

Mineworkers in Zambia: Meaningful Democracy and the Rise of the Patriotic Front

Leonie Ratty

Introduction

President Levy Mwanawasa died on August 19th 2008. Zambian democracy now faces a critical juncture. So far, the return to MPD has not heralded brighter days or empowerment for the majority of Zambians. For the Zambian copper mineworkers, a group that are vital politically and economically in the country, the return to multi-party democracy signalled a decline in the standard of living, an increase in exploitation and exclusion from political processes.

It shall be shown that for democracy to make sense to the majority of Zambians, it must be centred on social justice as an aspiration and a priority. For the mineworkers, this core aspect of democracy has been glaringly absent from their experience of multi-party democracy since 1991, which they were instrumental in bringing about. They have been excluded from the formal political arena, and there has been no appropriate vehicle to express their opposition to the ruling party. Their own indirect political actions have been increasingly repressed by the ruling Movement for Multi-party Democracy (MMD) and the mining companies, making this avenue of political action which they have relied upon since the return to multi-party democracy unviable. The accumulated frustration this has caused, coinciding with historically high global copper prices and corporate profits, and the emergence of Michael Sata

and the Patriotic Front (PF) as eager articulators of the Mineworkers' grievances, have culminated in an unprecedented level of organised political opposition to the MMD. The death of President Levy Mwanawasa on August 19th 2008 means a presidential election will be held on October 30th 2008, two years earlier than would have otherwise been the case. This is an opportunity for Zambia to consolidate democracy, and move away from the 'predominant party system' which has so far limited meaningful democracy in Zambia, and turn towards a truly pluralist, inclusive and responsive government. This remains, however, contingent on the integrity of the opposition politicians, the mining companies, and international institutions.

An argument on the value of democracy is necessary before one can attempt to judge the success or otherwise of democracy, so a theoretical analysis of democracy will be given. Contemporary Zambian democracy will then be analysed according to the criterion of social justice as the defining feature of meaningful democracy. The process of privatisation of the copper mines, as an intrinsic feature of Zambia's return to multi-party democracy shall be detailed, discussing the roles played by the international financial institutions, the government of Zambia, and the mining companies, before examining the disastrous consequences this had for the mineworkers' standard of living, and their ability to impact on politics and policy. It shall then be questioned whether the rise of the PF as a strong opposition party claiming to represent the interests of mineworkers gives ground for hope that the mineworkers will finally realise some tangible benefit from democracy.

The value of democracy

The minimalist conceptualisation of democracy sees democracy in terms of filling offices of state by competitive elections (Qadir, 1993). Scholars subscribing to this conceptualisation believe that a focus almost solely on elections lays sufficient foundations for democracy; 'Elections are the 'defining institution of democracy' (Bratton and Posner, 1999). This minimalist conceptualisation has been the standard most frequently used by Western bodies to judge democracy in Sub-Saharan Africa (SSA).

Critics have condemned the lowering of Western expectations to a 'tropicalised democracy'¹. They have held up more maximalist accounts of democracy as a fairer and more aspirational standard. This goes beyond a focus simply on competitive elections for posts of office. They differ in content and in the conceptualisations of what exactly the value of democracy consists in, going from the technicist account which is just a step above the minimalist account, to the rounded idea of 'social democracy'.

The World Bank has progressed past a purely minimalist conceptualisation of democracy to a technicist one which is based on a notion of accountability since 1989 when it published a report extending its analysis of economic crises to include political factors (World Bank, 1989). Here, efficiency and accountability are the main factors needed to achieve democracy (in addition to the factors in the minimalist account). Diamond's notion of democracy is at the forefront of this conceptualisation.

¹ As the 1990s progressed a whole range of adjectives were used to qualify democracy in SSA: 'pseudo-democracy', 'illiberal-democracy' and 'competitive –authoritarianism' to name but a few (Mustapha, 2006)

He states that focusing simply on electoral democracy is insufficient for a discussion of meaningful democracy, therefore he goes on to argue that true political choice and accountability requires the establishment of 'liberal democracy' (Diamond,1997). By this he means the holding of regular free, fair, competitive multi-party elections where the person elected enjoys a true power to govern, not in an open ended or arbitrary way, but in a manner which is constitutionally constrained; all groups are allowed to participate in the political process, and there is widespread freedom and pluralism for citizens to present their views outside of party politics and there is effective rule of law to protect the freedoms of the individual (Diamond 1997).

Scholars such as Diamond (Diamond 1997), Przeworski (Przeworski 1986) and Lipset (Lipset 1959) believe that the level of economic development is highly correlated to the level of democracy, and that they have an exponential relationship, so that increased economic development is linked to the endurance of democracy following its initial establishment. These scholars believe that democracy simply requires a guarantee of the personal civic freedoms of Western Classical Liberalism, which the liberal democracies of the West congratulate themselves on upholding.

With a transition to multi-party democracy from authoritarianism, Westerners generally stop asking so many questions, and return to their role as donors. However, this is exactly the time more attention should be paid (Mustapha, 2006, Abrahamsen 2000) Huber et al are scathing of the low standards that the West often applies to democracy in Africa; 'current political discourse bestows the label [formal democracy] frequently on any country that has held an election roughly free of fraud (Huber et al, 1997), and Grugel states that 'democracy frequently has two faces, one internal, and one for the international community' (Grugel 1999 p19).

Scholars such as Ake, Good and Abrahamsen have formulated radical critiques of these mainstream conceptualisations of democracy in SSA. The basis for their critiques is the notion of power dynamics, whether they look at internal power relations in a country, or, like Abrahamsen, take a transnational perspective of power relations. They examine the winners and the losers of democracy, and demonstrate that the power dynamics in SSA rarely change with the introduction of multi-party democracy.

Abrahamsen (2000) shows that democracy in Africa is developing in the context of a very definite power relationship. She shows how Western donor led reforms have led to the formation of an exclusionary democracy in Zambia, and the attempt to build an active civil society engaged with the democratic process in the context of enforced economic liberalisation undermines meaningful democracy, and has the effect of strengthening existing elites, creating an oligarchic style of power, and legitimising external intervention (Abrahamsen, 2000). The World Bank has ignored the contestable nature of democracy, and presents its technicist conceptualisation as unproblematic. This leads it to dismiss out of hand alternative notions of social democracy, and the promotion of democracy and economic liberalisation as one and the same thing (adhering to mainstream 'dual transition theories) tends to lead to the creation of formal democracy that has little relevance to the majority of citizens.

Good, in his analysis of democracy in Southern African nations, showed that democracy in these countries has consistently linked with continued and increased elite domination (Good, 2002). Ake, having examined the international context of democratic process, and the pattern of elite capture, argues that ordinary people in

Africa are unable to participate *meaningfully* or to raise a real challenge to existing power. He suggests in many places democracy has been trivialised to the level of a mere ritual and that most 'democracies' in SSA just give powerless people the ability to vote in a meaningless charade. This creates a situation whereby people do not have the freedom to challenge oppressive power, and hence are incapable of altering the structural constraints on their standard of living. Ake's argument that the democracy which is developing [in SSA] is not emancipatory is important in this analysis of the mineworkers' experience of democracy in Zambia. He argues for the importance of concrete social and economic rights, stating that civic rights are almost worthless without them (Ake, 1994), which brings us to the notion of social democracy.

Mkandawire's work links into a similar thread, suggesting that people are voting without choosing, because the political reform process has at no point addressed the socio-economic basis of power and because the domination by IFIs of national governments leave them no policy space except to follow the neo-liberal option of privatisation and being 'investor friendly', thereby creating 'choiceless democracies'.

Democracy is undermined due to the impotence of governments of developing countries, which disempowers the people of any impact they can have on the wider structural context in which they live and suffer (Mkandawire, 1999).

Bangura emphasises that when many commentators address democracy in Africa, their analysis is not linked to any provision of welfare for the poor, education or healthcare etc. He then questions the value of democracy if it cannot lead to the fulfilment of basic needs for people who desperately need them? (Bangura, 1992).

Daloz relays the views of mineworkers on the meaninglessness of democracy if it cannot provide them with the essentials for life (Daloz, 1997). Leftwich (2002)

believes that the value of democracy is not centred on a conceptualisation of social justice. He argues that democracy is not a system amenable to a radical redistribution of wealth and power. He argues this by building on the work of Przeworski (Przeworski, 1986) to argue that the 'rules of the game' of democracy mean that the condition for the losers' peaceful acceptance of defeat is that the ruling party must exercise restraint in their policies, establishing 'significant limits to what they can do with their newly won power (Leftwich, 2002). He argues that because of this, change in democracies is usually very gradual, and hence not particularly conducive to 'development' construed in terms of changing the structure and use of wealth in a country. Indeed, he goes further than this to argue that the very survival of democracy in developing countries may depend on the *absence* of significant economic redistribution and social change.

Huber accepts Leftwich's argument at the level of his empirical observation, namely that democracy in developing countries has not in general led to a redistribution of power or resources, but here she diverges from his analysis (Huber, 2002). Huber et al distinguish between formal, participatory and social democracies (Huber et al, 1997). A social democracy is the fullest meaning of democracy, whereby attempts are made to increase equality in social and economic outcomes. They argue that the establishment of formal democracy is a necessary, but not by any means a sufficient criterion for true democracy (Huber, 1997). If democracy is to be meaningful to ordinary Zambians, then it must be premised on addressing inequality and paucity of socio-economic conditions and rights (Abrahamsen, 2000), not simply on the existence of nominal, ethereal political and civic rights. A notion of social justice in a conceptualisation of democracy is vital if it is to have meaning for the majority.

Grugel argues for the importance in appreciating the distinctions between formal and substantive democracy, where substantive democracy 'operates at the micro-level of social relationships, not just at the macro-level of institutions' (Grugel, 1999 p12) and gives the reminder that we must not mistake the existence of the institutions of democracy for democracy itself, instead we should understand democracy as 'the creation of social citizenship, not merely as the introduction of formally democratic institutions'. For democracy to be meaningful, it must allow people a way to incorporate their interests, grievances and voices into the political process itself, and thereby make it possible for 'public policy to reflect the interests and aspirations of the people' (Ihonorbe 1998). The value of democracy consists in allowing us to control and change our lives. Its value is not static or formal, but instrumental.

Zambian democracy

Zambia operates under a presidential form of democracy, using a first-past-the-post electoral system to elect MPs to parliament and form the government. Burnell classified the Zambian political process as a 'predominant party system' (Burnell 2001 p41) using Sartori's enduring analysis of political systems (Sartori, 1976). This is where one party commands the absolute majority of seats for a substantial period of time.² A predominant party system concedes the theoretical potential of an opposition party gaining power, but the possibility that this will happen in reality is extremely low. The predominant party analysis requires that we view democracy as a continuum, going from personal authoritarian dictatorship, to the one party state, to the predominant party state system and finally to a dynamic multi-party system where there is exists a tangible possibility of a change in the ruling party (Pye, 1990) In a predominant party system, formal multi-party democracy exists, but it remains a formal system, it has no real impact on which party is in power, even disregarding the issue of a substantive change in the lives of ordinary Zambians, which it has no impact on. A principal feature of the predominant system is the weakness of the political opposition, through a combination of its own insufficiencies and engineering by the dominant party to keep it weak. The ruling party's terror of the opposition (Sartori's 'blackmail potential' (Sartori, 1976)) means that whenever a party or group in civil society appears as though it may have a large amount of support, the party mobilises its substantial resources to take measures to lessen the threat. Van Cranenburgh shows Zambia to be a typical example of a country where 'formal reforms mask substantive continuity' (Van Cranenburgh, 1999 p99). He says that

² Huntington coined the 'alternation test' which requires two changes of government to demonstrate effective democratic consolidation (Huntington 1991)

although MMD were an opposition party who gained power through elections, they have continued to rule the country in the style of the former one party regime³.

Political discourse at the institutional level is devoid of a social welfarist programme and a notion of redistribution of wealth (Simutanyi 2008), although this discourse does exist in the politically aware and active 'lower spheres' that are excluded from the institutional realm.

A democratic culture but not democratic politics

For a long time, the demands of ordinary Zambian people had only a very limited route for expression in the political sphere, as the party system reflected personality, politics and elite factionalism rather than the contest of alternative policies (Larmer and Fraser, 2007). MMD manipulated the constitution to its advantage and rigged elections, enabling it to rule without an overall majority in parliament (Larmer and Fraser, 2007).

In Zambia, since 2001 Larmer shows how there has been a general deepening of democratic culture in terms of a free press, expectations of honest politicians and free and fair elections. The Oasis Forum, established in 2001 to oppose Chiluba's attempt to change the constitution to allow him to run for a third term, and succeeding in its goal, is a good example of this as is Mwanawasa's revoking of presidential immunity. The Zambian people have used alternative methods outside of the formal political institutions to impinge upon the democratic process (Larmer, 2005a).

³ Ihonvbere argues that 'the process of political liberalisation in Zambia has, in spite of widespread expectations, failed to bring about fundamental changes...Promises were made about food, water, shelter and healthcare...and the involvement of the people in the political process' but that these expectations have not been fulfilled (Ihonvbere, 1998 p221)

However, for most ordinary Zambians, especially mineworkers and urban mining communities, livelihoods have deteriorated in recent years, they are being increasingly excluded from the formal political arena, and even their indirect political actions are being increasingly limited. This has created a situation where, for the first time since the return to multi-party democracy, an opposition party, the Patriotic Front led by Michael Sata, has a real chance of gaining power because they have chosen to be the voice of the repressed mineworkers and urbanites. The mineworkers are seeking a change to a social democracy, where their economic and social rights are considered in formal political processes, instead of being relegated to outside the political arena. This is reflected in the outcome of the 2006 elections, when Sata won 29% of the presidential vote, and PF won every Parliamentary seat in Lusaka and the Copperbelt (EU, 2006), gaining a total of 44 out of 146, where MMD only had 72. 'Zambia's formal political system remains, despite a plethora of political parties and a system of competitive elections, severely constrained as a vehicle for the reflection and representation of the aspirations of the Zambian people' (Larmer, forthcoming). Democratic deepening has occurred in the culture of Zambia, although not in institutional politics. Ordinary Zambians have found ways of impacting on political processes outside of the formal institutional structure (Larmer, forthcoming). We can see this if we use a similar conceptualisation of 'the political' as Huber et al, which includes 'all forms of politically relevant mobilisation as well as the effective translation of citizens' demands into the political process via institutional channels' (Huber et al, 1997 p4). They also state that social democratic policy is not limited to government policy, but also importantly includes relations between employers and employees and unions.

It shall, however, be shown that even this winding route of political engagement has been significantly narrowed in recent times, leading urban Zambians to cling to the hope of the PF as a party voicing their grievances. This can be seen as a ‘last ditch’ attempt to engage with the formal democratic process in order to ameliorate their socio-economic conditions. There is a widespread perception of political misdeeds, especially connected with regards to government relations with the mining companies, and of electoral irregularities, and the failure to achieve alteration of power in 2001 (Bratton, 2004b). ‘Even now the popular view in Zambia is that most government officials and politicians are mainly concerned with enriching themselves’ (Chabal and Daloz, 1999)⁴.

Zambia’s economic upturn, with high copper prices, and the debt reduction agreement of 2005 has allowed people to imagine a more meaningful democracy in Zambia, one not dominated by completely by donor conditionalities, and with resources to ameliorate the positions of the majority of Zambians who are struggling in their day to day lives (Larmer and Fraser, 2007)⁵. Hopefully, the critical juncture at which Zambia now lies will lead to a deepening of democratic practice. This will only occur if whichever party is elected on the 30th October respond substantively to the needs of their people, enabling them to better their livelihoods, give their children education and a safe environment, and allow them to engage in Zambian politics with dignity in such a way that their requests are at least granted validity and acknowledgement.

⁴ The editor of *The Post* has emphatically stated that following the death of Mwanawasa, there is a need to prevent a return to the spoil politics of the Chiluba era, ‘The MMD today is still dominated by Chiluba mentality; it is still being run on the principles and standards of the Chiluba regime’ (The Post 02/09/08).

⁵ Larmer states, ‘Instability is a necessary criteria for the deepening of democratic practice’ (Larmer, forthcoming p3).

Afrobarometer shows that in surveys in Zambia/SSA people, when asked the question ‘what do you associate with democracy?’ answered ‘access to necessities’ far more frequently than ‘freedom’ or ‘voting and elections’. Freedom House have found that there is a consistently high demand for democracy across all African countries, and that even when ‘satisfaction with democracy’ scores are low, ‘demand for democracy’ scores are high. The Zambian people still desire democracy, because they have not lost the belief that democracy, of the right sort, can lead to a fair distribution of resources, despite the fact that this has not been their experience so far. Bratton argues that the demand for democracy in Zambia appears to have benefited from electoral competition even where this occurs in a de jure one-party context (Bratton, 2004a). In Zambia at the moment, we can see the mineworkers taking things into their own hands in an attempt to change Zambian democracy to dovetail with their expectations and their needs. They attempted to sway the process so that their needs would receive attention through indirect actions, but have realised the necessity of the support of a political party, led by political heavyweights who can wield influence at a high level.

The 2006 election could be read as a sign that opposition politics in Zambia is finally functioning, and poses a real challenge to MMD. However, it remains to be seen whether more ‘constitutional reforms’, arrests and bribery will be wielded by the new acting MMD president and MMD presidential nominee, Rupiah Banda, in order to cling on to power, or whether MMD are willing to submit to the ‘alteration test’ and wait for their time to come round again. In the past couple of years, MMD cadres in organised bands have been intimidating citizens in a manner reminiscent of UNIP behaviour in the 1980s (Burnell, 2005) and many commentators in recent years have

judged Zambia to be approaching a de facto one party state (Burnell, 2001, Bartlett 2000, *The Post* 11/09/03). MMD behaviour in the run up to the Presidential election will be the test of how far institutional democracy in Zambia has been consolidated, and will set the bar for whether discussion of urban Zambians' grievances and needs have a chance of making it onto the official agenda. Optimism on this must, however, be restrained. *The Post* warns its readers of the increasingly unethical behaviour of MMD in the run up to the Presidential election, 'Values are being changed, standards are being altered and principles are being abandoned without being defended, without a fight...look at the methods that are being used to bring about this unity, stability and continuity...Look at what they did just to win an adoption! And look at how they are starting their campaign for the presidency of this country! Now they want to change the Constitution so that they continue in power without elections. The methods they are using to win or retain power can easily be turned into methods of barbarism' (*The Post* 08/09/08).

Processes and consequences of the privatisation of Zambia Consolidated Copper Mines (ZCCM)

‘It is impossible to overstate the historical dominance of copper mining in the Zambian economy’ (Larmer, 2005a).

IFI influence

The privatisation of ZCCM was ‘shaped by Zambia’s dependent relationship with the IFIs and international mining capital’ (Larmer and Fraser, 2007 p617). The IFIs considered the privatisation of ZCCM as essential not only for ensuring the rapid rehabilitation of the mining sector, but also ‘for providing a clear signal to investors of the Government of Zambia’s commitment to private enterprise’ (World Bank, 1998 p7) Chiluba heeded the ‘advice’ of the Bretton Woods institutions, and declared his intention that ‘we will privatise everything’ (Ham, 1992 p41).

‘It was like having a gun pointed at your head [by] the World Bank and the IMF’ said Edith Nawakwi, former finance minister (Interview, BBC World Service, 2007). The IFIs have imposed their preferred policies on developing countries, and this has ‘drastically narrowed the room for political participation and thus for democratic political participation’ (Huber, 2002 p274). The contemporary international context (namely the international market and the multilateral financial institutions), although favourable for the establishment of formal democracies, is very unfavourable for participatory and social democracies (Huber et al, 1997) due to the closing off of social policy space by the transnational power structures that impact on developing

countries (namely Western donor organisations). This links into Mkandawire's idea of the creation of 'choiceless democracies' (Mkandawire, 1999).

Larmer argues that due to the significant influence international organisations have over the Zambian economy, they were in a position to raise important questions as to whether the privatisation process was likely to benefit the majority of Zambians, however 'every action of the IFIs was designed to place the mines in the private sector as rapidly as possible' (Larmer, 2005a, p6). Democracy theories adopted by mainstream Western donors embrace the delinking of democracy from notions of social and economic justice (Abrahamsen, 2000), and treat elections and party competition as ends in themselves, with little regard to the material impact on ordinary Zambians. Their incomparable power meant Zambians had no choice in implementing an alternative notion. In a move straight from the discourse of Western donors, MMD attempted to represent the privatisation process as intrinsically linked with democratisation, as giving the nation's wealth 'back to the people', when the reality for most was a severe deterioration in their livelihoods⁶. Hansungule et al were very prescient when, writing in 1998 they suggested that the very survival of MMD may depend on how it resolves the problems facing the mineworkers as a consequence of the privatisation process (Hansungule et al, 1998).

MMD and mining companies

The MMD came to power as an elite movement made up of former politicians and prominent members of the bourgeoisie, with a mass following, who were looking to

⁶ The privatisation of ZCCM between 1997 and 2000 was one of the most comprehensive and rapid privatisation processes anywhere in the world (John Craig, 2000)

advance their own economic interests as much as democracy (if not more) (Abrahamsen, 2000). In his election campaign, Chiluba portrayed himself as a man of the people, ready to champion the welfare of the majority. However, with the commencement of the privatisation programme, and the negative reaction it provoked from the majority, Chiluba attempted to dampen the expectations of his people (Abrahamsen, 2000); in a letter to all Zambian union general-secretaries he wrote 'It is my sincere hope that you will all summon courage as leaders of our people to convince the workers to die a little so that prosperity is not overburdened with a crippling debt' (MUZ Head Office, 2001), but widespread discontent and disillusionment still followed, leading to industrial unrest. MMD have taken such a lenient line with the mining companies that they have caused and permitted the horrendous neglect of their people. In the scramble to attract inward investment, the demands of transnational corporations have taken precedence over the needs of the community as a whole, especially in areas such as trade unionism and human rights (Hansungule et al, 1998).

The privatisation process of ZCCM breached Zambian legal requirements for transparency in the bidding process, and in the disregard for the social impacts on mining communities (Kenny, 2000). The theft of public resources during the privatisation process was widespread and has gone unpunished (Duncan et al 2003). Zambia's foreign owned mining corporations have been paying only 0.6 % of their profits in royalties to the state since they took over the privatised mines. This is in large part due to pressure from the IFIs, who pushed the government to create an 'investor friendly' environment. Hence government revenue from copper mining fell from a high of 58% in 1970 to a low of 3% (Simutanyi, 2008). Joyce Nonde, President of the Federation of Free Trade Unions of Zambia (FFTUZ) has said 'It is

time that companies operating in Zambia started paying fair taxes and mineral royalties and commit to assist the development of our country rather than undermine it' (Dymond, 2007 p10).

The MMD government passed the Investment Act and the Mining and Minerals Act which terminated many potential avenues of government regulation of the behaviour of mining companies (Fraser and Lungu, 2007). The Investment Act established very generous terms of investment in mining for private companies⁷. The Mines and Minerals Act set a nominal 3% royalty tax for companies, and provided for tax deductions for investment in mining. The Act serves to undermine itself however, as it allows for the Development Agreements, negotiated privately between company and state, which contain far more incentives and freedom to the mining companies than the Act provides for (Feeney, 2001).

Development Agreements

The development agreements were made in the context of a very unbalanced power relationship. The mining corporations took advantage of the fact that the Zambian government, under pressure to liberalise the economy from Western donors, was desperate for investment. The development agreements meant that in most cases, mining companies were exempt from continuing to cover ZCCM's liabilities, including employees' pensions, paying corporation tax and royalties, and from many national laws including those covering corporate obligations to minimise negative impacts on surrounding areas. The agreements have the same legal status as the

⁷ It prevents the forced acquisition of companies by the state, and ended foreign exchange controls which allowed companies to export all profit out of Zambia without restriction (BBC World Service, 2007)

Zambian constitution, meaning that they cannot be overruled or amended for the following fifteen to twenty years (Fraser and Lungu, 2007), which was disempowering for the Zambian people, as it further weakened any control they may have felt they had through the democratic process over the mining companies that employed them, and played such a significant role in their economy. 'These agreements were just done in State House and our National Assembly had no power to legislate. The agreement [shouldn't] be above the Constitution' (Professor John Lungu *The Post* 15/08/08). The development agreements had been kept secret since they were agreed upon; only recently have some of them become available for public viewing, not released by the government, but obtained and published on the internet by the website minewatchzambia.com. An examination of the Zambian constitution shows that the development agreements are unconstitutional and undermine Zambian democracy⁸

Another example of the skewed relations between the state and the mining companies is shown in the toothless legislation on 'price participation'. Price participation in theory is supposed to ensure that the state (and hence, but only in theory, the Zambian people also) obtain a reasonable share of corporate profits that exceed expectations due a rapid rise in the world copper price. Dymond states how he was unable to obtain a copy of the contract, but was told by a ZCCM official that, if the price of copper at the London Metal Exchange exceeds a specific benchmark (US\$2,700-2,800 per tonne), then the government can start to claim back a certain percentage,

⁸ 'According to the constitution of 1991...the tax exemption in the Development Agreements is unconstitutional. Article 100 (Imposition of taxation) says:
(1) Subject to the provisions of this Article, no taxation shall be imposed or altered except by or under an Act of Parliament.
(2) Except as provided by clauses (3) and (4), Parliament shall not confer upon any other person or authority power to impose or to alter, otherwise than by reduction, any taxation...'
(www.parliament.gov.zm).

usually around 25%, of the difference between the benchmark price and the current price (Dymond, 2007). However, the state rarely receives the full percentage as there are numerous conditionalities attached, and a cap on the amount that ZCCM can receive from a mining company in any one year. There is also a cap of US\$125 million on how much ZCCM can receive over the life of the operations (Zambia Privatisation Agency, 2005). Clauses such as these have led an official from the Ministry of Justice to state that ‘the principle of price participation is very good...on paper they [the clauses] look fine...[but] the amount the government got was pathetic’ (Dymond 2007 p10).

A lack of regulation

Several companies continue to flout the few remaining laws which place any kind of constraint on them, as they are aware that Zambian state institutions are too weak to implement any sort of punitive action, and also the state has developed close ties with some mining corporations, which means that crossing legal thresholds are generally ignored, allowing the corporations in practice to act with impunity (Fraser and Lungu, 2007). Fraser and Lungu (2007) and Dymond (2007) suggest that the regulatory authorities with the principal responsibility for protecting mineworkers are not able to adequately regulate mine companies to protect mineworkers. This is especially acute with regards to contract employees, of which there is a growing number. Dymond shows that in some cases this is due to gaps in the regulatory framework where, for example, national minimum wage legislation doesn’t adequately cover a household’s basic needs (Dymond, 2007). Another example of this is the Mines Safety and

Explosives Regulations which were updated in 1996 but have never been implemented because the state did not employ the required legal draftsmen.

The state has not implemented effective regulation with regards to the activities of the mining corporations, it has not protected workers and their communities and it has not 'collected a sensible amount of revenue' from the corporate profits (Rakner, 2002).

Just prior to the 2006 elections, Mwanawasa ordered the arrest and prosecution of investors in the country's copper mines that were breaking labour laws. This appears to have been a sign of desperation just before the election, an attempt to regain some popularity on the Copperbelt (www.minesandcommunities.org), However, the arrests came to nothing, and the government has remained bullish with regards the workers' struggle against their employers, with Mwanawasa telling journalists 'Do not be surprised if we fire ringleaders. Ringleaders at the Chambishi were fired and I have directed that they should not be re-engaged' (*The Times* 2/05/08).

There is currently increased pressure from different areas of society for the government to take back control over the mining companies. An editorial in *The Post* was typically emphatic on this point, 'The government should have the power to set and collect taxes as it deems fit. Those who want to go can go. They certainly can be replaced' (*The Post* 13/02/08). A new fiscal regime has recently been passed by parliament, laying the theoretical framework for an increase in taxes and royalty payments by the mining companies (minewatch)⁹.

⁹ Collier emphasised the timeliness of the tax reforms, stating that there can be no guarantee that the copper price will stay at the current high level, so the taxation needs to be enforced 'now or never' (Collier interview, BBC World Service, 2007)

It remains to be seen whether the very recent tax legislation passed by Parliament to increase royalties and corporate tax will be adhered to by the companies, and enforced by the government. This is discussed in more detail below.

Mineworkers' socio-economic conditions since the return to multi-party democracy

Mining companies have little motivation to provide anything bar the minimum services to keep their workers functioning, as there has been absolutely minimal state pressure, a culture of impunity has developed, and all of the shortcomings result from 'purposeful cost-cutting policies undertaken to maximise profit and dividends to shareholders' (Fraser and Lungu, 2007). As Dymond (2007 p3) says, it seems that 'Zambian society is deriving few of the advantages of copper mining, whilst suffering many of the disadvantages'. When ZCCM was privatised, the government was under so much pressure to be 'investor friendly' that it had no option but to accept the mining companies demands that they cut loose all previous ZCCM employer obligations to employees, such as pension guarantees, health and sanitation services, affordable education for their children, and accessible housing¹⁰.

Since many of the mining companies refused to take on the obligations left to them by ZCCM, one of the groups most severely affected are those unable to claim their expected pension¹¹. The sale of ZCCM houses to mineworkers in the 1990s meant that even fewer now retire to the countryside, swelling the numbers of poor, unemployed, or retired mineworkers in urban areas (Larmer, 2006). This has created a new problem in that with many urban mineworkers without employment and many

¹⁰ In the UNIP era, Kaunda had directed ZCCM to provide social services in mining areas that the government could no longer afford to provide on a large scale, such as affordable housing, healthcare and schooling. ZCCM continued to provide these social services to mining communities even after the economy started to deteriorate and the company was performing badly on global markets (Simutanyi, 2008)

¹¹ Fraser and Lungu show that this problem is particularly severe due to the socio-geographical nature of Zambian society, in that in the past two decades there has been increased urban migration, with people leaving the countryside to work in the mines (Fraser and Lungu, 2007).

at the end of formal employment without a pension, they resort to subsistence farming on peri-urban land, leading to problems of eviction by mining companies who own much of this land, and a land shortage problem¹². The problem of insecurity faced by people squatting on mine owned land is severe. These ex mineworkers often also fall to relying on extended family networks for support to make ends meet, which used to be the preserve of elderly rural family members (Fraser and Lungu, 2007), meaning that there is increasing pensioner poverty in the countryside too. The allocation of building plots on peri-urban land has usually been distributed to people with political access rather than through market forces (Duncan et al, 2003). The plight of these mineworkers means there is less justification than ever for talk of ‘urban bias’ in Zambia (Duncan et al, 2003). From the start of the ‘chaotic, piecemeal privatisation of the mines’ (Hansungule et al, 1998 p34) many miners were put on indefinite standby but never called back to work. This means that there are huge numbers of people looking for land from which to scratch a living around urban areas who are ‘urban dwellers’ who have previously lived all their lives on the Copperbelt, usually in one town.

Other ZCCM obligations that the private mining companies have rejected include provision of education, healthcare and housing for mineworkers and their families. The state does not have the resources to pick up where the mining companies left off, and so many people are without access to healthcare and education, because of a scarcity of resources¹³ or an inability to pay the user fees which have been introduced as a condition of continued assistance from Western donors (Larmer, 2005a). The introduction of these user fees for health, water and sanitation services has

¹² ZCCM never thought that its assets would one day be stripped, so it allowed many of its former workers to settle and farm on mine owned land

¹³ The doctor : patient ratio in Zambia is 1:14000, compared to Britain at 1:600 (Jones Zulu, 2006)

‘substantially and adversely affected the quality of Zambian life’ (Larmer, 2005a)¹⁴.

A mineworker told *The Post* ‘They have built a school within the Golf Estate and the school fees per term are K6 million. The question is, can we take our children to this school when they are giving us an education allowance of K100000? If you look at the wage of foreigners who are doing the same job with us, they are getting a lot of money. And if you look at our gratuity after working for two years, it is less than K3 million. We are not being stubborn for demanding for a decent wage because we know that they are able to pay’ (*The Post* 31/03/08).

Since the takeover of Zambian mines since 1997, the percentage of the (diminished) workforce that are on permanent contracts is much lower than before. 45% of mineworkers are unable to access permanent contracts or the benefits such as pensions that they entail (Fraser and Lungu, 2007). Most workers are now on short term rolling contracts with hardly any benefits, or are agency workers who are contracted in on a very low wage. This combines to create a situation of increased casualisation of labour where the Zambian mineworkers are ‘joining the ranks of the working poor’ (Fraser and Lungu, 2007). Due to the increase in casual, untrained labour and overworking, safety standards have fallen (Simutanyi, 2008). This is aside from the fact that by 2000, the number of mining jobs had halved (Chamber of Mines of Zambia, 2005), meaning thousands of mineworkers are unemployed and have no income. There has since been a slight increase since the upturn in the global copper price, but employment levels are still far off pre 1991 levels. Dansereau shows that mining activities contribute to social conflict, dislocations and the destruction of livelihoods, without contributing to poverty reduction (Dansereau, 2007).

¹⁴ Zambia has slid to 165th place out of 177 in the Human Development Index, and to 169th of 209 in the World Bank Development Index (<http://web.worldbank.org>)

Mineworkers' 'participation in local activities designed to ameliorate living standards lay in the consciousness of their unwarranted exploitation, the inequitable distribution of revenue and the importance of copper mining to national development' (Larmer, 2006 p3)¹⁵.

¹⁵ Zambian mineworkers have looked across the border at the fate of the workers' movement in Zimbabwe, which failed to remain separate from state privatisation policies, and ensured that the Zambian labour movement 'has been the vanguard of a national campaign against the privatisation of remaining state assets and the donor influenced reduction of public expenditure' (Larmer, 2006). Larmer suggests that this spurred on the renewed debate about the role of the labour movement in politics, as to whether it should seek to directly impinge on the political arena representing workers' interests, or restrict itself to workplace campaigning (Larmer, 2006).

‘Organised labour is the dog that did not bark’ - Mineworkers’ exclusion from the political arena (Burnell, 2001 p256)

ZCTU consciously remains politically non-partisan but has always maintained a strong commitment to political pluralism¹⁶. The workers have chosen not enter the political arena on the same path as political parties, and so came to rely on more indirect methods to influence the political process. Larmer emphasises the political nature of mineworkers’ actions, despite the fact that they do not occur in the formal political arena (Larmer, 2006). ‘The political influence of the labour movement in Zambia has not generally depended on preferential access to policy making forums but rather on the capacity of rank and file members to challenge the decisions of policy through forms of locally organised direct action’ (Larmer, 2006 p20). However, due to recent government repression of mineworkers, limiting their capacity to pursue these alternative avenues of political action, their options have become more restricted. This has occurred simultaneously as poverty has increased, and standards of living dropped. It is for this reason that Sata’s pro-worker rhetoric has proved so popular on the Copperbelt and in all of urban Zambia.

A paradoxical return to multi-party democracy was heralded with the rapid proliferation of political parties and non-governmental organisations. These new organisations crowded into the opening political space, with the effect that interest groups representing labour found it increasingly difficult to stake a presence in public forums which reduced their ability to influence government decisions (Rakner,

¹⁶ for example, in August 2000 some ZCTU officials urged members to vote against MMD, but they were rebuked by Chairman Shamenda who emphasised the importance of independence

2002)¹⁷. With the advent of MMD rule, it was the social forces that had been the impetus for the transition to democracy which were immediately put in a position of weakness by the new regime (Rakner, 2002). The process of political reform¹⁸ has not led to an increased participation in the political process by interests groups. 'Labour was paradoxically the closest ally and the fiercest opponent to MMD' (Rakner, 2002 p6). Geddes (1994) has shown that the groups which tend to bear the cost of structural economic reforms, especially organised labour groups, have shown significantly less capacity to exert political influence following the reforms than international observers had initially expected. The immediate effect of the economic restructuring was that the membership of labour representing organisations suffered a severe decline (Rakner, 2002). 'Privatisation has decimated the unions themselves, affecting the total number of organised members and creating financial crises for the institutions' (Fraser and Lungu, 2007). The political space for interest aggregation has narrowed with the reintroduction of pluralism to Zambian politics (Rakner, 2002 p8).

The increase in unemployment, the exclusion of unions from the decision making forums and the mistaken loyalty of labour leaders to former colleagues who had made the transition to politics (most significantly, Chiluba) meant that from 1991 the labour movement was increasingly marginalised. Chiluba used his strong background in the labour movement under UNIP to allow him to completely change from his stated position and embark upon a program of extreme economic liberalisation without suffering too much opposition from organised labour (Larmer, 2006).

¹⁷ 'Public debates are dominated by various NGOs, most heavily dependent on foreign aid and often focused on human rights violations' (Rakner, 2002 p8).

¹⁸ 'the weakly institutionalised formal system of democratic rule' (Rakner, 2002 p5)

From the beginning of MMD rule, the government adopted a policy of not consulting with the Zambian Congress of Trade Unions (ZCTU) (Rakner, 2002), and obviously distancing themselves from the labour movement. The trade union movement was immediately negatively impacted by the economic reforms but they initially maintained the position that the MMD was a 'labour government' (Rakner, 2002) and kept overt criticism to a minimum. However, with the new wave of reforms in 1994, the trade union movement became an outspoken critic of government economic policy. Whilst ZCTU opposed the government plans for privatising ZCCM, Mineworkers' Union of Zambia (MUZ) endorsed them, as they believed the suggestion that the mining sector would benefit from a quick privatisation (Rakner, 2002). Although they knew there would be some retrenchments, MUZ believed that in the long term, mineworkers would benefit from privatisation (MUZ, 2001). The split severely weakened the power of the trade union movement as a whole, and the individual unions within it, as individually they didn't wield much clout. A new union which has emerged since privatisation has claimed around 4500 members away from MUZ (Fraser and Lungu, 2007). This split has weakened the mineworkers' movement as a whole.

Increasing government repression of workers

In January 1993 UNIP and two other newly formed parties joined forces to push for a civil disobedience movement to oust MMD from power. In March 1993 MMD declared a state of emergency, overriding democratic procedure, in response to this

‘zero option’ civil disobedience plan¹⁹. The state of emergency lasted twelve weeks and was a sign of an increasingly repressive government which was to last into the future. The government adopted an attitude that was increasingly intolerant of opposition. Twenty three UNIP officials were arrested and detained without charge; there was increased harassment of all opposition parties and critical groups and manipulation of the constitution to strengthen the position of MMD by barring Kaunda from standing for election. (Abrahamsen, 2000). All of these repressive measures ensured victory for MMD at the polls, but ‘the illusion of democracy had been shattered’ (Abrahamsen, 2000 p130).

In 1992 there were over 50 strikes in the period January to August. Three hundred mineworkers’ wives were arrested for protesting. Strike action widened to include the public sector in 1993 with a civil service and teacher strike, which paralysed the country (Abrahamsen, 2000). There has been a pattern of striking miners at Chambisi Mine getting shot at by management. Publicised incidents of this occurred in 2001 and 2006 (www.minesandcommunities.org). In 2005 fifty two mineworkers were killed in explosions in copper mines, and four were shot and wounded by security forces (Larmer and Fraser, 2007). In 2007 workers were shot and wounded for striking at a Chinese owned mine, and there were increasingly repressive responses to trade union action (ITUC, 2007). Things escalated in 2008; there were wildcat strikes in July 2008 at KCM mine over a pay deal; In June 2008 Kanshasi Mining won a court order to prevent its workers from striking following strikes in May over poor working conditions (ICTU, 2007); In April 2008, 28 Indian workers were forcibly repatriated for inciting fellow workers to strike (minewatchzambia.com/blog,

¹⁹ Ironically the ‘zero option’ plan strongly echoed themes of the original 1991 MMD manifesto

25/04/08); All 500 unionised workers were sacked from Chambishi Mine following protests over working conditions in March 2008 (minewatchzambia.com/blog, 10/03/08) in which the protests had escalated into violence, with workers attacking managers with flying stones (minewatchzambia.com/blog, 04/03/08).

The ITUC show the gap between trade union rights in theory in Zambia, and in practice. Although Zambian workers have the right to strike in theory, the list of industries under the 'essential services' list which are denied this freedom, includes some mining sectors (ITUC, 2007). The right to strike is subject to so many procedural requirements that it is near to impossible for workers to hold a legal strike. As Fraser says, the right to strike is 'virtually impossible to do legally in Zambia' (minewatchzambia.com/blog, 07/03/08). As a result, no legal strikes have been held in Zambia since 1994. Many officials of municipal workers' trade unions have been dismissed for union activities and the government continues to deem strikes by workers in local government to be against the public interest.' (ITUC, 2007). Zambian legislation weakens labour organisation which makes setting up union branches very difficult. Before this can be done a 'shadow committee' must be identified, meaning that in many cases firms sack those named employees, 'sending a clear message to the workforce that unionism will not be tolerated' (Fraser and Lungu, 2007 p24). This requirement for identification of members creates a very real risk of job loss, and so makes union activity much more costly for ordinary mineworkers, often with immediate and extended dependent family. 'Without the ability to form unions and be officially represented, and with the likelihood that any worker principled and brave enough to step forward as a representative will be sacked

and repatriated for making trouble, industrial relations will inevitably prove fractious and disorderly' (minewatchzambia.com/blog, 25/04/08)²⁰.

²⁰ A *Post* editorial makes the point that labour legislation had not been reformed since the time when practically all Zambian workers were employees of the state (*The Post* 27/03/08).

Share the wealth?

Copper prices have been rising since 2003 at unprecedented levels. The value of Zambia's copper exports more than doubled between 2005 and 2006, reaching US\$2.78 billion (Fraser and Lungu, 2007). From 2000-2003 the average price of copper on the London Metal Exchange was US\$1588-US\$1815 per tonne. By 2005 it had doubled to US\$3684 per tonne. At the time of writing it is \$6860 (<http://www.lme.co.uk/copper.asp>). The recent increase in copper prices has accentuated the extremely low proportion of mining profits that works its way to the hands of the workers, and the tiny fraction which goes to the state in corporate taxation and royalties (Fraser and Larmer, 2007). This has fuelled increased anger and resentment from mineworkers about their economic plight, and created a 'crisis of legitimacy' surrounding the government and the mine owners (Fraser and Lungu, 2007 p2). The higher copper prices have formed the basis for the 2006 political revolt against MMD. 'Mineworkers have come to believe that economic discontents could only be addressed by political change' (Larmer, 2006 p3).

In July 2005 KCM mineworkers demanded a 100% pay rise. This demand was explicitly linked to KCM's huge profits and led to strike action by employees (*Daily Mail*, 18/08/05). It has also led workers and observers to emphasise even more strongly that the government is not receiving a fair share of the revenue from the copper mining contracts it entered into under intense pressure from the Bretton Woods institutions (Dymond, 2007). The proportion of profit from copper mining which ultimately goes to the state is small, even in comparison to nearby African states. For example, in Botswana, large mineral corporations pay a royalty of at least

70% to the government through different sorts and channels of revenue transfers. In Zambia, some of the large mining companies pay 0.6% (Christian Aid, 2007). An IMF paper suggests an average rate of royalties for developing countries is around 10% (Christian Aid, 2007). Evidently, with the Mines and Minerals Act setting the level at 3%, and the development agreements usually undercutting this to 0.6%, the Zambian state's proportional revenue is hugely under par. Experts argue that given the high quality of Zambia's copper deposits, the high rate of extraction and the country's strategic economic dependence on copper, the Zambian government should be able to charge a relatively *high* royalty payment.

The likelihood of positive change

The renegotiations that have just been cemented into legislation reforming the tax regime for mining companies stemmed from pressure from mineworkers to increase the mineral tax and to increase regulation on mine owners to observe safety and environmental standards, and also national labour law, to end the culture of impunity which has been allowed to persist (Simutanyi, 2008). The mineral royalty paid so far in the last two months under the new mining fiscal regime had averaged K25.75 billion per month compared to an average of K5.2 billion per month that the mines used to contribute to the treasury in 2007 (ZRA Commissioner General in *The Post* 14/08/08).

But Simutanyi predicts that it is likely that despite the tax increase, most of the increased revenue will flow to the political elite at the expense of the majority of the poor (Simutanyi, 2008). This links to Bartlett's theory of 'older political logics' persisting and functioning despite new, 'development focussed' processes and

rhetoric (Bartlett, 2000). Lungu also voices this concern, saying that despite the government reforming the laws in the mining sector, there were concerns on how it would handle the additional revenue (Lungu in *The Post* 15/08/08). Some commentators feel certain that Mwanawasa and his government cannot force companies already working in Zambia to conform to his new tax regime. First Quantum Minerals was unwilling to comment on the president's speech because the ramifications are as yet unclear; Equinox Minerals' vice president, Kevin van Niekerk, is confident that all Development Agreements will be honoured. 'We will not see unilateral cancellation of existing Development Agreements. They are protected in law as binding international agreements' (www.minesandcommunities.org).

We will need to wait and see what the mining companies and the government actually *do* before we can say whether the tax reforms have been a success, as Fraser says (minewatchzambia.com/blog, 14/08/08). However, one immediate positive impact of the tax reforms means that the burden of taxation has been legislatively shifted back onto corporations. Following the return to multi-party democracy, and the frenzied attempt to create an 'investment friendly national context', the burden fell to individuals, most of whom had as very small income before tax. Following the introduction of the new tax regime in the 2008 Budget, it was announced that PAYE and VAT would be reduced, making life a tiny bit easier for the poorest.

There have been initial proceedings to reform Zambian labour legislation. This is very significant, because with established and free unions, a proper infrastructure would exist within which workers' rights can be fought for. Without this infrastructure, which is the situation which exists in Zambia at the moment, the

movement is chaotic, fractured and frequently counter-productive. However, in April *The Post* reported that much of the progressive substance of the legislation had been removed from the bill, generating anger and disappointment from the unions, leading Nonde, head of the Federation of Free Trade Unions of Zambia (FFTUZ) to call it ‘primitive, suppressive and vindictive’ (*The Post* 25/04/08).

The rise of Patriotic Front

Sata formed PF in 2001 after he was passed over for the position of MMD

Presidential nominee in favour of Mwanawasa. In the 2006 Presidential election he won 29% of the vote, up from 3.4% in 2001, and in the National Assembly elections, PF won 44 seats, up from just one in 2001 (EU, 2006).

Sata has voiced popular concerns such as health and safety standards in mines, a lack of housing, poor public transport, corporate impunity and the hoarding of copper profits to, and has presented himself as the no nonsense, anti-elitist solution to all of them. He has especially cultivated a relationship with the mineworkers, who turned away from Mwanawasa as a result of his economic policies, and refusal to clamp down on mining companies, and his attacks on their behaviour, calling them 'hysterical' (Larmer and Fraser, 2007). In contrast, Sata has vocally taken the mineworkers' side and his abrasive rhetoric allows them to feel that he shares in their disappointment and anger. The PF slogan 'For lower taxes, more jobs, and more money in your pocket' (www.pf.com.zm) appeals to the poor and unemployed struggling to get by in urban Zambia.

Sata has consciously targeted the mineworkers as his key electorate. PF promised mass action against any mining company that did not comply with the new fiscal regime (minewatchzambia.com/blog, 14/08/08). PF said they would not support new amendments to the Industrial and Labour Relations Act until a consensus with the unions was reached (minewatchzambia.com/blog, 1/05/08). PF showing solidarity and respect for the unions, trying to maintain their support despite some MMD adoption of PF type policies. Chingola clergyman Bishop Joseph Kazhila joined Guy Scott, a prominent PF MP to call for protests against all those multinational mining

corporations that attempt to take legal action to prevent paying increased tax under the new fiscal regime (minewatchzambia.com/blog, 03/03/08). ‘Scott and his party leader Michael Sata have excellent track records of organising the rising tide of popular protests and demonstrations Zambia has seen over the last few years, and both are very widely admired on the Copperbelt where their party dominates’ (minewatchzambia.com/blog, 29/02/08). PF called for the withdrawal of the bill to increase salaries and allowances for the President, ministers and other constitutional office holders. The bill was passed, but is very unpopular with the majority of Zambians, who perceive it as the political elite using state resources to further enrich themselves. Sata followed popular opinion, describing the bills as immoral, holding rallies in Lusaka (*The Post* 18/08/08) and calling for Zambians ‘to unite on a matter that will affect their lives once it is approved’ (*Sunday Times* 17/08/09)

Sata is extremely rude about MMD politicians, which has had the effect of partially erasing memory of the fact that he was once a high ranking member of MMD, and had a significant role in getting MMD into power in 1991, and in creating and implementing their policies. He even campaigned for Chiluba’s third term to be permitted. It wasn’t until Chiluba was denied, and Mwanawasa was chosen as his successor the Sata the party and set up his own in spite (Burnell 2002). Sata castigated Mwanawasa as one of the ‘crooks who sold our mines’, neglecting to mention that he too, was an MMD member at that time (www.minesandcommunities.org).

Depending on the source, Sata is either a thug with a shady past, or a straight talking man of the people. Sata is much more explicit in his populism than Mwanawasa was.

He gained something of a bad reputation, or became known as pragmatic and effective, depending on who one speaks to, for carrying out a lot of the MMD 'dirty work' (Burnell, 2002 p1110). He supported the campaign against ZNCB in 2002, and was a strong presence on anti-privatisation demonstrations, boosting his image of being aligned with the discontents of the masses (Larmer and Fraser, 2007) and aiding his reinvention as an advocate of poor workers (Larmer, 2005a). Trade Unions do not endorse individual presidential candidates, preferring to remain neutral, however Nonde, a vocal critic of government policy regarding mining companies, and head of FFTUZ has offered Sata her personal support (Larmer and Fraser, 2007).

In 2006 PF won in the Bemba speaking areas of Northern and Luapula provinces, on the Copperbelt and in Lusaka where dissatisfaction with MMD social welfarist policies, or the lack of them, and the frustration of knowing the profits that were being made at the mines, but being unable to access them, were highest. PF capitalised on existing MMD branch structures to mobilise support and gain membership (Larmer and Fraser, 2007), as well as the MUZ network of mineworkers, including those retired and unemployed. PF purposefully dominated these areas spatially as well as ideologically, with PF minibuses, rallies, flags and songs found everywhere in 2006. PF attempted to capitalise on the momentum afforded them by the 2006 election result, by trying to create effective local authorities in all of the areas which are now PF administered. Sata suggested that PF local authorities could act as a 'parallel government', showing his appetite for PF power, and his willingness to fight to wrest power away from MMD (*The Daily Mail* 5/10/06).

MMD response

Prior to the 2001 election, MMD placed several populist items in its manifesto, including financial support to small farmers, and a superficial anti-corruption campaign (Duncan et al, 2003). This attempt to bulk out its rural support proved a valuable move, as the votes from the countryside were the only reason that enabled MMD to survive the next election in 2006. Prior to the 2006 election, Mwanawasa made a conscious turn to emulate some of the nationalist rhetoric and stance of UNIP in the 1980s, seeking to undermine support for the PF. The newest economic restructuring proposal was given the title 'Fifth National Development Plan', echoing central, nationalised planning of the Kaunda era. He also introduced some neo-nationalist policy decisions, including implementing a ban on foreign currency in Zambian shops, rejecting foreign GM food aid, and blaming external donor agencies for the poor economic conditions suffered by the majority of Zambians (Larmer, 2005a).

In general however, MMD have been campaigning on the basis of continuity. The recent death of Mwanawasa, and the eulogies, editorials and speeches given praising him and his work as President that have come as is usually the case with the death of a head of state, has captured some of the popularity he had when he first gained office, before the continuing MMD failure to redistribute resources or improve working and social conditions led to a rapid loss of favour. After the 2006 election the MMD arrested Sata on charges which were quickly dropped after the Attorney-General intervened, declaring it unlawful detainment (Larmer and Fraser, 2007). The outcome of this election appeared to show that the days of the predominant party system were over, and that the possibility of MMD being ousted from power was becoming more

tangible. However, since then, MMD have resorted to increasingly repressive and authoritarian measures, as detailed above. If this continues in the coming few months, in the lead up to the presidential election, PF may be sidelined, and have their chance at power taken out of their, and the voters' hands. Other opposition parties have not really found their own voice with which to argue against MMD (Larmer and Fraser, 2007). They are generally using a platform of 'We'll be like MMD but better' which isn't really very captivating or novel, and doesn't resonate with the current mood of disillusionment and frustration with the status quo that exists in urban Zambia.

Recent reports of an impending pact between PF and UPND (the second strongest opposition party) to come together before the October election are very interesting; 'The UPND has welcomed PF president Michael Sata's proposal for the two parties to join hands in an effort to remove the MMD government from power in the October 30 presidential election' (*The Post* 11/09/08). At the time of writing it has yet to be seen whether the pact will be consolidated, but the prospect of a joint PF-UPND ticket appears very strong, as it would benefit from PF supporting urban areas of Northern, Luapula, Copperbelt and Lusaka provinces, with the strong UPND Southern province; thus likely to carry five of the nine electoral provinces.

PF populism and democracy

Sata is the 'Laclau populist' who places legitimate social demands at the centre of his arguments. Larmer and Fraser (2007 p637) suggest that the accusations that have been levelled at him of 'populism' are 'reflective of a political environment in which liberal metropolitan opinion, influenced by decades of dependency, is fearful of

politicians who prioritise popular demands over external conditionality'. Panizza (2005) questions the pejorative use of 'populism'. He raises the question of who the 'other' the 'non-populist' is that we turn to when we shun 'populism'. In the Zambian context, this 'other' constitutes either indigenous elites or Western donors, and if we return to the question of the nature of democracy, of what its value consists in, and we come to the same answer, that it is the ability of the majority to have some control over their livelihoods, and the attempt for a respectable level of equality of outcomes in terms of social welfare, then it seems that this 'other' should not be the focus of democratic politics, it should indeed be the masses. As Canovan (2005) states, notions of 'the people' and popular sovereignty are related to key questions about the meaning and nature of democracy. Populism is often seen as a threat to democracy because of its alleged appeal to raw passions and the basest instincts of the masses (Panizza, 2005), however this is not a necessary constituent of populist politics. It can occur when the populist leader disregards the rule of law and political institutions, but again, this is not an inevitable event. Surely institutions can remain, the rule of law be preserved, and yet popular needs and welfare form the core of government policy. Panizza (2005 p30): 'By raising awkward questions about modern forms of democracy, and often representing the ugly face of the people, populism is neither the highest form of democracy, nor its enemy, but a mirror in which democracy can contemplate itself'.

Conclusion

Zambian democracy is at a crossroads; one path leads towards meaningful democratic deepening, the other is darker, more uncertain, and could be hidden behind a veil of increasing repression by power hungry and resolute MMD leaders. Collier et al (2003) suggest that the risk of an escalation of violence will continue to increase in Zambia if economic standards do not improve for the majority. Similarly, Rotberg (2002) states that a failure to provide positive political goods, which he classes as including things like healthcare and education, is a worrying sign of impending state failure.

The friction generated by the mineworkers and those seeking to represent them is at a historic high for Zambian MPD. The concluding remarks here can be nothing other than 'wait and see'. The death of Mwanawasa has had a remarkable impact on the course of Zambian politics in two ways: Firstly it has increased pro-MMD sentiment simply as a by-product of the mourning process (*The Post 20/08/08*), although the selection of Rupiah Banda as MMD Presidential nominee has not been an overwhelmingly popular choice; Secondly, it has intensified the sense of, and desire for, imminent, meaningful, and progressive change, which has been one of the striking features of PF's campaign since 2006. A PF-UPND pact would be a winning combination in this context.

Optimism must be restrained – MMD appears to be heading down an underhand campaign route and it remains to be seen whether Sata has the integrity to match his rhetoric²¹. Even if he does win the election and stands by his word, the socio-

²¹ 'The most enthusiastic supporters of democracy within the African political class are those who are out of power' (Ake, 1994 p2)

economic reforms necessary to ameliorate the position for the mineworkers will not be easy – companies will resist stricter regulation and higher taxes, and Western donors will be wary of redistributive efforts. Establishing social democracy will be a difficult task, but a necessary one if we are to see a democratic future for Zambia.