

Polity IV Country Report 2010: Zambia

<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Score:</td> <td style="width: 15%;">2009</td> <td style="width: 15%;">2010</td> <td style="width: 15%;">Change</td> </tr> <tr> <td>Polity:</td> <td>7</td> <td>7</td> <td>0</td> </tr> <tr> <td>Democ:</td> <td>7</td> <td>7</td> <td>0</td> </tr> <tr> <td>Autoc:</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Durable:</td> <td></td> <td>9</td> <td></td> </tr> <tr> <td>Tentative:</td> <td></td> <td>Yes</td> <td></td> </tr> </table>	Score:	2009	2010	Change	Polity:	7	7	0	Democ:	7	7	0	Autoc:	0	0	0	Durable:		9		Tentative:		Yes		
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Durable:		9																							
Tentative:		Yes																							
SCODE	ZAM	CCODE	551	Date of Report	1 October 2011																				
Polity IV Component Variables																									
XRREG	XRCOMP	XROPEN	XCONST	PARREG	PARCOMP																				
3	3	4	5	2	4																				
Date of Most Recent Polity Transition (3 or more point change)																									
End Date			Begin Date																						
27 December 2001			28 December 2001																						
Polity Fragmentation: No																									
Constitution	1991																								
Executive(s)	President Michael Sata (PF); directly elected, 23 September 2011, 43.3%																								
Legislature	Unicameral: National Assembly (159 seats; 150 directly elected, 8 appointed by president, and the Speaker; most recent elections, 20 September 2011) Patriotic Front (PF): 60 Movement for Multiparty Democracy (MMD): 55 United Party for National Development (UPND): 28 Other parties: 2 Non-partisans: 3 Vacant (not determined): 2 Appointed members: 8 Speaker: 1																								
Judiciary	Supreme Court																								

Narrative Description:¹

Executive Recruitment: Competitive Elections (8)

With the creation of the independent state of Zambia in 1963, Dr. Kenneth Kaunda, leader of the United National Independence Party (UNIP), became the country's first president. President Kaunda declared Zambia a one-party state in 1972 and ruled continuously for the next two decades. As popular opposition to his rule increased in the late 1980s, President Kaunda agreed to end one-party rule. In October 1991, in the

¹ The research described in this report was sponsored by the Political Instability Task Force (PITF). The PITF is funded by the Central Intelligence Agency. The views expressed herein are the authors' alone and do not represent the views of the US Government.

first multiparty election in more than twenty years, Kaunda lost the presidency to Frederick Chiluba, leader of the newly formed Movement for Multiparty Democracy Party (MMD). In legislative elections held simultaneously with presidential balloting the MMD also secured an overwhelming victory, winning 131 of 150 National Assembly seats. Despite the return of competitive electoral politics to Zambia, hopes of democratic consolidation soon evaporated as President Chiluba concentrated on consolidating his own power through the periodic use of emergency decrees, control of the media and, most importantly, through the manipulation of the constitution. Relying on the MMD's overwhelming majority in the National Assembly, President Chiluba pushed through a series of constitutional amendments in May 1996 that made only second-generation Zambians eligible for the office of president. The immediate political implication of this amendment was to make Kenneth Kaunda, Chiluba's primary political challenger, ineligible for the post of president. Not surprisingly, in the November 1996 elections President Chiluba easily defeated his weakened and fractured opposition. While there was no evidence of substantial or widespread vote rigging or fraud, nevertheless, the overt manipulation of the country's constitution for political ends seriously eroded the democratic character of executive recruitment in Zambia.

After a protracted effort by President Chiluba to re-write the constitution to allow a third term in office, Chiluba finally announced that he would not compete in the presidential elections scheduled for November 2001. President Chiluba arrived at this decision only after facing significant opposition from both inside and outside his party. Despite the overwhelming dominance of Chiluba's MMD in the National Assembly, over fifty percent of the MPs signed a petition vowing to oppose his proposed amendment to the constitution. In the face of increasing street protests and widening fissures within his own party and cabinet, Chiluba abandoned his desire to seek a third term. However, in a last gasp effort to secure his influence in the future government, President Chiluba sidestepped party procedures and hand-picked the MMD's candidate for the upcoming election, Levy Patrick Mwanawasa. Mwanawasa had been vice president in the first Chiluba administration but resigned in 1994, citing extensive corruption in government as his motive.

While largely free from political violence, nevertheless, the presidential election of 27 December 2001 was characterized by widespread party fractionalization, incidents of voting irregularities and poor management. Despite winning a combined seventy percent of the popular vote, none of the ten opposition candidates in the campaign could defeat Levy Mwanawasa, who won only twenty-eight percent of the ballots cast. While the presidential campaign was not overtly fraudulent, international electoral observers indicated that pre-election manipulation of the process and numerous administrative hitches had distorted the playing field in favor of the candidate of the ruling party. The MMD's abuse of public resources in campaigning and its control over the state-run media gave Mwanawasa an unfair advantage, while logistical and administrative shortcomings disenfranchised thousands of people across the country (mostly in rural communities with pro-opposition leanings). Both the European Union and the Carter Center indicated that the election results did not reflect the will of the people. However, despite the irregularities associated with this election, the failure of the deeply divided opposition to promote a coalition candidate also provided significant insights into the electoral success of Mwanawasa.

The autonomy of President Mwanawasa from Chiluba – who remained head of the MMD – was initially unclear. During the campaign Mwanawasa presented himself as both a political reformer and a populist. His pledge to eliminate the presidential discretionary funds used extensively by Chiluba to buy political loyalty and his desire to soften the country's adherence to the structural adjustment policies negotiated by his predecessor both indicated a general desire by Mwanawasa to distance himself from his political benefactor. Nevertheless, given the manner in which President Mwanawasa gained his party's nomination, it was widely perceived that his main function as president would be to protect Chiluba and his associates from their legacy of corruption and theft of public funds. However, the autonomy of Mwanawasa from Chiluba became evident in July 2002 when the President asked Parliament to lift Chiluba's immunity from prosecution. With the arrest of Chiluba on sixty counts of theft and abuse of office, divisions within the ruling MMD have emerged. In 2003, Chiluba was arrested on corruption charges but his prosecution in Zambian courts was difficult due to conflicting loyalties in both the bureaucracies and the judiciary. However, the prosecution was given a boost in May 2007 when the high court in London issued a ruling concurring with the Zambian courts that Chiluba and several prominent officials in his administration were guilty of misappropriating public funds during their tenure.

Mwanawasa retained control of the executive in elections on 28 September 2006, winning forty-three percent of the vote. He faced a significant challenge in the election by two opposition parties, but the split opposition left neither opposition candidate with a real chance of winning the election. Michael Sata of

the Patriotic Front polled strongly in the urban areas but returns from the rural areas showed strong support for the MMD and Mwanawasa. President Mwanawasa suffered a stroke on 29 June 2008 while attending an African Union summit meeting and died on August 19. In presidential elections held on 30 October 2008 and won by MMD candidate Rupiah Banda by a very narrow margin over Michael Sata. In presidential elections held 20 September 2011, Michael Sata won the presidency with a plurality of the vote (43%) and took office on 23 September 2011.

Executive Constraints: Substantial Limitations (5)

The executive branch wields significant authority within the Zambian political system. Although the constitution gives the National Assembly substantial powers, in practice it has historically provided only a limited check on presidential authority. However, the legislative elections of December 2001 altered the balance of power in the Zambian political system. Despite the flawed nature of the electoral campaign, the new Parliament, in which opposition parties held at least 76 of the 158 seats, was the most representative since the country acquired independence from Britain. While the MMD still held an absolute majority in the National Assembly, the one-party dominance that characterized the legislature during the Kuanda and Chiluba years effectively came to an end.

Unable to easily garner the two-thirds majority vote to pass many controversial bills, President Mwanawasa has been forced to negotiate executive branch policy initiatives with a relatively strong Parliament. However, in a gamble to limit the power of the opposition in the legislature, in late January 2002 the MMD sought to hijack the position of speaker of the house through unconstitutional means. The MMD sought to elect a sympathetic speaker through a closed election within the Assembly, despite the Constitutional requirement that this position be filled through an open electoral ballot. Fearing that the MMD had bribed some opposition MPs to vote for their candidate, the opposition staged a boycott of the institution until this issue could be resolved.

Also contributing to the enhancement of horizontal accountability in Zambia in recent years is the relative strength of the judiciary. While the judicial branch was unable to stop President Chiluba from manipulating the constitution for political ends, nevertheless, during the past decade it has shown some autonomy from the executive branch. Most recently, the Supreme Court has agreed to hear a case against President Mwanawasa. In this case, held during early 2003, damaging testimony was presented which indicated that the President was involved in acts of electoral fraud during the 2002 campaign.

In December 2004 Zambia's main opposition, the United Party for National Development, staged a demonstration against the government's decision to delay the promulgation of a new constitution until after the 2006 elections. The opposition actively pressured the government throughout 2004 to reform the constitution in an effort to protect civil liberties and reduce what they call the "excessive powers" vested in the executive branch. Although the Constitutional Review Commission appointed by the President in 2003 indicated that a draft constitution would be ready by March 2005, Mwanawasa suggested that he did not expect the new constitution to be promulgated before 2008. Under the terms of the draft constitution, a presidential candidate would have to win more than fifty percent of the vote to assume the office of president. President Mwanawasa picked up less than twenty-nine percent of the vote in 2001, but he did achieve forty-three percent in 2006.

Political Participation: Political Liberalization/Democratic Retrenchment: Limited and/or Decreasing Overt Coercion (9)

While relatively peaceful in comparison to many of its neighbors, nevertheless, factional struggles provide a strong undercurrent to Zambian politics, an undercurrent that threatens to wash away the political stability to which most Zambians have become accustomed. While over thirty political parties freely operate in Zambia, throughout the 1990s the government of President Chiluba used its control of the political institutions of governance (including the media) to actively undermine the ability of these parties to effectively challenge the political hegemony of the MMD. The fundamental division since the 1990s was between President Chiluba's MMD and Kenneth Kaunda's UNIP (Kaunda resigned from his position as head of UNIP in March 2000). This factional division has been associated with at least one failed coup attempt and numerous assassination attempts. However, the factional nature of Zambian politics runs deeper than the MMD-UNIP split. As the last decade came to a close, factional struggles within each of these parties increasingly turned violent. The MMD is increasingly divided along ethnic lines (Bemba vs. non-Bemba) while power struggles inside UNIP have become more intense as political contenders seek to fill the power vacuum left by the departure of Kuanda. In November 1999 Wezi Kaunda, heir apparent to

his father's leadership role in UNIP, was killed. While many observers of Zambian politics have pointed the finger at the MMD as being behind this murder, many others believe that it stemmed from the anti-Kaunda faction in UNIP, led by Secretary General Sebastian Zulu.

In the months prior to the December 2001 election the government sought to limit opposition voices through censorship, intimidation and the manipulation of the legal and electoral codes. However, despite the occurrence of some political violence in the northern provinces of Zambia, the remainder of the country was relatively calm. While several opposition parties threatened to stage mass demonstrations across the country in an effort to discredit the government of President Mwanawasa, outside of some minor disturbances in Lusaka (whose citizens voted overwhelmingly for the opposition) the country remained peaceful during and following this election. The 2006 election, won by Mwanawasa, was also generally peaceful, but still characterized by polar factionalism. Particularly vexing to the Mwanawasa government has been the continuing agitation led by the main opposition candidate Michael Sata of the Patriotic Front who has rallied his supporters in the urban centers and the copper-producing region against government policies and the growing influence of Chinese investment. Michael Sata has softened his stances since taking over the presidency on 23 September 2011 following his electoral victory in the presidential election held on 20 September 2011.