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# The Effects of Electoral Institutions in Rwanda: Why Proportional Representation Supports the Authoritarian Regime

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# The Effects of Electoral Institutions in Rwanda: Why Proportional Representation Supports the Authoritarian Regime

**Abstract**

While much has been written about the special design of Rwanda's judiciary in order to handle the aftermath of the genocide in 1994, other institutional actions resulting from the 2003 constitution have rarely been addressed in research. However, the second (partial) parliamentary elections in September 2008 revealed some of the implications which the carefully designed electoral system has for Rwanda's political development. As a starting point, the paper emphasises the need to link the debates on institutional design in divided societies with elections in authoritarian regimes. Under different regime types, "institutional engineers" may pursue different goals. The paper concludes that in the case of Rwanda proportional representation (PR) has been implemented to support undemocratic goals. PR limits the local accountability of politicians in a political environment in which the government is not controlled by a democratic opposition. Thus, Rwanda's current PR system facilitates the maintenance of authoritarian power in the country, whereas small constituencies would establish closer links between the local populations and their representatives.

Keywords: Rwanda, electoral authoritarianism, electoral system, parliament, constituency size

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**Zusammenfassung**

**Auswirkungen des ruandischen Wahlsystems:**
**Warum die Verhältniswahl das autoritäre Regime stützt**

Während das besondere institutionelle Design der ruandischen Justiz, das dazu dienen soll, die Folgen des Völkermords von 1994 zu bewältigen, Gegenstand vieler Untersuchungen ist, wurden andere institutionelle Reaktionen der Verfassung von 2003 nur sehr selten betrachtet. Die zweiten (partiellen) Parlamentswahlen im September 2008 haben jedoch einige Folgen des sorgfältig entworfenen Wahlsystems des Landes für dessen politische Entwicklung erkennen lassen. Für die Analyse dieser Wahlen führt der Verfasser dieses Beitrags die Literatur zu *Institutional Design* in konfliktträchtigen Gesellschaften und zu Wahlen in autoritären Regimen zusammen und wertet sie aus. Dadurch kommt er zu folgendem Schluss: Zumindest im politischen Kontext Ruandas, in dem die Regierung nicht von einer demokratischen Opposition kontrolliert wird, weil diese entweder erfolgreich kooptiert oder von politischer Einflussnahme ausgeschlossen wurde, schränken Verhältniswahlsysteme mit großen Wahlkreisen die Möglichkeit ein, Politiker lokal für ihr Handeln verantwortlich zu machen. Daher trägt das ruandische Wahlsystem tendenziell dazu bei, autoritäre Herrschaft aufrechtzuerhalten. Hingegen wären kleinere Wahlkreise, die mit der lokalen Bevölkerung enger verbunden sind, besser geeignet, eine kulturell und historisch angepasste Grundlage für mehr politische Verantwortlichkeit gewählter Politiker herzustellen.

# The Effects of Electoral Institutions in Rwanda: Why Proportional Representation Supports the Authoritarian Regime

**Alexander Stroh**[1]

**Article Outline**



## 1 Introduction

On 15 September 2008, Rwandan authorities called their citizens to the national polls for the second time since the 1994 genocide. This vote was only the third multiparty parliamentary election in the modern history of the small agrarian and densely populated country in the African Great Lakes region. All three have resulted in overwhelming majorities for one dominant party, which had already established its d[e] facto political dominance before the respective elections and which refers to democracy but then rules autocratically after the elections. Therefore, observers widely agree on the authoritarian character of the Rwandan regime. However, scholars generally acknowledge the value of elections for political liberalisation (Lindberg 2006, Mehler 1997). In general, every substitution of complete dictatorial arbi-

1 I would like to thank Matthias Basedau, Martin Beck and Gero Erdmann for their comments on earlier versions of this paper.

trariness with a formal suffrage demarcates a gradual liberalisation. Moreover, as Bratton and van de Walle have pointed out, 'What mattered most in African regime transitions was whether contending individuals and groups made use of the structure of opportunities and constraints embedded in inherited political institutions' (1997: 272). That is, authoritarian regimes which conduct elections are more likely to experience successful democratisation at a later moment of opportunity.

Hence, two approaches to elections and the electoral system of Rwanda are possible. Supporters of the transition paradigm would ask what and how the elections contribute to the establishment of a democracy. In the 1990s, the latest wave of regime change towards democratisation in Africa incited, in particular, many new reflections on the most appropriate electoral system for divided societies. In 2001, Grofman and Reynolds comprehensively summarised both the reasons why electoral systems had become a popular topic in the context of constitutional engineering and the main findings regarding adequate strategies of analysis and recommendation (Grofman/Reynolds 2001). Yet, the debate widely ignored a crucial question: Under what kind of regime are the electoral rules to be implemented?[2]

When the euphoria connected with the transition paradigm declined due to its incorrect anticipation of a disappearance of all authoritarianism, the 'end of the transition paradigm' (Carothers 2002) and the 'rise of competitive authoritarianism' (Levitsky/Way 2002) were promulgated and have paved the way for a more sceptical look at 'electoralism' (Karl 1986). In the initial suggestions for an analytical framework for 'electoral authoritarianism' (Schedler 2006) elections have been seen in functional terms. Thus, supporters of this approach would ask what the elections contribute to power maintenance in authoritarian regimes (cf. Brownlee 2007, Gandhi/Przeworski 2007). Obviously, this is only a recent development in research compared to the literature which has been written on institutional design in new democracies.

Consequently, this paper contrasts both approaches and examines whether the Rwandan elections are conducive to democratisation or rather to the maintenance of autocratic power. In doing so, it focuses on the electoral system, for three reasons: First, the debate on institutional design has hardly included different regime types. It remains closely attached to the transition paradigm and has rarely discussed institutional engineering in the context of electoral authoritarianism. Second, before the so-called transition period ended in 2003, there was hope for significant steps towards democracy in Rwanda. The country has crafted its new formal institutions in a very careful manner (Stroh 2007). Consequently, Lijphart's model of consociational democracy, for instance, is prominently cited in official documents

[2] Certainly, an innumerable number of studies have examined institutional settings as independent variables, often with a focus on systems of government and often with democratic breakdown versus consolidation as the dependent variable (presidentialism vs. parliamentarism, inter alia see Linz/Valenzuela 1994, Shugart/Carey 1992, Lijphart 2004). This has remained a lively debate, although some have declared massive doubts about the real importance of the effects (e.g. Thibaut 1997). However, the meaning of electoral system choices in authoritarian regimes that are not substantially democratising has remained understudied.

in order to underline the adequacy of a consensus-based polity for Rwanda's specific context (RoR 2006, cf. also Kimonyo 2003). Thus, the proportional representation (PR) electoral system becomes a key element of concern when examining Rwanda's institutions policy. Third, according to Grofman and Reynolds (2001: 127f.), compared to other institutional decisions ( or even cultural predispositions, the chances of pro-democratic reform of electoral institutions are considered to be, at the very least, greater. The incumbent rulers of Burkina Faso,[3] for instance, granted the opposition a more favourable electoral design after serious uproars in 1998, something which they, indeed, revoked immediately after suffering painful losses at the 2002 polls (Santiso/Loada 2003, Stroh 2008). Still, electoral reforms remain a possible gateway to political liberalisation.

Analysing the Rwandan elections necessitates a short introduction to the complex historic, institutional, and procedural context of the case. Following this, the paper examines, first, whether a regime-change approach, suggesting mainly pro-democratic effects on the part of electoral institutions, is suitable for the Rwandan case or, second, whether the recent elections in Rwanda and the effects of the electoral system are better approached using a concept of power maintenance. Section 5 follows with some considerations related to why institutional choices other than PR would likely produce more pro-democratic effects or, at least, weaken the supportive function of the current rules for authoritarianism. Keeping in mind the fact that the effects of institutions are highly context dependent, the final section draws some tentative conclusions about the contribution of electoral engineering to the political development *of the specific case* of Rwanda.

## 2 The Case of Rwanda

Rwanda's first multiparty parliamentary election in 1961—formally still under Belgian trusteeship—was one significant step towards the Tutsi-phobic one-party regime of the Republican Democratic Movement (Mouvement Démocratique Républicain, MDR),[4] which won 77.6 per cent of the votes and 35 out of 44 seats (Stolz 1999). This was close to the approximately 85 per cent population share of the imagined Hutu community. They had formerly been discriminated against under a long-standing Tutsi monarchy supported by German and Belgian colonial powers. From this time until today, Tutsi have made up about 15 per cent of the total population.[5] The overall outcome of this initial election justifies speaking of an 'ethnic census' in the sense of Horowitz (1985), something which has become quite rare in today's Africa (Basedau/Stroh 2009, Erdmann 2007, Mozaffar et al. 2003).

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[3] Burkina Faso has been labelled 'partly free' by Freedom House but shows particular deficits in the electoral regime, as detailed assessment data from Freedom House and the Bertelsmann Transformation Index reveal.

[4] The founding name of the MDR was PARMEHUTU, the Party of the Hutu Emancipation Movement, which clearly underlines its main political goal. This is why the party is also referred to as MDR-PARMEHUTU.

[5] Population estimates of the United Nations show a total population of about 2.7 million in 1960 and 9.2 million in 2005.

Inter-ethnic relations fundamentally changed after the 1994 genocide when Tutsi-dominated rebel forces conquered the country and stopped the atrocities after 100 days. The rebel group's political wing, the Rwandan Patriotic Front (RPF), then successively and systematically expanded its political power during a nine-year transitional period (Burnet 2008, Rafti 2008, Reyntjens 2006, 2004, ICG 2002). A constitutional referendum and general national elections ended this phase in 2003. The RPF introduced an official policy of human equality by authoritatively proclaiming that all citizens are Rwandans (*Banyarwanda*) and nothing else (Buckley-Zistel 2006).[6] The government successively banned the most influential parties of the pre-genocide period due to their significant responsibility for the genocide or due to alleged non-observation of the Banyarwanda policy before the vote (Niesen 2008).

Thus, when the RPF received 73.8 per cent in the legislative elections of 2003, the lack of democratic pluralism remained as obvious as it had been in 1961. Also, the description of the 2003 elections as 'a successful legitimating political strategy for the RPF government' (Kiwuwa 2005: 462) was equally applicable to the 1961 polls, if the RPF was replaced with the MDR. Consistently, Meierhenrich has concluded that the 'elections paved the way for constitutional dictatorship' (Meierhenrich 2006: 633). Likewise, the RPF's recent victory in the 2008 elections was no surprise.[7] The dominant party increased its vote share by five percentage points to 78.8 per cent. The only two competitors remained marginalised, with PSD (Parti Social Démocrate) obtaining 13.1 per cent and PL (Parti Libéral) dropping back to 7.5 per cent.

Indeed, the influence of the suffrage on the composition of parliament is limited as Rwandan citizens cast their vote for only half of all members (53 MPs). Parliament consists of two houses, the Chamber of Deputies and the Senate, the powers of which are roughly equal.[8] In the following discussion, the electoral system thus refers only to a segment of two-thirds of the 80 seats in the Chamber of Deputies. However, the political influence of the MPs has been increasing in recent years, which means that the influence of the people on who becomes a deputy is not irrelevant. The government encourages parliamentarians and supports training programs in order to strengthen their capacities. Moreover, the directly elected deputies are the only representatives besides the president of the republic who rely on this important source of legitimacy.[9]

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6 Obviously, this policy is not free of contradictions. One the one hand, official documents such as the national identity cards must not indicate ethnic affiliations to one of the three Rwandan groups – Hutu, Tutsi or Twa – as formalised by the colonial powers and continued until the genocide. On the other hand, a recent constitutional amendment defines the crimes of 1994 as 'genocide of the Tutsi'.

7 The second parliamentary elections took place after the constitutional five-year term ended. The next presidential election is scheduled for 2010, since the head of state is elected for a term of seven years that is renewable once. The current head of state is Paul Kagame, who is, simultaneously, the RPF party president and has been the military commander of the Rwandan Patriotic Army since 1990.

8 Bills concerning some 'softer' policies are excluded from the compulsory approval by the senate. In return, the senate has some important exclusive rights such as the approval of high-level government appointments or investigations into the necessity of a party ban.

9 All other votes and selection procedures for public office in Rwanda are either not secret, highly indirect, or a privilege of exclusive groups. Local elections are, for instance, made by public queuing behind the 'preferred'

There are two main types of electoral systems which can be used to transform votes into the allocation of parliamentary seats. Drastically simplifying the actual variety of systems (see Nohlen 2007), one is the majoritarian formula, which brings the candidate who wins a majority of votes in his constituency into parliament. The other is the proportional formula, which approximates equality of vote and seat shares. Rwanda has opted for a proportional distribution of 53 deputy seats among closed lists in one national constituency. Individual independent candidates are allowed to stand for election. A five per cent threshold decreases the chances that both small parties and independent candidates will win seats. Seats are allocated by the Hare-Niemeyer method, which tends to slightly favour small parties. In September 2008, on this institutional basis, the RPF received 42 seats, up from 40 in the previous assembly; the PSD maintained its hold on seven seats; and the PL dropped down to four seats (cf. Table 1).

**Table 1: Official Results of the Partial Parliamentary Election in Rwanda, 2008 (in%)***

| | RPF | PSD | PL | JMVH** |
|---|---|---|---|---|
| **City of Kigali** | 78.6 | 13.0 | 7.4 | 1.0 |
| **Northern Province** | 75.7 | 15.0 | 8.6 | 0.7 |
| **Southern Province** | 71.7 | 17.7 | 10.1 | 0.5 |
| **Eastern Province** | 82.4 | 10.9 | 6.2 | 0.5 |
| **Western Province** | 85.1 | 9.2 | 5.2 | 0.5 |
| **Total** | **78.8** | **13.1** | **7.5** | **0.6** |
| **Gains/losses*** ** | +5.0 | +0.8 | -3.6 | |
| **Number of seats** | **42** | **7** | **4** | **0** |
| **Gains/losses** | +2 | +/-0 | -2 | |

Notes: * Elections of 15 September, rounding errors are possible.
** Independent candidate Jean Marie Vianney Harelimana.
*** Percentage points, change compared to the official results of 2003.

Source: Author's compilation based on the National Electoral Commission (NEC) of Rwanda.

PL and PSD are political parties which were established when multipartyism was legalised in 1991. In contrast to the RPF, which was established in exile, they emerged as domestic opposition parties to President Habyarimana (see Munyarugerero 2003: 231-262). They found their main support base among dissatisfied people from the south of Rwanda, where the incumbent MRND (Mouvement révolutionnaire national pour le développement) regime was perceived as a clique favouring its northern home region. Although the PL officials included

candidate. As another example, eight senators are appointed by the head of state. Provincial electoral colleges choose 12 senators, a consultative constitutional body called the Forum of Political Parties appoints four senators, and university faculties send two. The Chamber of Deputies fills a third of its ranks through indirect elections in three parliamentary segments: 24 female deputies receive their office through special provincial bodies, which themselves emerge from the public 'elections' at the municipal level. Two representatives of the youth are elected by the National Youth Council. Similarly, the national association of handicapped people is a privileged group which sends one deputy to parliament.

both Hutu and Tutsi, the party additionally acquired the reputation of being mainly a Tutsi party (Bertrand 2000). Today, its image has become the cliché of a party of genocide survivors, which is the overall term employed in today's Rwanda to refer to pre-1994 domestic Tutsi. This image has been reinforced by the appearance of Ibuka president Théodore Simburudari on position ten of the PL list.[10] PSD has been branded more as a regionalist than an ethnic party. Indeed, both parties attained their best regional results in the south in 2003 and 2008 (for the last election see Table 1, for the previous one see Kiwuwa 2005: 464).

In 2008, the ballot paper did not indicate the fact that the RPF list was actually an alliance of seven political organisations in total.[11] Indeed, RPF accepted the placement of six minor parties' candidates on a common list. Most probably these parties did not expect to break the five per cent threshold under their own steam.[12] Thus, they ceded the final decision about their placement on the common list to the RPF executive committee and virtually disappeared behind the RPF during the campaign.[13] Since the 2008 elections, six deputies have represented the smaller alliance partners, that is, one per party. This is one seat less than in the last legislative term, when only four parties joined the RPF list. However, the real number of RPF deputies is probably much higher than 36, since an unspecified number of further party members have entered the indirectly elected segments of the chamber. They reinforce the party in an obscure manner as it is prohibited by law that the party affiliation of indirectly elected deputies is published. Doubtless, a large majority of them are RPF. Ten out of 24 so-called 'non-partisan' deputies in the women's segment of the preceding electoral period have this time appeared on the Patriotic Front's list. Thus, we need to realise that the only insight which we can securely derive from the electoral results is the predominance of the RPF.

## 3 Approach I: Elections as an Instrument of Democratisation in Divided Societies

Approaching Rwandan elections as an instrument of democratisation complies with the official view of the government. The political leadership uses the terminology of consensual democracy in order to describe its institutional choices and insists on its own form of culturally and historically adapted 'democratisation': 'When we talk about unity, reconciliation, democracy, respect of human rights or try to play our politics in our own way, we are working in the context of our history' (Kagame 2006). Domestic commentators are agreed that the

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10 Ibuka is the largest association of genocide survivors in Rwanda.

11 RPF, Parti Démocrate Centriste (PDC), Parti Démocrate Idéal (PDI), Parti pour le Progrès et la Concorde (PPC), Parti de la Solidarité et du Progrès (PSP), Parti Socialiste Rwandais (PSR), Union Démocratique du Peuple Rwandais (UDPR); that is, all accredited parties besides PSD and PL.

12 Explicitly admitted by the vice president of the PDI, Mukamah Abbas, in an interview with the author, Kigali, 16 September 2008.

13 Interviews with RPF and alliance party officials, Kigali, September 2008. The author personally observed, in an unsystematic and non-representative manner, during the electoral period that campaign rallies and printed posters exclusively presented the colours and name of the RPF. However, representatives of the alliance partners said they would have regularly participated and spoken at RPF rallies. The EU observation report cannot confirm this (EU-EOM 2009: 26).

application of an uncontrolled majority rule bears particular dangers for Rwandan society (Kimonyo 2003, IRDP 2005). Thus, the citation of Lijphart's model of consociational democracy in official documents appears to be, at first sight, a sophisticated and convenient reference to the academic debate (RoR 2006, cf. also Kimonyo 2003).

However, Lijphart has always looked at political systems which fulfil at least all the crucial standards of democratic politics that Rwanda never has.[14] He has not formulated recommendations for electoral autocracies (Lijphart 1999, 2008). Thus, a closer review of Lijphart's characteristics, favourable factors, and constitutional design recommendations rapidly uncovers the flaws of the Rwandan system. In fact, it is hardly more than formalities such as bicameralism, all-party government and the PR decision-rule which, in reality, stem from Lijphart's concept. Therefore, we can doubt whether Lijphart would even recommend the introduction of consociationalism in Rwanda given that the country complies with at least six unfavourable conditions out of nine major factors which can facilitate or impede consociational (or consensus) democracy (see Table 2). Only one factor is obviously favourable: the absolute number of politically relevant groups in society, which must not be too large. Paradoxically, it was this particular social constellation which was mobilised in order to plan and execute the most terrible events in Rwanda's history.

We must also doubt Rwanda's compliance with three of four basic characteristics of the Lijphartian model. First, the cultural autonomy of the Francophone elites—commonly accepted as one of the major relevant groups in Rwanda, regardless of their ethnic affiliation—is increasingly being repressed (e.g., suppression of French in secondary and tertiary education).[15] Second, in contrast to Burundi, proportionality in representation for the main identity groups in Rwanda is legally prohibited through the Banyarwanda policy (Lemarchand 2006). The positive discrimination of selected groups such as women cannot invalidate the argument (Burnet 2008). There is certainly no minority veto from outside the inner circle of power if we understand people with deviant political opinions as a minority group. Included here are exiled opposition groups of different origins (even if Hutu who are attached to the former Habyarimana regime have not been accepted as legitimate opposition groups, cf. Rafti 2004). The third characteristic, a grand coalition in government, must be questioned due to the exclusion of all exiled opposition from governance and dialogue (Reyntjens 2004, Lemarchand 2006, Rafti 2008).

Still, many scholars of electoral engineering would, in general, defend the deliberate decision for a PR electoral system as more inclusive and favourable to democratisation (e.g., Lijphart 2008, Reynolds 1995, Doorenspleet 2005, Bos/Schmidt 1997)[16]. However, since 'elec-

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[14] This is, at least, the common assessment of all major democracy indices such as Freedom House, Bertelsmann Transformation Index, Polity IV or Economist Intelligence Unit's Index of Democracy.

[15] See *Jeune Afrique*, No. 2493-2494, 19 October–1 November 2008, p. 9.

[16] Different positions favouring majoritarian formulas are prominently represented in the debate (Barkan 1995, Reilly 2001, Horowitz 2002). However, the point here is that the Rwandan government itself proclaims PR as the most suitable pro-democratic institution for its own divided society (Stroh 2007).

toral politics under authoritarianism are both systematic and shaped by institutions, [though] they are fundamentally different from electoral politics in democratic regimes' (Lust-Okar 2006: 458), we need to consider the possibility that PR systems induce some unintended undemocratic effects under authoritarian rule. The term 'unintended' here refers to the academic debate on electoral engineering, since many contemporary authoritarian governments possess the capacity to exploit apparently democratic institutions to their own advantage. Hence, we need to change the analytical approach when the engineers' intention is to produce undemocratic effects.

**Table 2: Lijphart's Favourable Factors for Consociational Democracy and Rwanda's Compliance with Them**

| Favourable factors | Compliance | Explanation |
|---|---|---|
| 1) No solid majority group | No | Approximately 85% Hutu population |
| 2) Absence of large socio-economic differences | No | Large income gap with 60% living with less than US$ 1 per day and a rich urban elite (Gini = 46.8 (in 2000, increasing)) |
| 3) Not too many groups | Yes | Two main groups: Hutu and Tutsi, though split into subgroups, particularly ex-refugees |
| 4) Groups are roughly of the same size (balance of power) | No | See No. 1 |
| 5) A small or very large population size | Neutral | Approximately 10 million, thus still rather small |
| 6) External dangers | Neutral | Rwandan Hutu rebel groups in the Congo are perceived as an external danger to the regime. However, they are external but not foreign and thus tend to split instead of unify Rwandan society. |
| 7) Overarching loyalties | No | In principle, there is a sound basis for one national loyalty (common language and culture). However, distrust between groups undermines this potential social cohesion. |
| 8) Federalism if groups are geographically concentrated | Neutral | Groups are not geographically concentrated, and there is no federalism. |
| 9) Traditions of compromise and accommodation | No | Predominant experiences: hierarchical society, extreme violence, military solutions |

Sources: Lijphart 2008; Author's assessment of Rwanda, partially using data from the Human Development Report 2007/2008.

## 4 Approach II: Elections as an Instrument of Power Maintenance in Autocracies

By changing the perspective from 'transitology' to power maintenance in autocracies, we expect that governments intend to generate undemocratic effects through apparently democratic institutions. Electoral authoritarianism has a double goal. On the one hand, a democratic facade secures more legitimacy within the country and within the international community. Convincing a population with facade institutions is probably easier for the political leadership if a society has never experienced a working democracy. Simultaneously, international partners often avoid criticism as soon as gradual progress is visible; particu-

larly if it is paired with economic development (see Uvin 2001). On the other hand, the institutional design is supposed to safeguard—or at least not endanger—the incumbents' power in order to minimise the need for costly repression.

### 4.1 Electoral Systems Design in Electoral Autocracies

To date, there have been but a few contributions to the debate on electoral systems which have explicitly addressed the crucial question of under what type of regime electoral rules are to be implemented. Nohlen, who is mainly interested in electoral systems as one independent variable determining party systems, lists different functions of electoral systems under different regime types, but then he is not further examining the regime types' consequences (Nohlen 2007). Lust-Okar picks up the idea that elections have different effects in different regime settings. She examines the power of electoral legitimacy under authoritarianism by using a case study of Jordan (Lust-Okar 2006). Axtmann analyses the reform of electoral rules in the Maghreb, something which has served to stabilise authoritarianism (Axtmann 2007). Looking at post-Communist legislatures, Fish examines the impact of institutional design on the chances to overcome electoral authoritarianism and finds that more powerful parliaments do, indeed, support democratisation (Fish 2006). Finally, Bielasiak emphasises that any regime change from a system without multiparty elections requires an active decision on electoral rules. In his comparative study of several post-communist states he finds that 'there was considerable attention to the engineering of electoral systems' independent of the regime type (Bielasiak 2006). However, his thesis that authoritarian regimes tend to opt for majoritarian formulas—which he regards as being less inclusive—while 'democratisers' prefer PR systems, is not transferable to sub-Saharan Africa.

Many countries south of the Sahara have re-attached themselves closely to the rules which were used during the previous multiparty era (Barkan et al. 2006: 926f). That is, the institutional influence of former colonial powers remains strongly visible. At least on the level of the general formula,[17] reforms of the electoral system are very rare (Hartmann 2007, Nohlen et al. 1999). Thus, even in democratising regimes in Africa, changing the electoral formula to PR is not a priority. Conversely, authoritarian multiparty regimes do not necessarily prefer plurality systems. According to Freedom House's 2008 assessment, there are ten authoritarian ('not free') multiparty regimes in sub-Saharan Africa (Erdmann/von Soest 2008). Three of these countries employ pure plurality systems (Congo-Brazzaville, Côte d'Ivoire, Zimbabwe). A further four countries use a mixed formula with mainly majoritarian effects[18] (Cameroon, Chad,

[17] The term 'general formula' refers to the basic distinction between proportional and majoritarian systems.

[18] The dichotomy of PR versus majoritarian is virtually useless without supplementary information on the district magnitude, that is, the number of seats to be allocated in one constituency. Only a combination of both allows for a helpful placement of electoral systems on a continuum between proportionality and majority building (see Grofman/Reynolds 2001 or Nohlen 2007).

Congo-Kinshasa, Equatorial Guinea[19]). However, in the remaining three cases, proportional representation constitutes the dominant element of the electoral system (see Table 3). This distribution approximates the overall picture of the African continent (cf. Hartmann 2007, Basedau 2002). Thus, according to the systems' majoritarian or proportional effects, there is no significant difference between democratic and non-democratic elections.

**Table 3: Electoral Systems in Africa's Electoral Autocracies**

| Country | Electoral system (lower chamber of parliament) with the number of constituencies | Average district magnitude | Range and/or Share |
|---|---|---|---|
| **Angola** | **PR** in 18 medium MMCs | 5 | all equal |
| | **PR Supplementary National List** | **130** | **60% of seats** |
| **Cameroon** | Plurality in 21 SMCs | 1 | |
| | Absolute majority in 52 small and medium MMCs** | 3.1 | 2-7 |
| **Chad** | Plurality in 25 SMCs | 1 | |
| | Absolute majority in 34 small MMCs** | 2.9 | 2-4 |
| **Congo-Brazzaville** | Plurality in 129 SMCs | 1 | |
| **Congo-Kinshasa** | Plurality in 60 SMCs | 1 | |
| | **PR** in 102 small and medium MMCs | 3.4 | 2-9 |
| | **PR in 7 large urban MMCs** | **12.9** | **10-17 18% of seats** |
| **Côte d'Ivoire** | Plurality in 154 SMCs and 20 MMCs | 1.3 | 1-4 |
| **Equatorial Guinea** | **PR** in 36 small (?) MMCs | 2.8 | ? |
| **Guinea-Conakry** | Plurality in 38 SMCs | 1 | |
| | **PR Supplementary National List** | **76** | **67% of seats** |
| **Rwanda** | **PR in 1 national constituency** | **53** | **66% of seats** |
| | Personalised indirect selections* | 27*** | |
| **Zimbabwe** | Plurality in 120 SMCs | 1 | |

Notes: SMC = single-member constituency
MMC = multi-member constituency
PR = proportional representation
* Lack of a democratic chain of legitimisation due to non-secret or exclusive initial elections
** No second turn; if leading party has no majority, in the case of Cameroon, the leading party gains half of the seats, remaining half distributed by PR among other parties, and in the case of Chad, all seats of the constituency are distributed by PR.
*** Number of all indirectly elected deputies

Sources: Nohlen 2007, Hartmann 2007, Massicotte/Blais 1999, IPU Parline Database (www.ipu.org), AFP 2008.

However, the complexity of many electoral systems at the regulatory level, below that of the general electoral formula, suggests that voluntary political engineering by the authoritarian incumbents has taken place—possibly to a greater extent than in substantially democratising contexts and probably with the goal of minimising the risk of losing electoral dominance (cf.

[19] Detailed information on the constituency size in Equatorial Guinea was not available. Only one press agency report could be found indicating the number of constituencies (AFP 2008).

Axtmann 2007, Stroh 2007). Formal institutions affect different stages of the electoral process, only one of which is the translation of the *official* results[20] into the number of seats. They also affect the selection of candidates, the formation of party alliances and the post-electoral replacements of deputies. In Rwanda, PR is gradually facilitating manipulation and instrumentalisation in favour of the regime's maintenance of power at all of these stages.

### 4.2 Effects of PR in Rwanda

The historical caesura caused by the Rwandan genocide in 1994 and the virtually total exchange of elites created particularly favourable conditions for institutional innovation when the country, through a highly thorough process, crafted new multiparty competition rules between 1990 and 2003 (Stroh 2007). The key element of the electoral system is the large size of the constituency under the PR decision-rule. This facilitates the joint achievement of both the goals of exploiting the advantages of a democratic facade and of maintaining authoritarian power. There are at least four major advantages for the incumbents.

First, even prior to campaigning, national leaders of political parties can easily centralise the decision about who is to be presented as a candidate. If the highest party officials control the compilation of a single national party list, this provides the opportunity for a clear ranking of politicians and, therefore, facilitates the exercising of tight control over the opportunity to access parliament. In 2008, RPF, PL and PSD held primary elections at regional party congresses before the establishment of the final list. Based on interviews with officials from all these parties, the procedure was similar in all three cases. The regional party level proposed an ordered list of candidates which it then transferred to the national party leadership. The national committees subsequently established the final list, considering the provincial submissions as serious but non-binding recommendations.[21] The PSD, for instance, placed its secretary general, Minister of Health Jean Damascène Ntawukuliryayo, at the top of the list without his appearance on any district proposal.[22] As another example, the PL list was mainly led by 'Southerners', although an equal number of candidate suggestions came from across the country. Some party leaders in democracies wield similar influence; however, the effect is amplified if the citizen is not free in her or his electoral choice at the ballot box.

Second, and also prior to elections, PR increases the incentives for opportunism in inter-party relations and diminishes the incentives for strategic competition against the dominant party. Authoritarian regimes usually have the capacity to substantially weaken competing parties. National-list PR with a threshold further reduces the chances of small parties with scarce resources entering parliament, and thereby gaining some more political weight, if they do not

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[20] In autocracies, the official results do not reflect the free and fair will of the population. Thus, it is more interesting to highlight when, where, and how these results are manipulated.

[21] As mentioned above, the minor alliance partners of the RPF had virtually no influence on where the RPF executive committee placed their candidates on the common list.

[22] Interview with a party official at PSD headquarters, Kigali, 5 September 2008.

negotiate their level of success with the dominant party. On the one hand, joining the RPF list has, as mentioned above, most probably been the only way for several small parties to win seats. According to this interpretation, it is no surprise that the Party for Progress and Concord (PPC) aligned with the RPF after failing to meet the five per cent threshold in 2003. On the other hand, competing parties can apparently bank on the dominant party's need for a democratic facade. However, their influence on RPF politics remains marginal as long as the dominant party maintains institutionalised control over the alliance. Interviews with party officials make clear that there is neither collective action on the part of the entire coalition nor a concerted effort on the part of the smaller alliance members. Instead, the alliance is an amalgam of bilateral relations between the RPF and its small and weak partners.

Third, national-list PR facilitates direct manipulations of the votes cast on election day. In Rwanda, the weekly newspaper *Umuseso*, which is reputed for being strongly at odds with the government, reported in 2008 on the perception of unspecified observers that none of the competing forces would have passed the five per cent threshold and that the independent candidate scored better than alternative parties PL and PSD in 'many counting sites'.[23] The Electoral Observation Mission of the European Union (EU-EOM)—which has been under great pressure to exercise accuracy and professionalism due to strict control by and an obvious mistrust from the Rwandan government[24]—has confirmed both in its preliminary statement and final report that the lack of provisions for the obligatory publication of results per polling station worsened the lack of transparency in the aggregation of results (EU-EOM 2008, EU-EOM 2009). This part of the electoral process is known to be a crucial gateway to manipulation (Schedler 2002). If *Umuseso*'s allegations are true, the RPF has concealed the extent of its dominance by *increasing* the real vote share of competing PSD and PL in order to maintain the regime's democratic facade for its own legitimacy. With PR, such fraud—whether it really took place or not—is facilitated due to the increased difficulty of tracking of manipulations down to the level of polling stations. Manipulation concerning single locations can maintain a low profile. In the case of Rwanda, local results have not been published, which means that no citizen or observer can complain about deviations between locally observed results and the numbers used for the calculation of national totals. Indeed, a publication of detailed data is not imperative for the application of PR with national lists.

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[23] *Umuseso*, No. 312, p. 13, Kigali, 24–30 September 2008.

[24] Rwanda sharply criticised the 2003 European Union report, which uncovered heavy deficiencies and, therefore, could not declare the last election 'free and fair'. The distrustful allegations and public warnings by the NEC, which, inter alia, urged the 2008 mission not to misuse its mandate, apparently shaped the relationship between Rwandan officials and the electoral observers (cf. Ngabonziza 2008). Some inconsistencies in the final report point to political decisions which could have led to the suppression of insights that support *Umuseso*'s allegations (see Reyntjens 2009). Officially, the EU states only that the decision was taken to discount 'any discrepancies between the provisional figures, the EU EOM figures and the final official figures' due to the mission's 'low statistical sample' (EU-EOM 2009: 42). Surprisingly, the EU employs the same sample for all other analyses in the same report without reservation (ibid: particularly 37-39).

Fourth, after the constitution of the assembly, PR facilitates the quiet replacement of individual deputies. Departing parliamentarians are simply replaced by the next candidate on the party list. This was a frequent phenomenon during the last legislative period: 14 party-list deputies had been replaced by January 2007 (latest data available to the author) — thus approximately every fourth directly elected deputy. Indeed, all PL deputies had been replaced by the end of the term (EU-EOM 2009: 10). By-elections and the political mobilisation of the electorate were not necessary.

As a result, the power maintenance approach to elections appears much more appropriate for analysing the Rwandan case. Focusing on elections as an instrument of democratisation entails the danger of underestimating the deliberate exploitation of apparently democratic institutions for the benefit of authoritarian incumbents. The neglecting of electoral institutions in autocracies, by contrast, would underestimate the importance of such a controlled democratic facade to the legitimacy of such regimes.

## 5 Counterfactual Considerations: Effects of Small Constituencies

Before concluding, we should double-check the findings about PR effects with some counterfactual considerations on a different choice of electoral institutions in Rwanda. The introduction of much smaller constituencies instead of one large national constituency, for instance, would make a difference.[25] Such constituencies would provide for representatives who are identifiable even by the most uneducated people as 'their' local deputies. This recalls the idea that pro-democratic institutions have to be sufficiently simple that the voter can understand them and learn how they function (Nohlen 2007, Taagepera 2002). This is why Barkan advocates representatives who are visibly responsible for their manageable constituency, particularly in the agrarian societies of the world's least developed countries (Barkan 1995, Barkan et al. 2006). He suggests plurality in SMCs ('first past the post') for the sake of simplicity. However, the decisive unit is not the decision rule (PR vs. majoritarian), but the size of the constituency. Hence, Barkan is modified here by this paper's emphasis on small constituencies. The disadvantages of small electoral units for authoritarian rulers are not due to immediate mathematical consequences, but rather to indirect systemic and behavioural effects. These effects are context dependent and not mechanical; however, they gradually complicate the maintenance of centralised authoritarian power.

SMCs are the smallest possible electoral units. First-past-the-post plurality systems employ them in the simplest manner. A counterfactual analysis of the Rwandan polls applying a fictional plurality system in SMCs would most probably show RPF winning a 100-per cent seat share (of the directly elected segment's 53 seats).[26] This would be a gain not in political liberty but in transparency. The democratic facade would suffer damage and questions would

[25] Incidentally, even Lijphart has claimed that the constituencies should not be too large (Lijphart 2004).

[26] Due to the lack of detailed election data, an objective recalculation is impossible.

arise. Indeed, if it were true that none of the RPF competitors would receive more than 5 per cent of the votes before an alleged manipulation, the real PR results would have been equal to the estimated results employing first-past-the-post: all 53 seats would go to the Patriotic Front and its dependent allies. Thus, hidden manipulations are more difficult to conceal if local results in small constituencies must be massively altered instead of adding or subtracting some abstract percentage points to or from a national aggregate. Second, smaller political parties (and independent candidates) would be inclined to choose strongholds where they could concentrate their power in order to fight the dominant party's candidate instead of negotiating cooptation at the national level. Manipulation and negotiation would still remain possible, but under the condition of more transparency. Additionally, small constituencies would force the electoral commission to publish local results. If the local ratio of votes was the basis for candidate success and seat allocation, it would be systematically impossible to withhold detailed numbers. The smaller the constituency, the easier voters and observers could control the correctness of the consolidation process.

Beyond these structural arguments, the previous point brings human behaviour, particularly the kind seen in rural societies such as Rwanda and many other African states, back into the picture. Personal proximity between the voter and the candidate is of particular importance for party success (Stroh 2009). Thus, no matter which political party the local deputy belongs to, smaller constituencies reinforce the linkage between voters and elected officials. Voters become geographically, physically, and socially closer to the representatives, since experience shows that they tend to elect well-known and trusted 'sons of the soil' (see Bako-Arifari 1995, Beck 2008, Hilgers/Jacob 2008). Consequently, stronger pressure from individuals would emerge on two levels.

Firstly, voters would demand more accountability on the part of their local deputy. If voters have the institutional chance to do so, they are likely to include an evaluation of the material advantages which a deputy has brought to them and to try to oust a candidate who has not performed well—even under authoritarian conditions (Barkan/Okumu 1978). Secondly, and as a result, the deputy would fear for his re-election and, therefore, tend to push the government for more influence, which could lead to a broader distribution of power in very centralised autocracies. Not to appear naïve, small constituencies do not eliminate vote buying and a propaganda-based 'yellow dog syndrome' (Reynolds 1995), which are also very possible under electoral authoritarianism.[27] However, PR in very large constituencies misses the opportunities for enhancing the gradual liberalisation of authoritarian regimes which proximity offers.

Certainly, there are dangers related to more electoral proximity; these are also cited by the Rwandan government in its argument against small constituencies. In the past, even in geo-

[27] The 'yellow dog syndrome' describes a situation in which a locally very popular and deeply rooted party can present whomever it wants and the candidate will be elected, even if he is a 'yellow dog'. The stronger institutionalisation of dominant parties in Africa supports this caveat (see Basedau/Stroh 2008, Brownlee 2007).

graphically tiny Rwanda, regionalist politics have heightened conflict. As mentioned above, the Habyarimana regime was widely perceived as a northern clique particularly favouring the Ruhengeri and Gisenyi prefectures. This could have contributed to the radicalisation of leading genocide perpetrators, since it was 'their' North which suffered the most from RPF attacks in the early 1990s. Thus, the prevention of regionalist favouritism is a legitimate policy goal. However, given the tight prosecution of any attempts at 'divisionism' under the current government, choosing a large national constituency contributes more to power maintenance than to conflict prevention. While deputies' loyalty to the political leadership is easily enforced under the current electoral system, small constituencies would make the leadership more accountable to their local electorates and gradually contribute to the evolution of a 'civic opposition'.

Finally, if the regime is able to sufficiently accommodate or discipline all possible losers of facade-like democratic procedures, these behavioural effects can disappear without a trace. However, the arguments in the previous section show that PR tends to facilitate this job for the authoritarian incumbents in Rwanda.

## 6 Conclusions

The partial parliamentary election in Rwanda in September 2008 confirms the country's status as an electoral autocracy. Multiparty elections are a defining element of such political systems. In such systems, therefore, electoral institutions have had to be designed, possibly with the primary aim of maintaining autocratic rule instead of opening the system up to liberal democracy. Thus, the polls in Rwanda have provided a good reason to review the country's electoral institutions in order to assess the effects of a consciously introduced PR system with closed party lists in one single national constituency. Given that we are dealing with an electoral system which is rather rare in Africa, electoral authoritarianism à la Rwandaise appears to exploit the positive connotations of proportionality to increase of its own legitimacy.

This contribution has argued that in the case of Rwanda, a large national constituency tends to support the maintenance of a democratic facade and is even gradually facilitating the centralisation of power and manipulation against the will of the people. This is unlike what is commonly expected if large parts of the electoral design literature on democratisation and democratic consolidation, which favour PR for divided societies, are extrapolated to all stages of political liberalisation and random political contexts. Thus, the distinction between electoral democracies and electoral authoritarianism is crucial and worth considering more explicitly in future research. Recent literature on electoral authoritarianism offers a sound basis for deepening the discussion on electoral designs under non-democratic rule. The study of the Rwandan case introduces some initial ideas that should be tested with further cases; in particular, the idea that an electoral system which provides for more proximity between the (rural) voter and national parliamentarians has greater potential to strengthen

competitiveness within electoral authoritarianism. This can improve the chances, but it certainly does not guarantee liberalisation or even democratisation. According to Bratton and van de Walle's seminal work (1997), however, a more favourable initial setting significantly enhances the prospects for successful democratisation at later moments of opportunity. Thus, small constituencies and local deputies can have pro-democratic effects in regimes that simultaneously continue to centralise power while permitting multiparty elections.

Two caveats are necessary. Firstly, we must temper our enthusiasm when estimating the effects of elections under authoritarian conditions. First of all, elections are only one means among others of maintaining power. We must not forget that the relative importance of elections in Rwanda has not yet attained the importance of control over the military, for instance. Secondly, when examining the case of Rwanda, there are many additional relevant elements of its electoral institutions, such as the large number of MPs who do not rely at all on a democratic chain of legitimacy leading back to any universal suffrage. Hence, the maintenance of an authoritarian dominant party system in Rwanda is certainly not exclusively dependent on PR. The electoral system is only one piece in a larger puzzle. However, the discussion of constituency size effects shows that institutions matter in all regime types which have liberalised to a certain extent and which need to maintain some facade of democracy. It is likely that the more these relative gains are rooted in society, the more difficult it will be to reverse them in favour of totally arbitrary dictatorship.

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