



INNOVATIONS FOR SUCCESSFUL SOCIETIES

Innovations for Successful Societies Oral History Project

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MAWSON: My name is Amy Mawson, and I'm here interviewing Miguel de Brito at EISA (Electoral Institute of Southern Africa), and I just wanted to start off by asking you a little bit about your background. So, what were you doing in 1994, for example, and what position do you hold now, and what have you been doing in between, those sorts of issues?

DE BRITO: *Okay. My name is Miguel de De Brito. I'm currently the country director for Mozambique for EISA, the Electoral Institute of Southern Africa, which is a South African-based NGO (non-governmental organization), working on elections in democratic governments in Africa. I've held this position for three years now. Prior to that, I worked for USAID (United States Agency for International Development) here in Mozambique for seven years, as senior democracy and governance adviser.*

Prior to USAID, that's in between 1995 and 1999, I worked mostly for UNDP (United Nations Development Program) here in Mozambique; primarily on a research project called War-torn Societies Projects, which was a comparative action research project in postwar societies—I think Bhutan, Mozambique, Eritrea, Guatemala, and some other country I can't remember now—and Somalia, yes.

So, that started in 1995. So, prior to that, I was at the International Relations Institute of Mozambique, which has a research center called the Center for Strategic and International Studies, like the one you have in the U.S., where I worked as a researcher, and also taught international politics at that institute. So, that's where I was in 1994.

MAWSON: OK. And I know that just before we started the tape, you were mentioning that you have had a lot of contact with Brazão Mazula, and probably other people that were involved in 1994. So, although I know you were not involved in actually running those elections, I'd be very interested to hear your opinion on the main story that I have been hearing about the CNE (National Electoral Commission) in 1994, which is that it really worked because this consensus developed through the institution. What is your sort of view on that story?

DE BRITO: *There's a success story for Mozambique itself, and there's a success story when you compare Mozambique to other postwar societies, especially in Africa, especially when people tend to compare Mozambique to Angola—two similar countries, civil war, former Portuguese colonies, came to the first end of the war more or less at the same time, Angola, a little bit earlier. And therefore, there's always a comparison why one country failed and the other one succeeded.*

And it is true that at that time, elections went, you know, fairly well. It was not an easy process for the CNE. As you can imagine, the levels of mistrust between FRELIMO (Front for Liberation of Mozambique) and RENAMO (Mozambique Resistance Movement) are very high. And to have the two sides coexisting within a totally new institution that had such a big responsibility to organize the very first elections, and the elections which would determine who actually won the war. Because no side won the war militarily, and therefore, the elections would determine more or less who the actual winner was in that sense. So, both parties deferred to the elections, the decision of who won that 16-year-old conflict.

So, a lot rested on the shoulders of that commission, and therefore, there was a lot of apprehension whether it would work or not. Not only on the political side, but also on the logistical side—organizing elections in a country that had come

out of war, no roads, lots of landmines still around the country, to make information reach people about the elections, and nobody had voted before, so how to vote. So there was a lot of challenges at that time. Not only political, as I said, but also, you know, logistical and educational, etc.

So, I think for most people it was a pleasant surprise how relatively well the election was conducted, the high turnout, that we had never been able to achieve since then. And with hindsight, also, the fact that the election had flaws in terms of the results. If you look at the numbers, sometimes they don't add up, etc. But RENAMO was much more readily able to accept those results than it is able to accept now. Where the results nowadays, there are problems of, you know, irregularities, frauds, and [indecipherable], but the results are much more fateful nowadays. But today, RENAMO accepts results with much more resistance than it did in 1994, when they had much more reason to question them.

So, it's—in that sense also, it was an interesting process, yes.

MAWSON: How much do you think international money and the amount of financial resources that RENAMO got in 1994 were responsible for them saying, "OK, that's fine, we accept the election, because we've got what we need for—money-wise"?

DE BRITO: *I think, of course, I mean, one cannot discount the importance of the financial support. But also, I think, together with the financial support, the amount of diplomatic pressure put by the international community on RENAMO. As you may recall by reading accounts of those days, the day before the election actually—Mr. (Alfonso) Dhlakama decided that I'm not going to run, we're pulling out from the election. And in less than 24 hours, they had to resolve that situation, and nobody doubts that had it not been for the special representative of the secretary general of the United Nations, and especially the Western ambassadors, plus the South African ambassador, putting pressure on Dhlakama basically all night long, the situation would not have been resolved.*

Of course, there are accounts that the U.S. promised more money during those hours. That, I don't think has been proven or documented beyond question. But money was important. But also the unanimous pressure of the international community to get the process on track, no matter what. And therefore, I think that played a very important role, because one thing is clear, and it has remained so, and until probably very recently, Mr. Dhlakama and RENAMO do really trust, and listen to, and sometimes bow down to the international community.

Basically, for RENAMO, the international community is there; they cushion, basically, where they can fall onto when—in hard times. So,—

MAWSON: So, in that sense, can I ask how much of a role then do you think the CNE played on the more political questions? I'm saying not so much the technical side, but how important was their role politically if the international community was so important?

DE BRITO: *The CNE had the very big responsibility of organizing and conducting the elections. And since those were the first elections in the country, a lot of—of course, the electoral law had been approved before, and it was a long process, etc. But to put the law into practice, and for that, the CNE had to issue regulations, had to interpret the law, had to make decisions on day-to-day operations, and all that required a certain degree of consensus between the two*

sides within the commission. Otherwise, it will be complete paralysis, and elections wouldn't have taken place.

Because no matter the amount of goodwill of the international community, if there's no operational body on the ground to make decisions and make things happen, you know—are we going to print colored ballots or black-and-white ballots? Are the ballot boxes going to be transparent or not? How many polling stations are we going to have? How are we going to conduct voter registration? I mean, these are all technical, but, you know, incredibly political consequences. And therefore, if the Commission didn't manage to achieve a certain level of consensus, things wouldn't have happened.

So, the CNE played a very important role in that sense, that it managed to steer the boat, at least in the public eye, without much upheaval really. Internally, things might have been different, but in the public eye, I think the commission, you know, did a fairly good job. And then we can go into our discussion of why it happened, and how it happened, at least from my perspective.

MAWSON: Yes. And as you say, the CNE managed to steer the boat, at least in the public eye. So, if there were internal problems, how was it that they managed to create this sort of persona to the public at least, that, no, we are reaching this consensus and we're working together. Do you have any sense of how they managed to do that?

DE BRITO: *My opinion is that it's a combination of different factors. One, the personality and the persona of the chair of the commission, Dr. Mazula. The commission insisted on—especially RENAMO insisted on having—someone who was an outsider from politics, who could be trusted, and who would be, as much as possible, impartial, given the level of mistrust between the two sides. And Brazão Mazula was fairly unknown at the time; nobody had heard of him basically. He had a very low-key public-service career until that time. But he combined a number of interesting things.*

First, initially, he had been a priest. So, he was very much—even after leaving the priesthood, he kept very close to the Catholic Church. The Catholic Church, I won't say supported, but was sympathetic to a certain extent to RENAMO. And so, therefore, the Catholic Church was able to convey to RENAMO that this is somebody we can trust. So, they could give assurances to RENAMO that Dr. Mazula is somebody you can trust; he's a serious person, he's an honest person, and he'll do his best to maintain a certain level of impartiality. And I've no doubts that there must have been some sort of a dialogue between the Catholic Church and Mazula before this all became official. So, that was one factor.

The other factor was that Mazula had been out of the country for almost six years at that time, having been in Brazil doing his studies, master's and Ph.D., etc. So, he was, as I said, outside the whole political scene in Mozambique. And before that, he had been a director in the Ministry of Education, so no political position whatsoever. For FRELIMO, he was acceptable because he had worked for the government, but he was also the brother of one of the members of the government delegation to the Rome negotiations. So, for FRELIMO, he was an acceptable person.

And to RENAMO, through the Catholic Church, he became also an acceptable person. So, in that sense, he was seen as an outsider, a Ph.D., a former priest so a consensus person in theory; somebody who is used to talking people into coming together. And he had connections to either persons or institutions that

were close to the two sides. So that helped—so, he was respected for that. And he brought all that personal style—he is a very humble person, and he’s a very good listener, and he’s a natural consensus seeker. You know, some people have that ability.

And so, what Mazula brought to the CNE, I think, was an ability to listen to the concerns of both sides. He was the chair, but he didn’t act as the chair, he acted more like the facilitator or the mediator. He didn’t impose his points of view. I mean, he knew nothing about the elections also. But he also created this multipronged dialogue process. He was in constant dialogue with the government and FRELIMO. So, he knew what FRELIMO’s concerns were, etc. etc.

He had regular contacts with the president of RENAMO. But he also was talking to the Church, and he also was talking to the international community. So, he knew what was going on. And he tried to process all these demands, and concerns, and worries. So the fact that he maintained this constant dialogue with all sides, and tried to balance out the different concerns also was also important.

And one good thing was, and I think most electoral commissions have lost that over time—

MAWSON: In Mozambique?

DE BRITO: *—in Mozambique, was the fact that he reported to the public regularly. And that’s, you know, for us working in the field of elections, that’s one of the best recommended practices for any electoral commission; you need to keep your public informed, transparency, openness—even if things are going wrong, if people perceive you as being honest about what’s going on and are given information regularly, then things become much easier. So, I think those were some of the contributions of Mazula. So, his personality played a role. And the fact that he was able to listen to all sides and not being bossy being the chair of the commission, but rather, being the ship’s steward in a way. I think it played a very important role, yes.*

MAWSON: Can I ask, yesterday, because I was talking to Dr. Mazula, and he was telling me that in order to do civic education, they used the régulos (chiefs) quite well. And I was trying to get from him yesterday, a sense of whether they also used the régulos just to have regular contact with people who were out in the rural areas. And I don’t think I got a very clear answer. I think I maybe asked the question slightly the wrong way. Do you have any idea of whether there was sort of information lines going through the régulos ,sort of, regular updates or not?

DE BRITO: *The régulos, for many years in Mozambique were—their role was downplayed, and they were sidelined. And RENAMO used the so-called traditional leaders very effectively during the war. So, FRELIMO understood that and right after the peace agreement was signed, there was a decision by FRELIMO to revive the whole structure of traditional leaders, régulos, etc. And therefore, they played a very important role in that sense of informing people—one, we’re going to have elections. Second, it’s very important that you vote. Third, this is how you vote. So, in all that process they are is very important.*

As sources of information of what was going on on the ground, I don’t think they are so important. They are more important as passive receivers of information than passing that information on to people living in their areas. More in a sense of the importance of going out and voting or registering, for instance, in the voter registration process, etc. I would say that they are very keen in other—I mean,

most information that comes from the local structures of the government and political parties, etc.

MAWSON: So, my next question was, I have heard sort of two stories since I arrived in Mozambique. One story is the story of how there was consensus in the CNE and how this was very important, and that's really what made the difference. But I have heard another opinion, which says that actually, no, it was actually so hard to get the consensus built, that it didn't actually really happen, and that the institution of the CNE was actually quite paralyzed, and the only reason the elections happened is because the STAE (Electoral Administration Technical Secretariat) was taking care of all the technical details. Do you have any idea? Is that really a—?

DE BRITO: *I think that's a bit of—let's be clear about one thing: When I say there was consensus, it doesn't mean that there was consensus from day one; that everybody was a big happy family. It was hard. It was difficult, but decisions were made. STAE could not operate without the CNE coming to a certain number of decisions. I mean, the CNE was the decision-making body, it's the political body running elections. So, a lot of decisions have to be made by the CNE. Of course, they are implemented by STAE, but the STAE could not make decisions without those decisions being—at least they could suggest decisions, but those decisions had to be approved by the CNE, and then it had to be approved by—Mazula's style was consensus was not majority decision. Therefore, I think it's a bit of an exaggeration to say that CNE was totally paralyzed and STAE did everything.*

Of course, consensus was hard to achieve, was not always possible, but I think regarding the major decisions, in the end, they came to some sort of a consensus. It was not an easy task for Mazula. I mean, I think he aged many years in those two years. And he is the first one to recognize that it was difficult. I know he would get phone calls at the 3 o'clock in the morning from leaders of Party "A" and Party "B", you know, putting pressure on him to steer the commission in one direction or the other. And it was very difficult for him sometimes to manage this pressure and to say no, either because it was against the law, or was against his principles, whatever.

So, it was a difficult exercise, but it was a necessary exercise because they had decided that the consensus was the decision-making formula, instead of majority vote. And therefore, if things had been imposed on RENAMO by majority vote, I think the outcome would have been much, much different. And I think that RENAMO accepted so readily the outcome of the elections because they knew that at least, in terms of the management of the CNE, things had not been imposed on them. So, I think, when we say that it was not a consensual body at all times, but in the end, the major decisions were reached after, you know, a long and hard battle for consensus.

MAWSON: And then, after 1994 then, the subsequent CNEs, they did not have this consensus-based decision making. Is that right?

DE BRITO: *To explain that, I think one needs to understand that this whole transformation process in Mozambique that started around 1990, it's not something that FRELIMO embraced as an indigenous process, i.e. something that FRELIMO embarked on voluntarily and as a result of FRELIMO's—of the natural evolution of FRELIMO's political thinking. It's something that was imposed on FRELIMO, partly because of the civil war, partly because of pressure from the international*

community. It's, you know, it's something you have to do, you know, to move on, but it's not something that you do happily.

Therefore, the whole negotiation with RENAMO, going to elections with RENAMO, etc., etc., was a very bitter pill for FRELIMO to swallow; there's no doubt about that. But FRELIMO's reasoning was also that, OK, once we've gone through the elections, we've acquired the legitimacy that people demand of us in the international community, you have to prove that you are in government because you went through democratic elections, and that's the only source of legitimacy you have to rule the country.

Once you've achieved that legitimacy, then we are the government, and that's it. Therefore, if we have a majority, we're gonna use it. And that means, why should we need to seek consensus from RENAMO? We rule, we govern. They are the minority. They have to wait for their turn, basically. And therefore, FRELIMO has developed this discourse, which is a very formalistic discourse. I mean, democracy for FRELIMO is about the power of the majority. It's a very basic notion, and very outdated notion of democracy. Whereas in many more advanced democracies, you know, democracy is about protecting all sorts of rights of minorities against the tyranny of the majority. For FRELIMO, it's still the rule of the majority.

So, I mean, we have majority while in power, we have the right to do whatever is in the law, but, I mean, we don't need to ask permission, seek consensus, get support from the minorities. They are the minority; they are out of the process, basically.

So, in every way, in the sanctioning of the state bodies, FRELIMO uses this philosophy. So, in the CNE, they have the majority of the members. If the minority doesn't agree, the majority will vote for it and things move on. So, that has become the spiriting of all CNE's afterwards. Because FRELIMO has a majority, firstly, they always maintain a bipartisan CNE, rather than their own partisan CNE. And even the last one is a mixed model. So, that has been FRELIMO's approach, and that the whole consensus building, decisions are no longer taken by consensus, but by majority vote.

So, all that was something that FRELIMO swallowed because it was necessary at that time, but now it's over.

MAWSON: Do you think the way the CNE worked in 1994, the way there was—they, both sides and the unarmed opposition, were all represented on there, do you think that set up a model that had a negative influence on future CNE commissions? Do you think it might have been better if they had not had party representatives on there? Or was that—?

DE BRITO: *I don't it would have been possible to have at that time a CNE that was not partisan. I mean, that was the dynamic of that time, the context of that time. RENAMO—even today, RENAMO claims that the only way they can make—which is a bit of a blind argument, but the only way they can make the electoral management bodies more trustworthy, is to have RENAMO everywhere, all the way down to STAE.*

MAWSON: And that's what they've managed to get, or not?

DE BRITO: *No, STAE is no longer partisan. It's a technical civil service body, under the CNE. But RENAMO still thinks that the model of 1994 was their model. As I'll say, it*

was not possible to have a different model at that time, unless we had, like in other countries, an international electoral commission, made by foreigners, which FRELIMO then accepted. So, I think it created a precedent that makes it today much more difficult for us to go towards what's a modern conception of electoral management, which is a nonpartisan, totally independent set-up. It's still very difficult to argue for that in Mozambique, and for people to accept that.

I mean, we've gone, you know, into the right direction with the last commission or the current commission, where—which is mixed, although the process to arrive at that commission was still a bit problematic. But I think if we want to achieve a truly independent commission, it's going to be still very difficult, because it's very difficult for the parties to let go. Even FRELIMO, for them, it's difficult to let go.

MAWSON: So, it was sort of a—it was a necessary structure in 1994, and it has had maybe unfortunately negative—?

DE BRITO: *A negative, yes, I think a negative—it created a negative precedent. And it became in the minds of people, you know, the status quo that you need to maintain.*

MAWSON: Can I also ask then, related to that, because the international community's assistance in 1994 was so great, I mean, it was enormous, I've heard some people say that the way that RENAMO was supported at that time through the two trust funds, that also set a precedent that has encouraged RENAMO to continually make threats with the hope that people will step in and try and convince them to stay in the process?

DE BRITO: *Yes, to a big extent, I'll agree with that. As I said, RENAMO has always felt that the international community was the, you know, the international court of appeal for them, so to say. And therefore, they have always—when they felt that they were losing something, they would resort to—not necessarily make change for money, but they've always felt that the international community, one, would be willing to intervene; two, be effective in their intervention. And I think in that respects, RENAMO has misread the evolution of Mozambique, because the international community is much more less inclined to intervene on behalf of RENAMO, because there is a growing disappointment with the lack of evolution of RENAMO itself, on the part of the international community.*

But also, there's much more resistance on the part of the Mozambican government to listen to the international community when they speak on behalf of RENAMO. So, things have changed, and RENAMO has remained largely stuck in time, basically. And so,—

MAWSON: Do you think then, again, was this the way you were saying with the CNE, that it was a sort of necessary condition that it have people on both sides? Again, do you think the amount of support that RENAMO had in 1994 was necessary to make sure the elections ended up—?

DE BRITO: *Yes, it helped a lot. I think it was necessary. Look at what RENAMO was, you know, it was a military movement that had always survived largely based on support from outside, and suddenly, that support almost disappeared. And therefore, you know, it's interesting because in the discourse of FRELIMO in 1975, the same issues arose. Samora Machel usually spoke of the danger of FRELIMO being swallowed by the big city. They came from the bush. This is, you know, a mysterious, and at the same time, charming, but charming in a witch*

way. You know, it can bewitch people, and you can fall to the temptations of the big city, you know, the luxuries, the women, blah, blah, blah.

And RENAMO came out of the bush with the same kind of, interestingly enough, the same kind of fears and concerns. I mean, most of those people, they didn't know Maputo physically. They had never been to southern Mozambique. They were from central Mozambique. They went to fight, and they knew nothing about life in Maputo, the big city, the capital, you know, the political machine. For them, this was a very scary and strange place. So, they needed assurances, not only political, but also financial, that they will survive here.

We need houses. I mean, I remember the whole drama about getting houses for the RENAMO people, you know, an office for RENAMO, and you know, the guy was the European—it was the EEC (European Economic Community) at the time still, he had to give up his official residence for Dhlakama to come and stay, and Dhlakama stayed there forever. He's still there, his official residence.

And so, there was a lot of drama about, you know, I think cars and houses, and—I mean, you had to understand, when FRELIMO came to Maputo in 1975, they came to power. This was all theirs. RENAMO is coming as, you know, almost like a beggar, you know. And so, it was tough. So, unless they had the assurances of millions of dollars behind them, I think the peace process would have stalled at some point.

MAWSON: So, going back then to the actual institution of the CNE in 1994, I'm wondering, the way the CNE has worked in Mozambique, as I have understood it, is that it changes every election; there is changes in membership. And then between elections, it's not re-sustained or—what happens?

DE BRITO: Yes, in many countries, the electoral commissions remain in place. And not only in place, but working in between elections. Here, it has always been felt that the commissions exist only for that one year of elections, and then it disappears. Things started changing a bit when we introduced local elections in a different year from the national elections. Therefore, the commission had to work like almost two, two and a half years, in a row. So, half of the time they in function.

But because of issues of mistrust, etc., the electoral law has changed every time we have had an election. Therefore, the composition of the commission—not only has the composition changed, but also the number of members the commission has, because now RENAMO wants this many, and FRELIMO wants those many. Then there's a process of negotiation, and they agree that today is 23, tomorrow is 17, two years later it's 19. So, I mean, it's—and it's also an issue of, you know, especially on the RENAMO side, to give basically monies—jobs for the boys, basically. Because RENAMO are always the ones who insist on a very big commission, which is totally unnecessary.

If you look at India, which is like eight hundred million people, a billion people, they have a three-member commission. Of course, then they have a very good secretariat, but you don't need to have a big commission. But that's a way of accommodating people—give them jobs and perks, etc.

So, yes, you're right, I mean, every time we have an election, we have a new commission. And the Commission has a different composition in terms of the individuals who are in there, but also in the number of individuals that comprise the Commission. Not all of them change; FRELIMO has maintained—has managed to maintain a number of them throughout many commissions.

RENAMO also had for a while two or three people who served in two or three different commissions.

MAWSON: So there is some institutional memory, just by—.

DE BRITO: *STAE has remained institutional memory, basically.*

MAWSON: OK.

DE BRITO: *Because those are the ones who have remained, I mean, they also, there's been low periods in their activity, but most of the people remained the same, and they, because they are the implementing arm of the commission, they have retained most of the institutional memory. And those are the ones who advise the commission on the more technical issues. So, STAE has been, you know, I think—and people argue that in these elections, they are the ones who saved, technically, the elections, because the commission won't. They definitely wanted what they were doing really.*

MAWSON: But if that's the institution memory in terms of technical things, then what about maybe the sort of softer skills of the CNE in terms of dampening divisions, and maybe bring sides together? Do you think there are people in the CNE who have a sort of long-term experience with that?

DE BRITO: *Even if they have, I don't think they use those skills very much. As I said, the approach is not resolving conflict by achieving consensus, it's resolving conflict by a majority vote. "OK, you don't agree, let's try and resolve it. OK, let's go for a vote." That's how things are largely resolved. I think this last commission might have been different, not necessarily for the better.*

MAWSON: So why then, my follow-up question to that then is, why do you think it is that there has not been significant violence breaking out again? Is it that RENAMO support is declining, or—? Because it would seem to me that if different sides felt that they were—the process was unfair, that they might be likely to maybe think, "OK, well we've had enough of this, we're never getting our chance. The process is completely biased against us. So, let's just pick up our arms again and go back to war."

DE BRITO: *Yes, first, in terms of RENAMO, in 1999, RENAMO really threatened to conduct demonstrations in the home country, etc. Unfortunately or fortunately, depending on your point of view, that was never really tested. It would have been interesting from purely a political scientist point of view, to see whether in February 2000, RENAMO had managed to conduct, you know, huge demonstrations around the country.*

Unfortunately for RENAMO, and unfortunately for the country for other reasons, we had big floods that year. And therefore, any attempt by RENAMO to conduct demonstrations while the country was in a state of emergency did not make sense; nobody would—people had to worry about their lives. So, when RENAMO did in fact then try to conduct some demonstrations later on in the year, you know, the blood had calmed down already and the people were calmer and—so therefore, I mean, the maximum I think RENAMO managed to have on the streets somewhere was like 50 or 60 people; nobody would care about that really. So therefore, I mean, we have never been able to really in a way test RENAMO's ability to mobilize popular support in that form to protest against government.

Going back to the bush, give up the nice life there in Maputo? That's why. Second, I mean, you cannot go back to the bush without support, either by the people, which they don't have for that, definitely. Weapons, they are not really—I mean, Southern Africa has changed considerably; international support is zero. So, I mean, yes, that's—access to resources to maintain an army, that's over here. The only concern people have had is whether RENAMO can still mobilize people to create internal instability, demonstrations, and all that kind of thing. And so far, it seems that their ability has declined considerably, to the point that he can't even force his own people not to take seats in the Parliament. And right now, today's newspaper says Dhlakama authorizes M.P.s (Members of Parliament) to take seats.

I mean, last week he was saying they are going to be punished. You know, he has lost—totally lost control, even over his own party. And so, it's—I don't think they have the capacity to use any other means to—even if they're dissatisfied with the election results, I mean, they don't have the means to really do anything about it.

MAWSON: Just going back again to the CNE in 1994, earlier on, you were saying that Mazula did a really good job of being transparent and talking to the public. How did he get his message out, especially out to the rural areas, to people? Was he using the media or—?

DE BRITO: *Yes, it was primarily media. I don't know how far that got into the rural communities, but I don't think that also was his main target audience. People in the rural areas typically don't have—the elections, it's not something that they worry constantly about every day. I mean, people are concerned about going to their fields and taking care of their families. Rural life in Mozambique is very poor, is quite desperate in many areas, and elections is not—Mazula was worried about, you know, the cities, the opinion makers, you know, the people who write in the newspapers. So, he needed to create a climate in which those people—I hate to use this expression—who mattered politically would not question what the CNE was doing.*

So, he needed to convey a message to the—okay, to use something which is not very accurate, it was the middle class. You know, the urban middle class. He needed to convey to those that, you know, things are under control; it's difficult, but we are getting there, and the elections are gonna happen, and they are gonna happen in a proper way. And in that sense, by giving press conferences, interviews, I think it was very effective, also to the smaller political parties. And I think that's one thing that he did that most commissions I think afterwards have lost. And again, it's one of those best practices that we advise commissions to pursue, which is a regular dialogue with all political parties. Even the so-called small parties that don't really matter electorally, but they make noise, and media go after them because, you know, they create headlines. You know they have—they create sound bites, you know.

So, in that sense, by having regular meeting with the political parties, say "OK, this is the decision that is made, and this is why we've made this decision, and the next step is going to be this one." Even if it doesn't make a difference very much, it doesn't give those parties much more power than they had, but at least kept them quiet. You know, because they could not complain that "we don't know why the Electoral Commission has decided this," and "we don't agree with that because we don't understand." They were kept informed regularly. And I think after that, commissions were much more reluctant to have a regular dialogue

with the political parties. They felt that, "Why should we do that? We have the authority to make decisions. They have to abide by it." That's basically it.

So, that's the attitude that came out of those elections that has prevailed so far. And it has created problems, because—especially in these last elections, you know, decisions were not very clear, and that created a lot of confusion. So, we've—that's something that I saw in many countries that advises commissions to do it, to create the so-called multiparty liaison committees, which are—.

MAWSON: As they had in South Africa in 1994.

DE BRITO: *As well, and in Malawi they have them. In a number of South African countries they have them. And it works; we also have them in the DRC (Democratic Republic of the Congo). It diffuses tension. It's—and it doesn't cost a thing. It's such an easy mechanism of confidence building, of transmitting a perception and an image of transparency in your decisions. But it's—one cannot understand why a commission wouldn't use that. They don't lose anything by doing it, and they can gain a lot. So, yes.*

MAWSON: Can I ask, in 1994, do you know whether there was a particular dispute-resolution system? There was a tribunal, is that right?

DE BRITO: *There was a—there was an electoral tribunal, yes.*

MAWSON: Do you know how that functioned or—?

DE BRITO: *I don't remember now.*

MAWSON: OK. Do you know then about the—more recently, about the Constitutional Council which was set up in 2003, is that right?

DE BRITO: Yes.

MAWSON: Do you know, how much of a difference has that made in terms of being a fair and neutral arbiter of election disputes, from your perspective?

DE BRITO: *People tend to divide the Constitutional Council into two distinct periods, the first one and the second one, in terms of the composition. The first Constitutional Council, operated until 2008, was seen as very balanced, fair. And with the new composition of the Constitutional Council that came in in 2008, people, even before they made their first decision, people were already speculating that it was going to be less impartial, etc. And I think the big—the two big tests were the way they treated presidential candidates, the processes of the presidential candidates. And then, the way they treated the protests by the opposition against the exclusion of certain parties.*

But, as you know, the Constitutional Council can only answer to the questions that are put before them. Therefore, the way you phrase your question to the Council, determines the way your answer is going to come, in a way. And I think that what the opposition, the questions they raised before the council, were probably not the right questions. So, they didn't get the answer they were looking for. Because if you look at the council's judgment regarding the final results of the elections, there's a lot of criticism of things that the CNE did, that coincide with the criticism of the political parties. But I don't think that the political parties took to the council exactly those issues.

I mean, it was a legal—it was a matter of the legal approach that whether you ask them to rule on this or on that. And I think the council was very clever in being able to make a decision that bypassed the main issues because the opposition didn't ask a question about exactly the main issues. So, it's difficult to say whether the council is less—I mean, if you read their decision regarding the final results of the elections, they're as hard on the Electoral Commission as the previous council was, and they raised very valid issues, very valid criticisms.

But they are not going to support the opposition just for supporting them. The opposition needs to do the right kind of legal homework before going before the council. And you see, I mean, I don't know if you follow the [indecipherable] there are eight members of Parliament—the previous Parliament—and they're competing on the MDM (Mozambique Democratic Movement) lists. And for that, they were suspended from the Parliament, because the Parliament says if you move from one party to the other, you lose your seats. And they were competing on the MDM lists before the Parliament expired, so, technically, the MPs went to the Constitutional Council and said, "We are competing on the MDM list, because nobody can prove that we are MDM members, and we can only lose our seats if we shift parties. We have left RENAMO, but we have not joined MDM, we're just competing on their lists." By law, you can have independents on party lists. You know, they don't need to be members of the party to be candidates for various parties.

And the Constitutional Council ruled in their favor, that clearly the Parliament didn't prove that their name was on the MDM, so they should be reinstated as members of the previous Parliament, and be paid everything they need to be paid as such, including their pension, which was very important to them.

So, the Constitutional Council can make decisions—the current council can make decisions that favor members of the opposition. But, as I said, I mean, they need to phrase the right appeal to the council.

MAWSON: I'm sorry to jump back again to 1994, I feel like we're sort of jumping in time.

DE BRITO: *No, no, no, that's fine. That's—that's—no, no, no, that's the focus of your research.*

MAWSON: I was just wondering, in 1994, whether you had a sense of which aspects of the electoral process, whether it be things like voter registration or boundary delimitation, or any of the more technical aspects, whether the CNE had any sense of which of those would be most sensitive politically, and therefore, required a lot of tweaking, if you like?

DE BRITO: *Clearly, voter registration—that was key, because Mozambique is a country that has geographical voting patterns. So everybody knows that, even at that time, even before the election, everybody knew that RENAMO was very strong in central and northern Mozambique. Therefore, registering or not registering people from those areas would have an impact on the outcome of the elections. So voter registration was key.*

I'm just looking at the issues of a political nature. It was—the actual operation—voting-day operations, whether, you know, you had enough controls for people who were not registered not to appear to vote, people not voting twice, and obviously the counting and the tabulation of votes. So, I think those were the key politically sensitive issues of the electoral process. Therefore, the design of a software to tabulate results was very important. Because first, we didn't have

much experience in Mozambique to do that. And second, for a matter of trust, I think, if I'm not mistaken, they requested international support, and you had the Italian government provide software experts to design the tabulation software so that RENAMO could, you know, be at ease with that and—.

MAWSON: So, do you think the CNE did a good job of figuring out which of those aspects were more sensitive and where they would need to focus their efforts?

DE BRITO: *I don't think they were always able to anticipate what the issues might be, because RENAMO also had a very volatile behavior; you never knew what could trigger a reaction from them. Maybe just a rumor that something is happening somewhere, and they would create a big story out of it. So, I don't think the CNE was, you know, they didn't have a crystal ball and be able to anticipate all the issues. I think they tried to anticipate some, but in others, they had to react to whatever came their way. And in that sense, I think they—in the end, they managed to resolve most issues that came their way in a way that RENAMO, in the end, accepted the outcomes. But nobody had that experience of running an election before, and even with all the international advice, I mean, it was not possible to really anticipate every single issue that would come up.*

MAWSON: And were there very strict rules, did you happen to know, for party behavior in 1994? I mean, I think they did have a code of conduct, but was that—did that have enforcement mechanisms attached to it?

DE BRITO: *No, the code of conduct never had enforcement mechanisms. Fortunately, we've never had serious issues of party behavior. We've had incidents of violence here and there, but it's very localized. It's very—it's, you know, just because two campaigning groups come across each other on the streets or something. But we've never had issues. I mean, that's pretty remarkable for a country that came out of war, that has relatively peaceful election campaigns.*

But now that's one thing that we've never managed to have, which is really enforceable codes of conduct for the political parties. But government says that we have a law, you know, that you cannot beat somebody up, that's a crime, and that should be enough to maintain the peace. And if people obey the general law, then—of course, the electoral law itself, it contains behavioral controls, you know, where it says that you cannot tear up other party's posters.

Already, there's some rules about party behavior in the electoral law, and that's enforceable, and you have penalties for, you know, tearing up campaign materials, or preventing other parties from conducting rallies. And things like that be already in the electoral law. Are they enough? Well, that's up to discussion, but I think they've proven to be enough so far at least. People have mostly respected it.

MAWSON: And in 1994, do you happen to know the way electoral workers—temporary electoral workers were recruited for the elections? Did they have very good training programs in place, and were those mostly run by the international community, or was that the STAE? Do you have any sense about that?

DE BRITO: *I'm trying to remember that. I remember that there were training programs for those working—I mean, as election officials on election day, for instance, or for registration. My recollection that they were trained by STAE, but probably with the international support. But that's something that STAE has done over the years, is—they conduct their own training, of course at that time, with outside support, because nobody had organized an election before in Mozambique, so*

nobody knew what to train them about. But I think training was primarily conducted by STAE, but probably with a huge U.N. (United Nations) financial and technical support.

MAWSON: And do you know, did they have any specific mechanisms for monitoring performance of staff, and monitoring whether they were neutral in the way they—?

DE BRITO: *I don't think we've ever had that.*

MAWSON: Never had that? OK.

DE BRITO: *Not even now. I don't think—of course, there's always some sort of like a debriefing after the elections on how the operations went and what the problems were, but very strict individual performance measures? No. Only now, we are introducing that generally for the civil service in Mozambique.*

MAWSON: And do you think that's a weakness of the elections here?

DE BRITO: *It is a weakness, because what we've seen for two elections in a row now is that members of the polling-station staff have been doing things that are openly fraudulent, like spoiling ballots, and things like that. And because there's no mechanism to oversee their work and to track individual performance, it has been always difficult to actually, not only identify who specifically has been doing that, and take measures against that.*

Only this year, because there was so much observer—international and domestic observer attention to those cases, where was the commission able to identify specifically in which polling stations things happened and probably which official was doing that so far, so much so that for the first time, and we've read that in the paper, that the Attorney General's Office was opening 229 crime cases against polling-station officials for illegal behavior during the elections.

This is the first time it had happened. So, and not necessarily because there's a control mechanism within the CNE or the STAE, but because observers are very aware of that fact, and so they tried to collect as much evidence. That we saw this in that polling station by the presiding officer. And therefore, the evidence is there. So, not because the CNE has created the mechanism to track it down, yes.

MAWSON: We're sort of running out of time. So, I think I will just go to a few of the sort of last more general questions. But although they are general questions, if you have detail, it would—it's always appreciated.

So, overall, why do you think the 1994 elections were successful, and what was the role of the CNE in that? Just as a—.

DE BRITO: *They were successful because, one, I think Mozambicans were tired of the conflict, and therefore there was an effort by most people to make it a success. They wanted it to succeed at any and all costs. Because there's a very strong influence of the international community, you had the peacekeeping operation, you had international money, you had international pressure, international support. So, all the conditions on the ground were there for the election to be successful. And on the side of RENAMO, the fact that they didn't recognize—that they were seen as a legitimate political party, and they had a shot at power, I think it was a very strong influence on them to accept whatever outcome.*

And I think on the part of the RENAMO, there was this, you know, the way they approached the situation was, even if we lose this one, there will always be the next time. There were assurances that there would be a next time. In many cases, you know, parties coming out of the bush, or movements coming out of the bush, they don't have assurance that there will be a next time. It's either that time or no—.

In this case, I think RENAMO had assurance that there will be a next time five years down the road. And if we lose this one, maybe you will have the next one. And I think that was very important psychologically for RENAMO.

MAWSON: And how did they get convinced of that? How did they know that that was the case?

DE BRITO: *Only by the international community assuring them that, you know, we are here to stay and we will make sure that FRELIMO doesn't go back and make it a single-party state again. I don't know if you've read Paul Collier's latest book on elections.*

MAWSON: Yes.

DE BRITO: *And this issue of assurances that he raises, it's very interesting. Now, of course, he raises it in a different way, you know, by having a ten-year peacekeeping—. That's totally unrealistic, but if the international community can really make reassurances to a former warring guerilla movement, then things can work. And I think Mozambique proves that, especially when it's a movement that doesn't have anything else to fall back on. But you need to have diamonds and access to weapons, etc. But RENAMO doesn't have anything of that sort; the only thing it could rely on was the word of the international community. And I think that that played really a very big part in Mozambique.*

And also, the willingness, I think that's another very important component, FRELIMO had decided, okay, this socialism thing, it's over, it doesn't work. We want to become, you know, rich entrepreneurs, you have to, you know—and for that, we need peace. We need to be able to have foreign investment. We need to have—be able to, you know, a market economy. And therefore, the price for that is to have a democratic government. I think FRELIMO benefited a lot from that, and so, therefore, on the FRELIMO side, that was a very big incentive for things to go right. Because if they want to achieve their dream of creating the business class that they have become, they had to go through all those hoops of accepting RENAMO and multiparty elections, etc. It was a small price for them to pay.

MAWSON: And then, so what is the CNE's role in this success, if any?

DE BRITO: *As I said, I mean, the CNE was not the major player, but it played an important role in that specific aspect of being able to deliver an election that was not perfect, but was acceptable. It was the minimal acceptable to all sides. And managed to transfer the war of the bullets to the war of votes acceptable to both sides. It was a legitimate way of ending the conflict here. So, yes.*

MAWSON: I think you've touched on some of this already, but if there were any other things that you haven't mentioned, there's just whether if you—there were other election administrators who were in a country that was facing similar—obviously, they wouldn't have exactly the same historical context as Mozambique, but facing similar challenges that Mozambique was facing in 1994, what pieces of advice do

you think you could give them based on the Mozambican experience? You've touched on a few things, but if there were any others.

DE BRITO: I think in a postwar—in immediate postwar conflict, it's important to trust. I think it's one of the most important elements. People in the former warring factions must have trust all the institutions that they have created to manage the transition to a new situation, that they will deliver. And trust can be guaranteed by making them participate directly in those mechanisms, such as an electoral commission, etc.

By having people in those commissions that are perceived as being impartial to both sides of the conflict. It must be respected people, people who have an image of respect. I can remember the chairperson of the Sierra Leone Electoral Commission now, for instance. So, the role of the chair of the commission can be important in that respect.

Transparency, openness to the public, and to the main stakeholders of the process—it is key. They need to understand what's going on at every step of the way. And they need to be convinced that even if it's an imperfect solution, this is the best we can do at this time under the circumstances.

MAWSON: And you do that through having this—

DE BRITO: Dialogue, information sharing, information to the public, being open and honest. You know, "Listen, we have this dilemma in front of us, the best solution will be this one, but we can't for this reason or that reason, so we're going for this, which is less than best, but this is the best we can do at this point." And I think that that sort of spirit of openness is very important so that everybody understands, and is not afraid or suspicious that they are doing this to, sorry for my French, to screw us up, basically, you know. And that spirit is very important; they are not there to get us, you know.

So therefore, communication, openness, transparency of your decisions, and dialogue is very important.

MAWSON: OK. Well, that's great. Thank you very much for a great interview.

DE BRITO: You're most welcome. OK, thank you.