



# Citizenship and Electoral Reforms *in* **Africa**

**Lai Olurode &  
M. Ahmad Wali**

## **ABSTRACT**


- Citizenship is a dynamic concept. Theoretically, it should transcend primordial sentiments and ethno-religious boundaries. Ideally, citizenship connotes some universals which find expression in basic entitlements. This paper discusses four key aspects of electoral reforms which seek to improve on citizenship; the coverage includes:
- Reforms of election management bodies, their transparency and mode of appointment of members among others;
- Reforms connected to the production of a biometric register, the issuance of permanent voters card (PVC) and the introduction of card readers are major components of the reform process in this direction;
- Voting procedure, particularly the increasing introduction of technology into the voting process so as to promote equality of votes and the elimination of multiple voting;
- And reforms that are connected to election security which entail the promotion of professionalism among security agents through training and engagement;
- These reforms notwithstanding, there remain some frightening challenges which heighten fears about the spectre of democratic reversals. Among these are the erosion of trust among election managers (the decline of esprit de corps); corruption and the non-effectiveness of measures which seek to promote social inclusiveness.



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# Citizenship and Electoral Reforms in Africa

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## Contents

Foreword	iii
Preface	iv
Acknowledgements	v
1. Introduction	1
2. Theoretical Insights	4
3. Focus on Electoral Reforms in Africa	7
(i) Election Management Bodies	8
(ii) Reforms of Voters' Roll via Biometric Registration	9
(iii) Voting Procedure	11
(iv) Election Security	13
4. Outcomes of Electoral Reforms on Citizenship	16
5. The Spectre of Democratic Reversals	18
6. Outstanding Challenges of Electoral Reforms	20
References	23
<b>Pictures</b>	
1. Voters Queuing to Vote at Governorship Election in Sokoto State, Nigeria	11
2. Security Personnel getting set for Election in Sokoto State Nigeria	15
<b>Table</b>	
Comparative Voters Turnout Analysis	17

## Foreword

The will of the people is the basis for any government in authority. For election results to be declared as the will of the people, a reasonable number of citizens must have participated in the election. Concomitantly the process needs to comply with the fundamental principles of elections: they have to be periodic, genuine, free, fair, universal, secret and honest to gain the trust of the people and attract increased participation in the process.

The right to vote and be voted for is an internationally recognized and guaranteed human right. It clearly states the importance of popular participation in the electoral process. It is essential that authorities listen to voters' concerns and try to effect reforms where necessary for increased participation in the electoral process. This could in turn facilitate the acceptability of election results and reduce the chances of violence and crisis that follow elections in some cases.

This is introducing the 6<sup>th</sup> paper on the Friedrich-Ebert-Stiftung (FES) Nigeria's Discussion Paper Series. FES is a German independent, non-profit organization committed to the promotion of social democracy. We are happy to publish this paper to make us all think and rethink on the question raised by the authors, 'What kinds or types of electoral reforms do impact positively and advance citizenship much better than others?' The topic is important and topical for discussion at any point of the electoral cycle. We have to encourage the participation of citizens in the electoral process, as this will help in strengthening the fledgling democracies in Africa.

Happy reading!

Seija Sturies  
Resident Representative  
Friedrich-Ebert-Stiftung, Nigeria

## Preface

It is with great pleasure and delight that I write the preface to this publication, which addresses the pertinent question of how electoral reforms advance citizenship. No doubt, every single improvement in the electoral system is noteworthy, as it significantly advances the aspirations of citizens for credible elections and good democratic governance. While some of these reforms can be initiated by the Election Management Bodies (EMBs) themselves, some others have been triggered by efforts of stakeholders in the electoral process. All over Africa, both EMBs and stakeholders strive to implement desirable reforms that ensure votes count and enable citizens to discharge their civic duties more effectively.

Since our coming into Independent National Electoral Commission (INEC) as a new Commission in June, 2010, we have encouraged innovative thinking to help in adding value to Nigeria's electoral system. Nigerians aspire for free, fair and credible elections and, for us, it is a rare opportunity to be called upon to contribute to meeting these aspirations. We are optimistic that, with the support and cooperation of all stakeholders, especially political parties, Civil Society Organizations (CSOs), development partners and voters, the conduct of 2015 general elections will be remarkably better than that of 2011 elections, in all fundamental aspects.

This publication contributes to the growing academic endeavours on the integrity of electoral processes that address citizens' expectations and contribute to strengthening democracy. More importantly, it provides fresh insights on the African electoral processes and the challenges that they strive to address. I therefore recommend it for a general readership.

Professor Attahiru M. Jega, OFR  
Chairman  
Independent National Electoral Commission  
October, 2013

## Acknowledgements

This publication emerged from a paper we presented at the Africa Berlin International Conference (ABIC), where our colleagues advised that efforts should be made to publish it for the benefit of the general public because of the centrality of citizenship in the democratic process. To this extent, we acknowledge the tremendous support given to us by Professor Attahiru Muhammadu Jega, Chairman of the Independent National Electoral Commission (INEC) in the course of the production of this work.

Other members of the Commission also in one way or the other encouraged us to proceed with the project. In particular, we recognize and appreciate the effort of Dr Chris Iyimoga in this regard. Similarly, we acknowledge the support of the organizers of ABIC for not only organizing such a wonderful annual conference which brings together scholars and practitioners from all walks of life to share and exchange ideas on various issues of development, but also for providing the necessary logistical support to participants to make their stay in Germany a memorable one. The Resident Representative Seija Sturies and the Programme Officer Juliana Anosike both of Freidrich-Ebert-Stiftung Foundation, Nigeria have made tremendous effort to make our work into a pamphlet and make it accessible to the public.

Furthermore, we would like to thank Mr Ishaq Sanni, Personal Assistant to Professor 'Lai Olurode, for his untiring effort in preparing and especially in typing the manuscript. Mr Nwachukwu Chukwuemeka rendered secretarial services. And Chizoba Vivian Nwuzor provided copyediting support.

As it is known, for any important and successful work to emerge or to be produced, many people would have been involved directly or indirectly. This is to say that without the support and encouragement of all those whose names have been mentioned and others not mentioned, this contribution would have been very difficult to make. We remain grateful to everyone who has contributed to the success of this.

On the whole, we thank God for making the production of this pamphlet possible.

'Lai Olurode and Ahmad M. Wali  
National Commissioners  
Independent National Electoral Commission  
September, 2015

## 1. Introduction

Public office holders and other state actors in Africa are generally reluctant to build institutions in place of personalized rule. Apparently, institution building in Africa has suffered a lot of setbacks which has indeed been tragic and tortuous. But it will be an unpatriotic and incomplete account to conclude that progress has not been made even if not at the substantive level but on the fringes by some institutions.

In respect of building democratic institutions such as being governed by written down laws (constitution), conceding umpire roles to the judiciary—that is the rule of law, and establishing Election Management Bodies (EMBs), it can be admitted that arbitrary rule is being checkmated. For instance, for some years as seen in Nigeria, elected members of the executive now generally respect term limits after failed attempts at tenure elongation at the onset of democratic rule. Nigeria's former Head of State, President Olusegun Obasanjo, in 2006 attempted to extend his regime but failed. In the past fifteen years, news of revolutionary change of government has not thus been as frequent as it was in the 1970s and 1980s. The news of the reversal of democratization in Mali in 2012 and in Egypt in 2013 has been regarded as an aberration, unwholesome and tragic developments across the world. Parliamentarians have to seek periodic renewal of their mandate. Even though democracy in Africa meets challenges and the contests for power have remained fierce, elections have indeed become a rising feature of Africa's democratization. Those seeking state power are not likely to resort to staging a forceful overthrow of government to accomplish their objective, thus making coup to become unpopular. It is most likely that public office seekers will strategize for snatching of ballot boxes, stuffing of ballot boxes with all manner of vote papers and seek to alter results or bribe election officials. In a sense, despite these not being rightful in the electoral process, they establish the use of votes as a means to come to power.

Generally, the few exceptions notwithstanding, the ballot box and electoral politics have become elevated as a platform for recruiting leaders in Africa. Moreover, agitations for continued improvement in democratic and in particular electoral reforms have been consistent and their resonances are difficult to ignore. Ultimately, the calls underscore growing concerns for improvement and thus advancement in social, economic and political citizenship.

Citizenship connotes a person's membership of the nation-state and thus the rights, obligations and duties that are attached to this membership. The person's membership of a country carries a wide range of entitlements. These entitlements or rights as they are called are often enshrined in the constitution. International organizations had for long equally recognized these rights as inalienable. Thus individuals cannot be denied of these rights except under compelling circumstances such as a declaration of war or a state of general disorder and turmoil.

Most written constitutions contain elaborate provisions on citizenship. Citizenship is the subject of discussion in chapter three of Nigeria's amended 1999 constitution.



And the fundamental rights to which Nigerian citizens are entitled are the subject of chapter four of the constitution. The rights to which citizens are ordinarily entitled include right to life, dignity, personal liberty; right to private and family life; right to freedom of thought—conscience and religion; right to freedom of expression and the press; right to peaceful assembly and association; right to freedom of movement; right to freedom from discrimination; and right to acquire and own immovable properties. Chapter three of the constitution of Ghana contains provisions on citizenship and chapter five contains fundamental human rights and freedom. Similarly, chapter three of Kenyan constitution contains the provisions on citizenship while chapter four contains the bill of rights.

The set of citizenship rights that we are concerned with in this research relate to those that centre on political participation, indeed the right to vote and be voted for. In the exercise of these citizens' rights, some pre-requisites are facilitative while others imperil the expression of the rights to vote or be voted for. Where these rights are allowed but with neither a guarantee that votes will count nor that the election environment will be secured enough for people to access the polling arena, the exercise of the rights is imperilled. It is the same outcome where those saddled with the conduct of elections are ethically challenged or allow themselves to be compromised by displaying poor regard for transparency and trust. Indeed, where elections are flawed, the exercise of the right to vote or be voted for become a charade.

Issues pertaining to citizenship are never static—the more concessions are made by the state, the greater the demand by citizens for improvement in citizens' rights. Citizens' rights and the agitation for their improvement are often accompanied by what is referred to as the revolution of rising expectations. The demand for continuous improvements in the electoral process through electoral reforms seems a universal phenomenon. This should not surprise anyone: Firstly, we live in a world that is experiencing profound change such that today's social realities which may appear to be satisfactory may sooner than later become obsolete. Secondly, with the trend in globalization and information technology, remote countries are becoming increasingly aware of developments in countries where citizens' rights are more advanced and better secured. There is no gainsaying the fact that we live in a global world and one of blossoming and increasingly shared identities about values and ideas of all spheres of life and rights including democracy and citizens' rights. Indeed, a benchmark of citizenship below which a country may not be tolerated or respected by the global community has evolved over decades and it is being established.

It is hereby expected that continuous improvements in the electoral processes by EMBs should be positively embraced on the notion of citizenship. This paper seeks to find out if this proposition can be supported by evidence from Africa. We shall also seek to answer the question about what kinds or types of electoral reforms do impact positively and advance citizenship much better than others. We shall also compare regimes of electoral reforms. Definitely, these reforms have been triggered by social forces within and outside the countries under investigation. By electoral reforms, we

refer to those changes in the electoral process that had been introduced to improve the system on appointing members of EMBs, conferring credibility on the register of voters or voter's roll, protecting the integrity of the electoral process, preventing multiple voting, maintaining security and safety of electoral staff, voters and the voting process, securing election equipment and infrastructure, counting and collation procedure. Some countries had brought about electoral reforms through sovereign constitutional conferences while some others accomplished these through committees on electoral reforms. The latter is the case in Kenya and Nigeria. Nigeria set up the Electoral Reforms Committee (ERC) under the leadership of the retired Justice Muhammed Uwais.<sup>1</sup> The major emphasis was continuous improvements of electoral governance and how to checkmate electoral malfeasance and sundry electoral malpractices that have undermined electoral integrity. Nigeria's Independent National Electoral Commission (INEC)<sup>2</sup> continues to undertake critical appraisals of voter registration and electoral strategies with a view to sanitize the electoral process.

Having highlighted the background of this paper in this section, we will discuss some theoretical insights that will guide the presentation in section 2. Section 3 focuses on the recent fundamental aspects of electoral reforms in Ghana, Kenya and Nigeria. In all cases under consideration, electoral reforms had been consequent on election fiasco and political imbroglio which in most cases resulted in a breakdown of law and order, arson, brigandage and politically motivated killings. Section 4 dwells on the fundamental outcomes of electoral reforms that were undertaken as manifested in the organization and integrity of the elections that followed the reforms. Section 5 features the frightening spectre of democratic reversals and outlines general measures to consolidate the modest gains of democratization while the section 6 broaches discussions about what we refer to as outstanding electoral reforms.

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## Notes

<sup>1</sup> See Report of the Electoral Reform Committee (ERC), Vol. 1 Main Report. The Presidency, 2008. Apart from this reform, there had been five earlier attempts to fumigate Nigeria's electoral governance system. (1) The Constitutional Drafting Committee (1975); (2) The Judicial Commission of Inquiry into the Federal Electoral Commission (FEDECO), 1979-1983 (1984); (3) The Political Bureau (1986); (4) The Constitution Review and Committee (1987); (5) The Constitutional Conference (1995).

<sup>2</sup> The report of the Registration and Election Review Committee commissioned by INEC, (RERC) is worthy of note as a good example of critical self-appraisal of the electoral processes. The commission has since begun the implementation of relevant aspects of the committee's report such as the re-structuring of the commission by streamlining directorates and department, addressing the issue of overlapping of functions, the crafting of a strategic plan and seeking amendments to the legal regime in ways that would confer more integrity on the electoral processes. See Report of the Registration and Review Committee Election Review Committee (RERC), INEC Headquarters 2012. The report was commissioned by INEC. Professor Adele Jinadu led the team. The report was a good addition to the existing body of literature on electoral reforms and electoral governance in Nigeria – See particularly chapter 2 on executive summary, pp. 7-37.

## 2. Theoretical Insights

Human beings had existed for a much longer period than formal discussions about human or citizenship rights. Women's human rights began to gain attention more recently. Some of the epochal development in human history bore good testimonies to these. The slave trade, apartheid and colonial rule could not have triumphed if all human beings were assumed to be the same and deserving of broadly similar rights. Differences in colour and in geography have been assumed to be fundamental and sufficient for treating some as superior while others are regarded and related to as inferior. To this day, the emergence of modern states notwithstanding, some people still see themselves as indigenes and others as strangers with these identities conveying varying and sometimes conflicting citizenship rights. In essence, fractured rather than common citizenship<sup>3</sup> has become a major feature of the modern state as new internal boundaries being drawn up are accompanied by new parameters of entitlements which are dependent on the place of origin syndrome. Negotiating citizenship under conditions of multiple identities is indeed challenging in post independent Africa.

Colonial societies were administered for the most part with these distinctions between indigenes and immigrants. Mamdani<sup>4</sup> had referred to this dichotomy between citizens and aliens, in terms of citizens and subjects whereby the colonial state administered the colonial people under two laws—one for citizens and the other for subjects. Early in America's history, not only did the black had a set of laws applicable to them alone, even all whites in America did not enjoy the same set of rights, with native-born white Americans having more political rights such as being qualified to contest for the highest political positions than other whites who were recent migrants.<sup>5</sup> Thus Article I of the United States of America constitution stipulated that would-be United States representatives and senators had to be citizens for at least seven and nine years respectively, prior to taking public office. And the constitution's Article II decreed that, 'No immigrant naturalized after the adoption of the constitution could become president or vice-president....' The United States of America Naturalization Act of 1790 which was based on colonial practices, made immigrants eligible for citizenship after only two years' residence in the United States.<sup>6</sup>

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### Notes

<sup>3</sup> See Jinadu, A. (2004). Democratization, development and the identity crisis in Nigeria: a special publication of the University of Lagos Sociological Review (USR); see also Olurode, 'Lai (2005). Multiple identities, citizenship rights and democratization in Africa. *Ethnic Review Vol. 28*, No. 2.

<sup>4</sup> See Mamdani, M. (1996). *Citizens and subjects in contemporary African and the legacy of late colonialism*. New Jersey: Princeton University Press.

<sup>5</sup> See Archdeacon, T.J. (1984). *Becoming American: An ethnic history* he Free Press.

<sup>6</sup> See Archdeacon op. cit. p. 58.

Theoretically, the promotion of citizens' rights that transcend particularistic and primordial ethno-religious affiliations could be said to be the *raison d' être* for the struggle against colonial rule and thus the appearance of the modern state in Africa. In the post-colonial years, most states in Africa came under perpetual threats of secession in the face of conflicting demands by rival groups who were unwilling to concede or negotiate for common citizens' rights. These conflicting demands and interests could be over land or water resources or in the allocation of scarce political positions. Attempts by Chiluba, the former President of Zambia in 1996 to strip Kenneth Kaunda, also a former president of his citizenship was to be understood in this context. Developments in Cote d'Ivoire were to the same effect when in 1993 Alassane Ouattara was almost deprived of his Ivorian citizenship on narrow political grounds which was premised on a strange re-definition of who was an Ivorian. The denial of citizenship became a ploy for scheming out serious contenders for state power. The modern African state is thus mostly engaged in reconciling these conflicting demands for social inclusion. Rather than criteria such as qualifications, capability and merit being the deciding factors on who governs, ethno-religious identities are more at work and act as key determinants of who governs. Ethno-religious factors remain strong in the contest for leadership positions. The premium on group rights seems more pronounced. Even in advanced democracies, the phenomenon of citizenship remains controversial, contested and is being constantly negotiated. This is why Britain is not comfortable with its membership of the European Union. Not surprisingly, Obama's election generated serious ethnic controversies which challenged Obama's citizenship and thus his right to be the president. Of course, with globalization, citizenship discourse has been taken to a higher level. The formation of regional associations also have implications for citizenship.

Interests in debates about citizenship are being re-kindled by forces of economic and cultural globalization which are moving the world's diverse populations in the direction of homogeneity. Discussions about global citizenship therefore cannot be regarded as idle talks in this age and clime. In its desire to command loyalty from all members of the state, the typical state theoretically seeks to treat all as equal through the notion of citizenship which connotes full membership of the community<sup>7</sup> with complements to exercise civil rights of free speech, right to worship etc.; political rights to vote and be voted for; and social rights to housing, health and so on. The idea of citizenship is germane in fostering consensus and warding off centrifugal tendencies especially in plural societies. This is why common citizenship through institutional and constitutional building deserves mention and attention.

No doubt, democratizing societies of Africa could be assumed to be more accommodative of citizenship rights than dictatorial regimes that had once proliferated the continent. By its very nature, military dictatorship denies the exercise

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#### Note

<sup>7</sup> See Marshall, T. H. and Bottomore, T. (1992). *Citizenship and social class*. p.18. London.

of political rights as expressed through political participation be it the right to vote or be voted for, freedom of speech, being involved in plebiscite, and political protest and so on. Though universal adult suffrage is now a common political practice globally as women have also come to assume direct political participation but its journey was tortuous. Any denial of this right can now be fought for as an affront on political citizenship. Human beings, everywhere, struggle to enhance political participation as a platform for accretion and enlargement of rights. Therefore, agitations for enhancement of citizenship are not to be construed as limited to developing countries. Theoretically, there is a looming danger that under persistent economic downturn and economic dislocations, governments may, in response, seek to cut back on social and economic rights. Political rights may also become victims. It is not often appreciated that these rights are indeed more needed to guide regimes out of economic quagmire. This was why Sen Amartya,<sup>8</sup> the Nobel Laureate in economics insists that development is indeed freedom. Freedom and citizenship are almost interchangeable.

Citizenship is a dynamic concept. It can be conceived more as a dependent variable and is thus open to enlargement and constriction with its management depending on the type of prevailing political and economic regimes<sup>9</sup>. Denial of political, civil and social citizenship is common under dictatorial and conservative regimes. In agitating for the opening up of the African state, the belief is that this will impact positively on citizenship and thus on economic development. This was the driving force behind the popular Arab Spring triggered in December, 2010 when a poor jobless graduate Mohamed Bouazizi opted for suicide to terminate a life of hopelessness in Tunisia. This was the premise that lured many into confrontations with military dictatorship. The early years of Africa's democratization neither immediately satisfied people's high expectations of improvement in the quality of life nor did it accomplish the utilitarian agenda of life more abundant for the largest proportion of the people. The nostalgic feeling was such that some started to wish a return to the military era. The pains and agonies of living under a military regime had quickly been forgotten. To many, however, civilian regimes, whatever the debilitating circumstances, cannot be compared to the best military regimes. Unrelenting agitations for electoral and democratic reforms are therefore seen as better options because of the expectation that citizenship will be better harnessed with an elected and democratic regime.

It is better appreciated that citizenship is an open-ended project, a continuum which may never be completely realized. It entails an unrelenting struggle between classes and social groups and indeed between those in power and the governed.

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## Notes

<sup>8</sup> See Sen, Amartya (1999). *Development as freedom*. Oxford University Press.

<sup>9</sup> See Mann, M. (1998). 'Ruling class strategies and Citizenship', M. Bulmer and A. Rees (eds.) *Citizenship Today* London: UCI Press.



Complacency has no place under the citizenship project. Our theoretical assumption is that every agitation for electoral reforms and active participation in the democratic process are expected to impact on extending the frontiers of citizenship. The next section discusses electoral reforms in the selected African countries.

### 3. Focus of Electoral Reforms in Africa

Agitations for political and electoral reforms can be said to be as old as dictatorial, tyrannical, military or even colonial rules in most of Africa. Those years when the military held the sway were however more pronounced in the stakeholders' demands for political freedom and later electoral reforms. In most cases, the demands for change in the political and electoral landscape were extension of agitations for change from the colonial period during which there were bloody protests against stark discrimination and denial of fundamental human rights.

Under the new wave of democratization which commenced in the 1990s, sometimes referred to as the third wave of democratization, the focus of electoral reforms had been firstly, centred on EMBs, their transparency, the mode of appointment of members, their remuneration, their finances and their detachment from the state among other key issues. Secondly, a generally acknowledged major plank in the reform business is the imperative of a clean and indisputable voter's roll otherwise called register of voters as key to election credibility. Thirdly, voting procedure has also been a subject of heated debates by stakeholders in the electoral reform processes. In Nigeria, for example, the controversy is about how to eliminate multiple voting, remove underage registrants from the register and guaranteeing the secrecy of voting procedure. Fourthly, still on the concerns of third wave of democratization is the security of the entire electoral process—pre-election, election and the post-election phases. It is understood that in most cases, countries emerging from protracted civil wars or large scale disturbances have had to hold elections under conditions that are far from suitable for gauging public opinion through balloting. Even states that are relatively peaceful are often on the edge regarding election conflicts during campaigns, during party primaries or selection for candidates, during voting, in the course of announcing results and sometimes in the post-election phase. Politicians are unhelpful in mitigating the resort to conflict in electioneering as the drumbeats of war, uncouth language and threats have become their trademark and for which they often recruit overzealous ethno-religious and even militia groups to perpetrate and perpetuate crisis.

On our analysis of dimensions of electoral reforms we shall use data on the following four areas;

- i. EMBs,
- ii. Voters' roll,
- iii. Voting procedure, and
- iv. Election security.

The three sample countries are Ghana, Kenya and Nigeria and for the period from 2002 to 2011. The voting populations in these countries vary—Kenya has 14.3 million, Ghana has about 14 million while Nigeria has over 70 million. Expiating on these four areas we see that:

### 3i. Election Management Bodies

In the three countries under review, EMBs were believed to be culpable and more of a burden hence the call for electoral reforms at different times in these countries. EMBs thus, particularly in Kenya and Nigeria, attracted agitations for reforms. In the case of Kenya, the body was completely disbanded and a new one constituted following the unsatisfactory outcome and the mayhem that accompanied the 2007 elections. In response to the disaffection and killings, the Election Commission of Kenya (ECK) was dissolved and was replaced with the Interim Independent and Electoral Commission (IIEC) of Kenya. A 2008 amendment to the Kenyan constitution in Article 41(10) states that, 'IIEC shall not be subject to the direction or control of any other person or authority.' This clause was a major reform to the hitherto existing law. After two years, IIEC was dissolved and this paved the way for the Independent Electoral and Boundaries Commission (IEBC) following the promulgation of a new constitution. The new body is made up of a chairperson and eight commissioners. The election body guarded its independence and financial autonomy jealously. Key stakeholders ensured that the body was not starved of fund. There was no report of any interference by leading state actors in the activities of IEBC either before, during or after the elections of 2013.

In Nigeria following severe criticisms against the previous electoral commission and particularly in the aftermath of the massively rigged 2007 general elections, stakeholders were unanimous in their clamour for electoral reforms generally and of the election body in particular. Unlike in Kenya, where the entire body was sacked, the chairman of INEC was dropped and the tenure of other members whose terms had expired were not renewed. A new chairman was appointed together with six or so members thoroughly screened and had to pass the test of public scrutiny and the search light of the senate and the council of state. The new commission so far radiates hope and integrity in election management with a promise not to take the country back to its bleak electoral past. These electoral commissions enjoy wide powers including fixing election dates, recruiting ad hoc and permanent staff, disciplining members, setting rules for political parties, auditing their finances, prosecuting electoral offenders, conducting civic and voter education except in Ghana, and announcing results.<sup>10</sup> In Nigeria, the electoral commission is under the first line charge and once its budget is approved by the National Assembly, it is not subject to any

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#### Note

<sup>10</sup> See Fall, I. M. (2008). *Electoral commissions in West Africa: The quest for electoral standards in the ECOWAS region*. Dakar, Senegal: Friedrich-Ebert-Stiftung.

other control. Apart from external pressure for reforms, Nigeria's electoral commission itself continues to undertake internal reforms measure for credible elections.<sup>11</sup>

In some respects, the Electoral Commission of Ghana (ECG) can be said to be a class of its own having being on ground since 1992 and having conducted six elections. In terms of its professionalism, patriotism, passion and autonomy, it is fast becoming an exceptional election body that is a pride of Africa and an envy of the world which is definitely worthy of emulation. More importantly, all the three countries' election bodies have demonstrated immense cordiality and *esprit de corps*. Ghana's electoral commission is made up of seven members, three of whom are permanent. In fact, the chairperson holds office till retirement at the age of 70. Kenya has nine members including the chairperson whereas Nigeria is a thirteen-member commission including the chairman. Generally, there is security of tenure. Arbitrary interference by the state is checkmated and has not been heard to have happened. Commissioners in Ghana are by far better secured. So, there is nothing to fear for sticking to principles and for upholding electoral laws. Internal politics and perhaps ideological differences have so far not been allowed to erode or upset the apple cart. Of course, internal divisions, bickering and differences are expected given the diverse nature of the background of members but, by and large, these EMBs have been discharging their core mandate respectfully without any recorded major scandal or compromises.

### 3ii. Reforms of Voters' Roll via Biometric Registration

In the three countries and in fact, generally in Africa, an authentic voters' register has been an albatross in the electoral process. A credible voter register is simultaneously a front end and back end issue in election and it is a critical success factor in election conduct. Multiple voting was a common occurrence, so electoral fraud was easy to perpetrate when the voters' roll is unduly and not properly collected, bloated with underage registrants, contained multiple registrants or fictitious names. CSOs, opposition political parties, development partners and other key stakeholders have been at the forefront of agitations for a sanitized voters' roll. A voters' roll constitutes the base and the main infrastructure on which the election superstructure is erected. Once the register is flawed, elections which derive from such a register cannot but be compromised. With an improved voters' roll, the path to electoral fidelity becomes better charted. Though, the methodologies for generating the voters' roll varied among the three countries and even though the quality of the registers is not the

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#### Note

<sup>11</sup> See Attahiru Jega (2012) on *Reforming Independent National Electoral Commission (INEC) for credible elections*: a voter education interview with INEC chairman on Radio Nigeria Network Service Programme Focus (Abuja: INEC). Some of the reform measures include re-structuring of the commission and discipline of staff as well as more effective organogram, pp. 10-12.

same but, reliance on biometric registers in the three countries has brought tremendous improvements in the production of registers of voters. Observers of these elections have borne testimony to reforms and improvements in the election process.

<sup>12</sup> We cannot, however, gloss over the challenge in the adoption of IT in voter registration.<sup>13</sup>

There are some attendant challenges with the deployment of technology into the electoral process as evidenced in Nigeria, Ghana, and later in Kenya. During Nigeria's January, 2011 voter registration exercise, some of the direct data-capture machines became so faulty and malfunctioned that the period for the registration had to be extended. The cost of the extension was prohibitive. The adoption of biometric verification of voters on Election Day in Ghana created apprehensions. In some cases where the machines broke down, it took some time before spares were made available and in a few cases, voters became emotionally disturbed that they might miss out in the process. This was seen as either a fall-back position which was not well digested or not well bought into by stakeholders. There was no evidence that a pilot exercise was done on the scheme before large scale deployment. A clear message from these diverse experiences is that no matter what, citizens must not be denied their right to partake in the electoral process merely because of defective technology. Malfunctioning of machines or other gadgets being thrown into the electoral process must not hinder or fetter participation in the electoral process otherwise they become impediments rather than facilitators or means of promoting democratic engagement processes. In retrospect, a pilot exercise is recommended for any kind of technological improvement being contemplated in the electoral process. It is also good that technological failure or breakdown must be contemplated. So, a policy resolution must be anticipated in order to respond to such instances where verification machines may fail or where voter cards get missing on Election Day. Stakeholders may agree to allow presiding officers to deploy their discretions within limit by a recourse to the manual register of voters or use other means of authenticating voters. These options are far better than outright disenfranchisement which may trigger conflict and violence. Indeed, extreme caution must be exercised in the use of technology in election management. Attention needs to be paid to which type of technology has to be approved, as well as the cost, adaptability and sustainability in order to accept or not to accept them. This is with the consideration of the fact that Africa is fast becoming a dumping ground for obsolete technology with its devastating environmental consequences. We must be

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<sup>12</sup> See Jega, Attahiru (2012). Account of Nigeria's experience with biometric registration and the attendant challenges as encapsulated in a public lecture '2011 General elections and the consolidation of the democratic process in Nigeria,' *Centre for Social Research and Advocacy*: University of Lagos, Lagos, Nigeria, (2012); see page pp. 31-34.

<sup>13</sup> See Jega, Attahiru (2012). *IT in voter registration: Nigeria's experience*, (Abuja: INEC); pp. 9-10.

wary of vendors and profit seekers who promote end to end solution for election administration. We advocate for a research process to track the effectiveness of technological deployment in the electoral process so as to establish where fine-tuning is expected to improve on the process. A wholesale adoption of technology is not advisable. The use of technology in result collation or in result transmission is not advisable now that a clean register has not been put in place. However, African countries should synergize in the purchase of electoral technology so as to reduce cost. A cartel of some sort is advisable.

### 3iii. Voting Procedure

Until now, voting procedure was ordinarily an ordeal with election officials having difficulties managing the polling arena as orderliness and decorum were rare to come by. Voting procedure, being manual, it was difficult to adhere to its guidelines rigidly, and crowd control strategies could be ineffective. People become impatient as the process was slow. Disruptions were common. In annoyance, not a few felt disappointed and may have returned home without participating. These left sour tales about the cumbersome nature of the processes. As a way of ameliorating this procedural ordeal and particularly the attendant malpractices, what was called Modified Open Ballot System (MOBS) was used during the generally perceived flawless election of 1993 in Nigeria which M. K. O. Abiola was believed to have won. Under that procedure, and unlike the open ballot system where voters had to queue in front of their preferred candidates and voters issued ballot papers to cast their votes in the open, in MOBS electors were shielded from harassment for not voting for the “right” or anointed candidates. Voters were expected to stroll to the polling units at



Voters queuing to vote at governorship election in Sokoto state, Nigeria in 2012



their convenience between the hours of 8 a.m. and 5 p.m. Accreditation and voting were then simultaneously done. There were no reported malpractices, no snatching of ballot boxes or election materials. The peaceful environment was unprecedented. In subsequent elections since 1999, Nigeria returned to the status quo and the challenges of multiple voting and sundry malpractices began to feature. The new electoral commission in Nigeria introduced what is called the Re-Modified Open-Secret Ballot System (ReMOBS). It was in all essence in tandem with the MOBS initiated by the Commission under Professor Humphrey Nwosu.<sup>14</sup> Under this voting procedure, voters were expected to arrive the polling station between the hours of 8 a.m. and 12 noon to get accredited—to ascertain that their names are on the register and have their fingers inked to indicate that they were accredited. Those accredited are then asked to return to the polling arena latest 12.30 to join the queue and be counted for the purpose of being allowed to vote. Though apparently cumbersome and time consuming, the system was applauded as credible for largely eliminating multiple voting. In most cases, not all who show up during accreditation would turn up for voting in the afternoon. Some recalcitrant election officials also abridge the procedure by conflating accreditation guidelines with voting procedure: allowing accreditation and voting to take place simultaneously. In other cases, the number of those who voted could be more than the number accredited which automatically attracted cancellation in that polling station.

In response to these voting procedure challenges, both Ghana and Kenya have, since their last elections in 2012 and 2013 respectively, introduced the use of electronic card readers to authenticate and thus accredit voters before they are issued ballot papers. If they failed this verification test, they may not be allowed to move to the next stage in the electoral processes except if it were the card readers that got faulty. This is an almost end to end e-solution in the election process. What is left is to introduce electronic voting machines. Nigeria seems not to want to be left behind in the adoption of electronic card readers to do authentication as it has begun the procurement of card readers ahead of the 2015 elections. This would certainly eliminate some of the challenges of manual accreditation but, it is clear that the attendant issue of long queue at polling stations has remained even with the introduction of card readers in Ghana and Kenya. Of course, more investment in the procurement of card readers should drastically reduce the long hours that are spent in queuing—the queue in Kenya was longer than in Ghana even though voters in the two countries were very patient in enduring the frustration. A typical Nigerian voter may not be this tolerant of the slowness of the system.

It should not be assumed that the suggestion here is that the rising profile of technology would wipe out election fraud and other attendant challenges for stakeholders. Of course, the challenges are being addressed through technological investments in the election process. Die-hard election fraudsters may not give up, they

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#### Note

<sup>14</sup> See Nwosu, H. N. (2008). *Laying the foundation for Nigeria's democracy: My account of June 12, 1993 presidential election and its annulment*. Lagos, Nigeria: Macmillan Publishers Limited. Pp. 116-124.

may now target the card readers to disenfranchise electorates in polling units where they (election riggers) feel they have a slim prospect of winning. Once card readers are stolen or water/acid poured on them or damaged, voting may become disrupted. Again, card readers may malfunction as it happened in Ghana and Kenya and replacement may not be instant. Another point is that there may be challenges with the register. If card readers breakdown often in opposition strongholds, deliberate sabotage may be read into this, the rumour of this alone can trigger violence. Pure technical failure may be interpreted as expressions of plan to perpetrate election fraud. Indeed, 'the interplay between political suspicion and technical incapacity' may spark ardent disputes—preventing technical problems from contaminating an electoral process with corrosive suspicions is not an easy assignment.<sup>15</sup>

Generally, however, voting procedure has undergone tremendous reforms through technological revolution in the past twenty years in most of Africa.<sup>16</sup> These improvements continue to afford citizens enhanced opportunities of participating in the electoral processes without much frustrating experiences which definitely aid voter apathy.

### 3iv. Election Security

This remains a worrisome denominator in the entire electoral process. It defines the transparency and credibility of the entire exercise. It cannot be compromised without the election risking its essence and value in preference aggregation. So, what is election security? Election security refers to the safety of electoral personnel, election materials and information, the electorates and an array of stakeholders participating in the electoral process. It means the absence of the use or threat of force, harassment and intimidation in the pre-election, election and post-election phases. Election security should not, however, be conceived as an island. The larger social milieu in which elections are conceived matters, so is an enabling environment. Election security is therefore embedded in the general security structure within which it is consummated. It is by far more important than regime security which is the past time of most African leaders. Theoretically, it is illogical to expect a better security for elections far above the prevalent level of security in society. It is the latter that feeds the former. A restricted or narrow view that election security is what matters most without regard to the general security architecture in the land is unhelpful. A broader

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<sup>15</sup> See Report of the Registration and Election Review Committee (RERC), p. xx where the work of Mozaffer, S. and Schedler, A. (2002). 'The comparative study of electoral governance: Introduction,' *International Political Science Review*, Vol. 23, No 1.

<sup>16</sup> See Astrid Evrensel (ed.) Voter Registration in Africa: a Comparative Analysis. *Electoral Institute for sustainability of Democracy in Africa (EISA)*. 2006 & see particularly the chapter on Ghana by Ole Itoltred pp. 102-126.

perspective of security is more appealing to logic.<sup>17</sup>

In the aftermath of the elections of 2007 in Kenya, there was a complete breach of security which resulted in the death of over 1,300 people among other casualties. IEBC put in place a far better security arrangement for the 2013 elections. The commission created inter-linkages between itself and security and monitoring agencies. According to the chairperson of the commission, Hassan (2013),<sup>18</sup> 'A committee on security was put in place. The committee was composed of officers from all the relevant departments and the commission. The direct link with the commission with regard to security operations was through the Ministry of Internal Affairs but working closely with its deputy commissioner and the deputy commissioner of police.' A delegation of Nigeria's INEC observed the 4<sup>th</sup> of March, 2013 general elections in Kenya and it reported that about 99,000 security personnel were deployed in the 33,000 polling stations and voting streams across the country. Security personnel on election duties were generally calm and polite both towards the electors and observers from within and outside the country. Voters were also generally well behaved as the killings of 2007 were still fresh. Except in Mombasa and one or two islands, the elections went on without major disruptions. But it must be mentioned that Al-Shabaab group continues to pose a major security challenge not only to the conduct of elections in Kenya but also to its national security.

Election security in Ghana no longer poses a major challenge. But in Nigeria, election security remains a challenge in the context of terrorist activities mainly in the northeast of Nigeria, kidnapping in the east and armed gangs in other parts of the country. The electoral body in Nigeria upon being inaugurated in 2010 quickly put in place a workshop on security challenges of election in Nigeria which eventually culminated in designing a security template for conducting the 2011 general elections. What came to be known as the Inter-agency Consultative Committee on Election Security (ICCES) was put in place in which the election body continues to play a leading role. All security agencies are represented. The overarching concern was election security without compromising or fettering effective participation in the electoral process. The success of Nigeria's 2011 general elections owes much to this elaborate security plan and the security reforms that were put in place. Security issues have become a global phenomenon. They require collaboration and cooperation between countries to tackle given their extra territorial dimensions. Enormous human and material resources are required to minimize security breaches.

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<sup>17</sup> See Olurode, 'Lai (2011). 'The feasibility of election security in an unsecured global environment,' Olurode, 'Lai and Jega, Attahiru (eds.) *Security challenges of election management in Nigeria*, Independent National Electoral Commission (INEC).

<sup>18</sup> See Hassan, Ahmed Isaack (2013). 'Security challenge in Kenya's election', 'Lai Olurode (2013). *Election security in Nigeria: Matters arising*.

Across Africa, generally speaking, the main challenge is professionalism of security agents and the overbearing influence of politicians. Training of security personnel, police in particular, is often executed under conditions that are far from being conducive, of shorter duration and without facilities. Even if the contents are right, in terms of the theoretical equality of all before the law, their behaviour betray this elementary principle of putting the people at the centre of policing. Police personnel have to put up with numerous ordeals in the course of recruitment and training. In some extreme cases, background checks are rarely carried out on recruits, and those with questionable background and character can easily scale through. At the attitudinal and socio-psychology levels, those who get enlisted often do so for lack of something more profitable to engage in. Police officers are often trained for regime security rather than for citizenship. They are readily insulted and subdued by people in power who may choose to use them for act of intimidation and breaches of peace as well as for odd and menial jobs. Police officers are often used for intimidation by incumbent office holders. Their remuneration is generally inadequate that they resort to complement their incomes with bribes. Workplace and career motivation is low. In maintaining law and order in society, they are expected to take orders from politicians and powerful individuals whose security is regarded as primary while that of other citizens is secondary and inferior. In cases of conflict between men of power and non-state actors, police officers often take sides with the powerful and readily allow themselves to be used to do the dirty battle of the powerful politicians and rich members of society. Africa is far from having police officers who can rise above parochial, political and ethno-religious interests. They are often torn between these



Security personnel getting set for election in Sokoto state, Nigeria, 2012

narrow interests, professionalism and undue kowtowing to people of power. Police enjoy low perception and rating by the public who see them as mere agents of the highest bidder who are invariably men of power. Most of the police officers often forget that it should be loyalty to the constitution first and thus the protection of citizenship. However, there is a silver lining emerging with regard to the behaviour of police during elections.<sup>19</sup>

In the next section, we shall expand on the effects of these reforms on election outcomes and on citizenship participation in the electoral process in the countries under examination.

#### 4. Outcomes of Electoral Reforms on Citizenship

Agitations for electoral reforms have placed political citizenship on a high pedestal within the policy making community, the public, the academia and in media discussions. Robust media participation is being popularly acknowledged in phone-in radio discussions and letters to the editors of newspapers. No longer are these issues regarded as idle talks or as illegitimate or criminal. In the past, political discussions in beer parlours and in the universities, not to talk of political parties formation, were criminalized under the different military dictatorship. The gradual evolution of the exercise of unfettered franchise is the most obvious outcome of citizenship activism. A meaningful expression is now being given to the concept of one person, one vote. Women now vote and are voted for. Individuals are allowed to have a say in how they are governed and thus able to make input into policy instrument through the choices gleaned from improvements on voters' turnout in recent elections in the countries under investigation. Nigeria's 2011 presidential election recorded a voters' turnout of over 53%, Ghana had 80% turnout on its 2012 election and Kenya had almost 86%. These are improvements on earlier records in these countries (see *Table* below),

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<sup>19</sup> On policing generally see Abubakar, M.D. (ed.) *Nigeria Police: The journey so far* (Abuja: Law Lords Publications); see particularly chapter 20 by Ben Okezie on 'My sojourn in the Nigeria Police Force' (a Journalist is Perspective), pp. 237-238; see also Olurode, 'Lai *The Story of Anini*. Lagos: Rebonik Publications Limited pp. 87-106. Apart from shortage of police personnel, the deployment of the existing police personnel is more for the security of the regime and its leading actors rather than for citizenship. Thus out of 321,250 police men and women, 100,000 were attached to private individuals thus leaving the larger part of the Nigerian population unprotected (See statement by the Chairman, Police Service Commission, *The Punch* Oct. 19 2011).

It is difficult to contemplate an electoral process in the foreseeable future where police will not be required as advocated by President Goodluck Jonathan – See *The Punch*, 22<sup>nd</sup> February, 2012). The same is true of most African countries—For example Kenyan authorities deployed close to 100,000 disciplined officers and national youth service officers to secure the March 4 2013 general elections—See *The Nation* of Kenya, March, 4 2013.

particularly with regard to the quality of the elections and the perception of independent observers.

TABLE

**Comparative Voters Turnout Analysis**

COUNTRY	YEAR OF PRESIDENTIAL ELECTION	VOTER TURNOUT	TOTAL VOTES AT ELECTION	REGISTERED VOTERS
Nigeria	2011	53.68%	39, 469, 484	73, 528, 040
	2007	57.49%	35, 397, 517	61, 567, 036
	2003	69.08%	42, 018, 735	60, 823, 022
Ghana	2012	80.15%	11, 246, 982	14, 031, 793
	2008	72.91%	9, 094, 364	12, 472, 758
	2004	85.12%	8, 813, 908	10, 354, 970
Kenya	2013	85.91%	12, 330, 028	14, 352, 533
	2007	69.09%	9, 877, 028	14, 296, 180
	2002	57.18%	5, 975, 910	10, 451, 150

Source: International Institute for Democracy and Electoral Assistance (IDEA) website as at July 24, 2013.

For Ghana: [www.idea.int/vt/countryview.cfm?id=81](http://www.idea.int/vt/countryview.cfm?id=81)

For Kenya: [www.idea.int/vt/countryview.cfm?id=115](http://www.idea.int/vt/countryview.cfm?id=115)

For Nigeria: [www.idea.int/vt/countryview.cfm?id=168](http://www.idea.int/vt/countryview.cfm?id=168)

A derivative of this is that if votes now count and electoral fraudsters are being checkmated, then, elected leaders must take a cue from election results as genuinely expressing people's policy preferences. Governance structure and indeed elected leaders must change for the better and not just for the good. A pact is sealed between the people (voters) and the (elected) government as a result of the election outcomes. When election outcomes reflect the wishes of the people, then, law and order tend to greet election outcomes rather than protests, street demonstrations, bullet firings and killings. Campaign promises must be met otherwise people will be advised to exercise patience till the next elections when change of regime may become

inevitable. When elections are free, engagement between elected leaders and the electorates become more effective, so is communication between them. Votes become readily exchanged for social services delivery instead of votes for bribes. There cannot be a better expressions of voters' enlightenment and voters' education.

Within the international community, these countries earned more respect as international observers of the electoral processes attested to their credibility, fairness, transparency and general orderliness. Such positive review of the electoral process has positive implications on the economy as it encourages investments and businesses to flow in the directions of these countries. The ratings of Kenya, Ghana and Nigeria have indeed improved following the conduct of their recent successful elections. Kenya's 2013 elections were by far an improvement on those of 2007 as the results were generally acceptable. Nigeria's 2011 elections were also assessed as the best so far in Nigeria's history. Good elections signal the triumph of the rule of law in place of self-remedy or authoritarianism and dictatorship. Perhaps, more significant is the belief that credible elections signal institution building and domestication of strong personality and individuals and thus the demise of unlimited tenure for elected officials. Certainty is assured and predictability not taken for granted all of which resonate in the willingness to respect the rule of law. With certainty of electoral procedure and with election contests becoming more competitive, election results may spring surprises. These are assets for any country that seek relevance in the comity of civilized nations. Definitely, electoral reforms are advancing the cause of citizenship in most of African countries. The simultaneous pursuit of judicial reforms has been complementary. However, it is not yet Uhuru for the forces of democratization in Africa. The road is still bumpy and thorny because there are frightening spectres of democratic reversals.

## **5. The Spectre of Democratic Reversals**

Without deliberately sounding as an alarmist, it can be said that democratization processes and forces are under siege in Africa and are thus endangered. The threats to democratization are both at the front and back end. As a front end activity, Election Day activities remain an ordeal. Apart from this, election outcomes are fiercely contested. At the back end, party members are rarely allowed to have a say in internal party democracy. Mail's reversal to dictatorship is a clear manifestation that danger lurks in the corner. Democracy has also now been aborted in Egypt in early July, 2013. The siege theory of democracy is not an exaggeration. This siege is being laid by forces within and outside of Africa. In a global market economy that is driven by greed and profit maximization, even in the midst of misery, hunger and disease, Africa, being the weakest link in the global economic chain, is unable to withstand the devastating backlash of economic meltdown in which some countries in Europe were also casualties. Africa remains in a seemingly perpetual helplessness as it adds little value to its own quota of global economy. Its products are shipped in their raw forms to Europe where value is then added and where the greatest profit is retained. Africa operates on the periphery of global economy. As a consequence, the robust

promises of globalization are far from being met in Africa. Bright economic prospects help to drive democratic and electoral reforms. Social services provision remains epileptic and the economic linkages that improved social infrastructure would have triggered remain only a potential.

Social discontent which is being fuelled by poverty is rising, so is despondency, self-doubts, helplessness, disillusionment and complete disconnection between state and society. Conversations seem to have broken down between government and the governed in most African countries. These challenges have been compounded by rising youth unemployment in the midst of large scale corruption. Every effort of government to turnaround the economy is being met with frustration by economic saboteurs who indulge in oil theft and acts of vandalism of electric cables and oil installations in the case of Nigeria. The culture of work has diminished and in its place is the preference for cheap money. The high pay of political office holders is also an issue of public concern. Acts of terrorism in Kenya and to a larger extent in Nigeria's northeast are a source of concern because of the threats that these acts portend for democratization. The evident gains of democratization and transformation are being wiped out as schools and health facilities are being burnt down and service providers are increasingly becoming targets in parts of northern Nigeria. Agricultural production is being negatively affected with the massive migrations, physical displacement and social disruptions that diverse acts of lawlessness continue to engender. Women, children and the aged are more exposed to the adverse consequences of this development. The population of internally displaced people is on the rise.

Though, the political party system is taking roots, there are still challenges of institutionalization and deference to party constitution and rules are largely missing. There are individuals within political parties who feel bigger than the parties and who regard themselves as being superior to party rules. This perception, as unfortunate as it is, has been reinforced by the notion of founders and joiners of political parties as if political parties are private companies or partnership outfits. Internal democracy is rarely allowed to flourish within political parties as parties' flag bearers are mostly selected against the proposition of democracy to have them elected in the primaries. Members feel a sense of alienation in political party activities. Those who are lucky to scale the party hurdles and get elected or appointed into positions in government, display a sickening power of incumbency and an annoying level of the '*kabiyesi*' (leaders cannot be questioned) mentality which work to thwart people's wishes during primaries and elections. Those in power still exhibit ardent desire to remain in power forever regardless of people's wishes. Election security and wanton display of power of incumbency have remained major impediments in clearing the Augean stables. Indeed, no matter the degree of improvement in the voters' roll and in spite of evident commitment of election and security agents, if politicians retain a mind-set and attitudes which foster desperation, malfeasance in the electoral process will be difficult to combat. There has to be the willingness to respect rules of the electoral process.



In the midst of these befuddling developments, some silver lining can be discerned. Nigeria's 2011 general elections marked a welcome departure from the country's history of flawed elections in which results were arbitrarily awarded. This would not have been possible but for the display of evident detachment from the electoral process by the leadership that kept to its promise of no interference in the electoral process. The same can be said of Ghana and Kenya where the contests were very close. The temptation to interfere was resisted even when technology seemed to have failed in some cases. In this respect, the reforms of the electoral bodies and of the electoral processes produced the desired effects. We also speak of the emerging but robust judicial fidelity. In these countries, the judiciary as institutions and allies of democratic reforms continue to assert its autonomy. Another factor in this promising silver lining is the emergence of strong oppositions which had produced more competitive elections in Ghana and Kenya than in Nigeria where the opposition is in disarray. But certainly, the 2011 general elections were more competitive than hitherto as the National Assembly was more diverse than before. Where opposition forces are strong and united, the chances are that this would work more for the benefit of the electorates who are certain to get more value for their votes. This is because the opposition is expected to create room for constructive criticism and competition for votes. Under such conditions of close competition for votes, the cause of citizenship will certainly be better advanced. The sphere of choices will become better narrowed down and contestants have to sweat it out to earn the people's votes.

It is important to reiterate the point that EMBs must remain vigilant to their key mandate and remain above board, political parties must be disciplined and respect their own rules and that of the constitution, and the judiciary should continue to play their watchdog role. Above all, the electorates and CSOs are among ardent protectors of citizenship through legal and judicial activism. There cannot be better ways of building institutions of the rule of law and the jettisoning of strong individuals than in Africa's quest for democratization and unrelenting struggle for electoral integrity through reforms. Moreover, agitations for electoral reforms must be sustained by stakeholders as a means of prompting effective citizenship participation in the electoral process. Certainly, citizenship get activated through unrelenting advocacy for electoral and democratic reforms.

## 6. Outstanding Challenges of Electoral Reforms

Electoral reforms are open-ended and thus on a continuum. They are indeed aspects of development where rising expectations are ever anticipated. There are four issues that we consider as outstanding challenges of electoral reforms in Africa. Firstly, and in more concrete terms, we can delineate the boundaries of the agitation for continuous reforms to encompass, but not limited to the desirability of social inclusiveness both in public administration and electoral representation. Electoral democracy in most of Africa is largely masculine-driven as women remain marginal

players in the running of EMBs and even in government and parliaments. However, through legislative interventions, some countries in Africa have begun to reflect gender inclusiveness in parliament and public administration. Gender representation in Nigeria remains a token.<sup>20</sup> There are also challenges connected to the exclusion of the poor and specific ethno-religious groups from the electoral and democratic processes. Marginalization and exclusionary practices in politics have to be addressed as front burner issues in electoral reforms.

Secondly, the notion of proportional representation should help to drive more inclusiveness in place of winner-takes-all or the first-pass-the-post approach to electoral democracy. Political parties that are excluded though by marginal votes nurse a sense of bitterness and bring-them-down attitude. They become disenchanted and frustrated with the political process and feel alienated. The challenge therefore is how to cultivate an electoral system in which all political parties and key stakeholders will have a sense of belonging and participation in place of 'do-or-die' orientation to politics which in turn fuels politically motivated violence. Related to this is the rot within political parties, especially the general failure of political parties to respect internal democracy, the impunity of incumbent office holders and general disregard for guidelines on elections and campaign expenses.<sup>21</sup>

Thirdly, it is apparent that technology has become indispensable to the oiling of our democratization processes. Both at the back end and the front end, the role of technology is indispensable. At the front end, election bodies have to compile biometric data of voters, political parties now also use technology in registering their members. As part of the back end activity, multiple registration has to be eliminated through Automated Fingerprint Identification System (AFIS) in order to produce an authentic register of voters. The data also has to be secured at the back end to prevent corruption of the database. Election bodies also issue electronic voters' cards and in

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<sup>20</sup> See Olurode, 'Lai (2013) on 'State and Political Participation: Women in Nigeria's 2011 Elections,' Friedrich-Ebert-Stiftung, Discussion Paper No 4, 2013. Such countries as Uganda with a total of 386 seats in parliament has 135 women (35%); Tanzania with 350 has 128 women (36%) and Senegal with 150 has 64 seats (42.7%). These are superior statistics when compared to Nigeria's low figure of just about 8% women's representation in parliament. See statistics of women in national parliaments at <http://www.ipu.org/wmn-e/classif.htm> (last date modified: 1st Feb. 2013).

<sup>21</sup> See Jega, Attahiru (2012), on 'Party politics and elections in Nigeria,' a presentation at the opening of a roundtable conference on party politics in the Nigeria and lobbying, the lobbyist and the legislature under the auspices of the National Institute for Legislative Studies, National Assembly, Abuja, Nov. 12, 2012. Jega spoke about the debilitating factors and general disposition of factors of political party regime which weaken electoral reforms and endanger democratization in Nigeria- see pages 7-9 on party nomination, arrogant display of powers of incumbency and infusion of huge money into the political process. Jega concluded, with dismay that 'Nigeria political parties have essentially undermined rather than added value to the reformation of our electoral politics' (P. 15); see also Gloria Richards Johnson on 'Political parties and effective participation in governance', July 2013. The conclusion of the author was that political parties in Nigeria are yet to fully explore their constitutional mandate - 6<sup>th</sup> lecture of The Electoral Institute, INEC, Abuja, July, 2013.

some advanced countries online registration of voters has been accomplished. On Election Day as well, voters' cards embedded with microchips are biometrically verified by card readers for accreditation of voters. But for the absence of electronic voting, we would be talking of end to end solution in election processes and conduct in Africa. In the case of Nigeria, there is a legislative ban on electronic voting. Of course, caution is required in the outright application of technology into the electoral processes. Technology can fail and planning still has to be thorough. Trust is key to election credibility. Machines may not trigger enough trust by people.

Fourthly, lingering doubts however, persist about the detachment and professionalism of election bodies in Africa. They are not fully trusted for reasons of integrity, sentiments and neutrality. They thus need to work extra hard to gain the trust of all stakeholders including those in government who may see them as pandering to the opposition or to other primordial loyalties. Where the culture of trust is weak, technology itself becomes suspect and may be the first casualty. Election security remains an intimidating challenge both at the front and back end. It is yet difficult to anticipate the period when elections will be administered in these countries without the visibility of security agents. Perhaps, more important is that electoral governance is yet to translate into the desired good life for the majority. This, in itself, is fostering an additional doubt about the feasibility and the future of electoral governance. The mind-set of politicians—the do-or-die mentality and winning at all cost—is another important issue that needs to be addressed. Perhaps, Nigerian politicians are more immodest in this regard than their counterparts elsewhere in Africa. Without any honest Strength, Weaknesses, Opportunity and Threats (SWOT) analysis of their chances at the polls, they project winning, not just winning but with a landslide even in opposition strongholds and even beyond reasonable calculations. Politicians generally detest a scientific analysis of their chances but lean more towards fortune tellers, myths, miracle preachers and oculists who raise their expectations and those of their supporters beyond logic. These outstanding reforms can only be addressed on a long term basis and not really in the immediate. But, it is important for all stakeholders to work in support of electoral reforms and thus the advancement of electoral services delivery which enhance the extension of frontiers of citizenship.

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