s 129 communes. The participation rate was 90%, and the victory by the ruling party was a resounding (64%), followed at a great distance by FNL (14%). The other parties mainly remained below 10% (Frodebu: 5.43%, MSD: 3.75%, UPD: 2.21%, Frodebu Nyakuri: 1, 36%), with Uprona confirming its position as the leading Tutsi party with 6.25% of the votes (CENI 2010).

A breakdown of this aggregate score at the national level reveals important regional differences. The CNDD-FDD obtained an absolute majority – with a record of 81% of the votes cast in northern Ngozi, the province of origin of incumbent President Nkurunziza – in all except three of the 17 provinces. In the capital city Bujumbura, CNDD-FDD obtained 28.2% of the votes, defeating FNL (25.9%), MSD (18.2%) and Uprona (11.9%). In Bujumbura Rural, the province surrounding the capital town and for many years the stronghold of Palipehutu-FNL, CNDD-FDD (26.6%) was defeated by FNL (57.4%), with Uprona (4.2%) and Frodebu (3.5%) left far behind. In southern Bururi, the province of origin of much of the (Tutsi) political and military elite under the Uprona era but also of (Hutu) CNDD leader Leonard Nyangoma, CNDD-FDD obtained 25.6 of the votes cast, defeating Frodebu (23.7%), FNL (15.2%), Uprona (13.3%) and CNDD (9.2%).

In comparison with the 2005 results, these results were not so surprising, the CNDD-FDD scoring a bit better, that could be explained by 5 years of incumbency allowing for strengthening its political position and economic control as presented in earlier sections. What changed however was the distance with the second party, a distance of 50 points in 2010 against 34 in 2005. Convinced by the unpopularity of the CNDD-FDD, because of its authoritarian attitude, a rather negative performance in terms of governance and a bad reputation due to numerous corruption scandals, opposition parties were highly surprised by these results and could not believe them. Whereas the scores obtained by themselves were far below their own expectations.

Although national and international observer teams declared that the elections were generally in accordance with international standards (EU 2010), opposition parties rejected the results. A group of twelve opposition parties – including FNL, Frodebu, MSD, UPD and CNDD, but not Uprona – immediately set up an alliance called ADC-Ikibiri (Alliance of Democrats for Change in Burundi). They denounced what they considered to be massive election fraud (due to an overall climate of voter intimidation and bribery, a lack of secrecy in the ballot booth, pre-stuffed ballot boxes, orchestrated power cuts, etc.) by the CNDD-FDD with the complicity of the CENI. They requested the annulment of the results of the communal elections, the appointment of a new CENI (although the CENI benefited from their confidence up to the moment of the declaration of results) and the initiation, under international mediation, of a political dialogue in order to prepare for new elections (ADC-Ikibiri 2010).

Opposition leaders lobbied the international community intensely to reconsider its initial position of recognising the elections as free and fair. This strategy consisted primarily of questioning the elections' legitimacy for the consumption of outsiders, i.e. Burundi's major international partners. If they succeeded in convincing the international community not to support the next phases in the election process, everything would be possible and everything would have to be renegotiated. As with the Burundian elections of 1993 and as recent experiences in Kenya and Zimbabwe have shown, it is not impossible to renegotiate a bad election result – on the condition that the occurrence of political violence can be proven beyond reasonable doubt (Vandeginste 2011).

Fully aware of the potentially volatile situation and alarmed by a rising number of grenade blasts in several parts of the country, the international community sent in some of its most senior representatives, including UN Secretary-General Ban Ki-moon and EU Special Envoy for the African Great Lakes region, Roeland van de Geer, in order to discourage political elites from stirring political violence and instability and to prevent the electoral process from derailing. They called upon all political stakeholders in Burundi to participate fully in the electoral process, and insisted that electoral disputes should be settled through the existing legal mechanisms. Hence, the strategy of the opposition parties failed.

3.3. Presidential, legislative and senatorial elections: A confirmation of the CNDD-FDD's supremacy

As a consequence of the persisting boycott of most of the opposition parties, the remaining elections were without any suspense. As six of the seven candidates for the Burundi presidency withdrew from the presidential election, the ballot got reduced to a referendum on extending the term of office of the outgoing President Pierre Nkurunziza. On 28 June, the presidential election was held, with an average voter turnout of 76.98% and with the only remaining candidate, Pierre Nkurunziza, obtaining 91.6% of the votes cast (CENI 2010).

Participation peaked (at about 90%) in the northern provinces of Ngozi and Kirundo. The popular response to the opposition's call to boycott the elections largely confirmed the outcome of the communal elections (which could be interpreted as an indication as their regularity): voter turnout was remarkably below average in the three provinces in which CNDD-FDD failed to obtain an absolute majority: Bujumbura capital town (41.15%), Bujumbura Rural (58.7%) and Bururi (57.52%).

While deploring the lack of political pluralism and competition in this first direct presidential election since 1993, and expressing concern at a worsening political climate marked by infringements of the freedom of expression, international observers made a positive overall evaluation of the presidential 'referendum' (as it was commonly called) (EU 2010).

For the legislative elections, a similar general boycott by the opposition parties would have completely annulled the pluralistic nature of the elections. Even more importantly, it would also have undermined the functioning of Burundi's constitutional power-sharing system considerably, and would inevitably have left the country in an institutional imbroglio and a situation of serious political instability. Hence, representatives of the international community, CNDD-FDD and CENI made tremendous efforts to convince as many political parties as possible to participate in the legislative elections. CENI extended the deadline in order to allow additional parties to submit lists of candidates. Nevertheless, the ADC-Ikibiri member parties remained unified in their boycott, excluding themselves definitively from all institutions in the forthcoming mandate.

On July 23, national assembly elections were held with the participation of CNDD-FDD, its satellite party Frodebu Nyakuri, Uprona and a number of very small political parties (hardly known to the general public) and independent candidates. The CNDD-FDD – logically – improved its score (81 seats of 106 or 76, 4%), compared with the communal elections and with the 2005 legislative elections. Uprona (17 seats of 106) and Frodebu Nyakuri (5 seats of 106) obtained a score above the 5% threshold, which guaranteed their participation in the coalition government. In general, voter turnout was considerably lower, in particular in the provinces mentioned (Bujumbura capital city, Bujumbura Rural and Bururi). In comparison with 2005, the CNDD-FDD won the needed two-thirds majority for ordinary legislative work, the three-quarters majority for specific decisions, such as the appointment of members of the electoral commission, and together with Frodebu Nyakuri, it also had the qualified four-fifths majority needed to amend the constitution.

On 28 July, senators were indirectly elected by provincial electoral colleges, composed on the basis of the communal elections. It came as no surprise that the CNDD-FDD obtained an overwhelming majority in the Senate (32 on 34 seats) (CENI 2010).

4. THE 2010 ELECTIONS RESULTS IN THE LIGHT OF POLITICAL PARTY BEHAVIOUR

4.1. Some keys in understanding the political boycott: Fighting with unequal means

The outcome of the 2010 elections being decisive for Burundi's future in terms of democracy and peace, the following section aims at analysing the results in the light of political party behaviour. As we tried to demonstrate in presenting the electoral history and the period in between the elections, it is clear that election results were prepared long before the actual scrutiny. During its first mandate, CNDD-FDD paved the way in reinforcing its position at all levels of society and in preparing the electoral machinery in its advantage. With this background in mind, how do the 2010 elections relate to the supposed purpose of

enhancing the democratic legitimacy of Burundi's rulers? As far as internal (domestic) legitimacy is concerned, it is hard to speculate what motivated Burundians to vote primarily for the CNDD-FDD. However, as earlier suggested, for the majority of the population (an estimated 85% of who are Hutu) legitimacy still goes hand in hand with an ethnically representative leader³. Furthermore, more than any other president ever before, Nkurunziza was perceived to be 'one of them'. For the first time in Burundi's history, a president joined people in the rural areas in cultivating crops, building schools and hospitals, playing soccer and praying. Another incentive to vote for the CNDD-FDD were its social policies of offering free primary education as well as free health care for pregnant women and babies, despite important shortcomings when it came to implementing such policies.

On the other hand, people may also have voted for the incumbent dominant party because they realised that, if they did not, peace and security were likely to come under severe pressure. With the civil war still fresh in their minds, people may understandably have voted for short-term stability. In addition, after several months of electoral campaigning by the party and its youth division, marked by the abuse of public goods, the harassment of opposition parties and a general atmosphere of intimidation and corruption, the electorate's free choice was in practice severely constrained. In any case, the incumbent party and its President achieved their goal, attracting the popularity of the rural population, which counted up to 90% of the population, no matter what means were used to achieve this goal.

As suggested earlier, the national character of the communal elections where in effect a voting process for the president and his party. Based on preceding arguments, this decision was mostly inspired by pragmatism that causes the electorate to be receptive to clientelist practices and benefits in the short run. In addition, there is a general lack of political maturity and commitment to democracy both in the mind-set of the voters, and at the political level as rules of democracy are easily bypassed both by the ruling party and the opposition (Helbig De Balzac, Ingelaere, Vandeginste).

4.2. The opposition parties: Victims of a bad calculation?

Despite the authoritarian practices, the populist approach and uneven playing field, the opposition parties were convinced that Burundians, dissatisfied with the government's record of corruption, would vote for change as they did twice, in 1993 and in 2005. Certainly, the CNDD-FDD and its president were highly criticised by the Burundian intelligentsia, mainly in the capital city. As a matter of fact, the score for CNDD-FDD in the capital was far below the average score in the rural areas, but it was the exception confirming the rule of the party's overall popularity in the countryside.

In general, opposition parties did not have the means to fully access rural areas as the CNDD-FDD did. Their candidates were not able to make the same number of visits to their grassroots and they were not able to distribute the same quantity of technology gadgets, food and drinks at their meetings. They did not have access to the state's financial and logistical means to conduct their campaign and the opposition parties were strictly held to what the electoral law prescribed as the campaign period, while the ruling parties started its campaign months, not to say years, before the official period.

³ Unlike in 1993, electoral competition today is no longer dominated by ethnic rivalry. Nevertheless, in the actual voting behaviour and in electoral results, the ethnic element is still clearly reflected, the predominantly Tutsi parties together obtaining between 10 and 12% of the votes at the 2005 and the 2010 communal and legislative elections. This score more or less reflects their demographic weight. However, unlike in 1993, this ethnic vote is no longer perceived by the Tutsi elite as a threat to its vital interests. This is primarily the result of Burundi's consociational power-sharing regime, which guarantees a political representation of the Tutsi minority at all important levels of national politics.

As a consequence, opposition leaders campaigned mostly in the capital, the largest cities at the provincial level and in the region that they considered to be 'their home'. This gave them a slightly distorted idea of their own popularity. They mobilised many people in the places they visited and had a tendency to extrapolate this mobilisation to places that they did not visit. This is one of the reasons why opposition leaders had overestimated their political weight.

In addition, apart from the traditional parties (Uprona, Frodebu, CNDD), most of the other competing parties were relatively young and did not have the time to establish their grassroots and to establish clear and solid structures. The FNL was an exception in the sense that, as one of the first rebel movements, it had a long tradition of being active at the grassroots level. However, as a political party, it had only one year of experience and could not offer a credible alternative to CNDD-FDD, especially as its struggle was more or less based on the same arguments as those of CNDD-FDD, namely, the Hutu cause and security. In general, opposition parties had no ideological profile nor a social project and vision that could clearly distinguish them from other parties. A significant weakness on the part of the majority of the opposition parties was their difficulty in developing coherent electoral strategies and their inability to organise themselves around a single opposition strategy to enter the arena in a political configuration with a strong coalition to counterbalance the incumbent party. On the contrary, they choose to present themselves separately, which caused the fragmentation of efforts and results.

Together, the opposition parties realised a score of 35% in the communal elections but separately the highest score was 14 % and the others were situated around 5%. As stated earlier, all were convinced of their potential victory and they were not psychologically prepared for defeat. The rapid sequencing of elections did not leave time for digesting the deception and preparation of electoral strategies. Where the opposition parties did not succeed in creating a coalition within the rules set by the democratic game, they boycotted the elections with the only binding element their aversion vis-à-vis the CNDD-FDD. This boycott can be interpreted as a lack of political maturity or commitment to the democratic rules but can also be explained by the fact that there has never been a tradition in Burundi in which the opposition's role has been considered to be positive, constructive and essential for democracy and the management of the *res publica*. Generally, the opposition is treated as a potentially destabilising, subversive and threatening element. One could also question the motivation of party leaders and representatives to participate in elections. Is it in the interest of society or because of personal interest to gain access to economic resources?

For the opposition parties, the boycott was a way to express their deep frustration vis-à-vis the authoritarian rule and practices of CNDD-FDD in its first mandate and they refused to live through the same experiences during the second mandate. However, the rules of the democratic game do not provide for this option and the opposition parties chose to exclude themselves from the game.

Election boycotts rarely prove effective. In the case of Burundi, the opposition counted on the backing of the international community. By maintaining their boycott, their aim was to delegitimise the remaining parties in the race and the process as a whole. One of the most important elements for the successful completion of the electoral marathon was the international recognition that the communal elections had been, by and large, sufficiently free and fair. Throughout their dispute, both the opposition and the dominant party were seeking to obtain external adherence to their cause, realising that the voice of Burundi's international donor community was likely to be decisive in order to (de)legitimise the on-going electoral process.

What were the stakes involved in these elections for Burundi's donors (who contributed close to 85% of the electoral budget of about US\$ 46.5m)? First and foremost,

Burundi's international partners were alarmed by the risk of an outbreak of large-scale electoral violence, as in Kenya and Zimbabwe. Such a scenario, with the associated risks of cross-border refugee flows and sub-regional instability, was to be avoided at all costs. Up to a certain point, a manageable degree of intensity and political violence was seen as acceptable and close to 'normal'. The regional context, with heavily criticised recent elections held in Kenya and Rwanda (two of Burundi's partners in the East African community) lowered the standards for Burundi. Secondly, an institutional imbroglio like that experienced in Burundi after the 1993 elections, giving rise to endless rounds of political negotiations, major instability and widespread violence, was to be avoided. Therefore, Burundi's international partners rightly insisted on conducting the 2010 elections in accordance with the constitutional framework.

Finally, having worked with a CNDD-FDD dominated administration for the past five years; Burundi's international partners saw continuity, rather than radical change in political personnel as offering a better chance in gradually improving technocratic governance performance. Newly demobilised FNL cadres, lacking both experience and expertise, surely did not offer a promising alternative. In summary, the Burundi 2010 elections were rather a matter of avoiding costs than of realising benefits. Seen from that angle, the status quo seemed the safest option (Vandeginste 2011).

4.3. The aftermath of the 2010 elections: The future of multiparty democracy and peace at risk?

Given the electoral outcome of the 2010 elections, in the range of hybrid regimes between fully authoritarian and liberal democratic regimes, Burundi has taken a step backwards. While it could be classified as a competitive electoral authoritarian regime before the elections, it may well have become more hegemonic after the electoral marathon, contradicting the literature that suggests the generally self-reinforcing and democratising effect of (in particular second and third successive) elections (Lindberg 2006).

Not only were the 2010 elections in Burundi an important step backwards in the democratisation of the country, with a frustrated and marginalised opposition outside the institutions, peace was also at risk. With a marginalised opposition that had many of its roots in armed struggle, the potential for violence increased significantly. Quite paradoxically, the outcome of the competitive elections – which received the green light from a wide range of observers – enables the CNDD-FDD to consolidate its grip on all spheres of the public sector to such an extent that by 2015 it will be able to organise elections in such a way that it cannot lose (a defining characteristic of hegemonic electoral authoritarianism). In particular, the reduction of political pluralism signals a major risk of autocratisation of Burundian politics. This is by no means unique to Burundi. Authoritarian consolidation through elections has been documented elsewhere (see e.g. Lindberg 2009; Schedler 2010). What the Burundi 2010 elections seem to teach us is that a carefully designed power-sharing arrangement may offer a temporary protection against this risk, but – in particular if some of the players (bad losers) decide to spoil the power-sharing game and leave the electoral process – offer no firm guarantees.

Within the institutions, the little political pluralism that remains has been saved by Burundi's power-sharing regime. As stated by Vandeginste (2011), in an electoral setting based on pure majority rule, CNDD-FDD would surely have obtained full control over the legislative and the executive branch. As a result of Burundi's complex system of (corrected) proportionality, a number of current MPs, senators, ministers and a vice-president of the republic are not CNDD-FDD members. Had it not been for these constitutional power-sharing

arrangements, the 2010 elections would have amounted to a democratically legitimised return to single party rule.

However, as explained in the section on election results, Uprona, although represented in parliament and in the government, is easily isolated by the CNDD-FDD and its satellite party Frodebu Nyakuri. Hence, Uprona has difficulties in being a real counterbalance to the CNDD-FDD supremacy. Internal divisions within the party make it even more difficult to realise this role.

What remains of political pluralism outside the institutions? Political parties that are not represented in parliament, such as FNL, Frodebu, MSD, UPD and CNDD – as well as the ADC-Ikibiri coalition they formed – remain marginalised and their future uncertain. Several of them have been weakened by internal dissidence, some of which was strongly encouraged if not orchestrated by the CNDD-FDD. Most of their leaders fled the country fearing for their security. The months following the 2010 elections and the entire period of 2011 were characterised by systematic killings and arrests of political opposition representatives. These practices weakened these parties even more.

Although there is little that binds the members of the ADC-Ikibiri together, except for their aversion to CNDD-FDD, the coalition continues to exist, but without a clear strategy and future. At various occasions, the coalition made allusions on using violence as a strategy to gain the political power that they failed to obtain through the ballot box. As recent history has shown (Tull & Mehler 2005), not only in Burundi but also elsewhere on the African continent, the use of armed force and political violence may be a rewarding strategy when it comes to negotiating oneself back into power.

From 2010 up until now, the violence that could be attributed to a possible new rebellion has developed considerably. Initially, this process seemed capable of bringing armed men from both sides of the Congolese/Burundian border together. The final report of November 2011 from the UN experts on the DRC even makes reference to FNL remobilising forces and alliances with Congolese rebel groups with political, material and financial support of ADC-Ikibiri. The same report mentions the names of Agathon Rwaswa (FNL), Alexis Sinduhije (MSD) and Leonard Nyangoma (CNDD) as active in mobilising forces. At the same time, leaders of the ADC coalition deny using violence as their strategy and are rather asking for a political dialogue with the ruling party around preparations for their possible return to the country in view of the 2015 elections. However, the law on political parties will not make it easy for them to reposition themselves on the political scene (law 2011). According to this law, coalitions are not allowed to exist once the election period is over. Moreover, the law obliges presidents of political parties to reside in the country (which is not the case for the major opposition party leaders) and limits public finance to parties represented in parliament.

Up to mid-2012, no real dialogue between CNDD-FDD and marginalised opposition parties have been organised, except from a meeting in May 2012 organised by the “Initiative et changement” NGO in Switzerland. Political dialogue is a necessary condition to recuperate the pluralistic nature of Burundi’s political landscape. Without these opposition parties occupying a space in Burundi’s politics, the 2015 elections are at risk to become a mere formality of renewing the incumbent party’s mandate.

With the absence of a real parliamentary opposition, the pressure is on civil society and the media. In a context in which the opposition plays a marginal role, civil society and the media become rare spaces where divergent opinions and critical comments are expressed. As a consequence, they are described by the regime as the opposition in disguise and are often victim of harassment, arrests and even killings. It is also confronting a regime trying to appoint its allies to those civil society posts that it considers to be strategic and aiming to create its own civil society organisations and media with the sole objective of slowing down

independent civil society and media. In the past, civil society and media showed resistance to political repression, thanks to, on the one hand, the solidarity existing among media and civil society and on the other hand, the support of the international community. In the actual political configuration, media and civil society organisations need a continuous international support, preferably financial, and international diplomatic pressure.

5. CONCLUSION

When viewed against the wider background of post-conflict elections on the African continent, Burundi's 2010 elections were not all that surprising. First, in line with van de Walle's earlier findings (2003), Burundi's multiparty competitive elections procedurally satisfied donors, thus enhancing the government's external legitimacy without threatening the interests of the ruling elite. Second, confirming the general trend of an absence of alternation, the party that won the 2005 founding elections also won the second elections.

Remarkably, however, is that the victory of the ruling party was so overwhelming that its authoritarian grip on politics has become more hegemonic as a result of the elections. Thirdly, at whatever level elections are held, political power is strongly personalised around the president. The elections were logically perceived by Burundi's elite as rewarding (and therefore encouraging), a governance system based on strong presidentialism and big man clientelism. Programmatic and ideological differences or debates about specific policy issues hardly played any role.

Although, in the eyes of the international donor community, elections generally continue to be associated with state building, democratisation and more accountable governance, Burundi provides a useful reminder that a less ideological and more realistic view of elections is needed. Elections can be potentially advantageous or injurious to post-conflict stability and democratisation (Reilly 2008). The case of Burundi suggests that a power-sharing arrangement may curb or slow down the risk of autocratisation through elections, but not suppress it. Even more, the 2010 elections were perceived by the dominant party as a reward for – and an incentive towards – increasingly authoritarian governance practices.

As a matter of fact, even after its second re-election and comfortable position of an almost single party, dominating all sectors of society, CNDD-FDD continues to act with authoritarian methods of repression aiming at eliminating critical voices. If the party already had a strong network of infiltration, its omnipresence and control complicate the re-survival of opposition parties and thus a political alternative. This puts serious question marks on the future of multipartism and the possibility of re-inverting the tendency of a single party dominating all institutions and sectors of social life. Although still cautious to predict the political landscape of the 2015 elections, there is a clear tendency of being captured in a vicious circle of an incumbent party being re-elected because of no political alternative. If opposition parties are not having the means nor the space to reorganise themselves to prepare for the 2015 elections, no political alternative will be strong enough to challenge the incumbent party.

Preparations for the 2015 elections also started in terms of legal framework and electoral management. The mandate of the actual CENI ends in September 2012 and according to the 2005 Constitution a new one will have to be nominated by the President and accepted by the National Assembly and Senate. In the current political constellation with the CNDD-FDD dominating both institutions, it will depend on the mere goodwill of the latter to

appoint independent commissioners. The same can be said for amending the electoral code. Some of the recommendations of the final report of the European Union election observation mission (EU 2010) insist on the revision of electoral dispute mechanisms to facilitate procedures of contesting results through legal means; to avoid rapid sequencing of elections; to use of the multiple ballot system to avoid additional costs; to revise the political party financing to equal the playing field and to provide for the training of political party leaders and representatives to improve the internal functioning of parties as well as the knowledge of electoral procedures. However, without any counterbalance for defending the interest of opposition parties, it is unlikely that the ruling party amends the electoral code in favour of a context where chances become more equal. On the contrary, as the law on political parties indicates, decisions are made to guarantee the status quo.

In security terms, although systematic killings and violence are less recurrent than in 2012, it is not excluded that security becomes a major issue while approaching the next elections, especially if no agreement can be found for giving space to the extra-parliamentarian opposition and political leaders hiding outside the country.

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