

The Chadian Party System: Rhetoric and Reality

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"We have heard some criticism from the opposition camp. They are unhappy losers...none of the governments of Chad that preceded had ever done anything with regard to human rights...I can humbly say that there are few countries in Africa which are enjoying the freedom we are enjoying now in Chad". (*West Africa*, 1997:1760).

On 17 May 2001 the nomadic population will be the first Chadians to vote in the second open, multiparty presidential election in the country's history. The incumbent, President Idriss Deby, has led Chad since ousting Hissène Habré's authoritarian regime in December 1990. Habré's defeat engendered hopes for an end to the civil war that has been a feature of Chadian life for almost all the country's post-colonial existence and the construction and consolidation of a workable democratic model, which would finally give Chadians a say in the governance of the country. The 'transition to democracy' proved protracted. Steps toward multi-party presidential and legislative elections were deliberate. Elections for the presidency and parliament were held only after a lengthy party formation phase, the constitution of a *Conférence nationale souveraine* (CNS) and the ratification of a new constitution by referendum. Long awaited elections in 1996 and 1997 endorsed the Deby presidency and returned his party, the *Mouvement patriotique du salut* (MPS), with a majority in the National Assembly. Yet within a trammelled political environment the credibility of the two processes was questioned within Chad and beyond (May and Massey x3).

Crawford Young points out that scholarship on democratisation in Africa has concentrated on the dynamics of transition. 'It is time', he suggests, 'to shift focus and begin evaluating the breadth and depth of democratic consolidation...and the sustainability of the new practices' (1996:53). In light of this, how fundamental and authentic is democracy in today's Chad? A new constitution has been ratified, both presidential and legislative elections have been conducted, and there exist numerous independent human rights organisations and a burgeoning opposition press. Yet even a minimal definition of procedural democracy presupposes 'the requirement of respect for civil liberties as a means of ensuring that elections are not merely formalistic exercises in the uncontested ratification of incumbents' (Bratton and Van der Walle, 1997:13). In this regard, Catherine Newbury's observation that, 'perhaps the most salient feature of democratic openings in Africa is their fragility', seems particularly apt in the case of Chad.

Despite constitutional change and multipartyism, the country remains under the control of a former 'military leader who has swapped khaki for boubou or danshiki' (*Africa Confidential*, 1997). Instability remains endemic. As Olusegun Obasanjo argues, 'in areas where there has been conflict, we should not expect that elections alone will bring the cessation of conflict...there must be determined efforts for confidence building and reconciliation, up to the ballot and beyond the ballot' (Obasanjo 1994:20).

The paper attempts firstly a brief analysis of post-colonial political development, concentrating on factors that compromised Chad's fitness for democratisation, and the legacy bequeathed to Deby by his immediate predecessor, Habré. The article then considers the manner in which Chad has democratised under Deby. The transitional narrative is delineated by scrutinising key phases of the, increasingly Byzantine, transition. The paper concludes by analysing whether an authentic, pluralistic democracy has been consolidated in the years following the first series of polls.

Post-colonial politics. A moratorium on democracy.

At the time of Deby's accession to power, the notion of a transition to democracy in Chad ranked as one of the most unlikely contingencies on the continent. Since 1965, Chad's socio-political narrative had been coloured by unceasing civil strife, interspersed with cyclical external intervention. War in Chad was 'une guerre de mouvement, et non une guerre de position' (Triaud, 1985:25). The round of alliances that fuelled the violence was constructed according to tacit conventions - the rules of the game.

Immense ethnic diversity within the borders of newly independent Chad - encompassing 127 living language (Grimes, 1996) - exacerbated a propensity toward factionalism. Furthermore, *intra*-group relations, especially in the bellicose north, were highly prone to segmentation. The factionalism of the civil war underscored this inclination to find allies amongst neighbouring sub-groups, rather than amongst an inclusive ethnic, religious or linguistic group (Magnant, 1986: 261). William Foltz makes the point that whilst colonialism had engendered ethnic group solidarity in other parts of Africa, 'post-1965 conflicts in Chad more often broke solidarities down to lineage or family level, instead of promoting and sustaining cohesion of larger social groups' (1995:17). Sam Nolutshungu designated these units semi-independent 'community-constituencies' (1996: 228). As 'government' in N'Djaména dissolved into a succession of ever-changing coalitions, faction leaders personified a dual recognition of political representation, in Nolutshungu's words:

the communities recognised themselves in their leaders, and judged their place in Chadian politics by the share of power their representatives enjoyed; on the other hand, coalition formation among leaders amounted to mutual recognition of spokespersonship of discrete community-constituencies within the shared discourse of common Chadian citizenship (1996:231).

Discourse between these spokesmen took place in an ideological vacuum. Roger Charlton and Roy May note that 'the apparent resilience of the politics of elite factionalism' in Chad is based on 'regional centres of power based on personalised rule and military force, and the consequent prevalence of a politics of conflict and war' (1989:12).

Throughout the 1980s, many commentators had counted Chad the epitome of the failed state in Africa. William Miles, amongst others, postulates a 'two-Chad' model with a vestigial juridical state tenuously connected to whoever exercised authority in N'Djaména, whilst large peripheral sections of territory and population operated beyond control of the centre (1995:53). Nonetheless, virtually all factions sought to control this fictitious state. At the extreme, federalism generated more support than secession. The majority accepted the reality of Chad. Yet, 'was there ever the basis for the emergence of a polity in Chad...How far could it support a modern state that supports democracy?' (Nolutshungu, 1996:285).

May warns against allowing the frequency of external intervention to distract from 'the crucial dynamics and processes within Chad' (1988:1). Nonetheless, if the 'idea' of a state called Chad legitimised factional leaders, it was also a concept shaped by persistent intervention by regional and *extra*-African powers. Libya, Sudan, Egypt, Nigeria and the United States have all played parts, to greater or lesser extent, on the Chadian stage. Yet, the ubiquitous intervener has been France. As elsewhere in its extensive *pré-carré*, France left democratic institutions 'cobbled together at the last moment' that were 'allowed to function at all democratically only on the eve of independence' (Nolutshungu, 1996:303). French influence was all pervasive. Deby's first Prime Minister Jean Alingue Bawoyeu expresses the extent of French influence - 'la France est omniprésente, aidant le gouvernement tchadien à combattre les rebellions, formant les cadres de l'armée, soutenant politiquement,

financièrement et diplomatiquement le jeune Etat tchadien' (*N'Djaména Hebdo*, 19 February 1998). French commitment to an authentic Chadian democracy has been as genuine as that of Chad's myriad warlords. A settled policy to stabilise Chad was dismissed in favour of 'weakness, vacillation and either choosing the wrong option or at best being forced to make constant adjustments to its policy in order to maintain its position as Chad's predominant external patron' (May and Charlton:291).

Negligent colonial administration exacerbated a pre-existing animus between the Islamic northern and central areas and the fertile Christian and animist southern region, referred to by *colons* as *Tchad utile*. Whilst the roots of future conflict spread well beyond simplistic North\South or Islam\Christian dichotomies, the legacy of French sectionalism reinforced animosity. Chad's first independent Prime Minister, François Tombalbaye, a southern Sara, brushed aside such democratic institutions as the French had bequeathed. In 1963, Tombalbaye dissolved all parties except his own *Parti progressiste tchadien* (PPT) and declared himself President. Typically, he proved as ruthless with his fellow southerners as with opponents from the north. Potential for the creation of a united Chad was almost nil. The south was more a 'colonial administrative region' under French tutelage than the prospective core of a unitary state. The north, whilst militarily muscular, could not match the south's demographic advantage or economic dynamism. The enduring *raison d'être* of the Chadian leader, personal survival in power, was set. Under these circumstances, the construction of even the most rudimentary democratic framework was patently chimerical. For Nolutshungu:

the power of the state is deflated by the very process of consolidating it; by the weakening of authority in the sharing of power that is necessary in the absence of a dominant order that can impose it; through the dictatorial measures that seek to consolidate authority against its dissipation that power sharing must, if unchecked, entail (1996:291).

In response to growing resentment at the exclusion of Muslims from government, a rebellion coalesced, in the east and north, behind the *Front de Libération Nationale de Tchad* (FROLINAT). By 1976 the impulse toward internecine fractionating had seen Tombalbaye executed by his own southern officers headed by General Félix Malloum, whilst FROLINAT had also suffered a major schism. FROLINAT split between two generals from different branches of the northern Toubou. Goukouni Oueddei, son of the *derde* - the arbiter of the Teda at Bardai represented a faction, the *Forces Armées Populaires* (FAP), willing to accept support from Qadafi's Libya for the war against the Malloum government in N'Djaména (Gaud and Porgès, 1996:189). Anti-Libyan units under Hissène Habré, retaining the name *Forces Armées du Nord* (FAN), joined a short-lived coalition government with Malloum under a *Charte fondamentale* that provided for 'a democratic political life which guarantees the secular character of the state, [and] the liberty and fundamental rights of the individual' (Lanne, 1997:271). The resignation of Malloum in April 1979 was followed by a series of ineffectual reconciliation conferences that, nonetheless, eventually resulted in a broad-based *Gouvernement d'union nationale de transition* (GUNT) with Goukouni as President, Habré as Minister of Defence and southerner, and commander of the *Forces Armées Tchadiennes* (FAT), Wadal Abdelkader Kamougué as Vice-President. These were to prove essentially fictitious positions in a government that existed in name only. Civil war resumed. An *inter-African* peacekeeping force sponsored by the Organisation of African Unity proved ineffective. Actions of external powers were more pertinent. Whilst Qadafi chose a temporary tactical withdrawal, French diplomatic manoeuvres and American covert aid promoted

Habré's FAN. Following an offensive launched from the Biltine, home of the FAN's operational commander, Deby, Habré entered the capital on 7 June 1982.

On 29 September 1982, Habré promulgated an interim constitution, the *Acte fondamentale*, that guaranteed, 'the installation of democratic political life...fundamental liberties and rights of individuals, associations and collectivities, [and] the effective participation of all social levels in the management of public affairs' (Lanne, 1997:271). These were empty words. Habré realised that if he was to achieve the prime function of a Chadian leader, the maintenance of power, he faced the onerous task of extending his control both beyond N'Djaména and his own core constituency. That he was largely successful was a consequence of iron rule and pragmatic policy. The *Forces Armées Nationales Tchadiennes* (FANT), the consolidation of FAN and FAT, were inventive, courageous and ultimately dominant, benefiting from not only Habré's generalship, but also that of *comchefs* Deby and Hassan Djamous. The instrument for Habré's wider diplomatic assault on internal opposition was minister of the interior, Mahamad Itno. Foltz reports that Itno's instructions were matter of fact, 'débrouille-toi' - sort it out anyway you can (1995:24). Thus, the regime employed a two-fold strategy - forthright negotiation between government and faction underpinned by a capacity for ruthless repression. Habré's style validates Triaud's inference that the status quo is not an option in Chad (Triaud:25). The military and political success of a Chadian leader depends on an ability to juggle 'multiple identities of movement, region, ethnic group and clan' (Nolutshungu: 1996:22).

Beyond military superiority and deft negotiation, Habré relied on the twin props of the United States, and in particular France. Throughout the 1980s, François Mitterrand's support for the regime had been contingent on a strong Chad maintaining a bulwark against Libyan incursion, whilst remaining compliant to French influence. Yet, by the end of the decade, events in Eastern Europe caused Paris to readdress, at least in public, French policy to African democratisation. Mitterrand's key address at the Franco-African conference in La Baule in June 1990 endorsed, although not without some obfuscation, '[un] système représentatif, élections libres, multipartisme, liberté de la presse, indépendance de la magistrature, refus de la censure' (Mitterrand, 1990).

Habré was outspoken - 'we are being asked to democratise. This requires evolution and groundwork. It cannot be style of the season' (Lanne, 1997:273). Notwithstanding, he had already instigated preemptive constitutional reforms. Throughout 1988, a series of regional congresses had been held at which free speech had been sanctioned, and embraced by sections of civil society. As a parallel process, a constitutional committee had been established under the presidency of future President of the National Assembly, Alingue. However, open participation lasted only until the congress of Habré's *Union Nationale pour l'Indépendance et la Révolution* (UNIR). In the event, the text of the draft constitution was formulated by the National Advisory Committee, UNIR's Steering Committee and the Council of Ministers (Lanne, 1997:272). A referendum on 10 December 1989 both adopted the new constitution and elected Habré as President for a seven year term - by a reported 99.94% of votes cast. In reality, freedoms and rights enshrined in the constitution were not actionable in law. Regardless of the credibility of the proposed, non-party, National Assembly, Habré and his ministers would remain above censure. In Lanne's words, 'the regime was openly authoritarian' (Lanne, 1997:273). In fact, the elections were remarkably fair. A poor turnout of 56.1% of registered voters indicated that there was no compulsion to vote. Over half of successful independent candidates were civil servants. Another bloc comprised cantonal

chiefs descended from those who had served during French rule.

Habré's nemesis had already fled Chad before the promulgation of the new constitution. Ethnic tension amongst government troops serving in the south, especially between fierce Hadjerai fighters from mountainous eastern Guera province and northern Gorane soldiers led to insecurity that was mirrored by disaffection in N'Djaména. Habré's sub-clan, the Anakaza (a subgroup of Daza Toubou), sought to prevent other groups within the alliance that brought Habré to power from profiting from the sale of Libyan arms captured during the 1986-87 campaign. Isolated groups, especially Bideyat and Zaghawa, found champions in war heroes Deby and Djamous, together with the influential Itno. However, after a failed coup only Deby survived to flee to Darfur in western Sudan to regroup. The *Mouvement Patriotique du Salut* (MPS) was constructed, with Libyan support, mainly from alienated Hadjerai and Zaghawa, including substantial Zaghawa elements from Sudan. Following Habré's traducement of Mitterrand's endorsement of African democratisation at La Baule, France executed a typical volte-face, effectively withdrawing support from Habré. In a laconic aside, the French Minister for Cooperation, Jacques Pelletier commented, 'we did not help Idriss Deby, we simply left him alone' (*Africa Research Bulletin*, 1-31 December 1990:9946). Thus, on 2 December 1990 Deby inherited a dual legacy. Whilst N'Djaména's compass could not be said to extend to every corner of Chad, and brigandage was far from eradicated, a recognisable state structure, including a fragile but functioning legislature, had emerged for the first time since the immediate independence period. It was the failure of Habré to massage factional tension that led to his ousting by a figure from within his own ranks.

Political reform. The Deby era.

In an address to the nation given two days after the MPS entered the capital, Deby denounced 'the dictatorial regime of Hissène Habré' in which 'only one choice was allowed us: the right to submit' (*Africa Research Bulletin*, 1-31 December 1990:9930). During an emotional speech he promised, 'freedom, justice and multiparty democracy' (*Financial Times*, 5 December 1990). The programme seemed clear and simple – 'je n'apporte ni l'or ni l'argent mais la liberté' (Lanne, 1996:60). But, as Lanne comments, 'la liberté confond-elle avec la démocratie?' (1996:60). Indeed, Deby's first edict suspended the new constitution and dissolved the recently elected National Assembly. The impulse to start a new era with a 'clean slate' robbed Deby of 'a certain legitimacy...for it was obvious that Hissène Habré had few supporters amongst the deputies' (Lanne, 1997:274).

Signs that Deby intended to engineer the democratic transition at his own pace were not long coming. On 29 February 1991, a *Charte nationale* was created to replace the provisional council of state established after the MPS captured N'Djaména. The new government formed under the terms of the charter included southern groups under-represented in the previous government and personalities from outside the MPS coalition. However, political horse-trading was hardly a novelty in Chad. As Nolutshungu comments, 'in the past, reconciliation had meant accommodation among all armed formations, which had less to do with the amount of popular support each faction commanded than with its military potential' (1996:247). Yet, Deby was caught in a cleft stick. The appearance of a rudimentary civil society - non-military political movements, human rights groups and the growth of an independent press - anticipated political liberalisation, as well as the creation of liberal democratic institutions signalled at La Baule. The reformist concerns of an emerging elite

conflicted with the expectations of victorious MPS fighters. Deby was being urged to construct democracy, despite the fact that his core supporters interpreted him to be a warlord. Deby sought to appease both sides. He confirmed his presidency, under the terms of the *Charte nationale*, until a referendum on a new constitution in mid-1993, whilst appointing the veteran *sudiste*, Jean Alingue, to the impotent office of Prime Minister.

The process of democratisation was played out against a backdrop of constant, and bewildering, civil conflict. The threat of coup d'etat was ever present. Deby was less able, or willing, to maintain his support through patronage. The same Zaghawa and Hadjerai fighters who were suspicious about their status in a democratic Chad were equally frustrated by an impoverished government's inability to distribute largesse. Indeed, structural plans imposed by Paris and the IMF intended to trim public expenditure, further threatened jobs in the *Armées nationales tchadiennes* (ANT) and civil service. In April 1992, Zaghawa soldiers from the ANT surrounded the presidential palace in protest at proposed personnel cuts. The troops withdrew only after mediation from Deby's Minister for Public Works and Transport, Abbas Koti. The following May, Koti's politico-military movement, the *Conseil de redressement du Tchad* (CNRT), attacked government forces around Lake Chad. Earlier, in October 1991, 40 people had been killed in an attempted coup allegedly led by Minister of the Interior, Maldoum Bada Abbas. Although it was reported at the time that the coup was provoked by disaffected Hadjerai fighters in N'Djaména, the gambit could equally be interpreted as a conspicuous manoeuvre to neutralise a potential rival (*Africa Research Bulletin*, 1-31 October 1991:10310). In January 1992, Abbas was released as part of a general amnesty, and the following month appointed President of a new Provisional Council. Throughout 1991 and 1992 the Deby government faced a series of serious offensives by the *Mouvement pour la démocratie et le développement* (MDD) led by a former advisor to Habré, Goukouni Guet. Following the suppression of the insurrection, government reprisals extended beyond rebel fighters to the embryonic registered opposition.

Deby's response to opposition, armed or otherwise, has often been as brutal as his predecessors. He has never appeared to be a leader seeking a peaceful early retirement. Yet, the realities of Chad's position in a post-Cold War Africa, both strategic and economic, ensured that the process of democratisation survived the violence - often damaged, but not destroyed. As Christopher Clapham observes, Paris evoked the 'spirit of La Baule' extremely judiciously (Clapham, 1996:199). Yet, if French reinforcements proved the decisive factor in the defeat of the MDD, then French leverage maintained the greatest external pressure on Deby to liberalise. In April 1992, Paris announced that the French garrison, deployed under the long-running *Opération Epervier*, would no longer function as a defensive air-strike force. The thrust of this decision 'was widely interpreted as a warning to Deby to end the human rights violations perpetrated against the opposition, and to continue with the implementation of democratic reform' (Lanne, 1998:299).

Only weeks after he came to power, a vigorous campaign was instigated to adopt the national conference, a device used in several democratic transitions in francophone Africa, as the prime instrument for democratisation in Chad. On 8 February 1991 Deby received a 'Memorandum of the Leaders and Populations of the Southern Zone' calling for the prompt convocation of a national conference. The proposal rapidly garnered nationwide support. The issue, once more, highlighted the dichotomy between traditional and modernising forces. Despite evident worries over the isolation of his core support, Deby announced in May 1991 that a conference would be held the following year to draft a constitution to be ratified by

referendum. In fact, the conference would not open until January 1993. Nonetheless, Deby's endorsement of the project constituted an important step in the transition mechanism. In Lanne's words, 'this decision marked a complete change in the democratic reform process, since the *Charte nationale* had given the government alone - essentially Deby - responsibility for creating new political institutions' (1997:276). The pace of procedural change between December 1990 and January 1993 might have been glacial, but it retained some momentum. Nolutshungu summarises the tenor of the period:

demands for democracy from excluded factions, France's need for international legitimation and a measure of popular acceptance in Chad, together with the regime's need to broaden its base of support, led to the opening and reopening of the game of coalitions. Although violence and economic discontent threatened to engulf the process of reform, democracy remained on the agenda of politics (1996:273).

Politico-military movements and multiparty politics.

A contemporaneous and parallel procedure for reform had been initiated by the construction of a pluralistic political environment. On 12 December 1990, in a presidential communiqué, Deby dedicated himself to 'pluralist democracy', whilst warning potential political organisations to wait for 'rules' governing party formation to be adopted - the democratic project was a "process" and was 'not synonymous with anarchy'. The 'process' toward multiparty elections was to last six years.

The 'rules' were outlined sooner. On 4 October 1991 the Council of Ministers issued Decree No.15 governing the, 'Formation, Functioning and Dissolution of Political Parties'. In an effort to minimise monoethnicity and regionalism, each party needed a 'minimum of 30 founder members, three of each coming from 10 of Chad's 14 prefectures'. A fundamental condition for party formation was a requirement to, 'shun intolerance, tribalism, regionalism, religious discrimination and recourse to violence'. Further proscriptions banned parties from setting up 'military or paramilitary organisation' or to 'reconstitute into political parties any erstwhile politico-military bodies' or to use 'religious emblems, pennons or slogans', or 'to use places of worship as venues for meetings or diverse activities'. Article 47 forbade 'manoeuvres, written material or public utterances' that incited the armed forces to seize power'. In an attempt to minimise foreign interference in Chadian politics, parties were entitled to receive donations only from 'national physical persons' (*Keesing's*, October 1991:38519; Nolutshungu, 1996:253-254; Lanne, 1998:298).

The MPS was favoured by exemption from certain registration formalities, a move bitterly criticised by Mamadou Bisso who was in the process of registering as a party his *Rassemblement pour le développement et le progrès* (RDP). On 22 December the Deby government was shaken by a rebel assault by former Habré supporters of the *Mouvement pour la démocratie et le développement* (MDD) from the Lake Chad region. Although repulsed, aided by the implied threat of highly visible French reinforcements, Deby used the invasion to make a point to the fledgling multiparty opposition. A reported 10 opposition activists were assassinated, including Bisso, and 50 arrested (*Keesing's Record of World Events*, January 1992:38710). It was clear that participation in the party politics of 'democratic' Chad would demand no less nerve than in the Chad of the warlords.

Nonetheless, between mid-1992 and mid-1997, the number of registered political parties mushroomed from eight to around sixty. 'One person, one vote' became 'one person, one party'. Chad's traditional tendency to disjunction proved an electoral godsend to Deby

and the MPS, with the proliferation of parties splitting the opposition. Kovana describes the majority of these parties as providing only nominal opposition to Deby and the MPS, with their leaders distributing leaflets on the doorsteps of N'Djaména 'à la manière des Témoins de Jehovah' (Kovana, 1994:72). The 1991 order regulating party formation distinguished between recognised and non-recognised political associations. The mass of the latter comprised movements that maintained an operational military wing. Throughout the transition, Deby has procrastinated by alternating rapprochement with, and victimisation of, politico-military movements. The sporadic negotiation process has not been entirely cynical, although results have been mixed. Moïse Kette's southern rebellion, the *Comité national du salut pour la paix et démocratie* (CNSPD), was the target of protracted negotiations between 1992-94. Following discussions mediated by the Central African Republic, recognition of the CNSPD as a legal party was underscored by incorporation of CNSPD fighters, including Kette, in the ANT in late 1994. A similar process arbitrated by the governments of Gabon, CAR and Niger produced the Franceville agreement in March 1996. Whilst the accords afforded some impetus to the electoral process, bad blood on both sides guaranteed limited efficacy. Only the MDD's anti-Habré tendency under Moussa Medella signed the declaration, although separate ceasefires were agreed with other MDD factions in September and December 1996.

Latterly, government overtures to a still active limb of the CNSPD, Laoukin Bardé's *Forces armées pour la république fédérale - victimes d'agression* (FARF/Va), led to the Moundou accords, signed in April 1997, that met most of the rebel's demands. Beyond a general amnesty for its members, FARF/Va would regenerate as the recognised *Front patriotique pour la démocratie*, elements from FARF/Va would integrate into the ANT and the government would instigate a national debate on a federal future for Chad. A claim for CFAfr2bn as back pay for 200 FARF/Va fighters received a terse response from Deby – 'vous n'aurez pas un sou' (*Africa International*, December-January 1998:29). Bardé soon realised that the agreement was designed to buy the newly elected President time to organise a full-scale attack intended to liquidate the most dangerous armed supporters of federalism. The *coup de main* occurred at the FARF/Va stronghold in Moundou on 30 October. The ANT put casualties at 58 dead, of which 52 were FARF/Va militia, six ANT troops and one civilian. The *Ligue tchadienne des droits de l'homme* (LTDH) presented disparate figures - 98 dead, of which 52 were civilians, 42 FARF/Va fighters and four soldiers from the ANT. There were reports of summary execution. Tellingly, the LTDH counted only 14 wounded (*N'Djaména Hebdo*, 26 February 1998). For the editors at the *N'Djaména Hebdo* the events at Moundou, 'remettent en question le récent processus démocratique engagé au Tchad' (*N'Djaména Hebdo*, 26 February 1998). More significantly, they charge that, 'c'est au vu de la réaction des autorités tchadiennes sur ces événements qu'une estimation sur la situation des droits de l'homme au Tchad pourrait être finalement appréciée' (*N'Djaména Hebdo*, 26 February 1998).

The substance of debate amongst recognised political parties scores another benchmark reflecting the authenticity of Chad's democratic process. *N'Djaména Hebdo* asserts that, 'l'opposition au régime ne repose pas sur une base dogmatique, ni sur des croyances religieuses, ni sur les choix d'un système économique...elle est, au contraire, réellement politique, à tendance régionale' (*N'Djaména Hebdo*, 26 February 1998). Robert Buijtenhuijs' study of 14 parties in Chad concludes that, whilst some could be classified tentatively as from the left or right, a settled ideology is clearly embryonic (1995:119-135).

Or, as Nolutshungu puts it, ‘the rhetoric...of the ‘transition to democracy’ did not displace the old politics’ (1996:266).

Undoubtedly regionalism and personal allegiance lives large in the mind of the voter. Whilst eighteen parties presented candidates in both the north and the south, only the MPS did so with any degree of success. Overall, parties with a northern base were considerably more willing to contest seats in the south than *vice versa* (Buijtenhuijs, 1998: 322-323). Beyond ethnicity and regionalism policies *do* exist, although they more accurately reflect the preoccupations of the party leader than that of the general membership. Many parties share similar basic policies - security through decentralisation and the economic *zeitgeist* of the free market. Nonetheless, frequent efforts to build workable coalitions to challenge the MPS have foundered on the ambition of individual party leaders. The main registered parties, and their leaders, in order of their percentage of the vote in the legislative elections are (Miles, 1995:310-311; *Africa Express*, May 1996; Decalo, 1997; EIU, 1997; Buijtenhuijs, 1998):

- *Mouvement patriotique du salut* (MPS). Launched in March 1990 at a congress in Sudan under the leadership of Deby as an effective politico-military umbrella for several dissident movements, including *Action du avril* and the *Mouvement pour le salut national du Tchad*. Following Habré’s defeat in November 1990 the MPS assumed the role of *soi-disant* ‘guarantor of the democratic process’. Buijtenhuijs in his extensive analysis of the presidential and legislative elections sought to classify the parties and their leaders according to their relative capacity to appeal to voters beyond their own ethnic and territorial fiefs. Deby is designated as a politician that can deal on a sub-national level (Buijtenhuijs, 1998: 321). Clearly he relies on his northern constituency as the foundation for electoral success. MPS support in the central prefectures is modest and the party has a shallow organisational infrastructure in the south. Nonetheless, and the issue of electoral fraud notwithstanding, Deby scores better than his rivals in the south than they do against him in the north, and the MPS returns more *députés* in the south than the other parties do in the north.

- *Union pour le renouveau et la démocratie* (URD). Founded in April 1992 in Dola (Logone Oriental) as the political vehicle of veteran southern general, Wadal Abdelkader Kamougué. A Sara, he steered a conciliatory course throughout the late transition period. However, in calling for a ‘yes’ vote in the 1996 constitutional referendum, he split the *sudiste* vote, seemingly diminishing his own chances in the presidential election and jeopardising the URD’s share of the vote in the legislative poll. Nevertheless, amongst an electorate where personality counts for a lot more than policy, Kamougué’s reputation as a former leader of the *codos* carries weight. For Buijtenhuijs he is a politician that also deals at a sub-national level (Buijtenhuijs, 1998: 320). However, the extent to which his constituency extends beyond the Sara is questionable. It is, nonetheless, clear that Kamougué relies heavily on the peasant vote. He is often accused of being anti-intellectual. Despite claims to the contrary, for a politician with a supposed national ambit, he spends very little time in the north or the capital, preferring to tour his power base in the south (*N’Djaména Hebdo*, 30 January 2001).

- *Union nationale pour la démocratie et le renouveau* (UNDR). The most doctrinal party. The UNDR’s leader, Saleh Kebzaboh, a committed libertarian, campaigned for the large ‘no’ vote scored in the multi-ethnic southern prefecture of Mayo-Kebbi. Kebzaboh’s career has fluctuated between politician and journalist. Notably, he founded the influential independent weekly, *N’Djaména Hebdo*. Miles represents UNDR policy as favouring ‘very advanced decentralisation leaving to the state the rudimentary functions of maintenance of law and order, international representation, and basic infrastructural development’ (Miles, 1995:61).

A liberal Muslim from the south, Kebzaboh depends on appealing across ethnic and religious boundaries, especially in Mayo-Kebbi for his constituency. He is described by Buijtenhuijs as a politician that deals at a prefectural level (Buijtenhuijs, 1998: 316). He accepted ministerial posts in recent Deby governments - apparently for strategic reasons. However, on 11 May 1998, either by accident or design, he was dismissed from the cabinet in, what was considered by sceptics in the UNDR, a bid to regain his lost 'virginity'.

- *Union pour la démocratie et la République* (UDR). Founded in 1992 by the *vieux sage*, Jean Alingue, former President of the National Assembly, Prime Minister, and ambassador to Washington and Paris. A *stage* at the IMF convinced Alingue that Chad must develop free market policies to ensure 'a truly democratic, indivisible, secular, and strongly decentralised republic' (Miles, 1995:61). Described by Buijtenhuijs as a politician that deals in the urban political milieu (Buijtenhuijs, 1998, 318-319). Alingue has parts of N'Djaména, notably the fifth *arrondissement* as his power base. Has been said to better represent the aspirations of the electorate of the urban south than Kamougué or Kebzaboh (Buijtenhuijs, 1998: 319).

- *Rassemblement pour la démocratie et le progrès* (RDP). Led by a former head of state, albeit as a stopgap President in 1979, the RDP claims pragmatism over ideology. Lol Mahamat Choua's programme - to create a secure political environment through a reformed national army - is intended to appeal to the businessmen and *commerçants* in the Western prefectures of Lac and Kanem who constitute the basis for his support. He is described by Buijtenhuijs as a politician that deals at an ethnic level despite himself (Buijtenhuijs, 1998: 312). Lol's political future should not extend beyond a possible role as a power broker.

Five other parties are represented in the National Assembly. Ibn Oumar Mahamat Saleh's *Parti pour la liberté et le développement* (PLD), Salibou Garba's *Alliance nationale pour la démocratie et le développement* (ANDD), Fidèle Mounzar's *Action pour l'unité et socialisme* (ACTUS), and Adoum Moussa Seif's *Convention nationale démocratique et sociale* (CNDS). Ngarlely Yorongar's *Front des forces d'action pour la République* (FAR) is considered by Buijtenhuijs to be a case apart (Buijtenhuijs, 1998: 319-320). Offering a specific concept for future Chadian governance – federalism – Yorongar might be held to appeal to a section of the electorate in both the north, centre and south. However, FAR strategy has to a large extent restricted itself to targeting the two Logones where the federalist project maintains a constituency. Yorongar's advocacy of federalism coupled with his consistent criticism of the government's handling of the Doba oil project placed him at the centre of a political storm in 1998.

One further party that deserves mention is Kassire Coumakoye's *Rassemblement national pour la démocratie et le progrès* (Viva-RNDP). Described by *Afrique Express* as 'tonitruant, légèrement mégalomane' (*Afrique Express*, May 1996), there has been rancour between Coumakoye and Deby, since his orchestrated removal as Prime Minister in April 1995. Based in the prefecture of Tandjilé, it has not always been easy to discern his affinities. The Viva-RNDP's platform advocates a 'unitary, humanistic, highly democratic and sufficiently decentralised' Chad (Miles, 1995:62). However, such aspirations will have to be pursued outside parliament, since the N'Djaména Appeal Court redistributed the four seats won by Viva-RNDP in the legislative elections. Moreover, the exclusion of the party persists with an ongoing ban on Coumakoye rallies.

The Sovereign National Conference.

The *Conférence Nationale Souveraine* (CNS) sat between 15 January and 12 April 1993. The conference mirrored the pace of democratic transition in Chad as it became mired in procedural wrangling and definitional issues. Initial popular enthusiasm for the CNS soon dissipated – ‘au début, tous les Tchadiens ivres de paix la suivront fiévreusement sur leurs transistors...peu à peu, les débats s’enlisant, ils s’en désintéresseront’ (Kovana, 1994:75).

Nevertheless, the CNS did effect ‘a rich representation of notable Chadians’ whose presence ‘was an affirmation of the idea of a Chadian state, [and] a certain nationalism’ (Nolutshungu, 1996:255). An 80-member preparatory commission considered composition and procedures of a CNS between December 1991 and July 1992. However, participants were eventually chosen by consensus during meetings of a *Commission tripartite* established in November 1992 under the chairmanship of Minister of the Interior, Djimasta Koibla. The task of the *Tripartite* (incorporating members of the government, civil society and registered political parties) was to fix an agenda for the CNS and to ameliorate potential logistical and financial problems. There were officially 830 nominated *conférenciers*, although prior to the first votes the *Tripartite* accepted that 846 voting cards had been distributed. In reality, attendance at the conference changed on a day to day basis with rarely more than 780 delegates participating in the principal votes. The CNS provided the first indication of how Chad’s diverse population would align, and the extent to which the sitting government would intervene in the process. Five categories of Chadian society were represented (Buijtenhuijs, 1993:45-46; Lanne, 1997:277; Kovana, 1994:73):

- 116 public officials - ministers, members of the provisional council, mayors, prefects, judges, army officers and ambassadors. Whilst, this section of the CNS was essentially pro-government - as one official commented, ‘on ne peut pas émerger du budget de l’Etat et voter contre le gouvernement’ (Buijtenhuijs, 1993:47) - there were individuals who were willing to side with the opposition, even when votes were taken by a show of hands.
- 256 participants from 32 registered political parties with eight delegates each and eight political organisations in the process of being registered that were each represented by one delegate. In addition, five politico-military organisations were each given two seats. Notable amongst the former - Lol, Kamougué, Coumakoye, Alingue and Kebzaboh. The most vital politico-military body represented was Moise Kette's CNSPD. Conspicuous absentees included Abbas Koti of the CNRT and representatives of the MDD. Immediately prior to the commencement of the conference, 15 core opposition parties, united in their anti-MPS sentiment, formed an umbrella grouping, the *Forum pour le changement démocratique*. Another arrangement of parties, *Nouvelle coordination*, claimed to speak for moderates at the CNS, but was considered by many to be a facade for the MPS. Between these two temporary groups lay the *Collectif pour les initiatives démocratiques*. Yet, given the regional and ethnic component of the represented parties, together with the dearth of ideology, such coalitions remained largely notional. A special case in this category was former President Goukouni Oueddai. Initially invited as an important individual, he arrived with a small entourage drawn from the ranks of FROLINAT, despite the fact that the organisation had sacked Goukouni and dissolved itself on 14 January. Treated with utmost respect at the conference, he adopted a neutral stance. He addressed the conference on 16 February, calling for an effective reprise of the Lagos Accords - especially the formation of an authentic national army - that had underpinned his own failed GUNT between 1979 and 1982.
- 130 representatives from civil society. There were 31 members of human rights organisations including the LTDH who with the exception of several members of youth

groups fiercely opposed the government. The rest of the quota comprised a nebulous collection of independent journalists, women's associations, civic groups and trade unionists. Given the level of anti-government animus amongst the vast majority of civil society, it was clear that the *Tripartite* had severely pruned this section of the CNS. The trade unions alone lost over half of the seats anticipated at the start of conference preparations.

- 176 representatives from the general population. Initially, the preparatory commission foresaw two delegates from each sub-prefecture representing cantonal chiefs. They were to be chosen by the populace, although the electoral process was not elaborated. In the event, the *Tripartite* chose to allow prefects to nominate 124 sultans and cantonal chiefs - a system that advantaged the government. From the start of the conference, opposition delegates accused the *Tripartite* of engineering an integral majority for Deby by constructing a pro-government *tranche* of friendly *turbans* (Buijtenhuijs, 1993: 52). Prefects also appointed *conférenciers* from the agricultural sector - 28 pastoralists and 28 arable farmers. Whilst opposition accusations of bias were less strident, there were caustic observations about the sophisticated demeanour of certain delegates who claimed to have worked the land all their lives. Eight religious representatives split along regional religious lines with two Catholic bishops and two Protestant pastors opposing Deby and four Muslim imams supporting him, albeit with reservations, the government line. In addition, there were 12 representatives of expatriate Chadians chosen by diplomats from their respective resident states. Predictably, there was a perceived government bias within this bloc. The official delegate from the Central African republic not only supported the MPS, but also delivered his remarks in Arabic, a language spoken by hardly any Chadians in the CAR.

- 144 *personnalités ressources*. The final category comprised a heterogeneous collection of notables from across Chadian society - former ministers, diplomats, ministers and academics. In Buijtenhuijs' words, 'on trouvait parmi eux quelquesuns des défenseurs les plus farouches des thèses du MPS, mais également plusieurs des opposants les plus durs' (1993:55).

In his opening remarks to the conference, Deby struck a familiar balance of cautious optimism, mixing candid recognition of Chad's failings with the clear impression that future solutions were only possible under a stable government, with himself as President. CNS participants were told to avoid a 'destructive scenario with worrying quarrels'. Deby accepted that obstacles to democratisation included army indiscipline, symbolic justice and weak administration. However, no doubt recalling the fate of President Mathieu Kérékou at the hands of Benin's CNS, he warned the conference to seek a 'flexible transition' (*Africa Research Bulletin*, 1-31 January 1993:10850).

Political pliability was evident in the first major obstacle to the progress of the CNS. A schism developed over the nature of the conference's 'sovereignty'. Deby argued that the potential for conflict in Chad demanded that, contrary to orthodox practice at national conferences, administrative and security mechanisms, as well as national sovereignty, should remain with the government. In a compromise typical of Chad's democratic transition, Deby seemingly gave ground, whilst essentially maintaining personal control. Act I of the CNS squared the circle by proclaiming the CNS sovereign under the guarantee of the President, whilst upholding the authority of the *Charte nationale* until the conference created replacement transitional institutions. In other words - 'vous êtes souverains pour demain, mais pas pour aujourd'hui' (Buijtenhuijs, 1993:64).

Related semantic contestation concerned rules of procedure that could be taken to contradict the hard won compromise on sovereignty. Decisions taken by the CNS, as in other

national conferences within francophone Africa, were intended to be consensual. However, procedures developed by the *Tripartite* allowed for intractable issues to be put to a vote by absolute majority. Even more worrying for anti-government delegates, the voting method was by a show of hands in open session. The *Tripartite*'s stated aim for the CNS – ‘de mettre en place un gouvernement de transition dont elle définit la mission’ (Buijtenhuijs, 1993:66) – was sufficiently open-ended to cause disquiet amongst participants from either pole of the conference. The opposition saw potential in the mission statement for government machinations to retain the *Charte nationale*, with its strong emphasis on presidential prerogative, as the model for the transition period. For the pro-government lobby, the ambiguity of the proposed mission left Deby perilously close to losing control of the composition of the transitional government. The eventual resolution satisfied neither side. The new mission statement for the conference was equally vague – ‘de dégager les modalités de mise en place des organes de transition dont elle définit les missions’ (Buijtenhuijs, 1993:69). Voting for official positions within the CNS would be secret, although decisions on the floor would still be taken by a show of hands. Finally, decisions were to be based on a qualified majority of 4/5 of delegates in a first ballot, to be followed by a majority of 2/3 in a second ballot, if required.

Despite continuing unease, and after a fortnight of acrimony, the conference proceeded to elect a Praesidium. Eventually, five candidates presented themselves. Adoum Maurice Hel Bongo, a southerner, was a former minister under Tombalbaye and had spent much of the civil war abroad, as an administrator at the International Labour Organisation. The surprise candidate was Kassire Coumakoye. A member of *Forum*, he was expected to stand as a vice-presidential candidate. There was an assumption that his candidature for the presidency, announced without consultation, amounted to a joint manoeuvre by a maverick politician and the government. The MPS did not offer a nominee. *Forum* immediately put forward a ‘kamikaze candidate’, a lawyer, Amady Nathé, to emphasise Coumakoye's treason. Two other candidates were a pastor, René Daïdanso, and a nominee from Ouaddai province, Youssouf Saleh Abbas. Hel Bongo's victory by 5% of votes cast (see Table 1) was acclaimed by the civil society bloc and half of the political parties, but received in silence by public officials and the rural section. The same silence greeted the result of the ballot for the first Vice-President. The defeat of the candidate favoured by the MPS, Abderamane Koulamallah, by another candidate from the civil society bloc, Youssouf Abbas, provoked consternation in the government ranks. The concession to allow the election of conference officials by secret ballot threatened to return a Praesidium composed entirely of anti-MPS delegates elected by a narrow margin. As Buijtenhuijs notes, democracy demands that a majority does not seek to crush its opponent, especially if the opponent controls both arsenal and barracks (1993:77). The resulting informal understanding between *Forum* and the MPS assembled a Praesidium, following backstairs reciprocity that demonstrated both regional balance, and confirmed a role for a politicised civil society in the Chadian transition. Yet, *did* the conspicuous engagement of the civil society bloc imply the emergence of a new ‘civil society’? Whilst recognising the input of assertive individuals from the press and pressure groups, Nolutshungu revives the fundamental issue of ethnic and regional conflict as a perennial element in Chadian civil society – ‘unwilling to yield authority to any state yet seeking the state, and forever alternating between banishment and incorporation amid the clash of arms’.

The preparatory stage of the CNS persisted until 11 February - five days short of the conference's envisaged duration. The delay overshadowed positive aspects of the process.

Debate on the floor rarely descended into abuse. Laborious procedures overcame ingrained antagonisms that threatened to demolish the conference and the transition. Time consuming operations resulted from sincere efforts at compromise - the translation of debates into Sara was not obligatory, but accepted by the *Tripartite* as a gesture of goodwill to radio listeners in the south. The phenomenon of Chadians engaged in prolonged dialogue, after three decades of civil conflict, was cause for optimism. Deby opened the CNS with the slogan, 'ni vainquer ni vaincu'. Even so, by the end of the conference there was little doubt who still set the agenda.

The initial debates proved financially costly. Pressure mounted on Hel Bongo as President of the Praesidium to guillotine debate on the substantive tasks of the CNS. On 4 April, the conference promulgated a *Charte de la transition* to oversee presidential and legislative elections. Deby remained head of state and the armed forces during a transition anticipated to last a year, but which lasted three. A *Conseil supérieur de la transition* (CST) was established as an interim government with a mandate to address new political, economic and social directions discussed at the conference (*Africa Research Bulletin*, 1-31 January 1993:10954). Fidèle Mounkar, a southerner, and former head of surgery at Peronne hospital in France, defeated Hel Bongo for the post of Prime Minister by a margin of 444 votes to 334. The CST rehashed the Chadian propensity for broad based regional coalitions as a conciliation mechanism. Positions were found for Kamougué (Civil Service and Labour), Coumakoye (Communications) and Kebzaboh (Trade and Industry). In a broadcast on *Radio Tchad*, Mounkar reasserted that his cabinet should be considered the 'missionaries' of the CNS. The tasks of the new government were elaborated in a *Cahier de charges du gouvernement de la transition*, described as 'a wish list without the least indication of the means of fulfilment' (Nolutshungu, 1996:257). The *Cahier de charges* enumerated Chad's well-rehearsed ills - the democratic deficit, ethnic strife, factionalism and administrative and economic collapse. The proposed solution - the restoration of the state bequeathed to Chad by the French. Reformists aimed to reinstate the role of the traditional cantonal chief as the backbone of prefectural administration. Yet, whilst 'it might almost have been the Tombalbaye state idealised...how democratic government with better provision for chiefs and a revamped administration could possibly cost less was not explained' (Nolutshungu, 1996:257).

In December 1993, the CST appointed a 17-member *comité institutionnel* to prepare a draft constitution and lay down an electoral code. By March 1994 the committee had produced constitutional proposals based on that of the French Fifth Republic - 'an executive president with considerable powers, to be elected by universal suffrage for a five year term, and limited to two terms only in office...the Prime Minister designated by the president, who can also remove him from office...the *Assemblée nationale* is to be elected every four years' (EIU, 1996:40). A contentious proposal, stemming from the CNS, was the provision of two official languages, French and Arabic. Beyond issues of cost and prestige, the proposal was imbued with the shades of religious and geo-political significance, southern francophone Christianity against northern Arabo-Islam that had haunted Chad for decades.

In order to clarify controversy over the extension of presidential powers, a national debate was held between 13-17 August 1994. Supporters of the new constitution described it as 'semi-presidential, neither parliamentary, nor presidential, but a rationalised parliamentary system'. Opposition parties denounced the text as 'undemocratic' and partial to the Deby regime. Amendments recommended the wholesale adoption of the French Fifth Republic 'to

provide greater clarity of the division of powers' (*Africa Research Bulletin*, 1-31 August 1994:11540). In response to the national debate, minor changes to the text were announced in January 1995, although demands to rescind the right of the President to choose the Prime Minister were doomed to fail.

The constitutional referendum.

Five years and four months after Deby came to power, and almost three years since the end of the CNS, Chadian voters finally entered the polling stations. The EIU considered the referendum on the draft constitution held on 31 March 1996, 'an approximately accurate reflection of the power-balance in Chad' (1996a:37). At the heart the referendum lay the question of the ratification of a draft constitution based on a strong presidency to determine the weight of opinion for a unitary against a federal state, linked with an endorsement of the decision to give Arabic equal status with French as an official language. The Court of Appeal announced the definitive results on 14 April. The *Commission électorale nationale indépendante* (CENI), under the authority of the Ministry of the Interior, declared a turnout of 2,538,380 out of 3,565,872 registered voters - 71.19% of the electorate, although there was a substantial number of spoiled papers (*Africa Research Bulletin*, 1-30 April 1996:12215). CENI's original result - 61.5% in favour of the draft constitution and 38.5% against - was finally rectified to 63.5% in favour and 36.5% against (EIU, 1996:39).

International monitors commended the conduct of the poll and five French parliamentary observers declared the vote to have taken place 'in the best conditions possible' (EIU, 1996:39). The favourable assessment by the latter was not surprising given that *Opération Epervier* forces were largely responsible for the logistical aspects of the vote. Alingue sounded a caveat over irregularities and a lack of guidance at many polling stations. Before the poll, there were reports of petty harassment of anti-constitution activists - on one occasion a statutory television broadcast by 'no' advocates was terminated by an apparently deliberate power failure. In response, Minister of Culture, Mahamat Said Farah, accused the 'no' campaign of sour grapes, insisting that 'there were no irregularities and there was transparency' (EIU, 1996:39). Yet, one aspect of the vote was beyond neutral observation. Around 300,000 registered voters were resident abroad, 220,000 of them in Sudan. The 'no' campaign anticipated votes accepted by Chadian diplomatic missions abroad would reflect the government position. In fact, the turnout abroad was very low at 26.9%. However, of those 95.7% voted 'yes'. In the event, the Court of Appeal disqualified the votes of Chadians living in Libya, Sudan, Niger, Nigeria and Iraq owing to irregularities in the accompanying paperwork (EIU, 1996:39).

Nonetheless, the openness of the referendum was established by the result. Similar procedures in francophone Africa had returned results in favour of a new constitution between 90% and 95% of the electorate only in Madagascar had the 'yes' vote fallen as low as 73%. In Chad, over one in three voters opposed the draft constitution. Buijtenhuijs reports that influential sources considered a result lower than an 80% 'yes' vote, or 75% at the extreme, a failure for the government (1996: 121). Of 59 parties registered at the time of the referendum, 30 advised their followers to vote 'no', against 29 for 'yes'. In short, the result hardly represented, 'une adhésion franche et massive au régime en place' (Buijtenhuijs, 1996:121).

Analysis of the results from the *préfectures* underlined the expected North-South divide. The north, east and centre, most especially the central *préfectures* of Ouaddai, Kenem,

Biltine and Guera that have become more and more Islamicised, registered between 88% and 96% in favour. Four southern *préfectures*, Logone Orientale, Logone Occidentale, Mayo-Kebbi and Tandjilé, posted figures of between 79% and 87% against. In N'Djaména, four *arrondissements* voted 'yes' and one (with a largely *sudiste* population) voted 'no', producing an overall 65.1% 'yes' vote.

The most interesting result occurred in the unpredictable *prefecture* of Moyen-Chari that includes the chief southern city of Sarh. Against the trend in the south, the district registered 64.6% in favour. Explanations for this anomalous result extend beyond the possibility of vote rigging. Moyen-Chari had been the target of a series of political and economic overtures from Deby over the previous years, the most visible of which had been the sanctioning of the reburial of former President Tombalbaye in his home village in the *prefecture*. Moreover, several *présidentiabiles* – putative presidential candidates – in the region realising that their future participation in government might require power sharing with northern opponents, called for a 'yes' vote (Buijtenhuijs, 1996: 123). Kamougué, Djimasta, and Hel Bongo all called for a 'yes' vote.

However, outside Moyen-Chari, polarisation of opinion between north and south was marked. For Deby, the reason for the rejection of the draft constitution in the southern region was clear. Referring to the distinguishing colours of the two ballot papers – white for 'yes' and red for 'no' – he observed that, 'les partisans du 'non' ont affirmé que le bulletin rouge, c'était le sang de Jésus' (*Le Monde*, 16 April 1996). However, inflammatory rhetoric notwithstanding, the result could have been closer. For the 'no' campaign, the *préfectures* in the north, centre and east were unassailable. Only a small proportion of the vote in the south was necessary to secure victory. Calls by the *présidentiabiles* to support the constitution swayed a significant section of the southern vote which recognised that a 'no' vote would throw the transition process into disarray, with the most optimistic prospect being a lengthy redrafting of the constitution. According to this logic, defects in the constitution could be remedied following the accelerated defeat of Deby in a presidential election. The contrary view assumed that Deby would ensure his election by any means and, thus, the best option would be to administer a rebuff to Deby by maximising the 'no' vote. Whilst discerning the rationale of possible tactical voters can only be speculative, Buijtenhuijs confidently stated, at the time of the referendum, that the majority of the electorate was not behind the Deby regime. Anticipating a hotly contested presidential election he foresaw, 's'il n'y a pas de fraudes massives, ce sera un scrutin extrêmement ouvert qui pourra nous réserver des surprises' (Buijtenhuijs, 1996:121).

Presidential elections.

On 2 June 1996, 15 candidates stood in the presidential election. Despite the ratification of the new constitution four weeks previously, an election was not guaranteed. Speculation in N'Djaména understood a rattled Deby, after analysing the referendum results, to be considering a further postponement. Rumour hinted that only the threat of a suspension of aid from the French Minister of Cooperation, Jacques Godfrain, forced Deby's hand (EIU, 1996a:36). The first poll saw Deby just fail to win an outright majority. A second poll, postponed due to delays in the first round count until 3 July, saw two-old-soldiers-turned-politicians, Deby and Kamougué, contest a runoff. On 11 July, CENI announced that Deby had retained the presidency, securing over two-thirds of votes cast (see Table 2).

In the event, the result was flawed. The US Bureau of Democracy, Human Rights and

Labour, pronounced the election, 'marred by widespread and credible reports of fraud, vote-rigging, and irregularities by local officials...these actions were contrary to internationally accepted standards for free and fair elections' (1997). Before the commencement of the campaign, the Court of Appeal disqualified five candidates from standing on grounds of failing to meet residency requirements. The three most serious challengers to Deby amongst those barred were ex-Prime Minister Mounkar, former President of the CNS Hel Bongo and Abderamane Koulamallah, son of one of Chad's most renowned Muslim nationalist politicians.

Still more egregious was the use of arbitrary arrest. Following the interrogation of Kebzaboh in September 1995, ex-Prime Minister Coumakoye was effectively marginalised from the electoral campaign by his arrest on 2 March 1996. Coumakoye was sentenced to three months imprisonment for 'illegal retention of arms'. His bodyguard, arrested at the same time, was released without trial, but claimed to have been tortured. A court clerk was also arrested and held for one day after supplying Coumakoye with a copy of his police record, a document necessary for him to submit his candidature (Amnesty International, 1996:3).

Whilst human rights organisations charged France with tacit involvement in the government's abusive tactics, sections of the opposition accused France of direct responsibility for electoral fraud. Amnesty International (AI) noted, 'signs of passivity and silence on the part of the French military cooperation programme...France is not prepared to condemn publicly flagrant human rights abuses in Chad...even though this passivity may lead to further human rights abuses' (1996:34-35). French logistical support, supplied by 800 *Epervier* troops, was essential to the functioning of the election. In a vast country with minimal infrastructure, only the reach of French Transall and Puma aircraft allowed the coordination of the vote in remote peripheral regions. France expended FF8.75m to underwrite the referendum and both rounds of the presidential election. *Le Monde*'s report of the first round of voting was headlined, 'L'élection présidentielle au Tchad a été essentiellement organisée par la France' (*Le Monde*, 3 June 1996). Tellingly, in the face of sustained criticism of the election by Chadian and international monitors, *Radio France internationale* chose to highlight 'enthusiastic participation' by the majority of the electorate (EIU, 1996a:37). The same troops accused by AI of turning a blind eye to ANT atrocities were coordinating the election. Thus, as Buijtenhuijs points out, France (as well as the United Nations), 'n'ont cependant émis aucune protestation, et leurs représentants locaux se montrèrent, en privé, tout à fait satisfaits de l'issue du scrutin' (1996a:130). Indeed, by July 1997 Deby was able to pay an official visit to Paris where a new Minister for Cooperation, Charles Josselin, praised his success in surmounting, 'avec fermeté et détermination, toutes les étapes d'un processus semé d'obstacles' (Ministère des Affaires étrangères, 1997).

The outgoing American ambassador, Laurence Pope, provided an interesting counterbalance to the French reaction to the election. Recommending a reduction in American aid to the electoral process, the US embassy published a communiqué expressing the hope that the Court of Appeal would, 'carefully examine the results to make sure that they faithfully mirror the intentions of the Chadian people' (EIU, 1996a:40).

On 6 June, a day before CENI declared the results of the first round, 13 of the 14 candidates opposing Deby issued a joint press statement, claiming that the campaign had taken place under inadmissible conditions and that the poll was subject to numerous irregularities. Several candidates asked the Court of Appeal to annul the poll. The Court

seemingly upheld the tenor of opposition complaints by declaring void 300,000 of the 2.6m votes cast, lowering the percentage turnout from 76% to 67.5%, and discounting the votes from all polling stations where one candidate returned 100% of the vote. Accordingly, individual results were altered. Deby proved to be the main loser, forfeiting 4% of his vote. Many commentators detected a not very subtle attempt by a partial judiciary to massage the figures just enough to appease critics.

The response of the opposition was predictable. Kamougué called the result a ‘the greatest political hold-up in Africa’ (EIU, 1996a:39). There was supporting evidence. Election observers from the UN, the secretariat of *la Francophonie*, the *Groupe d’études et de recherches pour la démocratie et le développement économique et social en Afrique*, and the Organisation of African Unity (OAU) were able to visit one-third of 6,800 polling stations. Whilst they recognised that the second round seemed more transparent than the first, there remained ‘missing elements’ (EIU, 1996a:39). A major deficiency of the monitoring operation was the inability to observe the counting of overseas votes accounting for 9% of the electorate - one government official had already intimated that there was an expectation that the expatriate vote would be foursquare pro-Deby. Official results in the southern prefecture of Moyen-Chari for the first round gave 124,000 for Deby against 55,000 for Kamougué. In the second round, Deby achieved just 32,000 votes, whilst Kamougué increased his vote to 236,000. Even accepting the perverse nature of the Moyen-Chari electorate, ‘l’hypothèse d’une fraude massive - plus particulièrement au premier tour - est plus plausible’ (Buijtenhuijs, 1996a:132). There were other indications of fraud. Forged polling cards circulated openly and were certainly used by the ‘manifest minors’ observed by independent monitors.

Typically, surreptitious manoeuvring surrounded the declaration of the first round results. At 2 o’clock in the afternoon on 7 June, CENI were prepared to announce that Deby had won an outright majority of 50.1% of the vote. The public declaration was suspended until 8 o’clock in the evening when Deby’s vote was put at 47.7%. It seems clear that wise heads in the government decided that a first round victory for Deby risked an extreme reaction both inside and outside Chad.

Opposition protest to the perceived fraud coalesced around a boycott of the second round. The only candidates to disregard this action were Deby’s opponent in the second round run-off Kamougué, and Kebzaboh. The latter spectacularly threw his support behind Deby. His explanation for this *volte-face* was a belief that support for Kamougué would ensure a return to the ethnic and religious themes that had fuelled Chad’s violent post-independence political history. Further he hoped that by entering government he would be better placed to protect and further the aspirations of his own southern constituency. However, many detected a political manoeuvre intended to enhance his chances in future presidential elections (Buijtenhuijs, 1998: 261-267). Although rewarded with a cabinet position, Kebzaboh did not avoid censure from his former colleagues at *N’Djaména Hebdo* who depicted their founder on the front cover holding a begging bowl.

Fraud aside, there was firm evidence that the security forces, especially the *Forces d’intervention rapide* (FIR), and the *Agence nationale de sécurité* (ANS), were responsible for intimidation of opposition parties, human rights NGOs and the press. The most serious incident occurred in Kelo at a Kebzaboh rally when *agents provocateurs* instigated a riot in which several people were hospitalised. On 28 and 29 June Secretary of State for Security, Noudjalbaye Ngaryan, prevented meetings by those parties advocating a boycott of the second

round (US Department of State, 1997).

Deby dismissed the objections of opposition, press and human rights groups. Indeed, whilst the evidence that the election was far from free and fair was compelling, it was equally clear the right man won. Deby had used the advantages of a sitting president to run a strong, nationwide campaign concentrating on the deep-rooted issue of security. So, why the need for fraud? The answer compounds a zealotry on the part of the Deby camp springing from *la politique du ventre* and an ethnically inspired revenge motive against Deby's northern opponents. In a more pessimistic vein, Buijtenhuijs reports electoral specialists declaring that a form of sub-democracy, where a flawed process returns an authentic result, is the best that Africa can expect (1996a: 135). Was the belief of the 70% to 77% of the electorate that voted in the two rounds, that an authentic Chadian democracy was viable, ultimately dissipated by the conduct of the presidential election?

Legislative elections.

The first Chadians to vote in the parliamentary elections were 300,000 nomads that live on the edge of the Sahara. Three days later, on 3 January 1997, the rest of Chad's 3,524,469 registered electorate voted. Only 48.5% accepted the franchise. Echoing Buijtenhuijs, the *N'Djaména Hebdo* declared that, 'Chadians in their immense majority no longer believe in their political class' (EIU, 1997:34). As for the political class, 650 candidates from 49 parties contested the 125 seats in the National Assembly. Elections were held in two rounds, the second poll being conducted on 23 February 1997, with the definitive results being announced by the Court of Appeal on 23 March 1997. The MPS won an overall majority, winning 65 seats. Kamougué's URD obtained 29 seats, with Kebzaboh's UNDR taking 15 seats. The remaining 16 seats were shared between seven minor parties (see Table 3).

Beyond the contempt engendered by the conduct of the presidential elections, there was a sense that, given the powerful role of the presidency in the Chadian constitution, the real opportunity for change had passed in mid-1996. Yet, the elections proved closer than forecast. Common consent conceded that the first round was essentially fair. Once more, the 60 observation teams were able to monitor only a minority of polling stations - 1,000 out of 6,600 installed. The most enthusiastic observers were the two French parliamentary monitors, Arnaud Lepercq and Antoine Carré. They lauded conditions for the election as 'globalement respectueuses des règles essentielles de la loi tchadienne...[les] électeurs et organisateurs avaient montré, en la circonstance, beaucoup de maturité' (Assemblée nationale, 1997).

Other members of the international and Chadian monitoring group were less impressed. Whilst accepting that there had been 'a net progression in the organisation and the mastering of electoral operations by the CENI, electoral agents and voters' since the constitutional referendum, problems of security and secrecy persisted (EIU, 1997a:36). A critical juncture in the process was the 'rearrangement' of the figures by the Appeal Court following a protest by the MPS. Ten seats were affected. Deby's party complained that CENI had 'scandalously manipulated' four seats in Tandjilé, which were originally declared for Coumakoye's Viva-RNDP, plus two seats in Chari Baguirmi won by the UNDR and two seats in Moyen-Chari attributed to Kamougué's URD. These were all transferred to the MPS. Two further seats were stripped from Mounzar's ACTUS party and redistributed to Salibou Garba's ANDD, itself a member of the informal pro-government *mouvance présidentielle*. Coumakoye condemned the election and accused the Appeal Court of having been 'stolen by the MPS' (EIU, 1997a:36). The clear implication was that Deby had been willing to allow

free and fair elections up to the point at which he looked like losing control of parliament. He did not seek to orchestrate a wholly unconvincing landslide victory, but defeat was not an option. *N'Djaména Hebdo* captured the mood of the opposition and civil society, observing that the result brought Chadian democracy 'back to square one' (EIU, 1997a:36).

Chad after the elections.

In the event, Chad's post-election political milieu resembled successive episodes of a soap opera set amongst the oil wells around Doba in Logone-Orientale, complete with accusations of corruption, embezzlement, assassination and massacre.

Many analysts believed that the legislative elections had little bearing on the complexion of Chadian politics. Following the presidential elections, the die had been cast. However, the elections did betray a significant economic component. One diplomat commented – 'oil is really what is at stake' (*Africa Research Bulletin*, 1-31 January 1997:12530). The Doba oilfields have been the subject of an extended joint project. The original consortium comprised Exxon, Shell and TotalFina-Elf. However, following widespread international lobbying by environmental and human rights groups and prevarication by the World Bank Shell and TotalFina-Elf withdrew. The withdrawal of the latter exacerbated a growing antagonism between Chad and France and was one reason for the French ambassador to Chad, Alain de Boispéan, being declared *persona non grata*. Shell and TotalFina-Elf were replaced in the consortium by the American oil company Chevron and the Malaysian company Petronas. The presence of two major US companies in Doba greatly increases American involvement in Chad.

The project proposes to develop the oilfields, construct a mini-refinery at Farcha and build a pipeline from southern Chad to the port of Kribi in Cameroon. In June 2000, following a lengthy consultation period, the World Bank offered the vital support and seed funding that opened the project to private investment. The World Bank supports the venture as a private sector-led poverty alleviation exercise. Oil revenues are to be paid into a special development fund. However, 'for sovereignty reasons the government of Chad alone decides how to use the funds' (Horta, 1997). Clearly, the project offers Deby not only the possibility of personal wealth, but also the, hitherto absent, largesse needed to construct a viable clientelist state. A measure of stability was essential for the pipeline to proceed. Rumours openly circulated that TotalFina-Elf, contributed CFAFr1.5bn to the electoral campaigns of not only Deby, but also Kamougué (*L'Humanité*, 24 November 1997). It was not coincidental that the MPS sought to have seats captured by opponents in the south transferred to them. The political, and financial, gains could be great. However, the project is potentially menacing for the local population – 'according to recent reports, the feeling of many in the capital that the country will soon enter a golden age of oil wealth is tempered by the views of local human rights workers, journalists and others who fear becoming the next Ogonis' (Horta, 1997).

The start of 1998 saw a general reshuffle of the coalition government in place since the previous May. The most important change was the promotion of Kebzaboh to the crucial position of Minister for Mines, Energy and Petrol. For four months, up to the dismissal of all UNDR ministers in May, Chad witnessed the fascinating spectacle of an erstwhile arch-critic of Deby attempt to defend a succession of atrocities and accusations of corruption surrounding the Doba project. A worsening security environment was signalled by an outbreak of hostage-taking incidents both in the south and BET. Most serious was the seizure of four French nationals on 3 February in Manda National Park in southern Chad by an

obscure politico-military group, the *Union des forces démocratiques*, led by Dr Mahumut Nahor. In the wake of an army operation to free the hostages, in which 11 were killed and 19 captured, arrest warrants were issued against Dr Nahor and the FARF/Va's Bardé. A series of raids, similar in ferocity and intent to the Moundou massacre of October 1997, were visited upon the Logone area in the following weeks. The government acknowledged a death toll of 49, and even conceded a number of 'excesses' by the military. However, a spokesman denied claims by AI that the number killed by the ANT ran into hundreds and that civilians, including cantonal and village chiefs who were summarily executed. Targeting of traditional chiefs belies the more substantive role proposed for local leaders at the CNS. Deby made his position clear in an address to assembled traditional chiefs during Qadafi's visit in March 1998. Chiefs were forbidden to criticise government policy or that of its local representatives – 'le gouvernement doit intervenir et interviendra...le gouvernement saura prendre des mesures contre ceux des chefs de cantons ou sultans qui mettraient en cause la paix, l'unité et cohésion nationale' (*N'Djaména Hebdo*, 14 May 1998).

Concern amongst the coalition government that continuing insecurity in the south threatened the credibility of the Doba project led to a dual strategy - denials by government spokesmen that FARF/Va constituted a danger to state control and accelerated negotiation with Bardé conducted by Kamougué. As a result delegations from FARF/Va and the government signed two peace accords in the southern town of Donia over 7-8 May. The agreement allowed for a ceasefire between the two sides, a general amnesty for FARF/Va fighters and supporters and an acceptance by FARF/Va that military, social, administrative and economic responsibility for the Logone region lay with the government (*N'Djaména Hebdo*, 14 May 1998). Bardé chose exile. He was reportedly assassinated by elements within FARF/Va favourable to an accord with the government.

The agreement between FARF/Va and the government would have grave consequences for the former rebels. By September 1998 FARF/Va fighters had been incorporated in the ANT. At the same time, and in a not unconnected policy move, Deby agreed with Qadafi a plan to use Chadian troops, using Libyan logistics, as part of the relief force supporting Laurent Kabila's beleaguered regime in the Democratic Republic of Congo. The troops chosen for the expeditionary force were largely the newly incorporated former FARF/Va fighters (*Afrique Express*, March 1999). The Chadian troops, unused to jungle fighting, faced high attrition rates. For Deby the venture in DRC, whilst ostensibly a military disaster, was not a great gamble. The deployment of Chadian troops enhanced Deby's relations with Qadafi, whilst the foreseeable losses ensured the destruction of units within the ANT that were until recently in direct conflict with the government.

A further contentious oil-fuelled manoeuvre by the government was the campaign to eliminate Yorongar, the outspoken *député* for Doba, from the political stage. His vision of the project conceives environmental disaster for the region, whilst profits flow to the capital. More significantly, Yorongar spies potential for corruption on a grand scale. He refers to the state's oil portfolio as *familiale*. Yorongar articulated, in the journal *l'Obsevateur*, the rumours that Deby and Kamougué received illegal election funding from TotalFina-Elf during the presidential elections. Government strategy for the neutralisation of the *député* yielded several benefits for Deby. By allowing Kamougué to lead a joint action for defamation against Yorongar, Deby sowed further dissension within the divided southern opposition. By orchestrating a majority of 98 out of 125 *députés* to strip Yorongar of his statutory immunity, Deby set a dangerous precedent for the open functioning of parliamentary

democracy, whilst making the mass of the *Assemblée nationale* complicit in repressive government policy. And, patently, Deby removed the most vociferous opponent of the Doba project. On 20 July 1998, Yorongar was sentenced to three years hard labour and a fine of CSFFr500,000 - a year longer than the law allows. The impartiality of N'Djaména High Court was seriously questioned by defence lawyers who were repeatedly denied access to case files and refused the right to speak at the trial. They subsequently withdrew in protest. Described by observers as 'un règlement de compte', the sentence removes his right to sit in the *Assemblée nationale* and, once confirmed by the Court of Appeal, prevents him from standing in the forthcoming presidential elections.

The anticipated 'petrol bonus', coupled with the assumption that much of this bonus would be dissipated through corruption, was a major factor in the reversal of the incremental process of reconciliation between the politico-military factions and the government. The continued presence of armed factions rivalling registered political parties as loci of agency has obfuscated a democratic transition orchestrated mainly by politicians who came from the politico-military milieu themselves. In March 2000 Kette, who had reconciled with the government since 1994, was removed from his position as a security advisor and returned to the *maquis*. A regenerated CNSPD launched a series of attacks against civilians and the ANT around Doba. A ceasefire was signed between Kette and the government negotiator veteran politician Koibla Djimasta. However, on 8 September it was announced that Kette and four associates had been killed in a gun battle with ANT troops. The government said that its actions were in response to Kette's continued attacks on traffic convoys. Yorongar contested this version alleging that Kette was assassinated whilst engaged in negotiations with government emissaries (*Africa Express*, September 2000). One corollary of these events was the accusation by Kebzaboh that French officials had sheltered Kette in the French Embassy and transported him to Logone.

However, events in the south have been dwarfed since October 1998 by a serious rebellion, the *Mouvement pour la démocratie et justice au Tchad* (MDJT), that was launched in the northern Tibesti prefecture by Deby's former Defence Minister and Minister of the Interior, Youssouf Togoimi. Despite government protestations to the contrary it became clear that the rebellion was attracting important supporters. Several senior members of the security forces, including former army chief of staff Colonel Béchir Hagar, joined the rebellion in its early stages, but the MDJT has continued to attract a steady stream of recruits from Chad's military and political elites. In response Deby has ordered a series of purges creating increased insecurity within the armed forces. The MDJT has also attracted the support of former president Goukouni.

Yet more worrying for Deby is the reaction of Libya and France to the rebellion. Deby was bitterly disappointed that, unlike on many previous occasions, France has refused to lend the logistic support of its sizeable garrison in Chad to help extinguish the rebellion. There is suspicion in N'Djaména that Paris favours Togoimi who enjoyed good relations with the French military and diplomatic representation in N'Djaména when he was in the government. Libya has officially maintained support for Deby, but has also treated with Togoimi. Qadafi was instrumental in bringing about a series of meetings between Deby and Togoimi in Sirte in September 2000. The talks reportedly addressed the same sort of issues that had signalled previous rapprochements between factions and the government – amnesty, the integration of MDJT fighters into the armed forces and transparency in the electoral process (EIU, 2000). There were rumours that the meeting had been the result of growing splits within the MDJT.

Possibly hoping to capitalise on these supposed splits the ANT launched a major offensive on rebel positions in late December 2000. Casualties numbered in the hundreds with further reports of the execution of POWs on both sides. Although figures are often inaccurate it seems that the government forces lost the most troops, although the MDJT with fewer resources suffered a serious reverse. Both sides lost senior commanders.

The Doba project permeates Chad's political fabric. The battle against government corruption is the stated target of the Togoimi rebellion, as well as the basic cause of World Bank concern over the project. Yet Doba cannot proceed in a climate of instability. In order to create a secure environment Deby must negotiate a settlement with the rebels or quell the insurrection. When Deby chose the latter course in December he financed the offensive with a portion of the first tranche of oil revenue paid to the government by the consortium. Only after repeated enquiries from World Bank officials did Deby admit to spending \$4.5m out of \$25m paid as an 'entrance fee' by the consortium on weapons. Robert Calderisi, the World Bank director for Chad, declared himself 'sobered and disappointed', and called Deby's decision 'an object lesson on the need for more transparency' (*Washington Post*, 5 December 2000). Is the World Bank being disingenuous? As Deby retorted – 'it is patently obvious that without security there can be no development' (*Washington Post*, 5 December 2000). The World Bank's reaction was to form an independent International Advisory Group (IAG) for Doba with a remit to advise on 'the overall progress in implementing the project' (World Bank, 2001). In response, a group of local NGOs questioned whether another committee would prevent government abuse when the project was already supposedly safeguarded by a series of oversight structures (Open letter to the President of the World Bank, 2001). A comparison might be made between the deflection strategies used by international organisations toward their critics and those employed by recipient states to their donors. The World Bank creates a body of plausible experts with a remit that will probably prevent it from arresting the diversion of funds for the purchase of weapons in the knowledge that security is essential for the successful implementation of a project on which the Bank has staked its reputation. Likewise Deby constructs democratic structures that allow donor countries, especially France, to declare Chad a consolidating democracy so as to maintain the flow of aid whilst precluding the possibility of his losing power through the ballot box.

Deeper democracy.

Richard Joseph has coined a neologism - 'virtual democracy', emphasising 'the illusory nature of [a state's] democratic institutions and practices' (1998:5). Borrowing from the jargon of computer imagery, Joseph conjures the image of a democratic process that gives an appearance of authenticity, but has no substance. Virtual democracy extends a concept developed by Larry Diamond – pseudo-democracy. Diamond distinguishes between electoral democracy in which, despite conditions being skewed toward the incumbent party, there remains 'a sufficiently fair arena of contestation to allow the ruling party to be turned out of office', and pseudo-democracy in which the exercise is wholly procedural and the opposition are doomed to defeat (1996: 25). Both types of democracy aim to achieve international legitimisation for the regime and the concomitant economic advantage. Whilst the contemporary international community seem to require and accept electoral democracy as a prerequisite for legitimisation amongst Latin American states, the mere conduct of elections often suffices for African countries to retain essential legitimacy.

Where does Chad stand on a continuum between electoral democracy and pseudo-democracy? A deeper democratic environment requires respect for the rule of law, protection of human rights and freedom of the press. However, whilst codified rules for law exist in Chad the rule of law functions intermittently at best. The matrix of civil rights established under the constitution is routinely flouted by the Government, in concert with, as well as separately by, the armed forces. The most notorious practice is the sanctioning of extrajudicial execution, ostensibly for common criminals, but also used as a political weapon. As early as 1994, Deby talked of an armed robber as having ‘no family, and no legal protection; he should be shot down like a dog’ (Amnesty International, 1997). The order was strengthened in November 1996 when the commanding officer of the special units group of the gendarmerie announced ‘severe punishment’ for any gendarme who does not ‘physically eliminate an offender caught red-handed’. Although officially rescinded in February 1997, the security forces maintained these policies as witnessed by massacres around Moundou in late 1997 and early 1998. Elements within the military have been accused of killing people, especially merchants, to supplement meagre, or unpaid, salaries. There have equally been reports of people ‘disappearing’ once in custody. Four people deported by the Sudanese authorities, and a former chief of Habré's secret police and two suspected members of the MDD deported by Niger, remain unaccounted for. Until the recent climate of relative tranquillity, engendered by the pact with FARF/Va, it was common for politico-military groups to use arbitrary execution as a tactic in their struggle against the Government. FARF/Va atrocities were reported before the Moundou massacres of March 1998.

Summary execution and death in custody have been linked to the prevalence of torture as a means to extract confession. A common form of torture involves tying prisoners in the *arbatachar* position with arms behind the back, often causing severe wounds and gangrene. Submerging the prisoner once tied often compounds punishment. Instances of people tied *arbatachar* being found in the Chari and Logone rivers are frequent. Under the Constitution and Penal Code, a member of the magistrature should usually sign warrants. This stricture is often ignored. Scores of people were arrested and held uncharged following the Moundou massacre. Prison conditions in Chad are harsh and life threatening. The Human Rights Watch Prison Project isolates Chad as one country in which unsentenced prisoners constitute a majority of the prison population (Human Rights Watch. 1999).

Amnesty International charges that human rights abuse flourishes and the security forces act with impunity within a highly encumbered judiciary. Far from ensuring that the executive and elected officials operate under the rule of law, both the lower courts and the principal N'Djaména Court of Appeal collude with government and officials to marginalize, or even neutralize, opponents – the imprisonment of Yorongar being an archetypal illustration. The Court of Appeal proved a pliable instrument for the creative reapportionment of votes in both elections to date (see above). This is hardly surprising given the lack of independence of the Chadian judiciary. Described as ‘underfunded, overburdened and subject to official interference’, the judiciary has been coerced and intimidated by the political authorities with impunity (US Dept.of State, 1997). The process is circuitous. Complaints of military intimidation in judicial affairs by the magistrature to higher courts are routinely ignored, since these higher courts are themselves subject to interference. The government response to attempts by senior courts to cultivate a degree of independence is invariably the dismissal of offending judges and packing of the panel of judges to obtain the desired result. When the Court of Appeal sought to declare the first census invalid in April 1995, the

composition of the Court was modified and two judges relocated. Often, the courts operate under a capricious hybrid legal code, drawn equally from French law and traditional systems. Political cases from the periphery become stymied during their referral to N'Djaména, whilst the right of audience is denied defence lawyers through arbitrary rulings of lower courts.

Freedom of the independent press has provided an interesting case study throughout the Deby era. The official Deby line is that 'it works more or less to enhance the establishment of the democratic system' (*West Africa*, 10-16 November 1997:1760). Yet, the large majority of the private press is unremittingly anti-Deby. Even *Progrès*, deemed close to the MPS, often criticises the government. Michael Bratton and Nicholas van de Walle interpret the loosening of restrictions of freedom of expression as an attempt 'to palliate the need for real democratisation' (1997:109).

The most vociferous journal is *N'Djaména Hebdo*. Deby refers to it as the 'journal diable'. The prize-winning newspaper assails the government on a weekly basis with excoriating editorial and devastating cartoons. The journal's credo, printed on its masthead, offers a challenge to Deby – 'La liberté de la presse est un droit; l'obligation c'est la responsabilité'. Deby claims to have 'refrained from intervening' (Bratton and Van der Walle, 1997:176). However, the newspaper's offices have, on occasion, been ransacked and editor Yaldet Oulatar and editor-in-chief Dieudonne Djonbaye beaten and arrested. Laws against defamation are frequently used as a blunt weapon to enforce self-censorship and thus limit anti-government criticism in the press. In 1999 Oulatar and Djonbaye spent time on remand and received suspended sentences for defaming the President. More recently at N'Djaména Magistrates Court a *N'Djaména Hebdo* journalist, Garonde Djarama was also given a suspended sentence for defaming Deby – on this occasion Oulatar had his complaint for defamation reduced to the lesser complaint of 'insult'. They are currently serving a suspended sentence for defaming the President. On leaving the court both were rearrested and questioned about a second complaint lodged by the Libyan ambassador to Chad (Reporters Sans Frontieres, 2000). Other independent journals have also suffered. A journalist and the director of *l'Observateur* were given suspended sentences for articles written during the Yorongar affair. In February this year the acting editor of *Le Temps*, Mikael Didama, was given a suspended sentence for defaming Deby's cousin. All these incidents have been accompanied by harassment and fines that have further limited the independent press' capacity to function. Nonetheless, the independent journals still appear. *N'Djaména Hebdo* in particular acts as a barometer for the transition. The closure of the newspaper would signal an end to Chad's limited democracy.

Elections in 2001.

The National Assembly signalled the start of campaigning for Chad's second set of elections when it established a new CENI in late July 2000. Once more the 31-member commission will be under the authority of the Ministry of the Interior. The announcement coincided with the creation of a coalition of 27 of the smaller political parties excluded from government and more radical than the parties that had accepted positions in the government called the *Forces vives*. This coalition included other marginalized groups such as human rights associations and trade unions (*Marchés Tropicaux*, 29 September 2000). *Forces vives* objected to government control over the conduct of the elections and suggested the appointment of an autonomous *observateur national des elections*. The composition of CENI was also

controversial with 16 places named by the government, 13 named by parties represented in parliament and three by parties not in parliament. The National Assembly also voted to increase the number of seats from 125 to 155.

On 23 November Deby announced that the legislative elections would be held in mid-March 2001 and the presidential elections in June or July of the same year. Yet as *N'Djaména Hebdo* asked – ‘Qui financera les élections?’ (*N'Djaména Bi-Hebdo*, 11 December 2000). France, who had effectively run the elections in 1996 and 1997, seemed not as eager to contribute in 2001, although Paris did eventually offer CFAFr170m to print ballots for the presidential election. The President of CENI, Yokabidjim Mandigui, emphasised the expense of holding two consecutive elections in such a large country with negligible infrastructure (*N'Djaména Bi-Hebdo*, 22 December 2000). It was reported that donors had put a ceiling of CFAFr2.055bn for the two elections. Moreover, some agencies offered advice on reducing costs. The legislative election had been scheduled at an inauspicious time – the end of the financial year. The UN mission suggested issuing single rather than multiple ballot-papers. This would require a change in the electoral law that is beyond the competence of CENI. Yet, whilst the change might help financially what effect would it have on the transparency of the electoral process? The issue highlights inherent problems of electoral costs and reliance on external funding.

The solution to the financial question proved controversial – a prolongation of the legislative mandate for one year. On 9 January 2001 the Administrative Chamber of the Supreme Court ruled such an extension to be constitutional. Unsurprisingly the non-parliamentary opposition was vehemently against the proposal with the *Forces vives* and six other small parties declaring the prolongation anti-constitutional stating that no article in the constitution gave the right to the executive or parliament to prolong the mandate of the people's elected representatives (*N'Djaména Bi-Hebdo*, 19 January 2001). Kamougué as President of the National Assembly brought the question to the attention of the Constitutional Council. In the event the issue was resolved politically. After a series of face to face meetings between party leaders and Deby, seven out of the nine parties represented in parliament agreed to the prolongation. According to the *N'Djaména Bi-Hebdo* after the ‘bonus du pétrole’ Chad, or at least Chad's parliamentarians, now had a ‘bonus du mandat’ (*N'Djaména Bi-Hebdo*, 6 February). The elections for the presidential election were rescheduled for 20 May 2001 with a possible run-off on 1 July.

Prolongation seems to suit Deby and the MPS, as well as the other parliamentary parties. An anonymous contributor to the *N'Djaména Bi-Hebdo* outlined the advantages of maintaining the status quo (*N'Djaména Bi-Hebdo*, 23 January). Deby can ‘run with the ball’. He can continue to manage the Doba project and the Togoimi rebellion secure in the knowledge that the MPS maintains its dominance in parliament and the executive for another year. Opposition *députés*, especially those that have fared badly as representatives, retain salaries (an important consideration in Chad) and do not have to face the electorate for another year. The affair illustrates Jean-François Bayart's point that in Africa access to the power of the state is also access to the material resources and morals of the state. In a state without rigid constitutional safeguards, the constitution becomes an instrument of power through which a sitting president can extend his own power and limit rights. By colluding in the prolongation the opposition have betrayed their supporters in order to preserve a modicum of power.

The anonymous correspondent also raises, the admittedly highly unlikely, spectre of

Deby losing the presidential election. In that case, with the MPS still in the majority, there would be a forced cohabitation. The implication is that this would be disastrous for stability in Chad. Given the strenuous efforts by all the major parties during the life of the first parliament to preserve sufficient stability to ensure the continuation of the Doba project, this prognostication is by no means certain. Thierry Michalon has analysed the way in which many African states, including Chad, rely on a constitutional system based on that of the French Fifth with a strong presidency elected by universal suffrage (*Le Monde Diplomatique*, 1998). This form of governance has produced a series of quasi-dictators legitimised by the fact that its constitutional basis is essentially the same as the French model. If it is good enough for France then surely it is good enough for Africa. However, this ignores recent changes in France. Following two forced cohabitations, there has been a distinct shift in power away from the president and toward the government – even foreign policy is effectively a shared portfolio. Michalon makes the valid point that a move away from the presidential system would introduce ideology into the ideological vacuum that inhabits many African parliaments and by introducing elite competition rather than ethnic contestation diminish ethnic or clan violence. Yet, as with all ‘solutions’ to the democratic deficit, questions remain as to whether such processes might occur organically or whether donor pressure should be used as a lever.

With the calendar for the election finally in place, Chadians awaited the declaration of candidature from the usual contenders. There was no stampede. On the front of its 27 February issue *N’Djaména Bi-Hebdo* printed a cartoon depicting Deby peering through binoculars, but finding no adversaries on the horizon. In 1996 there had been fifteen candidates in the presidential election. At the time of writing only Alingue had announced his participation in the 2001 election. Both Kamougué and Kebzaboh are prevaricating. Deby has announced that he will seek another term although, given his frequent ill-health, his participation was not guaranteed.

The first phase of the election, registration of those eligible to vote, was typically controversial. The *Commission nationale de recensement électorale* (CNRE) charged with compiling the electoral roll was criticised by the opposition for maladministration. There were reports that certain MPS controlled constituencies preorganised voter registration, contrary to electoral law, and merely presented completed lists, assumed to be heavily pro-Deby, to the CNRE. Another serious alleged fraud concerned the number of registration cards sent to Chadians living abroad. Alingue accused the CNRE of sending two million cards to Sudan (*N’Djaména Bi-Hebdo*, 9 March 2001). Most of these cards were to be distributed in Darfour, the region that had supplied much of the Zaghawa manpower for Deby’s march on the capital in 1990. Alingue demanded to know whether this population, with an undeniable cross-border ethnicity, could be counted as sometimes Sudanese and sometimes Chadian depending on electoral expediency? Alingue claims that he enters the election in the full knowledge that the process is as open to manipulation as that of 1996. His reasons for persevering are an unwillingness to surrender to Deby without a fight, a desire to fight for democracy and an aspiration to teach the Chadian electorate to take control of the democratic process (*N’Djaména Bi-Hebdo*, 9 March 2001).

As the election approaches the relative fortunes of the second and third placed candidates in the 1996 election - Kamougué and Kebzaboh - become clearer. For both the crucial factor is the petrol bonus. Both politicians want to be part of the project when it comes to fruition in four or five years time. In order to achieve this goal they must ensure stability in

the country, and especially in the south, and also maintain their own positions of power or prominence. Kamougué, and by extension the UDR, has semi-divorced himself from the process. Like Alingue he presupposes manipulation of the election by the Deby camp. The UDR is not part of the current government coalition, although Kamougué remains President of the National Assembly. Deby has used the MPS majority to try to politically wound Kamougué. However, a parliamentary enquiry into the management of the National Assembly's internal budget had the reverse effect, clearing Kamougué, but censuring the MPS *députés* who initiated the complaint. In fact Kamougué seems to have accepted that parliament has diminished his standing as a national figure. He spends most time outside N'Djaména touring his natural constituency in the rural south. An old style politician his scepticism of parliament and the electoral process leads him to conclude that his future influence is best ensured by bolstering his position as the charismatic leader of the Sara and the 'big man' of the south.

Kebzaboh has chosen another route. He has accepted Deby's notion of consensual politics - 'démocratie consensuelle et participative' (DCP). Unlike the UDR which voted against the prolongation of parliament, the UNDR called for both the legislative and presidential elections to be postponed for a year whilst the government prioritised a peace process in the north. Nonetheless, the UNDR have announced that they intend to put forward a candidate in each constituency in the country, a strategy intended to usurp the UDR's role as the primary party of the south. However, whether Kebzaboh can extend his power base beyond Mayo-Kebbi and make inroads into Kamougué's Sara fiefdom in the short term remains doubtful.

Conclusion.

Since December 1990, Chad has undergone a tortuous transition to a system with highly limited democratic features – Joseph's 'virtual democracy' (Joseph, 1998:5). Yet, the time for change seemed propitious. The end of the Cold War and the pro-democratic noises emanating from Paris combined with a deep weariness amongst the Chadian people with civil war and repression. Although the violence of Chad's post-independence history had made the construction of democratic institutions an impossibility, Deby's immediate predecessor had, albeit through economic necessity, introduced the foundations for political reform. Deby's stated democratic ambitions appeared much more radical. However, the new President proved to be a creature of his country's history and culture. Deby knew the first rule of Chadian politics - retain power. In an editorial comment following the Moundou massacre, *N'Djaména Hebdo* observed caustically, 'décidément, les réflexes dictatoriaux et les méthodes musclées ont la vie dure chez nous' (*N'Djaména Hebdo*, 20 November 1997).

Does the Deby transition deserve harsh judgment? Some commentators urge comparative perspective, both with other regimes in Africa and with previous regimes in Chad. Writing before the outbreak of fighting in Tibesti, François Soudan observed that civil violence was at its lowest level since the early days of independence. Moreover, a 'transition institutionnelle' had borne fruit - a coalition government seemingly capable of managing the potential oil wealth of the south. For Soudan, any repression today is more a result of a 'maladie infantile' than deliberate policy, as was the case under Habré (*Jeune Afrique*, 27 August 1998). He accuses human rights NGOs of waging an excessive permanent trial of the government 'sans nuances' (*Jeune Afrique*, 27 August 1998).

Since the elections of 1996 and 1997, Deby, echoing Habré's intense criticism at La Baule, has denounced 'pre-packaged democracy' foisted on Africa by the West and advocated 'another form of organisation for society' (Integrated Regional Information Network, 1998). Yet, if Chad's democratic institutions and electoral rules largely mirror those of the French Fifth Republic, it is because these were the procedures chosen following the lengthy and comprehensive CNS in which Deby and the MPS played a pre-eminent role. Bratton and van de Walle call elections, 'the first step without which democracy cannot be born' (1997: 13). The institutional procedures at stake and the ground rules for the conduct of future elections were ratified by referendum. The closeness of the result - whilst underlining the marked ethnic, religious, linguistic and regional nature of Chadian politics - implied even-handedness in its conduct. The ensuing presidential and legislative elections of 1996 and 1997 were the first in Chad's independent history. The latter proved to be more equitable and free from government interference than the former. Opposition politicians, human rights NGOs and international organisations queued to denounce irregularities in the presidential poll. Deby had employed the gamut of obstructionist tactics. Candidates were denied the right to stand on dubious grounds of residency, harassed at the hustings and, in the case of Coumakoye, sentenced to prison on unsubstantiated charges. Intimidation by the ANT, not only of the candidates, but also the press and independent Chadian monitors was widespread during the first round. The opposition and many commentators questioned the impartiality of the electoral commission and the Court of Appeal following crude efforts by these bodies to both ensure victory and international legitimacy for Deby. Only the French, with a visible vested interest, deemed the poll essentially fair. Yet, despite palpable fraud, the result most probably mirrored the preference of the Chadian electorate. Popular mistrust of the conduct of the presidential elections was reflected in a greatly diminished turnout for the legislative elections the next year - less than half the registered electorate voted. However, with the benefit of experience, and given that he had already secured the presidency, Deby felt sufficiently confident to allow a more transparent process. This did not extend to allowing an opposition majority.

Political parties born out of factionalism and civil war are hardly a unique phenomenon in Africa. However, the extent of factionalism and the bitterness of the internal conflict has been marked in Chad more than any other African country. During Chad's decade long democratic transition former warlords and faction leaders have fashioned a party system which mirrors the factionalism and clan based politics of the status quo ante. The majority of small parties are highly localised and concerned with, literally, parochial matters. Of the four larger parties only the MPS can claim any genuine level of national implantation. Even so, electoral success for the MPS outside its natural constituency is invariably won through fraud. Chadian parties remain ideologically shallow and dependent on the personal politics of charismatic leadership. Party leaders maintain the fiction that they are the servants of their parties, yet it is unlikely that any party would outlive the death or defection of its leader. A return to arms is always a possibility for Chadian politicians and even whole parties. Transformation from registered party to politico-military faction is less a final resort intended to defeat the government in order to construct 'authentic' democracy in Chad, but more a shift sideways to a parallel system of governance, at least a regional level.

Patrick Chabal refers to the debate between analysts who argue that 'nascent democratisation has brought about fundamental change' and others who insist that the 'transition to democracy' is nothing of the kind' (1998:300). He points out that 'each can rely

on the evidence of what happened in some African countries, while conveniently neglecting what has happened elsewhere' (Chabal, 1998:300). Chad supplies both camps with some support for their respective positions. Clearly, Deby's claim that 'there are few countries in Africa which are enjoying the freedom we are enjoying now in Chad', is rhetorical hyperbole. Yet, do banner headlines in the resolutely anti-Deby press such as 'Tchad, ta démocratie fout le camp' (*N'Djaména Hebdo*, 2 April 1998), dismiss a democratisation process that is complex and ongoing? Certainly, the Deby era has brought a degree of stability to Chad, although life is still often brutal, and the country seems always poised on the brink of a descent into greater brutality still. However, any hope that political parties might encourage the creation of a deeper democracy with respect for human rights, the rule of law and the freedom of the press appears misplaced. Many of these aspirations come from assumptions about the value of participation in the political process, yet perhaps it would be more profitable to explore the contention that in many African states, including Chad, party politics is less relevant than the construction of 'a well-grounded system of political accountability...to know that their rulers are accountable to them in ways which they consider legitimate' (Chabal, 1998).

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Tables.

Election for President of Praesidium of the CNS (table 1)

	Round 1 (775 ballots)	Round 2 (782 ballots)
Adoum Maurice Hel Bongo	240 votes (31.2%)	409 votes (52.5%)
Kassire Coumakoye	329 votes	371 votes

	(42.7%)	(47.5%)
Amady Nathé	103 votes (13.4%)	
Daïdanso René	70 votes (9.1%)	
Youssouf Saleh Abbas	28 votes (3.6%)	

Source: R.Buijtenhuijs, *La Conférence Nationale Souveraine du Tchad: Un essai d'histoire immédiate* (Paris: Karthala, 1993).

Presidential elections 2 June and 3 July 1996 (table 2)

	Round 1 % of votes (CENI)	Round 2 % of votes
Idriss Deby (MPS)	43.9 (47.7)	69.1
Wadal Abdelkader Kamougué (URD)	12.4 (11.1)	30.9
Saleh Kebzaboh (UNDR)	8.5 (8.6)	
Jean Bawoyeu Alingue (UDR)	8.0 (8.3)	
Lol Mahamat Choua (RDP)	5.6 (5.9)	
Adoum Moussa Seif (CNDS)	4.9 (4.9)	

Source: *Keesing's Record of World Events and Africa Research Bulletin*.

Legislative elections January 5 and 23 1997 (table 3)

	Number of seats
<i>Mouvement patriotique du salut (MPS)</i>	65
<i>Union pour le renouveau et la démocratie (URD)</i>	29
<i>Union nationale pour la démocratie et le renouveau (UNDR)</i>	15
<i>Union pour la démocratie et la République (UDR)</i>	4
<i>Rassemblement pour la démocratie et le progrès (RDP)</i>	3
<i>Parti pour la liberté et le développement (PLD)</i>	3
<i>Alliance nationale pour la démocratie et le développement (ANDD)</i>	2
<i>Action pour l'unité et socialisme (ACTUS)</i>	2
<i>Convention nationale démocratique et sociale (CNDS)</i>	1
<i>Front des forces d'action pour la République (FAR)</i>	1

Source: Inter-Parliamentary Union.