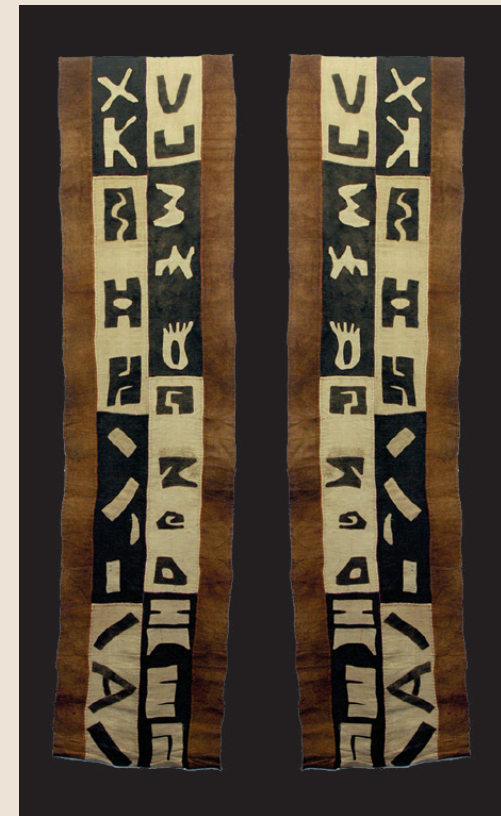


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PARADIGM SHIFT: YOUTH ENGAGEMENT IN THE CONDUCT OF THE 2015 ELECTIONS IN NIGERIA

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ABSTRACT

This paper examines youth engagement in the conduct of the 2015 general elections in Nigeria, against a backdrop of historical experiences. Discounting the doom youth theory of youth bulge, youth in crisis or lumpen youth culture, the article illustrates a paradigm shift in youth engagement in the conduct of elections. Youth engagement in the 2015 elections was more constructive than in prior elections. Within the context of dual motivation theory, the destructive engagement by youth in the prior elections was motivated by the need to change the outcome, whereas their constructive conduct in the 2015 elections was driven by duty to participate in public affairs in Nigeria. This change in political attitude is explained by a growing consciousness of the potential of young people to act as agents of change. This awareness arises through the aid of social media, coupled with the recent success story of the Arab Spring driven by youth, the inflammable repercussions of previous elections, and the high stakes the 2015 general elections held for Nigerian governance.

Keywords: youth, election, motivation, participation

INTRODUCTION

Prior to the 2015 elections, there had been a progressive decline in the conduct of elections in Nigeria since the return to civil rule in May 1999. With the exception of the 2011 general elections, which witnessed little improvement, all other elections represented a travesty. This travail of electoral politics in Nigeria prompted

Agbaje and Adejumobi (2006) to ponder whether votes still counted. In the last decade of electoral politics in Nigeria, the political class had managed to exercise its monopoly over political mobilisation, and undermined popular participation. Public participation was curtailed especially through demobilisation of the youth from constructive political engagement. Through anti-democratic measures, the political class effectively co-opted most of the youth in the country into political engagement, with dire consequences. In Nigeria, the youth population is aged between 18 and 35 years (National Youth Development Policy 2001; Olujide 2008).

Seminal works have been written on youth political engagement in the electoral process in Nigeria. Within this body of studies, there are distinctive works concerned with the dynamic of anti-democratic political attitudes of the youth in Nigeria (Adejumobi 2000; Agbaje & Adejumobi 2006; Sklar 2004). However, such writings are limited in scope to elections that took place before 2015. Disregarding the traditional youth theory of youth bulge, youth in crisis and lumpen youth culture, this article demonstrates how youth engaged positively in the conduct of the 2015 elections. Compared with earlier general elections in Nigeria's current republic, the 2015 elections have been judged by international and local observers as being most successful. Compared with the previous elections, remarkable improvements were noted in the conduct, outcomes, and management of reactions to the outcomes of the 2015 elections. In particular, the presidential election in 2015 led to the emergence of an opposition party candidate as the winner, with the incumbent and rival candidate conceding defeat even before the final declaration of results by the Independent National Electoral Commission (INEC). The reactions to the outcome of the elections were peaceful – in contrast to those in previous elections, which were marred by post-election violence. Also, unlike past elections wherein gullible youth were manipulated by the political class to play destructive roles (such as election rigging, ballot-box snatching, hooliganism, or intimidation), in the conduct of the 2015 elections the youth undertook various positive initiatives. These included peace campaigns, voter education, election monitoring, and polling unit administration to ensure successful conduct.

This paper also discusses a paradigm shift from the doom youth theory, based on reflections on youth engagement in previous elections, to the notion of positive and constructive youth political conduct before and during the 2015 elections. It seeks to provide explanations for the positive youth engagement within the context of dual political motivation theory, which identifies two bases for political participation (Sika 2012). In the first type of political motivation, political participation is activated by the desire to achieve a certain goal, influencing the outcome of an election, and controlling the actions of governmental personnel. The second motivation is driven by a duty to participate in an electoral process in one's country as a result of acquired social capital. A synthesis of the two

types of political engagement, in David Campbell's perspective, creates 'a dual motivation theory' (Sika 2012). This theory has not been thoroughly explored to explain youth engagement in the 2015 elections in Nigeria. In an attempt to understand the patterns of youth engagement and motivation in the conduct of the 2015 general elections in Nigeria, this paper proceeds with conceptual and theoretical discussion.

CONCEPTS AND THEORY ON YOUTH POLITICAL ENGAGEMENT

In Nigeria, the 'youth' population is aged between 18 and 35 years (National Youth Development Policy 2001; Olujide 2008). As in most other countries of the world, young adults constitute a vast proportion of Nigeria's more than 171 million people (UNICEF 2013). Most studies on youth engagement and experiences in African societies have been dominated by the application of the traditional theory of 'youth bulge', combined with 'youth in crisis' and 'lumpen youth culture'. The common denominator of traditional youth theories is a vituperative characterisation of youth, such as 'lost generation' (O'Brien 1996), 'devils in demographic' (Urdal 2004), 'enduring limbo' (Spinks 2002), 'ticking time bomb' (Schucher 2014), 'loose molecule' (cited in Aghedo & Eke 2013), 'war machine' (cited in Aghedo & Eke 2013), 'lumpen' (Abdullah & Muana 1998, Bangura 1997), and 'Frankenstein Monster' (Ukiwo 2002).

The term 'youth bulge' was coined by Gunnar Heinsohn, a German social scientist; it was made popular by Gary Fuller and Jack Goldstone, two American political scientists (Aghedo & Eke 2013). Youth bulge theory denotes a situation where a country hosts a large population, dominated by young persons who are mainly marginalised, excluded, and deprived in relation to the older adult population. This theory contends that such a large youthful population constitutes a high risk and threat in the country. In other words, a heavy youth population is a predictor of various forms of violence, including rebellion, warfare, criminality and other aggressive behaviour. The Arab Spring and Islamic revivalism that occurred in countries such as Egypt, Tunisia, and Algeria are ascribed to a combination of youth bulge and limited economic opportunities (Aghedo & Eke 2013).

Youth crisis combines with youth bulge to engender violent and criminal engagements. Youth crisis is a condition in which young people find it difficult to attain the requisite qualities of adulthood because of slim socioeconomic and political opportunities. Youth crisis arises from the irresponsiveness and insensitivity of the national government in addressing young people's genuine needs and aspirations through sound policies and programmes. Thus, in desperation to navigate the difficult path of life, young people engage in aggressive and risky behaviour. In the face of fading hope, they take their destiny into their

own hands by engaging in various criminal behaviours, including armed banditry, kidnapping for ransom, bunkering, vandalism, and insurgency. ('Bunkering' means stealing fuel oil on board a ship.) The Boko Haram insurgency in north-eastern Nigeria is in part linked with scant economic opportunities and access (Aghedo & Osumah 2014). Abject socioeconomic conditions, manifesting in youth unemployment and poverty, have been linked with ethno-religious conflict in Nigeria (Jega 2007). In Kenya, youth exclusion and marginalisation from the political process is cited as contributing to youth participation in post-election violence in 2007–2008. About 70% of participants in the post-election violence were young adults (Mutisi 2012).

Another variable that conflates with youth bulge to engender youth engagement in violence and criminality is what Abdullah and Muana (1998) and Bangura (1997) characterise as 'lumpen youth culture'. The lumpen youth culture is a sense of antisocial and anti-establishment orientation. The lumpen youth, which Usman (2009) describes as expendable youth, are young people who are not matured and are materially dependent and susceptible to manipulation. They are characterised as largely unemployed – and unemployable – youth, mostly male, who engage the streets for their livelihood. They are susceptible to be manipulated as an instrument for the perpetration of electoral violence. They act as party thugs and are used by party stalwarts for political violence and criminal activities for a token sum, sometimes a pittance. They are often fed with dangerous drugs and other intoxicants and armed as ruthless agents of destruction. They actively participate in electoral activities that undermine the conduct of credible elections and jolt public confidence in the electoral process.

The traditional or 'doom theory' on youth is dominated by the notion that youth are Frankenstein monsters and victims of electoral violence. The theory tends to play down the distinctive initiatives of young people in the conduct of an election, and electoral change processes in which youth participated. The preponderant notion of youth as 'loose molecules' underestimates the potential and right of the youth to participate and contribute meaningfully to social change processes in the conduct of an election. Also, doom youth theory tends to influence the seeming absence of sound policies and programmes for inclusion of youth in the mainstream political participation, and the harnessing of their potential for improvement in the conduct of credible elections. Instructively, a few scholars such as Mutisi (2012), Boyden and De Bery (2004), Thorup and Kinkade (2005), and Sommers (2006) have recognised the potential and asset value of youth in bringing about social change processes in their countries. As a social spectrum, youth are associated with certain traits such as exuberance, dynamism, willingness to take risks, flexible thinking and the desire for quick results (Obasanjo & Mabogunje 1991). According to the National Youth Development Policy of Nigeria (2001, p. 1),

Youth is the foundation of a society. Their energies, inventiveness, character, and orientation define the pace of development and security of a nation. Through their creative talents and labour power, a nation makes giant strides in economic development and socio-political attainments. In their dreams and hopes, a nation finds her motivation; on their energies, she builds her vitality and purpose. And because of their dreams and aspirations, the future of a nation is assured.

In consonance with the emerging notion of youth as an asset for shaping national development, this paper focuses on the political engagement of young people in the 2015 general elections in Nigeria. Constructive engagement by young adults depends on what has been described as their 'structural luminosity'. Structural luminosity means that in most situations in society, youth can easily navigate through and take advantage of emerging socioeconomic opportunities. They have the time, skills and motivation for activism. Hence, they are considered a valuable constituency (Editorial 2011). This paper discusses how the youth is becoming mature and is committed to bringing about change in Nigeria – a country that the US Department of Intelligence predicted as being on a path to perdition or disintegration (Adedjoja 2012).

HISTORICAL OVERVIEW OF NATIONWIDE ELECTIONS BEFORE 2015

Since 1959, questions have been raised about election integrity in Nigeria. Pre-1959, after the introduction of elective principle under the Clifford Constitution of 1922, elections were restricted to Lagos and Calabar, and franchise was exercisable only by adults who owned at least GB£100 (Azelama 2010). Suffrage was later extended to the other regions of the country under the Richard Constitution of 1946. However, even in areas where elections were held, the adoption of the adult suffrage excluded young adults from the electoral processes.

In preparation for independence, the first nationwide direct elections were held in 1959. The elections constituted the basis for the formation of a post-independence central government. The elections were said to be characterised by cases of violence, intimidation and repression (Diamond 1988). In the subsequent federal and regional elections, held in 1964 and 1965 respectively, there were allegations of widespread irregularities and rigging, molestation of electoral officials, abduction of candidates, and use of security agents to intimidate voters and facilitate election malpractices. Areas thus affected included parts of the mid-western, western and eastern regions. The results of the elections were rejected

by the opposition, which subsequently resorted to violence, killing, arson, looting and the destruction of property; these events took place particularly in the south-western region.

The youth, being the most energetic sector of the population, dominated the violence associated with electoral processes. On the basis of impropriety in the election, President Nnamdi Azikiwe delayed the reappointment of Alhaji Tafawa Balewa as prime minister. This move sparked a constitutional crisis, which required the intervention of the court and political negotiations before peace could be brokered. These interventions ensured the formation of a broad-based government headed by Balewa (Osaghae 2002). But the attendant crises, disillusionment, disenchantment and loss of confidence in the government – which was felt by most of the population – significantly motivated the military to usurp political power on 15 January 1966.

After 13 years of military rule, Nigeria was returned to civil rule through nationwide elections held in 1979. In the lead-up to the 1979 elections, measures aimed at overcoming the shortcomings of the elections in the First Republic were introduced. One such measure was the constitutional requirement of a nationwide presence in 13 out of the 19 states as part of the criteria for party registration. Another was that the person to be elected as president, in addition to securing the highest number of votes cast, was required to receive a minimum of 25% of votes cast across two-thirds of the 19 states. These reforms were aimed at social engineering and national integration against the backdrop that electoral mobilisation for support in the First Republic had taken place along ethnic and religious lines (Ogbeidi 2010). However, the declaration of the winner in the 1979 presidential election was allegedly questionable and controversial. It took the intervention of the Supreme Court and an alleged conspiracy by the departing military regime for the issue to be laid to rest.

Four years later, in 1983, another general election was held during the Second Republic. The conduct of the elections was characterised by the misuse of power of incumbency, money influence, thuggery, violence, massive rigging, irregularities, falsification of results and other malpractices. The Federal Electoral Commission (FEDECO), police and other state agents allegedly colluded with the ruling party – the National Party of Nigeria (NPN) – to commit electoral fraud. The results of the elections were hugely disputed. Virtually every assembly and governorship election result was the subject of litigation at tribunals and courts (Osaghae 2002). A few of the fraudulent election results were upheld in court on technical grounds.

Because the courts could reverse only a few cases of the disputed election results, this period was characterised by tension, uncertainty and insecurity. In some states, such as Ondo and Oyo, the governorship elections had given rise to

many cases of arson and murder (Osumah & Aghemelo 2010). Consistent with the doom youth theory, the youth dominated this violent engagement.

Because the nation was on the edge of a precipice, the military intervened quickly in the political sphere on 31 December 1983. Between 1983 and 1999, the military once again dominated Nigerian politics. However, within this period, there was a convoluted transition programme to return Nigeria to civil rule yet again in the so-called Third Republic. Certain measures were put in place to ensure transparent and credible elections. These included the registration of two new parties, namely the National Republican Convention (NRC) and Social Democratic Party (SDP); the banning of discredited politicians; and the use of an open ballot system. In addition, two bodies were established to inculcate civic education of democratic culture in Nigerian politicians and voters (who are predominantly young adults). These were the Directorate of Mass Mobilization for Self-Reliance, Social Justice, and Economic Recovery (MAMSER), and the National Orientation Agency.

Within this period, elections were held for the legislative assemblies at state and federal levels as well as for the offices of state governors. Finally, on 12 June 1993 the presidential election, which was the last of the staggered elections in the prolonged transition programme, was conducted. The election was described by many observers as having been the freest and fairest in the annals of Nigerian political history. Nonetheless, the Babangida regime cancelled the results of the election based on allegations of corruption, bribery and malpractices. These allegations by the Babangida regime were regarded as a flimsy excuse because they contradicted the reports by participants and observers of the election. Moreover, the election outcome represented far stronger social engineering and greater national integration compared with any of the elections that took place during the First and Second Republics. The presumed winner of the election, Chief MKO Abiola, had secured popular support across regional and ethnic divides (Bolaji 2015).

The annulment of the election result generated resistance and civil disobedience across many parts of the country. This resistance was led by youth organisations such as the National Association of Nigerian Students (NANS) and other prominent civil society groups. More than 100 protesters were believed to have been killed by the military and anti-riot police squad during street protests. Some youth groups formed to rally support for the government (Osaghae 2002). However, lumpen or 'expendable' youth participated in civil disobedience and riots, as this offered them the opportunity to break into public and private offices to remove valuable property.

As Nigeria moved toward its Fourth Republic, in December 1998 major transition institutions were established. These were the National Electoral

Commission of Nigeria (NECON), chaired by SK Dagogo Jack, and the Transition Implementation Committee chaired by Mr Justice Mamman Nasir (Osaghae 2002). Thereafter, five political parties were registered. A major threat to General Sani Abacha's transition was the politics of self-succession. To realise his goal, Abacha and his agents deployed coercive measures such as intimidation, blackmail, detention and assassination against internal opposition. They also coerced the support of members of the political class who formed the five parties to adopt Abacha as a consensus candidate for the presidential election in August 1998. In addition, 18 youth organisations, including the National Council of Youth Association (NCYA) and the Youth Earnestly Ask for Abacha (YEAA), rallied support for Abacha's self-succession bid in Abuja (Akinboye & Anifowose 1999). In 1998, YEAA, led by Daniel Kanu, organised a so-called 'march of 2 million' people in Abuja. In reality, the march was attended by 200 000 people. The attendees comprised 'rented' youth and some civil servants, who had been threatened by state military administrators with being fired if they failed to represent their states and local governments at the march. The attendees were provided with free transportation and accommodation. The organisation of the march cost the government between ₦400 and ₦500 million (US\$6.2 million).

The march was aimed at pressurising Abacha to continue in office. He did so until his sudden death in June 1998 (Research Directorate, Immigration and Refugee Board Canada 1998). This type of participation fits into the first tier of the dual motivation theory. It is also consistent with assumptions of the doom youth theory, as most attendees of the march were manipulated or coerced to participate in the march.

Following the death of Abacha, his successor, General Abdulsalami Abubakar, restarted the transition to the Fourth Republic in 1998. Guidelines were set for political parties to participate in the electoral process. Part of the guidelines required political parties to accept the principles of power-sharing, rotation of key offices and an active presence in at least 24 states of the federation (Ogbeidi 2010). Nationwide elections were held in 1999 for offices of state and federal assemblies, state governors and their deputies, and the president and vice president. The 1999 elections were characterised by widespread electoral abuses such as horse-trading, undisguised financial inducement of voters, stuffing of ballot boxes with pre-marked ballot papers, snatching of ballot boxes, falsification of election results and violence (Osumah & Aghemelo 2010). For example, while international observers estimated the voter turnout at 20%, the results indicated between 30% and 40% (Ogbeidi 2010). According to Jimmy Carter, head of the election monitoring team,

there was a wide disparity between the number of voters observed at the polling stations and the final result that has been reported from

several states. Regrettably, therefore, it is not possible for us to make an accurate judgment about the outcome of the presidential election (Ogbeidi 2010, p. 51).

The opposition party – the All People’s Party (APP) – rejected the results of the presidential election on account of brazen electoral fraud, and went to court to contest the outcome. Although the court threw out the lawsuit, the APP buckled only under great pressure and appeals from Nigerians and the international community to accept the election results, simply to avert a replay of the bitter experience of another annulment (Osumah & Aghemelo 2010). Arguably, these unconventional and antisocial behaviours were particularly associated with the lumpen youth, who were readily manipulated by desperate politicians.

Four years later, in 2003, general elections were held. The conduct of the 2003 general elections was progressively worse than the 1999 nationwide elections. As part of the preparations for the conduct of the 2003 general elections, the 2002 Electoral Act was introduced. The Act made provision for, among others, the manner in which political parties can source or receive their funds and the extent to which political parties can incur electoral expenses. This was rarely enforced. Other reform measures included registration of new parties, which increased the number of parties from three to 30, and computerisation of voter registration to keep a check on manipulation and fraudulent practices (Osumah 2010).

Despite these measures, the conduct of the election was largely unsuccessful. Both international and domestic observers roundly described the conduct of the elections as a travesty of electoral democracy. The malpractices that characterised the conduct of the elections generated massive protests from organised labour, civil society and opposition parties. Leaders of the opposition parties rejected the outcome of the election and called for the formation of an Interim National Government of Unity. More than 56% of the 2003 election results were challenged in courts (Osumah 2010).

Notably, the youth were recruited and mobilised to execute some of the violent and corrupt activities. Preparatory to the elections, there was a general apprehension about the recruitment and arming of militia groups as a political machine to harass and intimidate political opponents, rig the elections, commit brigandage and organise violent protests. For example, major opposition politicians in Abia and Anambra States alleged that the incumbent governors in those two states were using the Bakassi Boys to settle political scores. The Bakassi Boys was a vigilante group made up mainly of youth. There was indeed a general apprehension that the vigilante group was being manipulated by governors to rig their re-election, or to safeguard against being rigged out in their re-election bids. Although the governors attempted to deny the allegations of manipulating

or politicising the vigilante group, the leadership of the Bakassi Boys in Abia alleged that factions from both the APP and the People's Democratic Party (PDP) in the state had approached the group for support. In Anambra, the attempt to use the Bakassi Boys to stop the state chapter of the Nigeria Labour Congress (NLC) from a strike action over government failure to pay workers' salaries for four months was a pointer to the politicisation of the vigilante group (Ukiwo 2002). Similarly, in Rivers State, preparatory to the 2003 general elections, the Niger Delta Vigilante and the Niger Delta People's Volunteer Force were sponsored and armed by leading politicians in the ruling PDP (Chigbo 2004).

In addition to the politicisation and manipulation of militias, youth engagement in the electoral processes was partly shaped by the phenomenon of consensus candidates in the internal politics of major parties. This was dominated by the political class or by the imposition of exorbitant fees for nominating candidates for elective positions (Osumah 2010).

The conduct of the 2007 general elections was similar to that of the 2003 nationwide elections. Indeed, the conduct of the 2007 general elections was reportedly worse than that of the 2003 nationwide elections. The contest for the election was regarded by the ruling PDP as a do-or-die battle. International and domestic observers described the election as a 'rape of democracy'. Flurry allegations of impropriety – presumably perpetrated by the lumpen youth – trailed the election results. A total of 1290 petitions were filed at election tribunals to litigate against the declared results by INEC (INEC Report 2011). The courts reversed some of the disputed cases. President Umaru Musa Yar'Adua, even as a key beneficiary of electoral fraud, during his inauguration speech acknowledged that the conduct of the 2007 general elections did not satisfy the conditions of best practices. He then expressed the desire for electoral reform.

Under President Yar'Adua, the Electoral Reform Panel was constituted and was chaired by former Chief Justice of the Federation, Justice Mohammed Uwais. The Panel made recommendations to improve the quality of elections. Following the death of Yar'Adua in 2010, President Goodluck Jonathan became president and continued with the introduction of measures to ensure quality and integrity-driven elections. One such measure was the appointment of Attahiru Jega, a professor of political science reputed for integrity and honesty, who was also a member of the Uwais Panel (Bolaji 2015).

Under Jega's leadership, INEC initiated various reform measures. These included an open and transparent review of voter register, strategic partnership with National Youth Service Corps (NYSC) and renewed modification of the open ballot system. The INEC also introduced security measures to protect ballot papers and ballot boxes, such as colour-coding and serial numbering. In addition, new systems of collating and transitioning results were adopted (Bolaji 2015).

Arguably, these measures made a difference between the 2011 general elections and other elections that had taken place after Nigeria re-democratised in 1999. In particular, they minimised election-related malpractices, petitions and litigation cases. A total of 731 petitions were filed at various election tribunals across the country, which although high was 57% lower than the 1290 registered after the 2007 nationwide elections (INEC Report 2011). However, the new measures did not prevent post-election violence in 2011, which claimed 800 lives (NDI 2012). A greater proportion of participants in the post-election violence were the lumpen youth.

In the context of the dual motivation theory, in the elections prior to 2015, youth political engagement was in consonance with the first tier of participation, namely the desire to change the election outcome for the fulfilment of a certain goal. Also, youth political engagement in elections before 2015 largely reflected the assumption of the traditional doom theory of youth bulge, youth in crisis or lumpen youth culture.

SIGNIFICANCE OF 2015 ELECTION AND MEASURES TO ENSURE ITS SUCCESS

The 2015 general election was significant in various regards. The election was critical to the consolidation of Nigeria's democracy. It was the first general election after 100 years of Nigeria's existence as a nation by reason of the 1914 amalgamation of the Northern and Southern Provinces. Also, the election was the fourth consecutive nationwide election under the civilian administration since the end of the last phase of military rule on 29 May 1999. Furthermore, the election was aimed at electing the president and members of the legislatures, at the federal and state levels, as well as governors of the 36 states of the federation except in seven states (Anambra, Bayelsa, Edo, Ekiti, Kogi, Ondo and Osun). These seven governors' tenures had been altered by judicial pronouncements in earlier elections (INEC 2014).

In addition, the election took place when Nigeria was torn between opportunity and crisis, possibly more than ever in Nigeria's post-independence history. Nigeria, apart from being Africa's most populous country, is a leading contributor in peacekeeping operations and the management of epidemic diseases such as Ebola. Despite this great potential, the country is blighted by poverty, unemployment, infrastructural deficit and insecurity. This scenario meant the elections carried a high stake – or opportunity for change – in governance, security and economy (Thurston 2015).

The election was also a test case for reaffirming the unity of the nation and for reiteration of faith in democracy and a determination to fully join the free

world, where only the people constitute the foundation of governance. This was particularly important as many Nigerians believed that the United States Intelligence Department had predicted 2015 as a 'doom' year for Nigeria as a corporate entity (Adedoja 2012). Although the United States denied this allegation, there was heightened attention by the international community towards Nigeria's conduct of the 2015 elections. The elections thus offered an opportunity for Nigeria to register its presence among civilised nations in terms of the conduct of a credible election. This was against the backdrop that since the restoration of multiparty democracy in Nigeria in 1999, the conduct of virtually all the country's elections prior to 2015 had largely been a travesty. Apart from the 2011 elections, the general elections of 1999, 2003 and 2007 were considered by international observers as hugely flawed (Bolaji 2015).

Furthermore, the 2015 elections were considered to be important for the whole of Africa. In a letter to President Jonathan, Prime Minister of Britain David Cameron stated as follows: 'As Africa's biggest democracy, successful elections in Nigeria are important not only for Nigeria's future but as a signal to the rest of Africa' (Onuah & Payne 2015).

In view of the importance of the elections and challenges arising from the conduct of the 2011 and other earlier general elections, INEC introduced anti-rigging measures such as Permanent Voters Card and Card Reader devices in the conduct of the 2015 general elections. Two peace accords were signed by the presidential candidates for the elections to show their commitment to peaceful elections. The first peace accord – organised by the Offices of the National Security Adviser and Adviser on Inter-Party Affairs to the President, and the National Institute for Policy and Strategic Studies with support from the United Nations Development Programme (UNDP) – was signed in January 2015 by the 11 presidential candidates. This showed their commitment to peaceful elections and the proper management of reactions to the results of the polls (Ezea 2015). The second peace accord was signed by presidential candidates of the All People's Congress (APC) and People's Democratic Party (PDP), Muhammadu Buhari and Goodluck Jonathan respectively. It was organised by the National Peace Committee under the Chairmanship of former Head of State, Abdulsalami Abubakar (Onuah & Payne 2015), and signified the renewal of the candidates' pledge to peaceful elections. This trend was replicated for governorship candidates in various states. For instance, there were peace pacts among governorship candidates in Akwa-Ibom, Kwara and Rivers States (Ashameri 2015, Azubuike 2015).

In addition to the peace accords, there were diplomatic calls from Western powers who appealed to the two main presidential candidates not to stoke tension. In March 2015, United States President Barack Obama issued a direct appeal for

calm. In a letter to President Goodluck Jonathan, British Prime Minister David Cameron called for transparent and non-violent elections (Onuah & Payne 2015). Furthermore, stakeholders such as the media, security agencies, the Economic Community of West African States (ECOWAS), the African Union and the United Nations (UN) played various roles in ensuring peaceful elections. Among these formal and diplomatic measures were youth initiatives aimed at ensuring peaceful 2015 general elections. While this article focuses on the youth's political engagement, it is difficult to be certain how much the various measures ensured the success of the elections.

2015 ELECTIONS AND PARADIGM SHIFT IN YOUTH POLITICAL ENGAGEMENT

Before the 2015 elections in Nigeria, the youth had not been innocent bystanders of social change. They had been innovative, creative and active participants in political processes. In many parts of the world, youth have played a progressive role. They were part of the struggle against repressive regimes in North African countries and the Middle East, such as Syria and Bahrain. The youth were involved in the anti-apartheid struggle in South Africa. In Liberia, youth played a commendable role in the conduct of the 2015 election.

The active role and potential of the youth to contribute to socioeconomic and political development has been recognised by international bodies such as the UN. The UN, through its Department of Economic and Social Affairs, has recognised that young people possess innovation, energy, enthusiasm and exuberance. A study in 2005 on the election in Liberia showed that 54.6% of the 1.3 million registered voters were young adults. Youth groups in Liberia have demonstrated an awareness of the potentially explosive consequences of politically motivated violence. Preparatory to the 2011 presidential election in Liberia, youth groups such as Liberia Youth Christian Men Association were involved in peace education (Mutisi 2012). Ismail et al. (2009), in a study conducted in Liberia, Ghana, Guinea, Liberia, Mali, Niger, Nigeria and Sierra Leone in the West African sub-region, showed that over 70% of the youth expressed faith in democratic elections as a means of bringing about regime change (Mutisi 2012).

With regard to the conduct of the 2015 general elections, youth engaged in various political activities aimed at ensuring the success of the elections. These engagements included peace promotion, popular participation, political education, election monitoring and polling administration. These youth engagements contrasted sharply with the roles of young adults in earlier elections as represented by the doom youth theory.

ELECTION ADMINISTRATION

This was one of the most commendable roles of the youth in the conduct of the 2015 elections. This role was ostensibly executed through the NYSC. Although INEC was statutorily charged with the responsibility of administering the elections, the commission had inadequate manpower to cover the election unaided. NYSC members were recruited as ad-hoc staff to assist in the administration of polling stations, on the basis of the strategic collaboration between the NYSC and INEC (This Day 2015). INEC estimated that about 750 000 ad-hoc staff were needed to conduct the election (The Punch Editorial 2015). The NYSC corps members constituted a significant proportion of the personnel in all 36 states.

The NYSC members demonstrated great courage and resilience during voter registration and polling-unit operations. Their resilience was particularly tested by mammoth crowds that were sometimes unruly, impatient, discontented and violent, following widespread challenges with card readers on election days. In the spirit of selflessness and patriotism, corps member operating polling units had to work late into the night. Indeed, international observers such as the African Union Election Observation Mission (AUEOM) and National Democratic Institute reported that corps members who served as ad-hoc polling personnel were highly professional and effective (AUEOM 2015, NDI 2015).

These young adults often performed their duties at great risk to their lives. Although no corps member was reported to have died in the conduct of the 2015 elections (in contrast to the 2011 elections in which 10 died), they were targets of politically motivated attacks. In the presidential and national assembly elections in 2015, some corps members were reportedly targets of politically motivated assaults in Ijiam ward, Ikwo LGA of Ebonyi State (CDD Report 2015). Arguably, the participation of the youth in the administration of elections at the risk of their lives marks a paradigm shift away from the doom theory and epitomises the second type of participation in the dual motivation theory, which is driven by the call to duty for one's country.

PEACE PROMOTION

The lead-up to the 2015 general election generated much tension and uncertainty, perhaps owing to hate-campaigns, bickering and desperation among politicians. This situation was reminiscent of the events that had preceded the election and post-election violence in 1965, 1983, 2003, 2007 and 2011 general elections. Realising that youth in Nigeria are the instruments and victims of politically motivated violence, youth organisations across the country campaigned for a peaceful election. Youth organisations that were actively involved in peace

campaigns included the Youth Initiatives for Advocacy Growth and Advancement (YIAGA), the Youth Alliance on Constitution and Electoral Reform, Niger Delta Coalition for Change (NDCC), the Young-stars Development Initiative (YDI) and the Commonwealth Youth Council (CYC). These youth groups initiated various programmes to educate young people about non-violent participation and urged politicians not to use youth to commit acts of violence or political hooliganism before, during or after elections. Some youth leaders representing youth faith groups, civil society and youth development organisations met on 3 February 2015 in Abuja and signed a Youth Peace Accord. They undertook to refrain from and prevent violence during and after the election (Jozwiak 2015, NDI 2015, Sahara Reporter 2014).

One of the most prominent youth campaigns for peaceful election was led by a music icon called 2Face Idibia together with the YDI. The campaign's slogan was 'vote not fight: election no be war'. The campaign encouraged youth to make active, positive and peaceful contributions to the 2015 general elections. As a sign of commitment to peaceful elections, the campaign encouraged Nigerian youth to sign the official pledge to vote rather than fight: 'I want a peaceful Naija, therefore I pledge to vote and participate positively in the elections' (Sahara Reporter 2014).

Most other peace campaigns were conducted by youth groups from various ethnic backgrounds, although people's backgrounds played a marginal role in their campaigns. They expressed and manifested their opinions in different ways and through various media. For example, the NDCC opposed the threats by some prominent Niger Delta ex-militants to unleash violence on the country if former President Goodluck Jonathan was not re-elected (News Express 2015). Also, youths in northern Nigeria under the aegis of Arewa Youth Consultative Forum (AYCF) and their South-South counterparts of Ijaw extraction – who were both supporters of the leading presidential candidates – agreed to prevent any form of violence in the country during and after the elections (Eziukwu 2015).

The effects of the activities of these youth organisations are difficult to measure. However, compared with prior elections, wherein young adults were manipulated by politicians to execute violence, the youth increasingly played a vital role in underscoring the importance of peaceful conduct in the 2015 elections. The relatively low number of casualties from violence associated with the 2015 elections indicates the positive outcome of youth peace campaigns coupled with other peace accords. In 2003, more than 100 young people were killed in election violence between May and June. In 2007 and 2011, 300 and 800 young persons respectively were reportedly killed in election-related violence (Jozwiak 2015). In 2015, more than 160 people were reportedly killed (EUEOM 2015).

In the face of fading hopes on account of harsh socioeconomic conditions, the initiatives undertaken by the youth represent efforts to build bridges across

ethnic lines, and to transform the prebendal and predatory social structures of successive flawed elections. Furthermore, these initiatives by the youth – despite their marginalisation and exclusion in key decision-making processes – were an expression of their hope in an ability to engender change in the electoral processes. This example is worthy of emulation by lumpen youths who are often recruited and manipulated by desperate politicians to perpetrate violence in an electoral contest.

POLITICAL EDUCATION

Voter education can make a major contribution to electoral integrity, through a dissemination of balanced and objective information on what citizens need to know to exercise their franchise. Towards the conduct of the 2015 elections, the youth independently and through partnership with INEC were actively involved in voter education. Most youth groups were secular in outlook, with no primordial background playing a role. They had either single or unified political agendas, but represented a broad spectrum of diverse views. They were mainly involved in raising awareness about electoral matters.

Youth groups such as the CYC and AYCF were actively involved in voter education. They urged youth to register with political parties, register as voters, collect their permanent voter cards and defend their votes (Jozwiak, 2015; Sahara Reporter 2014). For example, CYC educated youth on their civic rights and organised public debates on national issues across the country (Jozwiak 2015). Voter education by the youth on issues of national importance was felt more keenly in the social media, although the media was also used to hurl personal, ethnic and religious slurs at one another. The cyberspace was often dominated by hate-campaigns, mudslinging and ethnic politics.

At the same time, the leading presidential candidates realised that young people represented agents of change, as reflected in campaign appeals aimed at young adults for the 2015 election. This was understandable because the youth, who constitute the largest demographic sector in Nigeria, were key voters in the election. Through their numerical strength and being the major attendees at campaign rallies, young people were the focus of campaigns and mobilisation for electoral support. The two leading presidential candidates, Goodluck Jonathan of the PDP and Muhammadu Buhari of the APC, appealed to the youth for support. While Jonathan pointed out that as a younger candidate he would represent the youth better, Buhari promised to tackle youth unemployment, corruption and security challenges. Buhari recruited 25 000 college graduates to assist in his campaign (Nwosu 2015).

ELECTION OBSERVATION AND MONITORING

Electoral observation and monitoring have become an integral part of democratic electoral processes in Africa. Election monitoring plays an important role in enhancing the transparency and credibility of elections and democratic governance as well as acceptance of election results. It also helps to diminish conflict before, during and after elections (International IDEA 1999). Youth organisations were actively involved in observing and monitoring the electoral process. The AUEOM acknowledged this role of the youth (AUEOM 2015). As election monitors, they helped to deter fraud and encourage peaceful conduct across the country. Their monitoring initiatives promoted local ownership, boosted citizen participation and confidence in the electoral processes and reinforced the credibility of the election.

Although the youth played laudable roles in the success of the 2015 elections, there were a few instances where some youth engaged in acts that were destructive. The threat of war by some Niger Delta youths to unleash violence on the country, the hurling of stones on the convoy of President Jonathan in Bauchi and Katsina, and violent attacks in Rivers and Plateau States were clearly destructive (Chidiogo 2015; International Crisis Group 2014).

In the context of dual motivation theory, youth groups that participated in issuing threats to unleash violence on the nation if the former president lost, or who threw stones on the convoy of former president and conducted other violent attacks, arguably participated on the basis of the first tier of the dual motivation theory. By contrast, youth groups that participated actively in the areas of polling unit operations, peace-promotion activities, election observations and monitoring, as well as voter education in the conduct of the 2015 elections, arguably were driven by the second tier of participation.

DRIVERS OF POSITIVE YOUTH ENGAGEMENT IN ELECTIONS

A number of explanations can be constructed for the paradigm shift in the Nigerian youth political engagement in the conduct of the 2015 general elections, compared with prior elections. One of the major factors central to the largely constructive youth political engagement in the conduct of the 2015 general elections was their growing consciousness about the reality that they are the locomotive engine of progress in any nation – on account of their greater numerical strength, exuberance, creativity and impressionability to drive growth and development. Without the popular support of the youth, it would be difficult for any political office seeker to gain access to power through either conventional or foul means. In elections prior to 2015, most members of the Nigerian political class had

leveraged on the gullibility of the youth to whip up primordial sentiments or had used financial inducement to lure them into violent political engagement. Indeed, in those past elections, political ethos had been so underdeveloped and awareness was at such a low ebb among Nigerians – especially the youth – that young adults exchanged their votes for small financial tokens or perks (Okhaide 1996, Osumah 2010).

Although this pattern might not have changed completely in the 2015 elections, arguably it had reduced owing to increasing awareness among the youth. The growing consciousness and realisation among the youth about their potential to bring about positive change may have been influenced by the success of the Arab Spring, which was championed by the youth coupled with the advent of social media – which has facilitated the dissemination of information, rightly or wrongly.

Another key explanatory factor for the positive youth engagement in 2015 is the unenviable record of irregularities and electoral violence and its devastating consequences. As mentioned earlier, since the advent of civil rule in 1999, there has been a progressive increase in the number of deaths of young persons in election-related violence. In 2003, 2007 and 2011 respectively, more than 100, 300 and 800 young adults were reportedly killed in election violence. In 2011, more than 65 000 youth were displaced in post-election violence (Jozwiak 2015). Apart from the loss of life, destruction of valuable property, internal displacement and increasing sense of insecurity, the flawed electoral process had severe implications for democracy, respect for human rights and good governance. It affected the credibility of the democratic system. It legitimised and perpetuated the vicious cycle of the existing culture of impunity among public office-holders and scanty distribution of the dividends of democracy.

Thus a critical driver of the largely constructive engagement of the youth in the conduct of the 2015 elections was the high stake the elections carried for governance, security and economy. Prior to the elections, especially after the January 2012 subsidy riots, there had been mass disenchantment and disillusionment among Nigerian youths about the state of the nation. As shown in Table 1, the level of youth unemployment and poverty had been very high.

Table 1 shows that the youth population in both urban and rural areas of Nigeria had higher unemployment rates than other age categories. Where young adults had been made to believe that they would gain job opportunities, they were fleeced. In some government ministries, departments and agencies (at the local, state and federal levels) jobseekers were reportedly asked by unscrupulous government officials and their collaborators to pay between ₦200 000 and ₦500 000 to secure a job (Suleiman 2013).

Table 1
Unemployment rate (in percent) by age category in Nigeria, 2011

Age Group	Urban	Rural	Total
15-24	33.5	38.2	37.7
25-44	16.3	24.1	22.4
45-59	12.5	19.6	18
60-64	17.8	22.1	21.4

Source: National Bureau of Statistics (2012:43), Social Statistics in Nigeria, Abuja, NBS

Many government establishments that had reportedly been involved in such practices often issued disclaimers to clear their names, and at the same time issued advice to unsuspecting job-seekers to beware of job scammers illegally using those organisations' names.

This did not discount the fact that unemployed youth went through hardship in competing for jobs when government establishments did embark on mass recruitment. A case in point was deaths recorded at venues of an interview test organised by the Nigeria Immigration Service Department in 2014. Against the high level of youth unemployment, there were huge infrastructure deficits across the country and a rising wave of insecurity, as demonstrated by the Boko Haram insurgency which has resulted in the death of over 12 000 persons (Aghedo 2014).

CONCLUSION

This article has illustrated a paradigm shift in youth political engagement in the conduct of the 2015 general elections in Nigeria. Discounting the traditional youth theory of youth bulge, youth in crisis and lumpen youth culture, the paper discussed this shift from destructive to constructive youth engagement. It argued that there is a paradigm shift in the democratic attitudes of the youth, and their political and civic engagement levels in the conduct of the 2015 elections compared with prior elections. The democratic attitudes exhibited by the youth in the conduct of the recent election showed that they believe generally in the importance of having a credible election process, more than ever. Civically and politically, the youth engaged in activities aimed at ensuring more credible elections. This was reflected in the increasing number of youth groups that participated in various activities such as voter education, peaceful promotion, election monitoring and polling unit operations.

In the context of dual motivation theory, the youth political engagement level may have been low in prior elections given the nature of political mobilisation,

exclusionary politics, and corruption of the political class in its quest for public office in Nigeria. In such a situation, where political action was severely constrained, participation in the electoral process on the basis of a duty to be involved in the public affairs of one's own country was not appealing to the youth.

The 2015 elections provided the youth the opportunity to participate in and change the political game. The motivation for this dynamic shift from destructive to constructive engagement in part included the inflammable repercussions of previous elections, the high stakes of the 2015 general elections for governance and growing consciousness of the real potential of young people to act as agents of change (with the aid of social media and given the recent success of the Arab Spring, which was driven by youth). However, young Nigerian adults can further improve their effectiveness in the conduct of future elections by constructively engaging stakeholders in the electoral process. Also, the youth can continue to use various platforms to popularise positive civic and political engagement in future elections.

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TWO DECADES OF ELECTION OBSERVATION BY THE AFRICAN UNION: A REVIEW

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ABSTRACT

Between 1989 and 2013, the African Union (AU) observed 423 elections in Africa. However, these election observation missions were inconsistent at best in terms of approach, methodology, framework and status. The first, which was in Namibia in 1989, was deployed within the framework of the United Nations (UN) statute in terms of which the UN invited the AU. The subsequent election observation missions have to date been deployed either as diplomatic or mediation missions or a combination of diplomatic and independent technical missions. This article shows that the election observation journey of the AU has passed through several stages and regimes. While we recognise the challenges, we also point towards improvement, and identify the missing links that the AU needs to complete to become a truly independent actor in its election observation missions.

Keywords: African Union, democracy, elections, election observation

¹ Views and opinions expressed in this article are entirely the authors' and do not represent that of the African Union Commission.

INTRODUCTION

This article examines the various phases the African Union Election Observation Missions (AUEOMs) have passed through since participation by the Organisation of African Unity OAU² in the UN-led mission to monitor Namibia's referendum in 1989. This historical analysis includes a close examination of the approaches, methods and lessons that can be drawn from the gradual but consistent development of AUEOM methodology. Starting with an overview of the democratic development in post-Cold War Africa, we examine the struggle to end colonialism and the participation of the continental organisation in ending apartheid and occupation. We proceed by drawing a link between the end of colonisation, occupation and apartheid and the development of instruments that form shared African values and norms in democracy, political rights and freedoms. Further attention is given to the changing nature of election observation in Africa by the OAU/AU, from a political-cum-diplomatic mission to an independent and technical mission. This leads into a critical examination of the changing framework from the short-term election observation mission to a long-term observation mission based on the electoral cycle approach. Finally, the article explores and illuminates the progress that has been made thus far, before highlighting areas for further development and improvement.

The end of the Cold War over two decades ago signifies two important developments in world history. It marked the end of nuclear proliferation and the arms race between the two major powers, the United States of America (USA) and the former United Soviet Socialist Republic (USSR). The second development, proceeding from the first, is the spread of democracy in most countries in Africa and Eastern Europe. The 1990s were particularly impressive for Africa as many authoritarian regimes accepted constitutional law, and the spread of democracy

2 On May 25 1963 in Addis Ababa, Ethiopia, the 32 African states that had achieved independence at that time agreed to establish the Organization of African Unity (OAU). A further 21 members joined gradually, reaching a total of 53 by the time of the AU's creation in 2002. On 9 July 2011, South Sudan became the 54th African Union (AU) member.

The OAU's main objectives, as set out in the OAU Charter, were to promote the unity and solidarity of African states; coordinate and intensify their cooperation and efforts to achieve a better life for the peoples of Africa; safeguard the sovereignty and territorial integrity of Member States; rid the continent of colonialism and apartheid; promote international cooperation within the United Nations framework; and harmonise members' political, diplomatic, economic, educational, cultural, health, welfare, scientific, technical and defence policies.

The OAU operated on the basis of its Charter and the 1991 Treaty Establishing the African Economic Community (known as the Abuja Treaty). Its major organs were the Assembly of Heads of State and Government, Council of Ministers and the General Secretariat as well as the Commission of Mediation, Conciliation and Arbitration; Economic and Social Commission; Educational, Scientific, Cultural and Health Commission; and Defence Commission. The Commission of Mediation, Conciliation and Arbitration was replaced by the Mechanism for Conflict Prevention, Management and Resolution in 1993. For more information, visit History of The OAU & AU at <http://www.au.int/en/history/oau-and-au>

and popular participation across different regions of Africa gained momentum. During this period, apartheid ended in South Africa, there was popular rejection of military rule in Nigeria, and many other African countries entered a new trajectory towards democracy. This included the fall of Samuel Doe in Liberia and Mathieu Kerekou in Benin (Fayemi 2009). A new democratic wave thus began to spread across Africa. As a result, multiparty politics led to several elections in different countries.

African countries have continued to implement different electoral systems while there is a growing consensus and recognition that democracy is a lesser evil in terms of political ideology and systems. It needs to be mentioned that attempts to establish multiparty democracy in some African countries have met with resistance from the ruling class, resulting in civil conflict and political instability. Civil conflicts broke out in Somalia, Liberia, Sierra Leone, and the Democratic Republic of Congo (then Zaire).

The acceptance of democracy in Africa after the Cold War is reflected in the recognition by the then continental body, the OAU, of the need to move beyond the struggle against colonialism towards the democratisation of Africa³. This determination was reinforced by its role in ending apartheid in South Africa and the occupation of Namibia by South Africa. The OAU's decision to participate in the referendum of Namibia in 1989 served both to show support and as a statement of intent in ensuring that procedure as contained in the UN mandate was followed. The decision to participate was also rooted in a change in mindset to ensure that Namibia's referendum was democratic and inclusive. The renewed intensity of the OAU towards the liberation of South Africa served also to underscore its commitment to end colonialism and move towards freedom and democracy. At the Declaration and Resolution adopted at the Twentieth Ordinary Session of the Assembly of Heads of State and Government in Addis Ababa, Ethiopia on 12–15 November 1984, the OAU set the tone for a democratic Africa. In Paragraph 7, it stated that South Africa and Namibia cannot be excluded from freedom (OAU 1984).

The 1990s was a decade of mixed fortune for Africa. While democracy was gaining root in Africa, dictatorship was breeding side-by-side, thus restricting the regime change that the OAU had envisaged. There were coups d'état across Africa – including in Nigeria, The Gambia and Sierra Leone. The incessant coups d'état and apparent disrespect for constitutionally elected government in Africa moved the OAU to reject any unconstitutional change as unacceptable, anachronistic and contradictory to the organisation's commitment to promote democratic principles

3 It is worth remembering that previous OAU declarations and decisions regarding colonial rule and domination have referred to democracy through a consistent call for freedom and self-determination.

and conditions (OAU 1999). Pursuant to this declaration, the OAU reviewed the state of democracy on the continent and committed itself to the principle of promoting democracy and condemning coups d'état in a declaration signed in Lomé, Togo, in July 2000. This included a set of common values and principles for democratic governance, a definition of what constitutes unconstitutional change, the development of measures and actions that the OAU would progressively take to respond to an unconstitutional change of government, and an implementation mechanism (OAU 2000).

Further steps were taken during the Lomé Summit with the establishment of the African Union (AU) through the Constitutive Act. The promotion of democratic principles and institutions, popular participation and good governance were clearly articulated in Article 3(g) of this Act (AU 2000).⁴ Pursuant to the new shift in focus from liberation to democratisation, in 2002 the AU adopted the Declaration on the Principles Governing Democratic Election in Africa; the so-called Durban Declaration (AU 2002b). To ensure that those principles constituted a guiding norm for the African democratic process, member states agreed to monitor elections in Africa as one way of ensuring compliance. In doing so, the heads of states and government took further action by embedding election observation and monitoring as part of the AU's monitoring of member states' commitment to democratisation. This was in accordance with the set principles as contained in the Durban Declaration, by developing Guidelines for African Union Electoral Observation and Monitoring Missions (AU 2002a). These instruments were given further impetus in 2007 with the African Charter of Democracy, Election and Governance (AU 2007). Together these instruments have defined and guided the AU's effort to democratise Africa. However, the implementation of the provisions of the various instruments with regard to election observation has been gradual and in some cases elusive.

FROM NAMIBIA TO DURBAN: DEVELOPMENT OF AU INSTRUMENTS ON DEMOCRACY AND ELECTIONS

With the upsurge of multiparty elections in Africa in the late 1980s and early 1990s came the need to have neutral arbiters, particularly from the international community, to observe the extent to which elections conformed to national and international norms. This was also necessary for the consolidation of democracy as most African countries were transitioning from one-party or military dictatorships

4 AU Constitutive Act, 2000.

to multiparty democracies. This period also marked the end of decolonisation with the independence of Namibia in 1989 and the end of apartheid in 1994.

One of the responses adopted by the OAU to democratic process in Africa during this period was that of election observation. This began in Namibia in 1989 and evolved into regular election observation missions in their current form by the AU. The nature and form of election observation by the AU from the 1990s will be dealt with in the next sections. In this section, the focus is on how the OAU gradually developed the normative basis for election observation. This was through what we consider to be normative pronouncements or declarations to binding norms that underpin election observation and democratic practices today. Some key normative declarations will be discussed before the binding norms.

The earliest such declaration was the Declaration on the Political and Socio-economic Situation in Africa and the Fundamental Changes Taking Place in the World, adopted in 1990 (OAU 1990). This document took cognisance of developments not only in Africa but also in the world, and the need for African countries to respond positively. In this sense, African leaders signified their readiness to go along with the new political and democratic dispensations in the world, and accepted the need to open up the democratic space for multiparty democracy (*ibid*). The document thus endorsed demands by social forces for political changes and further underlined the OAU's resolve for democracy to spread in Africa⁵ (OAU 1997).

There was a new milestone following the overthrow of Ahmed Tejan Kabbah in Sierra Leone on 25 May 1997. The OAU under the leadership of Secretary General Salim Ahmed Salim pushed not only for the rejection of unconstitutional changes in government, but also for the non-recognition of any government that came into power through such means, both within and outside Africa (Tieku 2009). Salim also pushed for such states whose governments came into power unconstitutionally to be excluded from participating in the Union's activity (OAU 1998). These resolutions and policy statements culminated in the adoption of the Declaration on Unconstitutional Changes of Government in Algiers in 1999 (OAU 1999).

This declaration was unprecedented on the continent in that it was based on the recognition that unconstitutional changes of government were inimical to and detracted from the consolidation of democracy on the continent. To place this in its proper context, a number of military takeovers had taken place on the continent

⁵ During its Heads of States and Government Summit in Harare in 1997, the OAU called for a more democratic world including the reforming of the Security Council in a democratic manner. It recommended in its decision and declarations the expansion of the numbers of the permanent members of the Security Council to reflect the new and emerging trends in the world, especially the inclusion of members from the African continent.

in the 1990s in defiance of the prevailing notions that democratic governance or constitutional rule was a continental agenda. In reality, what the above declaration sought was to communicate clearly to member states of the OAU and to the world that the OAU, and indeed African states, would not accept frustrations with the ongoing democratic dispensation and were committed to democratic processes. It also sought to reassure sitting presidents and governments that the OAU would support any democratically constituted government who faced armed resistance. Ironically, this meant that sitting military governments who feared resistance also sought cover under this guise while tinkering with the democratic future of their countries. The Algiers declaration discussed above was reinforced a year later by the 2000 Lomé Declaration for an OAU response to unconstitutional changes of government.

While the Algiers declaration was aimed at communicating the rejection of unconstitutional changes of government, the Lomé Declaration was principally about what to do in cases of unconstitutional change of government. This included: (a) intervention by mercenaries to replace a democratically elected government; (b) replacement of democratically elected governments by armed dissident groups and rebel movements; and (c) the refusal by an incumbent government to relinquish power to the winning party after free, fair and regular elections (OAU 1999; OAU 2000; Souaré 2009). The document went further by articulating the form of sanction to be imposed on member states that violated the declaration, including public condemnation and suspension until constitutional order is restored.

The documents therefore strengthen the resolve to provide closure to all forms of unconstitutional changes of government. Since then the OAU, and now the AU, has consistently denounced coups d'état in member states, imposed sanctions and worked towards the restoration of constitutional order. However, critics question the extent of AU application of the norm and argue that the application has been selective at best from one country to another. Souaré (2014) argues that the selective application of the norm relates to conceptual inconsistency in the application of the norms, as well as the failure to understand and interpret consistently the factors that constitute unconstitutional changes of government and the rationale for application. However, the suspension in 2013 of the membership of Egypt, one of the 'big five', shows a step forward in the Union's resolve to attempt consistency in applying the rule. The resolve of the AU through the International Contact Group on Madagascar (ICG-M) in ensuring that article 25(4)⁶ of the African Charter on Democracy, Elections and Governance is respected, points to a new direction regarding consistency in norm application as argued by (Souaré 2014).

6 Article 25(4) states that the perpetrators of an unconstitutional change of government shall not be allowed to participate in elections held to restore the democratic order or hold any position of responsibility in political institutions of their state.

*From Rejection of Unconstitutional Changes of Government
to Development of Appropriate Election Observation
Instruments*

While regular elections were gaining ground all over the continent and were increasingly observed by the AU and other international election observation groups, the elections in most cases fell short of acceptable standards. Yet there were no frameworks on the continent with which to measure electoral standards. To fill this gap, the AU developed a more precise, elections-focused document, the Durban Declaration on Principles Governing Democratic Elections in Africa (AU 2002b). This document focused on certain key principles or standards that democratic elections must meet, and actions that states must undertake to actualise the standards. With reference to the principles articulated in the declaration, it states 'democratic elections are the basis of the authority of any representative government'. It further states that elections are essential for good governance, the rule of law, the maintenance and promotion of peace, security, and stability; and democratic elections are a key element in conflict prevention, management and resolution (AU 2002b). An important aspect of the principles is that they set a yardstick for democratic elections to be free and fair, guided by democratic constitutions and appropriate legal framework, held at regular intervals, and inclusive (AU 2002a). We argue that this yardstick provides the standard with which the AU observes elections.

A complementary document to the Declaration is the African Union Guidelines for Elections Observation and Monitoring Missions of 2002, which provided comprehensive guidelines for election observation activities by the African Union Commission (AU 2002a). The guidelines define *election observation* as 'gathering information and making an informed judgment', and *monitoring* as 'the authority to observe an election process and to intervene in the process if relevant laws or standard procedures are being violated'. The guidelines also provided definitions for *assessment*. The document further provides criteria for determining the nature and scope of AU observation and monitoring; the mandates, rights and responsibilities of AU election observers and monitors; and a detailed code of conduct for AU election observers and monitors (ibid). Another landmark endorsement of the OAU's involvement in election observation was during the 64th Session of the Council of Ministers in July 1996, in Yaoundé, Cameroon. The session, in its deliberations on the Report of the Secretary General on the Process of Election Monitoring by the OAU, called for the OAU to assume greater responsibility in the democratisation process in Africa, including election observation.

While these declarations were useful for the purpose of supporting democratic consolidation and marked a departure from the pre-1990s period when

military rule and dictatorship were the order of the day, they did not go far enough. The argument here is that no country could be held accountable for disrespect towards these declarations. However, we believe that this document informed the subsequent development of more binding regimes or documents such as the Charter, and treaties that countries have to adopt, sign, ratify and take steps to domesticate. Compared with declarations, member states can be held accountable for charters and treaties acceded to. Some of these binding documents include the Constitutive Act of the African Union; the Peace and Security Council Protocol; and the African Charter on Democracy, Elections and Governance. In terms of formality, the most important document on democracy, elections and governance is the African Charter on Democracy, Elections and Governance (AU 2007). It calls for the building of democratic institutions in a manner that supports the organisation of free, fair and transparent elections. The Charter has therefore become one of the key reference points for election observations in Africa.

THE CHANGE IN APPROACH: FROM DIPLOMATIC TO INDEPENDENT AND TECHNICAL MISSIONS

Election observation missions are largely regarded as a technical activity, albeit with obvious political necessity. This is because in addition to undertaking a technical assessment of how an election process is managed, there is always the need for these missions to manage political tensions. This is especially true in African where there is high correlation between elections and the outbreak of conflict. Thus the AU as a continental body has always approached election observation with a 'preventive diplomacy' approach to avert the possible outbreak of conflict. In particular, the role of the head of mission in AUEOMs includes undertaking diplomatic activities to prevent the possible outbreak of electoral violence and conflict. This is equally true for other election observation missions undertaken by regional bodies like the Economic Community of West Africa States (ECOWAS) and the Southern African Development Community (SADC). Nevertheless, finding an important balance between the technical aspect of a mission and its political dimension is necessary for a successful mission. In the early stages of AUEOMs, observer teams comprised mainly career diplomats who might have observed electoral processes through diplomatic and political lenses. An exception was the OAU observation in Namibia, which was to fulfil United Nations Security Council Resolution 435 on the independence of Namibia and was a largely diplomatic activity. Until the operational establishment of the Democracy and Electoral Assistance Unit (DEAU) in 2008, AUEOMs lacked

technical elements. Most AU observers consisted of a team of diplomats from different countries. In fact, priority was given to conflict prevention rather than technical observation.

With the establishment of the DEAU, the AU started to put in place a structured process of recruiting and training observers. Observers are trained using AU election observation methodology, international and AU instruments on election observation, the code of conduct for election observers, and how to use an AU election observation checklist for gathering data. Each AUEOM also includes a technical team from the African Union Commission, the Pan-African Parliament and partner institutions such as the Electoral Institute for Sustainable Democracy in Africa (EISA). This team provides technical support for observers in data gathering, analysis and reporting. This approach underlines the AUEOM's focus on the technical aspect of elections while retaining some level of diplomatic or political representation. Currently, a typical AUEOM is composed of election experts from election management bodies, human rights groups and the civil society organisations (CSOs) who are engaged in electoral processes in their various countries and regions. These groups will always constitute more than 60% of the observer team in any given AUEOM. The political and diplomatic component of an AU mission is made up of members of parliament from the Pan African Parliament and members of the permanent representative committee. This group constitutes the remaining 40% of observers in any mission. It needs to be noted that the blend of diplomats and politicians does not in any way reduce the technical imperatives. This is because for each mission, a three-day orientation and training programme on election observation methodology, observer code of conduct and the use of a checklist is organised. This is to ensure that all observers have the same level of knowledge about the AU's election observation procedures.

Methodological Shift: From Short- to Long-term Mission

The Durban Declaration on Democratic Elections in Africa and the African Union Guidelines for Elections Observation in Africa discussed above envisaged the early deployment of AUEOMs. In other words, they endorsed long-term election observation, although its operationalisation was belated. Thus, from 1989, when the continental election observation started, OAU missions were generally short-term. Usually OAU observers were deployed a few days prior to election day and left immediately after closure and counting. With this approach the AUEOM reports were unable to analyse more deeply the important events in the lead-up to election day – such as constituency demarcation, voter and candidate registration, and post-election dispute settlement. One of the major criticisms against the AUEOMs since their inception has been an inability to strike a balance

between technical imperatives and political exigency. In fact, the AU was accused of lacking an appropriate data collection methodology to analyse election results in line with international standards and best practices. This led to calls from both internal and external stakeholders for the adoption of the long-term election observation methodology.

For instance, in 2010 the AU Panel of the Wise's Report on Election-Related Disputes and Political Violence (AU 2010), recommended that all stages of elections should be properly and effectively observed (pre-voting, voting and post-voting stages), and a comprehensive report on how the electoral processes were conducted should be prepared and submitted to the AUC and African public. The implication of this recommendation was the need for a methodological shift by the AU from short-term to long-term election observation. In practice, this is to allow the AUEOMs to pay attention to all stages of the electoral cycle, which include pre-electoral, electoral and post-electoral activities. The African Union Peace and Security Council reinforced this position during the 2012 briefings by the DPA on elections in Africa, and called for a more comprehensive approach to AU election observation. To give meaning to this request, the DEAU, with support from the UNDP, contracted a consultant to develop a new methodology to facilitate the inclusion of long-term observer (LTO) methodology in the AUEOM. This new methodology was adopted in May 2013 in Johannesburg, South Africa, paving the way for its official acceptance in AU missions.

The LTO experience of the AU was launched in Kenya from 15 January to 15 March 2013. Since this Kenyan period, AU LTOs have been deployed in Zimbabwe, Mali, Guinea, Madagascar, Guinea Bissau and Malawi. The AU has continued to prioritise LTO in its deployments, most recently to Mozambique and Tunisia in last quarter of 2014. This methodological shift has come with the need for the AU to build the capacity of prospective LTO observers and create a roster and database where details of trained long-term observers and experts will be stored and managed.

The first training for LTOs took place in May 2013 and included 20 prospective observers. The selection for LTOs differs significantly from the previous way in which AU observers were chosen, which was based on political and diplomatic importance. The observers were carefully selected after an open call for application, which was followed by shortlisting and training. Thus observers deployed in the pilot countries received training from the AU with support from the European Union (EU). However, the AU has subsequently started training prospective long-term observers, and to date has conducted four trainings for LTOs and election and legal analysts. This new approach confirms the AU's shift from a diplomatic to a more technical and independent mission. Their reports

and conclusions are based on evidence from data generated by LTOs who have been deployed in the country for at least six weeks prior to election day.

ILLUMINATING AU PROGRESS ON DEMOCRACY AND ELECTION OBSERVATION

To properly illuminate the progress made by the AU in recent times, it is important to examine the organisation's work in the area of election observation from both a normative and a practical standpoint. According to Abbink and Hesseling (2000), the various policies and instruments that promote democracy and election observation in Africa lend themselves to various interpretations by different schools of thought. The procedural school of thought argues that normative instruments serve to proffer the solution and close the gap between election as a concept and election as a process. In their view, the normative framework provides the groundwork for procedural adherence. The participatory, substantive and institutional schools respectively argue that the AU instruments on democracy and election acted as a springboard for multiparty elections in Africa (Abbink & Hesseling 2000, pp. 22-26). In essence the development of AU instruments on democracy and election represent an important progress in AU election observation.

As discussed in the previous sections, the AU's progress in defining its norms, principles and values underscores the slow yet consistent and incremental progress of African democracy since the late 1990s. Prior to the development of these instruments, the OAU was left in a state that could best be described as identity struggle. This is primarily because on the one hand, many African countries had gained independence, thus paving the way for democratic transition and democratisation. On the other hand, some countries were still in the clutches of colonisation, apartheid and occupation. Therefore, the OAU was faced with the struggle between challenging colonial rule and the democratisation of Africa. What constituted democratic ideals, values and principles in Africa at that time was not entirely clear to the Union, especially when some of the countries were still governed by undemocratic regimes. Therefore, discussions and debate on democracy were rarely the focus of discourse in a union where heads of states came to power undemocratically. Accordingly, we argue that the development of a normative base amongst difficult dictatorial and military regimes does constitute both achievement and progress.

Indeed, the normative instruments provided the basis upon which the AU would later demand assessment, through election observation, in order to ensure continual improvement in democratic principles and values in Africa. In short, the OAU could not have effectively observed elections within the context of prevailing

military regimes and unconstitutional changes in government in Africa at that period without these continental norms.

Combined, the AU normative progress discussed in the previous section sets the stage for an independent election observation mission. Certainly, the incremental progress in the development of the instruments also brought a continual reshaping of AUEOM methodology in line with the principles of the AU declarations and charters. However, the development of these instruments also created the space for waves of civic advocacy and engagement in several African countries, which added impetus to the demand for democratic change. In most countries that transitioned from military rule to democracy, there were several citizens' demands for change. Therefore, the change did not merely emerge as a result of AU sanctions, but rather through popular demand and agitation for democracy by several non-governmental organisations and civil society groups. These groups strive to hold their governments accountable and to remind the AU of its role in ensuring that instruments are respected by member states.

At the same time, other African initiatives on democracy and election were gaining ground and demanding a greater commitment from African states. In 2001, the New Partnership for Africa's Development (NEPAD), through its Democracy and Political Governance Initiative, compelled African leaders to commit to the promotion and protection of democracy and human rights in their respective countries by developing accountability and participatory governance standards at national and sub-regional levels (NEPAD 2001). In the next section, we further examine this progress from a practical and methodological perspective.

The transition of the AUEOM from a diplomatic mission to an independent mission, and from a short-term to a long-term mission, has no doubt had a positive effect in reshaping public and international perceptions of AU observation in the last decade. The various instruments of democracy and elections identified and explored above have enshrined the roles and responsibilities of the various institutions, stakeholders and authorities in strengthening electoral processes and practices towards democratisation in Africa. However, not much has been done to ensure that member states adhere to those principles and guidelines. Table 1 shows an overview of elections observed by first the OAU and subsequently the AU between 1989 and 2013. This is followed by an in-depth discussion of the practical progress that has been made in terms of improving the quality of election observation missions in the continent by the African Union.

When the OAU/AU started observing elections on the continent, it struggled to operationalise its mandate and mission, and these challenges manifested in different forms. Firstly, as a union, the organisation failed to reconcile whether it needed a unified mission or a divergent mission. It had two parallel missions, one from the commission and the other from the Pan-African Parliament (PAP). Both

Table 1
Election observation since 1989

Year	Presidential	Legislative	General	Referendum	Total
1989				1	1
1990	2	3	2	3	10
1991	4	4	1	5	14
1992	6	10	4	12	32
1993	8	9	2	3	22
1994	1	5	3	3	12
1995	1	7	1	2	11
1996	13	9	1	4	27
1997	3	7	2	1	13
1998	4	7	1	1	13
1999	5	8	3	1	17
2000	4	5	2	3	14
2001	8	5	1	5	19
2002	5	12	2	1	20
2003	6	5	0	1	12
2004	3	8	2	0	13
2005	5	6	3	5	19
2006	8	4	3	1	16
2007	5	12	4	2	23
2008	2	7	0	0	9
2009	13	11	0	0	24
2010	8	8	0	2	18
2011	14	14	1	1	30
2012	6	12	1	0	19
2013	2	10	2	1	15
Total	131	176	37	55	423

Source: Authors' table based on records of elections conducted in African from 1989 to 2013.

the AUC and PAP were deploying their own missions with almost completely different approaches and methodology. While the AUC mission was composed mostly of CSOs and diplomats, the PAP mission was composed entirely of PAP Members of Parliaments (MPs). The implication was that the AUC mission, although political and diplomatic in nature, tried to consider technical aspects of election observation. Conversely, the PAP mission viewed observation as a parliamentary decision, and hence the decision on whether or not an election was credible depended on the number of its supporters. It was, in fact, treated as a parliamentary vote.

The two missions also operated in silos, with neither operational nor coordination communication. They were critical of each other, with mutual accusations about lacking an observation methodology. An example is the different statements made in the aftermath of the 2008 elections in Zimbabwe. This division and lack of synergy between the two AU missions led to an internal decision to merge the two missions into one. This in essence solved the unified mission problem – and is considered in this paper as progress in practical and operations terms.

The second issue was the capacity to move from being a diplomatic to an independent technical mission. This relates directly to converting the declarations and principles into actionable directives in practical terms. Essentially, the AU in its early stages struggled with the methodology and practical process of deployment and the management of missions. This was especially so in ensuring that AU instruments were applied in the deployment, coordination and release of AUEOM reports. The AU struggled to interpret its mandate and ensure that the various clauses in the mandate were implemented in every mission. For instance, the AU does not possess any roster of professionally trained analysts from which it could recruit observers. However, since 2013 the Democracy and Electoral Assistance Unit (DEAU) has started the training of professional long-term observers and analysts as a way of filling the gap and continuing in its transition trajectory.

There was also gap in the release of the report for public use and the legitimisation of the AU mission. Although Section V1 (g) of the Durban Declaration on the Principles Governing Democratic Election in Africa clearly states that the AUC should release the AUEOM reports for public consumption, such provision eluded the commission until November 2012. The commission then adhered to the provision and began publishing AUEOM reports for public use on the AUC website. This decision not only filled the missing gap in terms of public demand but also raised the status of the AUEOMs. In addition, it created the opportunity for public engagement with the report and for development of the means to ensure that recommendations of such reports are implemented before the next election.

The transition from short-term to long-term mission was a result of the accompanied expansion required to ensure comprehensive methodological and procedural transition. This expansion includes the training of observers; the publication of a manual, guidelines and handbooks; and the development and design of observation rosters and of a database. An important step forward in this transition from short-term to long-term was the development of a professional roster. Prior to the adoption of the long-term framework and methodology, the selection of AU observers was carried out in an ad hoc manner without clearly defined criteria for selection. Observer selection was based on political and social capital rather than on professional and expert experience. With the adoption of the long-term approach, the AUC developed a clean roster where details of fully trained observers are stored and retrieved when required for mission. This roster also contains space for experts in different areas of election analysis to be trained and maintained for use in any AU mission. The new roster is accompanied by the training of AU long-term observers and experts. In addition to this training, the DEAU has developed a curriculum for training LTOs and experts. Since the development of these important elements of AU mission, the DEAU has conducted several training courses to build capacities of Africans as election, legal, conflict, medial and minority experts. One important objective and element is that the trained LTOs and experts will constitute a database of African experts on elections who can subsequently be used as experts, LTOs and trainers.

A closely related area of improvement was the development of new tools and methodology for election day observation. The DEAU has made improvements in the redesign and redevelopment of its election-day observation checklist in order to improve its data collection and analysis.

Importantly, the AU has also moved to ensure that AUEOM report recommendations are implemented by member states by developing a strategy for implementing these recommendations. This strategy is currently in its pilot stage, after which the AUC will evaluate and escalate the project to many other countries.⁷ The strategy is linked to the AU electoral assistance programme. In essence the AU will determine the direction and nature of its electoral assistance by ensuring that countries properly consider AUEOM recommendations when requesting assistance.

In summary, with the new long-term methodology, observers are recruited transparently and professionally. This is possible with the training of new observers and experts as well as the design of the roster and database. The selection of observers and experts is henceforth mainly from the roster of trained

⁷ DEAU is working with the Malawi Electoral Commission on implementing the AUEOM report recommendations for 2014.

experts and observers. In addition, the new long-term methodology provides for a longer-term approach where AU long-term observers are deployed six weeks prior to election day and two weeks thereafter. This is clearly in line with other international practices like the European Union election observation missions (EU 2009).

In the next section, we examine the additional steps required for the AU to ensure that its mission is fully technical, professional and independent. This is to ensure that data generated across the different stages of the election process forms the basis of analysis and conclusion.

WHAT LIES BEYOND: THE MISSING LINKS

In term of looking beyond the current situation, it is crucial that the AU builds on existing progress by ensuring that the AUEOM is professionalised and fully independent. The AU has conducted several elections in the past, and one criticism against it is that it has failed to maximise its potential as the continental body. In most cases, the level of analysis and the methodological rigour have been questioned. It is imperative that the AU continue its development to ensure consistent and continuous improvement in its methodology, approach and analysis in a way that not only conforms to international standards and best practices but also shows respect for its own normative frameworks.

One way of establishing this is to ensure that the long-term framework is fully translated into practical actions. This would require continual training of potential long-term observers and experts as well as ensuring that trained LTOs and experts are utilised in different missions. The advantage is that the AU can subsequently ensure that the roster of observers for selection consists exclusively of fully trained experts. They should be capable of interpreting and analysing AU instruments and norms on elections but also work to ensure full implementation of the long-term framework. This means that the new sets of LTOs and experts would be considered as a pioneer resource for the full implementation of the AU LTO framework. This will also ensure that the AU, through the DEAU, positions itself to ensure the continual upgrade of the election database and roster in a sustainable manner. It is important that while the AU is improving its election observation methodology, there should be a benchmark by which it measures its own improvement.

The development of a clear communication strategy for the AU mission is also important. Over and above the development of such a strategy, the new AU framework must be adequately communicated and disseminated to all relevant stakeholders to ensure compliance with – and the legitimacy of – the instrument. This requires communicating the methodological changes to the current and

prospective heads of missions in a way that ensures comprehensive understanding of the objective of the new long-term methodology and the role expected of the mission leaders. An annual consultative retreat for heads of missions and prospective heads of mission would serve this purpose effectively. Within this context, the AU can thus review the changes on the mission from a technical angle. This would also ensure that new entrants would be fully briefed on both the technical imperatives and political exigency of an AU mission. An important tool to ensure such understanding is the development of a head of mission *aide-memoire*. This would eventually bridge the gap between the technical imperative and political exigency by ensuring that heads of missions understand both the technical needs of the mission and the limits of political considerations.

Consideration should also be given to the need to ensure continuous capacitation of the DEAU, which is responsible for the planning, coordination and management of the AUEOMs. While the need for training observers and experts was highlighted in the previous paragraphs, it is far more crucial that the capacity of the staff responsible for running the entire process of election observation in the AU be developed. Putting the new long-term framework into perspective, the full implementation of this new framework requires improved capacity of the personnel within the DEAU in qualified and quantitative terms. This is of considerable importance if the DEAU begins the deployment of core teams to its LTO missions. Therefore, given the work level with the DEAU and the imperative to observe all national elections in Africa, it is important that the AU should think beyond the current state of affairs within DEAU and ensure that plans for incremental improvement in its human capacity are included in its long-term planning.

While the DEAU is currently deploying LTO, an urgent decision is required on the deployment of core teams. The AU's move to long-term observation would require a dedicated core team on the ground for every long-term mission. The core team should include trained experts capable of analysing the different aspects of the elections and of presenting a credible report to the AU. For the sustainability of its long-term mission, the AU should develop an annual training plan for experts and core team members that DEAU would rely on for the quality and credibility of the mission. This also applies to the training and pooling of LTOs.

Under what condition does the AU send an LTO or STO Mission? What are the criteria for selecting a country for either of these missions? These are crucial questions that the AUC should answer internally in order to make the AU long-term mission purposeful and value-driven. Implementing the AU long-term framework therefore demands that a proper yardstick is developed to determine the following: (1) whether the AU should deploy a mission to a particular country, and (2) what type of mission should be deployed. A proper assessment in the

form of either an exploratory mission or a pre-election assessment mission would be able to answer these questions. In addition, this could serve as a means to mitigating electoral violence because such data could identify potential triggers and indicators of electoral violence. This could be averted by the intervention of the AU before the election through the Office of the Chairperson or the Peace and Security Council of the AU.

Special attention should be devoted to ensuring that the AUEOM recommendations are implemented by member states before the next election. The AU has started an initiative on a follow-up to the implementation of observers' recommendation. A draft strategy has been in place since 2013. Therefore, the AU should ensure that the initial pilot cases form the basis for further escalation to ensure that AUEOM recommendations are implemented. From an optimistic point of view, the AU could use this strategy as a way of advocating for institutional and electoral reforms in member states in line with the African Union Charter on Democracy, Elections and Governance.

Building stronger relationships with the regional economic communities (RECs) such as ECOWAS and SADC is another important dimension. Such collaboration would take various forms and could be structured from a purely technical standpoint. Some of the collaborations could include working towards a continent-wide training curriculum on election observation, harmonising the various observation methodologies between the AUC and the RECs, and in particular working towards the adoption of the AU long-term methodology as a preferred continental methodology for election observation in Africa. Other areas could include structuring a formal process of sharing information and data between the AUC, RECS and CSOs during missions.

CONCLUSION

In this article we have considered how the AUEOM has evolved from diplomatic and political missions to independent and technical missions. While examining these changes, we identified that the most important change so far has been the shift away from short-term to long-term election observation missions based on an electoral cycle approach. While our analysis challenges the AU to take further steps to ensure that the AUEOM is fully professional and that reports are based on evidence generated over a period of time by trained observers and experts, we recognise that the AU election observation trajectory has been through different stages. These stages include the struggle for freedom, human rights and democracy within the context of apartheid and occupation – and in some cases colonialism; norm-setting in a democracy; anti-coup and unconstitutional change; and the regime of election observation as a means to confirming state

compliance. Finally, the current regime is focused on professionalising the AUEOM and making it an independent technical mission.

In conclusion, we recognise that while the AU faces challenges in reaching its desired technical competence in terms of election observation, it also identifies areas of immediate short-term improvement. An important linkage is drawn between the AU as the continental body and the RECs. Although there are still gaps in the deployment of AU election observation, the sustainable consolidation of democracy and electoral transparency in Africa entails an appreciation of the democratic trajectory, identifying the gaps and accepting the need for improvement.

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CÔTE D'IVOIRE'S 2015 PRESIDENTIAL ELECTION: *A Sign of Democratic Progress?*

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ABSTRACT

The 2015 presidential election in Côte d'Ivoire was the first since multiparty elections were introduced in 1990 in which all major parties were able to compete without triggering a civil war. We examine the extent of democratic progress registered by this milestone election, focusing on three democratic qualities of elections: competition, participation, and legitimacy. Whereas competitiveness and participation measures both fell relative to the 2010 election, the 2015 election was contested by all major parties and its results were accepted peacefully, registering a dramatic step forward in the legitimacy of the electoral process and outcome. We support this conclusion with a historical analysis; and by comparing the final 2015 results with parallel vote tabulation for the 2015 election, Afrobarometer survey data from 2014, and a subnational analysis of voter turnout in 2015 relative to 2010.

Keywords: competition, participation, legitimacy, democratisation, post-conflict

INTRODUCTION

On 25 October 2015, more than 3 million people voted in the presidential election in Côte d'Ivoire. Incumbent president Alassane Ouattara won 83.7% of the vote, securing his second term in office. The 2015 presidential election was the country's first since its founding father had died in 1993 in which the main opposition was not banned and the result did not trigger a civil war. Observers heralded the election as a success. The broad question we raise in this article is: To what extent can we claim that the 2015 presidential election in Côte d'Ivoire was a sign of democratic progress?

Although the etymology of democracy is clear – 'rule by the people' – scholars disagree about how to measure democracy. One characteristic common among definitions of democracy is the role of elections, which give citizens the power to choose their leaders and representatives. Although proponents of single-party regimes argue that only one party is necessary in a democracy, most modern scholars of democracy consider contestation among political parties to be a key component of democracy. Robert Dahl (1975, pp. 3-7), for example, itemised a list of eight required institutional guarantees for democracy, including freedom of expression, right to vote, and free and fair elections. However, he argued that these eight guarantees could be interpreted as constituting two dimensions of democratisation: political competition and inclusiveness. Dahl argued that as a regime increases in inclusiveness and/or increases in the level of public contestation, its level of democracy increases incrementally.

Adam Przeworski and his co-authors (2000, pp. 15-20) focus on contestation as the key ingredient of democracy. Whereas Dahl conceptualises democracy as something that can be measured along a continuum, Przeworski and his co-authors view democracy as dichotomous; either a regime is democratic or it isn't. According to their definition, a regime is democratic if the following conditions are met: the chief executive and the legislature are elected; there is more than one political party; and electoral alternation has occurred, which means an opposition party has defeated the incumbent party and been allowed to take office. Samuel Huntington (1993, p. 267) argued that democracy becomes consolidated after two alternations or turnovers, which would demonstrate that two major political parties were committed to democracy enough to surrender power after losing an election.

Staffan Lindberg (2006, pp. 37-45) agrees with Dahl that democratisation is a continual process, and focuses on three democratic qualities in elections. In addition to Dahl's requirements for political participation and competition, Lindberg includes legitimacy. Especially in new democracies or regimes where the ruling party always wins, elections may be viewed as an empty exercise or may

trigger violence if voters do not accept the process and the outcome as legitimate. Lindberg argues that elections that are participatory, competitive, and legitimate – even if they do not result in alternation of power – contribute to democratisation by strengthening civil liberties in the society.

In this article, we consider these ‘requirements’ of democracy to interrogate the claim that the 2015 election provides evidence of democratic progress in Côte d’Ivoire. In particular, we assess to what degree the election was competitive, inclusive, and legitimate relative to previous elections. In short, we find that relative to the 2010 presidential election, which was decided in a close run-off, the 2015 election was not very competitive. However, the 2015 election was far more competitive than most elections in the history of Côte d’Ivoire, which were often uncontested or boycotted by major parties. Similarly, although voter participation in the 2015 election was lower than in 2010, it was higher than in the boycotted presidential elections of 1995 and 2000. (The 2005 election was never held.)

The strongest evidence for greater democratisation in the 2015 election is in the area of legitimacy. Whereas previous elections had legitimacy challenges because of boycotts by major parties or because results were rejected by losers who responded by instigating civil war, the 2015 election was largely peaceful and its results were widely accepted.

Our analysis begins with situating the 2015 election in Côte d’Ivoire’s broader political–historical context. To what extent did the 2015 election mark a departure from earlier elections? To answer this question, the following section gives a start-to-end overview of the election based on media reports and official election results. We then summarise the legal framework of election administration in Côte d’Ivoire, assess adherence to the ‘rules of the game’, and show how inclusion of a range of candidates suggests greater competition in the process – even if this competitiveness was not reflected in the lopsided results. The next section draws largely on observers’ reports, which suggest that the ‘peacefulness’ of the 2015 election trumped all other qualities in branding the election a democratic success. The penultimate section interrogates this success by exploring patterns of turnout and support, and by comparing the official results with a parallel vote tabulation, recent polling data from Afrobarometer, and subnational data on voter turnout in the 2010 election. The final section offers a conclusion to the paper.

POLITICAL–HISTORICAL CONTEXT OF CÔTE D’IVOIRE SINCE INDEPENDENCE

For the first 30 years of Côte d’Ivoire’s independence, the only effective political party was the *Parti Démocratique de la Côte d’Ivoire – Rassemblement Démocratique Africain*, (PDCI-RDA or Democratic Party of Côte d’Ivoire: African Democratic

Rally). President Félix Houphouët-Boigny, who founded the PDCI in 1946 during French colonial rule, won six uncontested presidential elections between 1960 and 1985. Participation was fairly high: official voter turnout was often over 99%; more than 2 million voters voted in 1970, and by 1985 over 3 million voters voted for the president. Despite this trend, there was no contestation (African Elections Database 2012).

Economically, Côte d'Ivoire was among Africa's greatest successes (some called it the 'Ivorian miracle') for the first two decades of independence, powered by an expansion of cash crops such as cocoa and coffee. To enable this agricultural expansion, the country was open to immigrants from neighbouring countries such as Burkina Faso, and by the 1970s more than a quarter of the country's population were immigrants (Nugent 2004, p. 180). However, this acceptance of immigrants would not be so warm in later years of economic decline and greater political competition.

In the 1980s, Côte d'Ivoire experienced the same economic downturn and resulting protests and demands for multiparty presidential elections seen elsewhere in Africa. Houphouët-Boigny cleverly agreed to multiparty elections in 1990, before the opposition was able to organise a credible challenge (Nugent 2004, p. 398). The main opposition candidate, Laurent Gbagbo of the *Front Populaire Ivoirien* (FPI, Ivorian Popular Front) won a mere 18% of the vote against 82% for Houphouët-Boigny in the 'less than fair' election (Nugent 2004, p. 398). Following the 1990 election, the regime made it 'virtually impossible for opposition parties to mobilise their supporters, while Gbagbo himself received a two-year prison sentence for incitement in 1992' (Nugent 2004, p. 398).

As Houphouët-Boigny's health declined, Prime Minister Alassane Ouattara assumed more responsibility for running the country. However, when Houphouët-Boigny died in 1993, Henri Konan Bédié, Ouattara's rival and the head of the National Assembly, assumed the presidency. Ouattara resigned his post, left the country to work for the International Monetary Fund and joined a new party, the *Rassemblement des Républicains* (RDR, Rally of the Republicans). He intended to contest the 1995 presidential election. Bédié saw Ouattara as a potential threat, and before the 1995 election introduced an ultranationalist policy known as *Ivoirité* in a new electoral code. *Ivoirité* excluded presidential candidates whose parents were not Ivorian. Bédié's supporters declared that Ouattara was not Ivorian, claiming one of his parents was from Burkina Faso (Whitaker 2005). With Ouattara (RDR) excluded and Gbagbo (FPI) boycotting, Bédié won the 1995 election with 96% of the vote. Compared with 1990, the 1995 election registered a decline in levels of participation (fewer than 2 million votes were cast) as well as competition and legitimacy.

By the 1990s, immigrants made up one-third of Côte d'Ivoire's population, mostly in the north, and citizenship played an increasing role in politics. In 1999 General Robert Guéï took power in the country's first coup d'état, with the avowed goal of restoring a sense of national unity and to hold free and fair elections (Nugent 2004, p. 478). Before the 2000 election, a referendum was held for a new constitution, which included the exclusionary rules of the 1995 Electoral Code and other restrictions in Article 35. Ouattara was again excluded, as were Bédié and ten of the other 15 candidates (Whitaker 2005; Piccolino 2014).

With Gbagbo as the only candidate of a major party (FPI) running against General Guéï in the 2000 election, Gbagbo won a majority. Guéï attempted to declare victory until three days of protests forced him to flee the capital (Daddieh 2001; Whitaker 2005). There were calls for fresh elections in which more candidates – including Ouattara – could compete, but Gbagbo maintained Ouattara was a foreigner and said there was no need for new elections (Whitaker 2005). *Ivoirité* policies continued: Gbagbo's government denied many northerners certificates of nationality if they did not have documents proving their parents were Ivorian, and there were reports of a planned *Ivoirité* purge of northerners in the military (Bah 2010). This led to the outbreak of war in 2002. Rebel forces attacked Abidjan and other cities, with the stated goals of overthrowing Gbagbo, holding inclusive elections and reinstating disbanded soldiers.

As the war continued, international actors such as the African Union, the Economic Community of West African States (ECOWAS), the United Nations and France mediated a series of peace talks in Accra, Lomé and Paris (Bah 2010). Following the Accra III Agreement in 2004, the FPI-led legislature agreed to pass a law reforming the constitutional requirements for presidential candidacy in preparation for elections in 2005. The legislature also insisted that a constitutional referendum – which has never been held – was necessary to finalise the change (Piccolino 2014). Soon after, however, the military situation deteriorated as government forces inadvertently hit French bases while bombing rebel positions and France retaliated (Bah 2010).

By 2006 war fatigue had set in, Gbagbo's electoral mandate from the 2000 election had expired, and leaders of government and rebel forces realised that military victory was beyond reach. In 2007 Gbagbo invited President Blaise Compaoré of Burkina Faso to facilitate peace talks, resulting in the Ouagadougou Agreement, which ended the war that year and addressed issues such as issuance of national identity cards. Voter registration began in 2008, but elections were postponed in 2009. In early 2010 Gbagbo dissolved the government; he also dissolved the electoral commission, which he accused of voter registration fraud (Bah 2010). This action was followed by popular unrest (Piccolino 2012). After

commissioning several opinion polls that convinced him he would win, Gbagbo allowed the election to go forward in October 2010.

In the 2010 presidential election, 14 candidates were on the ballot, including leaders of the three major parties: Gbagbo (FPI), Ouattara (RDR) and Bédié (PDCI). In the first round, the top two vote-getters were Gbagbo, the incumbent president; and Ouattara. They received 38% and 32% of votes respectively. Former president Bédié came close to achieving a second-round bid with 25% of the vote.

A second-round runoff election was held on 28 November. On 2 December the *Commission Electorale Independante* (CEI, Independent Electoral Commission) declared Ouattara – who was endorsed in the second round by Bédié (Bassett 2011) – the fourth Ivorian president. He had reportedly won 54% of votes cast. The Constitutional Council, whose members are appointed by the president, then invalidated the results from the northern regions (Ouattara's stronghold) and announced that Laurent Gbagbo had been re-elected with 51% of the vote. Both men swore an oath of office on 4 December 2010.

Ouattara had the support of much of the CEI and the international community, but Gbagbo had the support of the Constitutional Council and the military. Gbagbo refused to step down despite certification by the United Nations Organization in Côte d'Ivoire (ONUCI) of the election results as proclaimed by the CEI. A second civil war broke out for several months, and more than 3000 Ivorians died in the violence between Gbagbo's and Ouattara's supporters (Human Rights Watch 2011).

Gbagbo was arrested on 11 April 2011, and was turned over months later to the International Criminal Court (ICC) to be tried for crimes against humanity committed in the post-election period. Ouattara was declared president on 6 May 2011 by the Constitutional Council. Ouattara's inauguration in the political capital, Yamoussoukro, on 21 May 2011 was attended by many heads of state, including Nicolas Sarkozy, then president of France. Although the outcome had been delayed, the 2010 election was notable because Gbagbo was the first incumbent Ivorian president to be defeated at the ballot box.

The 2010 election was the third consecutive presidential election in Côte d'Ivoire (following 1995 and 2000) that led to significant conflict. When assessing the democratic quality of the 2010 election, it scored well on public contestation and participation: total votes exceeded 4 million for the first time. However, the election suffered from challenges to its legitimacy.

Like beauty, legitimacy is in the eye of the beholder. The CEI, the international community and a major share of Ivorian voters accepted Ouattara's electoral victory, but a substantial portion of the population challenged it. In his work, Lindberg (2006, p. 43) measures legitimacy with three indicators: losers' acceptance of the results; a peaceful campaign and polling day; and electoral regime survival,

including an absence of coups or civil wars, after the election. The 2010 election failed on all these measures.

In summary, the political–historical context preceding the 2015 election was notably undemocratic. Following the first multiparty presidential election in 1990, in which the country’s founding father had won a seventh 5-year term, the main opposition had boycotted the 1995 election because of an electoral code that blocked Ouattara from competing. A military coup preceded the 2000 presidential election, in which Ouattara was again excluded. Civil war followed, which lasted until 2007. The 2005 presidential election was never held. The incumbent – Gbagbo – and Ouattara both claimed victory in the 2010 presidential election, triggering a second civil war. An important feature of the 2015 election, therefore, was its relative calm and the acceptance of the results by losers, which indicates domestic legitimacy.

OVERVIEW OF 2015 PRESIDENTIAL ELECTION IN CÔTE D’IVOIRE

Candidates

The Constitutional Council published the final list of presidential candidates on 9 September 2015. After reviewing 33 applications, the Constitutional Council validated ten candidates.

President Ouattara was the candidate of a multiparty coalition called the *Rassemblement des Houphouëtistes pour la Démocratie et la Paix* (RHDP, Rally of the Houphouetistes for Democracy and Peace). The coalition included Ouattara’s RDR, PDCI-RDA (which continues to be led by Bédié), *Union pour la démocratie et la paix en Côte d’Ivoire* (UDPCI, Union for Democracy and Peace in Côte d’Ivoire), *Mouvement des forces d’avenir* (MFA, Movement of the Forces of the Future) and *Union pour la Côte d’Ivoire* (UPCI, Union for Côte d’Ivoire).

Running at the age of 73, Ouattara was expected to win re-election because of his strong economic performance (Economist Intelligence Unit 2015a; Africa Confidential 2015a) and his endorsement by his rival, former president Bédié. Under Ouattara, Côte d’Ivoire had experienced what some called a ‘second miracle’ (Fick 2015). With GDP having grown 9% annually for the past three years, the country was again one of the fastest-growing on the continent. However, this growth had not trickled down to all citizens, which contributed to dissent among Gbagbo’s former supporters. Some in the opposition questioned President Ouattara’s eligibility to stand for election (Brice 2015), rehashing doubts from earlier elections about the nationality of his parents (Whitaker 2005).

With Bédié and his PDCI supporting Ouattara, Ouattara’s main opponent was Pascal Affi N’Guessan, who was prime minister during Gbagbo’s presidency. N’Guessan led the FPI in the absence of the more charismatic Gbagbo, who

was in prison awaiting trial in the ICC for his role in the civil war after the 2010 election. Between Gbagbo's absence and the lack of a national political presence after having boycotted the 2011 parliamentary and 2013 local elections, the FPI faced a serious disadvantage against the ruling party, even if it had significant popular support (Economist Intelligence Unit 2015a).

N'Guessan represented a multiparty coalition called the *Alliance des Forces Démocratique* (AFD, Alliance of Democratic Forces), including the FPI and 11 smaller parties (PIT, RPP, AIRD, PRI, NACIP, RDP, UDP, UDTCI, URD, UNG and PCI). N'Guessan and the faction of the FPI that supported him decided that a boycott was not in the party's best interest (Bavier 2015). A hard-line faction of the FPI, however, sought a boycott of the election and tried to remove N'Guessan from his post as leader of the party.

The remaining candidates had little chance of garnering much electoral support. Three members of the *Coalition Nationale pour le Changement* (CNC) ran, including its leader Charles Konan Banny and Bertin Konan Kouadio, both formerly members of the PDCI party who opposed the party's support of Ouattara. Banny and Bertin Kouadio entered the presidential race as independents (Economist Intelligence Unit 2015a). The third member of the CNC, Mamadou Koulibaly, was the former president of the National Assembly and a member of the *Liberté et Démocratie pour la République* (LDR, Liberty and Democracy for the Republic) party. Another prominent former member of the PDCI party, Amara Essy –former secretary-general of the Organisation of African Unity – also entered the race as an independent. Former minister Henriette Lagou Adjoua, one of two women among the ten candidates, represented a centrist platform, which included three parties (CPP, PDR and PIA). The other woman, Jacqueline-Claire Kouangoua, ran as an independent, as did two other minor candidates, Siméon Konan Kouadio and Kacou Gngangbo.

The Campaign Period

Once the Constitutional Council has validated the candidates, the Electoral Code provides for a 14-day campaign period during which candidates have 'equal access to official bodies of press, radio and television ... guaranteed by the National Council of Audiovisual Communication'. Candidates are barred from engaging in campaign activity beyond the official campaign period, including the two days before the election. The official campaign period ran from 9 October to 23 October 2015.

Ouattara enjoyed a significant advantage over his challengers in the campaign, particularly with regard to campaign finance. Government funds finance political parties pursuant to Article 9 of Law No. 2004-494 of 10 September 2004. Presidential candidates enjoy an exceptional grant, the amount of which is entered

in the budget for the year of a presidential election. In 2015, President Ouattara set aside 100 million francs CFA (approximately \$170 000) for each eligible candidate. One estimate put Ouattara's campaign budget at \$168 million – ten times more than that of his competitors combined (Africa Confidential 2015b). Because they were drawing from meagre budgets, campaigns for opposition candidates relied mostly on campaign staff rather than successful private agencies for communication strategies. This made Ouattara's campaign seem even more polished by comparison (Niakate 2015). Likewise, Ouattara's incumbency status enabled him to travel around the country on 'state visits', which after 9 October were called 'campaign rallies' (Africa Confidential 2015b).

Candidates Koulibaly, Essy and Banny withdrew from the election on October 9, 13 and 23 respectively, claiming conditions for a transparent election had not been met. Koulibaly and other members of the CNC called for a boycott of the election (Human Rights Watch 2015, United Nations Security Council 2015).

Ouattara thus enjoyed significant incumbency advantages, which tend to be overwhelming in dictatorships that hold elections, but are also important in democracies in Africa (Cheeseman 2010). The question for our purposes is whether incumbency advantages in the 2015 Côte d'Ivoire election undermine its democratic progress. One way to assess the democratic quality of the campaign is by studying to what degree Ouattara's economic appeal was based on generation of public goods that benefited the whole nation or distribution of private goods through clientelistic networks that benefited the voter or the voter's group. Wantchekon (2003), among others, finds that incumbents have greater credibility in making clientelist appeals. If Ouattara had won purely through clientelism, this would undermine the democratic legitimacy of the election. However, Ouattara's popularity during the campaign stemmed in part from the economic success of the country, including investment in infrastructure and economic reforms (Fick 2015). This suggests his re-election did not rely predominantly on clientelistic appeals.

Another way to assess the democratic quality of the campaign is by examining to what degree Ouattara and his ruling party used threat or coercion and limits on the opposition's freedom of movement. These are both strategies commonly used in dictatorships that hold elections. We can examine this relative to the ruling party's use of more democratic strategies such as voter mobilisation, party organisation and building electoral majorities (Riedl & Dickovick 2009).

There were some violent incidents in 2015, primarily before the campaign period, but on a significantly smaller scale than during the post-electoral crisis of 2010–2011 (Human Rights Watch 2015). In September 2015, after protests instigated by opposition claims that Ouattara's candidacy was invalid according to the constitution, more than 50 opposition members and sympathisers were detained, some without access to legal assistance; and some opposition protests

were banned (Human Rights Watch 2015). On 22 October, the National Press Council temporarily suspended the publication of three opposition newspapers for undermining cohesion by calling for a boycott of the election (United Nations Security Council 2015). In general, however, there was little violence during the campaign period (United Nations Security Council 2015; Human Rights Watch 2015). The assembly by the PDCI of a broad, multiparty electoral coalition indicates that Ouattara's campaign relied primarily – although perhaps not exclusively – on democratic strategies to win re-election.

Election Results

Of the 6 301 189 Ivoirians registered to vote, 3 330 928 (52.9%) voted in the 2015 presidential election. The CNC coalition claimed turnout was less than 20%, but they offered no evidence supporting that estimate (Fort & Koffi 2015). To put the 2015 election in comparative context, participation was lower than in 2010, but significantly higher than in the vastly boycotted presidential elections of 1995 and 2000, each of which had recorded fewer than 2 million valid votes.

Ouattara won the election with 83.7% of the vote. His total vote count, more than 2.6 million votes, was a slight improvement on his performance in 2010, when he had won fewer than 2.5 million votes. The landslide victory was therefore accomplished by lower turnout for his opponents rather than mobilisation of supporters for the incumbent. Ouattara's closest challenger was N'Guessan, who won 9.3% of the popular vote.

Table 1
2015 presidential election results

Candidate	Party	Votes	Vote Share
Alassane Ouattara	RDR (RHDP)	2,618,229	83.7%
Pascal Affi N'Guessan	FPI	290,780	9.3%
Bertin Konan Kouadio	Independent (CNC)	121,386	3.9%
Henriette Lagou Adjoua	CNRD	27,759	0.9%
Siméon Konan Kouadio	Independent	22,117	0.7%
Kacou Gnanbo	Independent	18,650	0.6%
Jacqueline-Claire Kouangoua	Independent	12,398	0.4%
Charles Konan Banny	Independent (CNC)	8,667	0.3%
Amara Essy	Independent	6,413	0.2%
Mamadou Koulibaly	LDR (CNC)	3,343	0.1%

Table 1 provides a breakdown of the results. Because Ouattara secured more than half the votes cast in the first round, there was no need for a run-off election. When the CEI announced the provisional results on 28 October 2015, N'Guessan, Bertin Kouadio, Siméon Konan and Kouangoua publicly conceded defeat and congratulated President Ouattara on his re-election (United Nations Security Council 2015).

CÔTE D'IVOIRE'S LEGAL ELECTORAL FRAMEWORK AND HOW THE 2015 ELECTION MEASURED UP

The legitimacy of the 2015 election rests at least in part on whether the government and candidates followed the 'rules of the game'. In this section, we account for how well the 2015 election followed these rules. We evaluate firstly how the Constitutional Council and the CEI carried out their duties in administering the election, and secondly the relevance of voter and candidacy eligibility requirements stipulated in Côte d'Ivoire's constitution for the 2015 election.

Electoral Administration

From independence until the 1999 coup, elections fell under the Ministry of the Interior's authority, meaning that a government-appointed commission organised all elections. The Supreme Court was responsible for litigating any election-related disputes (Kimou & Kouyaté 2015). The 1994 Electoral Code, adopted in preparation for the 1995 election, created the Constitutional Council to litigate election disputes. The Constitutional Council, made up of seven members appointed by the president, is also responsible for determining whether candidates are eligible to appear on the ballot and for validating election results.

The Constitutional Council rejected 23 of the 33 applications for candidacy in the 2015 presidential election. The rejected candidates failed to meet certain technical requirements in their application, including document submission or paying the candidacy fee. Media reports we reviewed did not identify major complaints about candidate disqualifications. Most importantly, no major parties or candidates were disqualified; the only major candidate not contesting was Gbagbo, who was in the Hague.

In contrast to elections from independence through 2000, in which major parties or candidates were systematically barred from participating or boycotted because of an expectation of unfairness, the 2015 election was inclusive. It laid the groundwork for a competitive election accepted by most (but not all) major stakeholders as legitimate. The Constitutional Council validated the election results on 31 October. This agreement with the other major electoral institution, the CEI, was in stark contrast to the decision by the Constitutional Court in 2010

to invalidate the CEI's electoral results. The alignment of these two institutions after the 2015 election contributed to the legitimacy of the electoral outcome.

The 2000 Constitution (Article 32, paragraph 4) states that the organisation and supervision of elections are to be carried out by an independent commission. The CEI – whose members include a representative of the presidency, the legislature and each major political party – is responsible for registering voters, counting votes and announcing provisional results. The CEI was not established until after the 2000 election by Law No. 2001-634, which took effect on 9 October 2001.

The CEI began registering voters for the 2015 election on 1 June 2015. The registration period, scheduled to end on 30 June 2015, was extended at the recommendation of the CEI for an additional two weeks to facilitate registration of more voters. *Plateforme des Organisations de la Société Civile pour l'Observation des Elections en Côte d'Ivoire* (POECI), a 14-member non-partisan coalition, was accredited to observe the voter registration process. There was thus pressure on the CEI to increase the inclusiveness and transparency of the process. Ultimately POECI reported a significant number of new eligible voters had not been successfully registered for a variety of reasons, including lack of identification, late start and seasonal rains (Ngotta 2015). POECI did not, however, report a bias towards registering government supporters.

The CEI administered the elections at nearly 20 000 polling stations. In general the election was conducted 'smoothly', although implementation was imperfect (POECI 2015a; United Nations Security Council 2015). Nearly half of all polling stations opened late (POECI 2015a), some because of delays in the arrival of electoral materials (United Nations Security Council 2015). Another major challenge to implementation was the failure of some biometric systems for authenticating voters: 40% of polling stations reported having at least one biometric kit fail at some point on election day (POECI 2015a).

Despite its legal independence, the functional independence of the CEI has been questioned, in part because of its limited financial resources, since 2003 or even earlier (Kimou & Kouyaté 2015). Koulibaly, CNC member and presidential candidate for the LDR party, argued that '... our Electoral Commission does not meet any criteria of independence. Neither in functions, financially or organically ...' (Bath 2015). Leaders of the CNC threatened to block the 2015 presidential election unless the government addressed its concerns about security issues and pro-government bias in the electoral commission (Flynn 2015). Some observers saw the CNC's actions as 'an effort by its members to win political prominence ahead of October's election, and possibly cabinet places after the vote' (Flynn 2015).

In general, although irregularities occurred, there is relatively little evidence that such irregularities were the result of widespread fraud rather than inadequate resources and organisation. Most observers agree they did not materially affect the outcome and therefore the legitimacy of the election, particularly relative to previous elections in Côte d'Ivoire.

Eligibility Requirements

According to Article 33 of the 2000 Constitution, 'All Ivorian nationals of both sexes 18 years old at least and possessing their civil and political rights' have the right to vote. In the 2000 election, Gbagbo's FPI sought to 'clean' the electoral lists to eliminate foreigners, in a 'controversial process of identification of the population after Gbagbo's election' (Piccolino 2014, p. 55). One can construe as problematic for legitimacy either ignoring or applying rules of exclusion. Ignoring the rule would allow some people to vote who could be challenged by some Ivorians as ineligible, calling into question the election's outcome as legitimate. Applying the rule would disenfranchise voters who would see it as making the election illegitimate. In our review of reports on the election we found no claims that any voter's registration in 2015 was challenged based on *Ivoirité*.

There are additional requirements for presidential candidacy, as laid out in Article 35 of the Constitution. These include:

- being at least 40 years old and no more than 75;
- being of Ivorian origin, born of father and mother themselves of Ivorian origin;
- having never renounced Ivorian nationality;
- never having had another nationality; and
- residence in Côte d'Ivoire continuously during the five years preceding the date of the elections and a total of ten years of effective presence.

The enforcement of the Ivorian origin clause in Article 35 is problematic because Côte d'Ivoire as a state was not formed until 1960. What does 'Ivorian origin' mean for candidates and their parents who were born before Côte d'Ivoire's independence in 1960? Article 35 'was formulated in terms so vague and broad that it could be invoked to justify the exclusion of almost any candidate' (Piccolino 2014). As discussed earlier, General Guéi's government used Article 35 to exclude many candidates opposing him in the 2000 election, including major figures representing two of Côte d'Ivoire's largest parties.

Following the terms of a peace settlement prior to the 2005 election (which was never held), the National Assembly passed legislation allowing citizens

with only one Ivorian parent to run for office (Lansford 2015, p. 347). However, Gbagbo's FPI insisted that a constitutional referendum was necessary to finalise this and other changes to the electoral rules proposed in the same legislation (Piccolino 2014). Such a referendum has never been held. Some members of the opposition therefore continued to question Ouattara's eligibility to run for office (Brice 2015).

Since the Constitutional Council did not invoke the Ivorian origin clause in refuting any 2015 candidate applications, one interpretation could be that this election had greater potential for competition than previous elections. Furthermore, citizens supporting candidates previously excluded by the clause might have perceived the 2015 election as more legitimate than previous elections because their candidate was not excluded. On the other hand, citizens supporting candidates who would not have been excluded based on the Ivorian origin clause, and who opposed the election of a candidate whose *Ivoirité* was called into question, may view the 2015 election as less legitimate.

PEACEFULNESS TRUMPS OTHER ELECTION INDICATORS IN DECLARING SUCCESS

To our knowledge there are no detailed election observers' reports of the 2015 Ivorian election, so the forthcoming analysis draws primarily on assessments made in interviews or statements published in the media or captured in brief media releases. To be sure, there were many election observers, domestic and international. POECI had the largest group of observers: it reported deploying 1000 domestic observers across the country (POECI 2015a). The African Union and ECOWAS also deployed observers during the 2015 election.¹ While all these organisations issued media releases characterising their observations, none published long, qualitative analyses of the 2015 election – as was done, for example, for the 2010 election (see e.g. Carter Center 2012). Media mentions and media releases by observers characterised the election as a success owing largely to its peacefulness. In this section we synthesise observers' findings and demonstrate how important 'peacefulness' was to observers.

Although the pre-election period was generally peaceful, there were moments of violence. For example, on 10–11 September 2015 strongholds of the FPI opposition party experienced clashes between security forces and protesters reacting to the Constitutional Council's validation of Ouattara as an eligible candidate. Three people died in the clashes (Economist Intelligence Unit 2015b;

1 We found no evidence that Western observers – such as the European Union Election Observation Mission or the Carter Center – sent election observers to Côte d'Ivoire in 2015.

United Nations Security Council 2015). Any violence during an election campaign is harmful to the perceived legitimacy of the election. The level of violence was dramatically lower than that experienced in 2010, however, and seems lower than had been expected.

Having had recent experience with violence around previous elections, Ivorians were understandably concerned about violence in 2015. When asked how much they personally feared becoming a victim of political intimidation or violence during election campaigns, one in three Ivorian respondents in the 2014 Afrobarometer survey said 'a lot'. Similarly, eight in ten respondents in 2014 believed voters were threatened with violence at election polls (Afrobarometer 2015). Given citizens' concern about potential electoral violence, then, it was logical that election observers saw peacefulness as a critical component in evaluating the 2015 election.

Observers emphasised the 'peacefulness' of the 2015 election in their observer assessments. In the first sentence of its media release on the election observation mission, the African Union called the Ivorian election (and the same-day elections in Tanzania) 'serene and peaceful'. The statement was brief and vague, but mentioned 'massive participation' and focused on peacefulness, calling on the electorate 'to remain calm, with the same serenity they demonstrated on the day of the voting' as votes were being counted and for stakeholders to use officially recognised 'peaceful' resolution mechanisms should any disputes arise (African Union Commission 2015).

A blog post issued on the National Democratic Institute web site discussing election observation began with 'A largely peaceful presidential election ...' (Staton 2015). At a media conference held three days after the election, POECI spokesperson Marie-Paule Kodjo congratulated the Ivorian people for a 'peaceful election' before sharing statistics about the POECI's observations (Abidjan.net 2015).

Of the three major groups watching the election, the ECOWAS observer mission was the only one not to begin its report with a discussion of peacefulness. Instead ECOWAS gave an overall positive assessment followed by an enumeration of the minor irregularities that occurred during the election (e.g. the late start to voting and difficulties in using biometric card readers). It was only halfway through its brief release that the ECOWAS mission mentioned 'peace in Côte d'Ivoire is crucial' (ECOWAS 2015).

To be sure, peacefulness is essential to the legitimacy and inclusivity of any election. But while a necessary condition, peacefulness is insufficient on its own in determining an election to be legitimate and inclusive. Furthermore, the lack of detailed observations on the election poses significant challenges to evaluating the veracity of the claim that the 2015 election was a 'democratic success' beyond its relative peacefulness.

VERIFYING OFFICIAL RESULTS AGAINST INDEPENDENT MEASURES AND EXPLORING REGIONAL PATTERNS

The dominant performance by Ouattara in the 2015 election indicates less electoral competitiveness relative to 2010. On the one hand, if Ouattara was truly popular his dominance in the election should not be problematic for Côte d'Ivoire's democratic consolidation. On the other hand, if this lopsided victory was the result of fraud or due to a boycott by supporters of the opposition who questioned the legitimacy of the process, this would suggest some trouble with Côte d'Ivoire's march towards a consolidated democracy.

In this section we use two independent data sets to help verify official results. We find that the election results were largely in line with a parallel vote tabulation exercise conducted on election day and with a survey conducted over a year before the election. Both data sets indicate that the election was not only valid but should be perceived as valid by the public, which would strengthen its democratic legitimacy. Because there were calls by some groups to boycott, we also use a comparative analysis of voter turnout between 2010 and 2015 to analyse whether Ouattara's landslide victory in 2015 and the accompanying low turnout might have resulted from a boycott. If so, this would undermine the election's legitimacy.

One strategy to ensure the validity of an election, and to communicate this validity to the voting public, is to conduct a parallel vote tabulation (PVT).² The PVT conducted by POECI largely confirmed the official results (POECI 2015b; Staton 2015). POECI estimated voter turnout at 53.1% with an accuracy of roughly 1.8%. The official turnout reported by the CEI was close to the PVT and squarely in the margin of error, at 52.9%. The PVT estimates for vote share similarly matched the official results. POECI estimated Ouattara won 83.5% of the vote and the official tally was 83.7%, well within the approximately 1.9% margin of error. The PVT estimated that Ouattara's closest challenger, N'Guessan, would win 9.3% of the vote (with a roughly 1.5% degree of accuracy) and the official tally reported by the CEI reported N'Guessan won 9.3% (POECI 2015c). At the national level, at least, an independent and parallel count of the vote gives legitimacy to the results even if the incumbent's lopsided win might suggest less competitiveness.

Another method of assessing and communicating the validity of an election is to compare the official results with previous polling data. Afrobarometer³ fielded a survey in August–September 2014, over a year before the 2015 election

2 Also known as a quick count, PVT is an electoral observation methodology wherein results from a representative sample of polling stations are aggregated to verify overall results.

3 The Afrobarometer is a nonpartisan research network that conducts public opinion surveys on democracy, governance, economic conditions, and related issues in more than 30 countries in Africa.

and before the creation of various political coalitions such as the anti-Ouattara National Coalition for Change (CNC).

When asked which party's candidate they would vote for as president if the election was held tomorrow, one third of Ivoirian respondents in the 2014 poll stated that either they would not vote, did not know who they would vote for, or refused to answer the question. This result suggested there would be low turnout. In the end turnout in the 2015 presidential election was 53% (significantly less than the 2010 turnout of over 80%, but much greater than the heavily boycotted elections of 1995 and 2000). The relatively low turnout may suggest apathy among voters, perhaps reflecting the widely held belief that the incumbent was likely to win, or perhaps reflecting a boycott by some in the opposition. Among the two thirds of Afrobarometer respondents who named a party, over 60% supported a party (including RDR and PDCI) that was a member of the RHDP, which supported Ouattara.

To assess whether opposition voters were boycotting the election, we matched constituency ('département') level data for the 2010 and 2015 elections from the CEI website and from abidjan.net.⁴ For each département we calculated the change in voter turnout between 2010 and 2015, and the vote share for Laurent Gbagbo (FPI), in the first round of the 2010 presidential election. If Gbagbo loyalists were boycotting the 2015 election we would expect to see a greater decline in voter turnout in the départements that more heavily favoured Gbagbo in 2010. Given Côte d'Ivoire's history of boycotts, the question of whether or not the opposition heavily boycotted the election is an important one for the legitimacy of Côte d'Ivoire's election and the effect that has on its democratic consolidation.

Figure 1 below shows the relationship between Gbagbo's 2010 vote share and the change in turnout for all of Côte d'Ivoire's départements. In most of the country turnout declined, but it declined less in districts that did not support Gbagbo in 2010 and it declined more in districts that did support Gbagbo. At first glance this might seem to suggest that a boycott had some effect among Gbagbo supporters. If a boycott was occurring, however, we would expect it to occur primarily in the region that supported Gbagbo.

Figure 2 below includes départements where Gbagbo won a majority of votes in 2010. In this scatter plot it is clear that the constituencies where Gbagbo was most popular had a change in turnout similar in scale (and perhaps slightly smaller), compared with constituencies where Gbagbo was the moderate favourite in 2010. Our interpretation is that the boycott was not a major cause of the low turnout in the 2015 election relative to 2010, and therefore not a major cause of

⁴ There were 90 départements in 2010, but since then many have been subdivided, leading to over 100 départements for the 2015 election. We did not attempt to match new départements, so we have a total of 87 matched départements, which accounts for 86 percent of the total of 2015 votes.

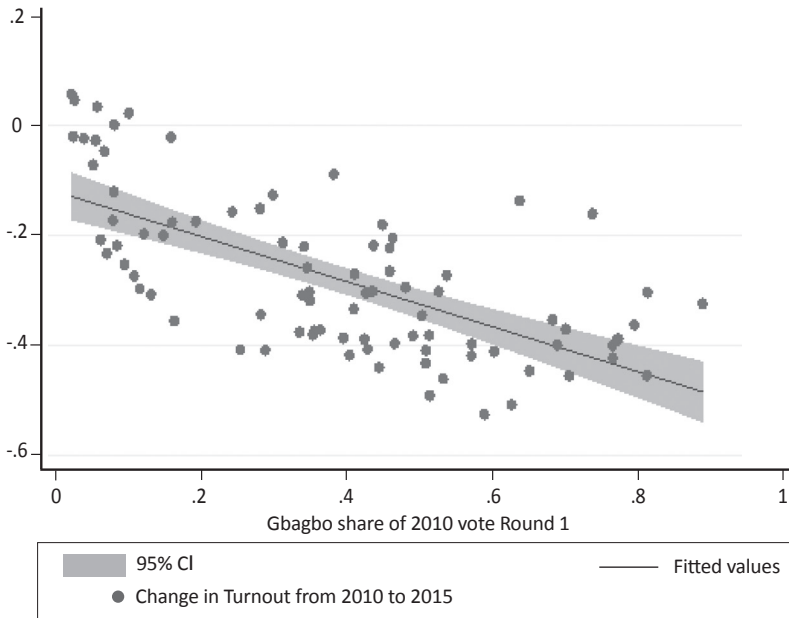


Figure 1: Scatterplot of change in turnout from 2010 to 2015 and Gbagbo (FPI) first-round presidential vote share in 2010 (all départements).

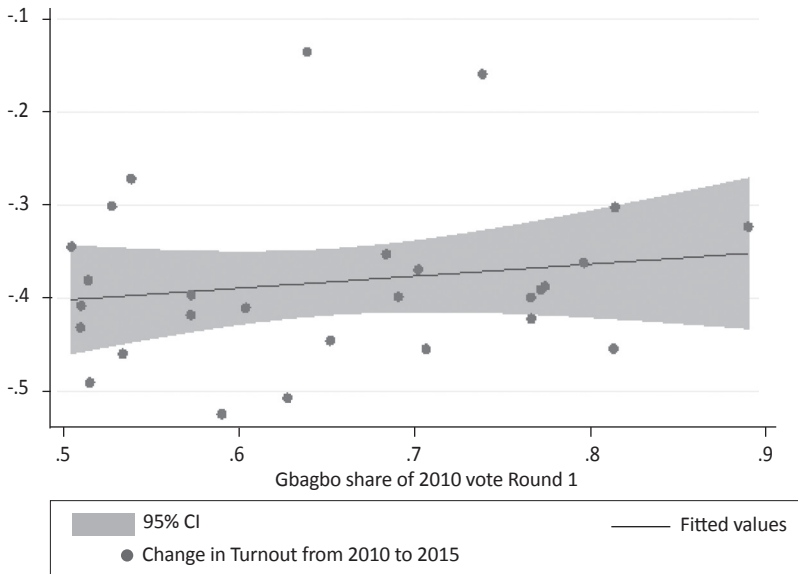


Figure 2: Scatterplot of change in turnout from 2010 to 2015 and Gbagbo (FPI) first-round presidential vote share in 2010 (départements won by Gbagbo in 2010).

Ouattara's landslide victory. Instead we believe the causality goes in the other direction – the election was unlikely to be competitive because the economy was doing well and Ouattara was widely expected to win. Therefore, as is the case in elections throughout the world (Blais 2006), an uncompetitive election generally attracted relatively few voters, and the voters who favoured the predicted winner were more motivated to vote than voters who preferred the likely loser.

In the 2010 presidential election Ouattara was particularly popular in the north, Gbagbo was most popular in the south, and Bédié's highest support was in the centre of the country (Bassett 2011). In the 2015 election Ouattara received a majority in nearly every region, with high support in northern regions such as Poro and Tchologo (98% each). Ouattara also received strong support in many southern regions such as Abidjan, where he won over 80% of the vote (*Commission Electorale Independante* 2015). Even in FPI strongholds such as Me Region in the southeast, Ouattara received a plurality (45% versus 29% for N'Guessan).

CONCLUSION

The 2015 presidential election in Côte d'Ivoire was the first since multiparty elections were introduced in 1990 in which all major parties were able to compete, and civil war was not triggered. It appears at first glance that this was a step forward in the democratic consolidation of the country. In this paper we studied the extent of democratic progress registered by this milestone election. In particular we focused on the three democratic qualities of elections laid out by Lindberg (2006): competition, participation and legitimacy.

The incumbent, Ouattara, won the 2015 election by a landslide, with 83.7% of the vote, which on the surface might appear to be a decrease in the level of competition compared to 2010, when the decision was made with little over 50% in a runoff election. We believe, however, that this landslide was the result primarily of a booming economy and a broad political coalition rather than restrictive electoral institutions, as was the case in Côte d'Ivoire during the single-party era and the first several multi-party elections, most of which were boycotted by major opposition parties. The outcome was not competitive, but conditions were present that enabled competition. If one considers that the 2010 election was the first in which an incumbent was defeated in a presidential election and that Ouattara, because of his age, is unlikely to attempt a third term, there is reason for hope that future elections in Côte d'Ivoire will continue to increase in competitiveness relative to the pre-2010 period.

With regard to participation, voter turnout in 2015 also declined relative to 2010. Whereas more than 4 million voters participated in the 2010 election, only 3.3 million participated in the 2015 election. The winner's vote count in 2015 was

higher, though, than in any election prior to 2010 and we believe the low turnout resulted from high certainty of the outcome, more attributable to incumbent advantages in a booming economy than to more troubling explanations such as voter suppression or boycotts.

The greatest step forward democratically was the legitimacy of the 2015 election. In contrast to the unrest that Côte d'Ivoire experienced during or after previous elections, the 2015 presidential election was 'peaceful and largely smooth' (Kouadio and Corey-Boulet 2015). Following the 2010 presidential election, tainted by the initial refusal of the incumbent to accept the results, the peaceful conclusion of the election of October 2015 was an important step towards consolidation of democracy in Côte d'Ivoire.

Although the 2015 elections were peaceful, issues underpinning the social turmoil that led to conflict in the recent past – namely land grievances and identity politics – have not yet been addressed meaningfully and continue to pose challenges to Côte d'Ivoire's democratic development (Klaus and Mitchell 2015; Whitaker 2015). Tests for Côte d'Ivoire's democratic consolidation continue into the future, when election years might occur during years of economic decline or stagnation, which would create a starker trade-off for incumbents between electoral defeat and free and fair elections.

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ACCOUNTABILITY, CONTRACT OFFICERS AND THE INTEGRITY OF THE 2012 ELECTION OUTCOME IN GHANA

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ABSTRACT

The Electoral Commission of Ghana (EC) has successfully managed five out of the six elections since the adoption of Ghana's 1992 Republican Constitution, which gave legal status to the country's democratisation process despite some administrative lapses over the years. The 2012 presidential election, however, served as a credibility test for the EC. In this paper my main objective is to analyse critically the Ghana 2012 election petition as an expression of mistrust in, and dissatisfaction with, the EC's performance. I argue that, at least in the case of Ghana, the success of an electoral process is largely a function of the human factor, not necessarily the legal frameworks and regulations in force. Using the theory of accountability, I analyse the role of temporary election officers in eroding public confidence in electoral processes. I also draw attention to some implications of Ghana's Supreme Court judgment on election administration in future. My recommendations include punishment for officers whose negligence causes avoidable political tensions, to demonstrate the state's determination to demand accountability from election officers on behalf of citizens. To support this argument, my study uses thematic content analysis of the petitioners' court affidavit, the court's judgment and legal opinions proffered through media outlets.

Keywords: election administration, professionalism, public confidence, conflict

INTRODUCTION

The literature on elections has emphasised the critical role of independent election management bodies in promoting development of democratic governance.

Since the inception of Ghana's Fourth Republican dispensation, the Electoral Commission of Ghana (EC) has managed all five public elections¹ that oversaw the alternation of political power between the National Democratic Congress (NDC) and New Patriotic Party (NPP). It has been argued that, but for the successful moderation of electoral contests by the EC, Ghana could have descended into violent electoral conflict similar to that in many other countries (Frempong 2012).

As part of Western-designed post-Cold War reforms in Africa, Ghana transitioned to multiparty democracy in 1993. The processes leading to the final transition, into the Fourth Republican dispensation, were pushed by pro-democracy movements² and supervised by the government of the Provisional National Defence Council (PNDC). They were closely monitored by liberal Western donor countries and institutions.

These processes included four key activities that preceded the landmark 1992 presidential and legislative elections: establishment of the Consultative Assembly to draft a constitution; the 1991 referendum on the draft 1992 Constitution; lifting the ban on political party activity through the passage of the Political Parties Law 1992 (PNDC 281); and establishment of the Interim National Electoral Commission (Fordwor 2010; Frempong 2012). The Fourth Republic was then inaugurated on 7 January 1993.

Although Ghanaian political parties had attached great importance to elections since 1992, the 2012 presidential election was a crucial one in four main respects. Firstly, it was characterised by the determination of opposition parties to discontinue the 'convention' of successive two-term tenure for an incumbent as enjoyed by the NDC's Jerry John Rawlings (1993-2000) and the NPP's John Agyekum Kufuor (2001-2008) (Table 1). This was judged feasible by especially the largest opposition party, the NPP, which had successfully mounted corruption campaigns against the ruling NDC government³. Secondly, the 2012 NPP presidential candidate, Nana Akufo-Addo, did not want to risk going to his party's delegates for a third opportunity to lead the party into another election. Thirdly, the narrow percentage gap (about 3%) between the two leading contenders in the election gave the NPP even more hope of a possible in-court victory (Table 2). Finally, the post-election petition provided a platform for testing Ghana's electoral laws and constitutional processes.

1 In 1996, 2000, 2004, 2008 and 2012.

2 Including the Movement for Freedom and Justice (MFJ), the National Union of Ghana Students (NUGS), the Ghana Bar Association (GBA) and the Trade Unions Congress (TUC-Ghana).

3 Former president Prof. John E. Atta-Mills won the 2008 election and led the NDC until his death on July 24, 2012. His vice, John Mahama, completed his term and led the party into the 2012 elections.

Table 1
Performance of NPP and NDC in presidential elections, 1992–2012

Year	Performance (%)			
	NPP	NDC	Others	Total
1992	30.29	58.40	11.31	100
1996	39.60	57.40	3.00	100
*2000	56.90	43.10	–	100
2004	52.45	44.64	2.92	100
*2008	48.11	51.89	–	100
2012	47.74	50.70	1.56	100

Source: Author's computation from EC online database <http://ec.gov.gh/index.php>

* An election year in which a runoff was organised to determine the winner between two main contenders.

Table 2
Final results of the 2012 presidential election

No	Name of candidate	Votes Obtained	Votes (%)	Rank
1	John Dramani Mahama (NDC)	5,574,761	50.70	1
2	Nana Addo Dankwa Akufo-Addo (NPP)	5,248,898	47.74	2
3	Papa Kwesi Nduom (PPP)	64,362	0.59	3
4	Dr Henry Herbert Lartey (GCPP)	38,223	0.35	4
5	Ayariga Hassan (PNC)	24,617	0.22	5
6	Michael Abu Sakara Foster (CPP)	20,323	0.18	6
7	Jacob Osei Yeboah (IND)	15,201	0.14	7
8	Akwasi Addai Odike	8,877	0.08	8
	Total Valid Votes	10,995,262		
	Total Rejected Votes	251,720		
	Total Votes Cast	11,246,982		
	Total Registered Voters	14,158,890		
	Total Constituencies	275		
	Turnout (%)	79.43		

Source: Electoral Commission of Ghana, Election Results Sunday 9 December 2012

This paper presents my critical analysis of the 2012 election petition as an expression of dissatisfaction with the EC's performance. It focuses on the role of temporary electoral officers in eroding public confidence in electoral processes, and draws attention to some implications of Ghana's Supreme Court judgment on electoral administration in future. I argue that at least in the case of Ghana, the success of an electoral process relies largely on the human factor, not necessarily on the legal frameworks and regulations in force. Subsequently, since elections are either won or lost at the polling station, the actions or inaction of such temporary officers pose a danger to the credibility of electoral outcomes and the EC. The paper presents my thematic content analysis of the petitioners' affidavit to the court, the court's judgment and legal opinions proffered through media outlets. In addition, I reviewed literature to provide theoretical and analytical frameworks for the paper.

THEORETICAL FOUNDATION

In democracies, 'elections are both the supreme political act and a routine administrative exercise' (Pastor 1999, p. 2). Participation in a competitive election is an expression of conflict that requires a reliable management system. Election management is essentially about moderating conflict among political parties competing for power on the basis of ideology and expressed policies and programmes. Election management emerged as a new field of study from the areas of democracy-building and democratic consolidation after the onset of the 'third wave' of democratisation⁴ (López-Pintor 2000). This wave ushered in a massive movement of sub-Saharan African countries to democracy in the 1990s (Huntington 1991; López-Pintor 2000).

According to Bratton and Van de Walle (1997, p. 194), 'democratisation involves the construction of participatory and competitive institutions'. This makes electoral management bodies (EMBs) important institutions for countries either transiting into or consolidating their democracies (Pastor 1999; Rosas 2010), because EMBs are the formal entities principally responsible for organising and conducting elections (Mozaffar 2002; Rosas 2010). They 'deal directly with the organisation of multi-party elections and indirectly with governance and the rule of law' (López-Pintor 2000, p. 13). Expectedly, therefore, EMBs are increasingly developing worldwide as permanent and independent commissions mandated to mediate between competing political parties in the quest for political power (López-Pintor 2000). In many countries, however, movement towards

⁴ For example, the United States' Federal Election Commission was established in 1975; Australia's autonomous Electoral Commission in 1984 (López-Pintor 2000, pp. 15-16).

independence has been largely cosmetic as executive arms of government and/or their party apparatuses continue to exert influence on EMBs and their operations.

Election administration marks the thin divide between success and failure for democracy-building in any country, because the professional character, administrative competence and composition of an EMB have the potential to determine whether an election can be 'a source of peaceful change or cause of serious instability' (Pastor 1999, p. 5; see also Birch 2008; Frempong 2012; Vulchanov 2012). Admittedly EMBs have the responsibility of preserving and strengthening their objective impartiality and credibility in the eyes of the electorate (Birch 2008). For this reason the professionalism of EMBs is essential to building trust and soliciting support from political actors in a democracy. Thus, according to Vulchanov (2012, p. 2):

Professionalism implies transparency, accountability and efficiency of performance of the election administration. These are key factors in ensuring public confidence in the process, including in its outcome. These factors are critical as the election administration makes and implements important decisions that may have an impact on the overall conduct, and even on the outcome, of the elections. Transparent and accountable performance lends integrity to the election process, credibility to election administration bodies and builds public confidence and legitimacy towards the election.

This paper is informed by accountability theory, which is a function of the capacity of the public (the principals) to judge the performance of public officials (their agents) (Gailmardy 2012; Lindberg 2009). To be 'accountable' for an action means to appropriately respond to blame, or praise, related to the action in question (Bennett 2008). Thus accountability is about praiseworthiness, blameworthiness, answerability, liability and attributability (Bennett 2008; Dubnick 2003). It is a legal, political, bureaucratic and moral form of external – that is democratic – constraint and control that renders public officials responsible for their decisions and behaviour (Appleby 1952; Dubnick 2003; Gilbert 1959; Marx 1949). In the context of elections, accountability refers to the responsibilities of all state bodies including the election administration, police, prosecutors and judiciary for their actions and inactions that affect the integrity of democratic elections and their outcomes (NDI 2011; Vulchanov 2012).

For the purposes of this paper, accountability is the mechanism through which EMB officials (individually or collectively) are held fully responsible for their actions and inactions that affect the realisation of fair, competitive, democratic elections (Ashworth 2012; Republic of Ghana 1992a; Vulchanov 2012).

Conceptualised in this sense, offending election officers must be held legally responsible for any acts that violate electoral rules and processes. They must be held thus responsible in order to jealously safeguard the integrity of election outcomes and the confidence placed in actors in EMBs. This kind of accountability is communicated to the citizens through an impartial and fair judicial system. It serves as a check on officials and guarantees the observance of election processes, the integrity of election outcomes and the acceptability of such outcomes to competitors. This form of accountability on the part of election officials should aim ultimately to mitigate past mistakes, enhance future elections and communicate to all citizens that independence of EMBs does not set them above the law. It is acknowledged here that countries may have different procedures for exacting accountability from EMBs through the law courts. However, the baseline should be that political actors and citizens should have confidence in the legal system, such that judgments pronounced would be widely accepted.

Accountability, as described here, does not refer to vertical accountability that deals with voters' verdict on the (potential) performance of political actors through elections. Also, it differs substantially from horizontal accountability that may subject EMBs (as institutions of state) answerable to other institutions in a country. In this sense, individual officials' accountability is a subset of EMB accountability and both can be pursued concurrently. So by deploying the concept of EMB accountability in this paper, we are able to point out some shortcomings of Ghana's Supreme Court judgment on the 2012 petition and explain its associated dangers to the entire electoral system.

It is undeniable that independent permanent EMBs with professional staff tend to operate more efficiently than temporary bodies (Hartlyn, McCoy & Mustillo 2008; López-Pintor 2000). Indeed, many political actors – albeit sometimes for convenience – do argue that independent EMBs are 'untouchable' in carrying out their mandate. But to what extent should this independence be construed as absolution from accountability? In my opinion, demanding accountability from EMBs, especially in matters of omission and commission of their personnel, should be pursued with urgency and determination. More so, a distinction should not be made between whether the officer involved is a permanent or temporary staff member of an EMB.

In this paper, therefore, I argue that exacting accountability from EMB officials is the surest means of sanitising electoral management processes to arrest potential disputes after election outcomes have been declared. Unless EMB officials recognise that they will be held accountable for actions contrary to laid-down procedures, they will continue to flout such procedures with impunity. And since competitive elections reward or punish policymakers and/or alternative governments through a formal vertical accountability process, it

would be suicidal for EMBs to condone acts that give reasons for losing parties to challenge electoral outcomes.

THE EC AND OBLIGATIONS OF PRESIDING OFFICERS

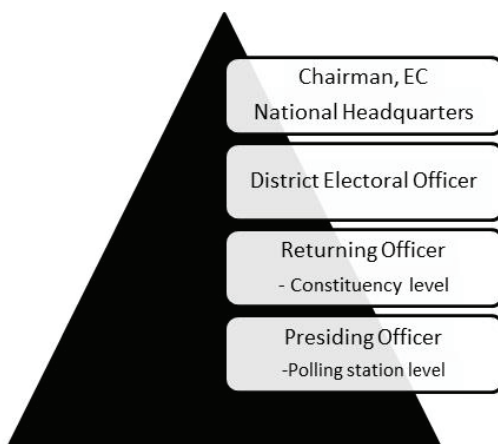
Ghana's EC is a successor to the four-man Interim National Electoral Commission (INEC) established by the PNDC during the second half of 1991, to oversee all public elections (Frempong 2012). It was established in 1993 in accordance with constitutional provisions (particularly Articles 43 to 54 of the 1992 Republican Constitution) that made the establishment of an electoral management body in Ghana mandatory within six months of the commencement of the Fourth Republic through an Act of Parliament (Frempong 2012; Republic of Ghana 1992b). Thus the Electoral Commission Act (Act 451) of 1993 was passed to give clarity to the constitutional provisions for its composition, function and independence, among others (Frempong 2012; Republic of Ghana 1993). As a seven-member entity, the EC is required by the constitution and Act 451 to be an efficient, non-partisan and independent referee in electoral matters.

According to Frempong (2012, pp. 61-62):

The existence of such body of laws and explicit rules and regulations provided the Electoral Commission with a measure of insulation and put the body in a stronger position lawfully to resist undue external pressures and interference in its work. Above all, the laws formed the framework for the resolution of the electoral conflicts.

The EC has developed various mechanisms for ensuring smooth administration of elections, consensus-building on electoral issues, managing distrust and improving transparency in its activities over the years. Perhaps the most important mechanism in this regard has been the innovative Inter-Party Advisory Committee (IPAC) (Asante 2013; Frempong 2012). As an informal and non-statutory body created in 1994 by the EC, IPAC is a forum where representatives of all political parties and the EC exchange information and discuss programmes and activities of the EC (Asante 2013). Through engagements with IPAC the EC successfully introduced several electoral reforms to Ghana's political landscape. These reforms include the replacement of opaque ballot boxes with transparent ones; the replacement of thumb-printed voter identification cards (IDs) with black-and-white photo IDs; the introduction of coloured photo IDs; and, in 2012, a biometric voter register and verification system. Through these mechanisms it established that the process of electoral politics depends greatly on its own crucial role vis-à-vis other stakeholders (Frempong 2008; Frempong 2012).

Presiding officers constitute the lowest pool in rank, but the largest number of officials, on election day. Each polling station in a public election is manned by a presiding officer with at least one assistant. In 2012 there were 26 002 of these officers across the country. Hierarchically, instructions emanate from EC headquarters through district electoral officers and returning officers to presiding officers. Reports on the conduct of an election inversely pass through the same channel back to headquarters (Figure 1).



Source: Author's diagram

Figure 1
Hierarchy of election officials

Characteristically, presiding officers are temporary officers who are contracted and trained for a specific election and for a specified period of time. Applicants, who require no specified minimum educational qualifications, sit for a written pre-selection examination organised by the EC. Successful people are then trained and are engaged on election days. This recruitment process has been criticised. For instance, the Institute of Economic Affairs (IEA) has raised doubts over the standard of the examination, the duration of training and the training syllabus's relevance to addressing the complexity of administering contemporary elections (Gyampo 2014). A full assessment of the recruitment and training processes, however, requires a detailed study of such variables as notice of call for applications, the application process, applicants' level of education, applicants' understanding of the electoral process (before and after training) and the syllabus for training, among others. This should be the subject of a separate paper.

In practice the EC has recruited public-sector teachers as presiding officers for all the elections held in Ghana since 1992, except for 2012. For whatever reason,

the Ghana Education Service decided in 2012 not to release teachers to staff the polling stations. Their absence rendered election results susceptible to more mistakes and inaccuracies compared with previous years. As far back as 1992, the Carter Center observed the need to strengthen the technical knowledge of presiding officers and their polling assistants, to enhance the integrity of election outcomes (Joseph 1992).

Ghana's relevant electoral laws assign the responsibility of managing polling stations to presiding officers. They are directly responsible for their actions or inactions on voting days. As part of their responsibilities, according to Article 17 (2c) of the Public Elections Regulations, 2012 (C.I. 75), a presiding officer is responsible for 'filling in the relevant forms relating to the conduct of the poll' (Republic of Ghana 2012, p. 12). Also, its Article 36 (1 & 2) clearly states what should be done after ballot papers have been counted in the presence of candidates or their representatives on the closure of polls, and before the results are declared to the public. The presiding officer and the candidates or their representatives shall sign the declaration form that states the number of votes earned by each candidate, the total number of rejected ballots, the name of the polling station and the total number of persons entitled to vote at that polling station (Republic of Ghana 2012). Clearly, C.I. 75 makes it compulsory for all presiding officers to sign election-result declaration forms, before announcing the results to the public and forwarding them to EC headquarters through the returning officer responsible for a constituency and the district electoral officer.

It must be noted that in as much as candidates or their agents may decide not to sign the form, presiding officers do not have that choice. They must sign to certify and declare election results, then communicate any objections raised by candidates or their agents to the returning officer responsible for the constituency under which that polling station falls. The main rationale behind a presiding officer's signature on the form being mandatory is to affirm his or her responsibility to a polling station. In other words, he or she accepts the obligation to answer any questions regarding the execution of all other duties such as setting the polling station, taking proper custody of all election materials and equipment and maintaining order at the station.

That officer remains the only person who can convincingly provide answers to happenings pertaining to their station on election day. In my opinion, therefore, a presiding officer technically negates his or her responsibility by failing to sign a mandatory report (declaration form) on an entire exercise even if he or she carries out all other duties at a station. In this light that officer cannot, and should not be allowed to, escape accountability under the cloak of collective responsibility.

THE NPP'S ELECTION PETITION

Ghana has a long history of organising elections, even before independence in 1957, with elections being held in 1951, 1969, 1979, 1992, 1996, 2000, 2004, 2008 and 2012. The country has enjoyed tremendous improvements in the quality of each successive election since the inception of the Fourth Republic (Frempong 2012). Despite these improvements, electoral outcomes have sometimes been received with mixed reactions, depending on political parties' fortunes. Critics of the NPP are quick to accuse it of having a history of rejecting unfavourable election outcomes since 1992. These critics cite the party's vehement rejection of the 1992 presidential election result in declaring it a stolen verdict (New Patriotic Party 1993), and its reluctant acceptance of the 1996 and 2008 results. But the fact remains that despite the NPP's mistrust of some commissioners of the EC, as was the case with the erstwhile INEC (Fordwor 2010; Frempong 2012; Oquaye 1995), it had never directly accused the EC of complicity in election malpractices until December 2012. Indeed, the party has made useful contributions to electoral development in Ghana, in collaboration with other stakeholders. Arguably, therefore, the NPP's challenge to the 2012 election outcome is based on observed trends and patterns of alleged election malpractices about twenty years into the Fourth Republic.

Certain members of the NDC tried to challenge the outcome of the 2004 presidential election in court, but the NPP's challenge to the 2012 outcome is unique and significant in two main respects. Firstly, the leadership of the NPP was unanimous on pursuing court action and managed to gain the support of a larger segment of party members and sympathisers. On the other hand, the NDC leadership was divided on the issue of petitioning the Supreme Court. The party had to abandon filing any petition when it became obvious that its presidential candidate, Prof. John E. Atta-Mills, was not interested in pursuing the case. Secondly, while the NPP was able to convince itself that it had enough evidence to present in court, the NDC failed to convince itself that it had a strong case backed by compelling evidence. This, it is believed, sharply divided the party over whether to initiate court action in the first place. For these and other reasons the NDC abandoned the idea of challenging the 2004 results, which favoured the NPP by 52.45% to 44.64% (Electoral Commission of Ghana 2005; Frempong 2012).

Thus for the first time in Ghana's drive towards democratic consolidation and electoral maturity, the NPP became the first to contest the outcome of a presidential election in a court of law. The challenge came nineteen days after the chairman of the EC, Dr. Kwadwo Afari-Gyan, declared John Dramani Mahama the winner of the 2012 presidential election on 9 December 2012, in accordance with Article 63 (9) of the 1992 Constitution of Ghana (Table 2). It is the most recent presidential

election petition to be determined in Africa beside the 2013 Kenyan petition. Along with these two stand the Nigerian presidential election petitions of 2003 and 2007 and the aborted 2013 Zimbabwean petition, among others. The emerging trend of resorting to courts to resolve electoral disputes is a positive signal that despite their shortcomings, African electoral systems are gradually maturing.

In the case of Kenya, petitions were filed to the court by Raila Odinga and civil society groups challenging the official results that pronounced Uhuru Kenyatta winner of the 4 March 2013 presidential election with 50.07% of total valid votes cast, as announced by the Independent Electoral and Boundaries Commission (IEBC) on 9 March 2013 (BBC 2013; Herman 2013; Republic of Kenya 2013). Petitioners claimed that systematic 'irregularities had affected the election result and called for fresh elections' (BBC 2013). The principal petitioner, Odinga, alleged on 9 March that the IEBC had fraudulently credited some 1.8 million votes he had earned to Kenyatta. But the IEBC insisted in court that the election 'was credible, despite technical failures with an electronic voter ID system and the vote-counting mechanism' (BBC 2013).

On 28 December 2012, three citizens of Ghana filed a petition in the highest court of the land challenging the result of the 2012 presidential election as announced by the EC. They were Nana Addo Dankwa Akufo-Addo (the NPP's 2012 presidential candidate), Dr. Mahamudu Bawumia (the party's running mate) and Jake Otanka Obetsebi-Lampitey (the party's chairman) as first, second and third petitioners respectively. Joined in the suit were president-elect John Dramani Mahama (the 2012 NDC candidate), the EC and the NDC as the first, second and third respondents respectively. The petitioners jointly sought the declaration that Mahama had not been validly elected as president of the Republic of Ghana; that Akufo-Addo rather was the validly elected president of the Republic of Ghana; and any 'consequential orders as to this Court may seem meet' (Republic of Ghana 2103, p. 3).

The crux of the Ghana 2012 Presidential Election Petition can be summarised in two arguments: (a) that the pre-election processes leading to the election days of 7–8 December were not transparent, particularly with regard to the handling and distribution of the voters' register to competing parties; and (b) that voting-day electoral processes were fraught with irregularities and electoral malpractices that affected the determination of a final winner. From the relief sought by the petitioners as stated earlier, it is clear that the central issues at stake before the court were associated with what actually took place on voting days. Indeed, a great deal of the Supreme Court sittings on the case was spent on determination of the second allegation above. This earned the petition the name *Pink Sheet* petition, in reference to the anomalies (omissions and commissions) observed on declaration forms (the pink-coloured primary records on electoral outcomes)

from some polling stations. According to the petitioners, the alleged irregularities and electoral malpractices 'were nothing but a deliberate, well-calculated and executed ploy or a contrivance on the part of the 1st and 2nd Respondents with the ultimate object of unlawfully assisting the 1st Respondent to win the 2012 December Presidential Elections' (Republic of Ghana 2013, p. 3).

Six major issues were raised to support their claim of alleged irregularities and malpractices: 'over-voting'; 'voting without biometric verification'; 'absence of the signature of a presiding officer'; 'duplicate serial numbers, i.e. occurrence of the same serial number on pink sheets [declaration forms] for two different polling stations'; 'duplicate polling station codes, i.e. occurrence of different results/pink sheets for polling stations with the same polling station codes'; and 'unknown polling stations, i.e. results recorded for polling stations not on the list of 26 002 provided by the 2nd respondent [the EC] for the election' (Republic of Ghana 2013).

Collectively, the petitioners argued that the EC condoned these infractions to benefit the second respondent. Clearly, these are issues that relate to the professional conduct of election officers on polling days. Further, they are acts that cannot be directly blamed on the conduct of political parties or their representatives (officially called polling agents) present at polling stations. To the extent that these irregularities are blameable on officers at polling centres, the argument that the unprofessional conduct of election officers can be dangerous to Ghana's electoral maturity is justifiable.

I share the opinion of Asante (2013) that issues relating to voting without biometric verification, different pink sheets with same serial numbers but different results, and polling stations bearing the same codes but different results could have been addressed had the EC been transparent with political parties at the Inter-Party Advisory Committee (IPAC). Parties could have reached an agreement on what could be done in situations of major failure of verification machines; they would have been made aware that serial numbers are not a security feature of declaration forms but are purely for production purposes; and that some polling stations would have two sets of results bearing the same codes because of 'special voting' organised for security personnel in those stations before the 7–8 December polls.

The petitioners argued that observable inconsistencies between the total number of registered voters as recorded on pink sheets from 11 819 polling stations (7 067 129 voters) and the number of voters contained on the voters' register for these same polling stations (6 146 572) were indications of over-voting and ballot-stuffing to favour the NDC candidate (Bawumia 2013). To their painstaking analysis, the difference of almost one million votes could not have been accidental.

Drawing inspiration from Article 49(3) of Ghana's 1992 republican constitution and regulation 36(2) of the Public Elections Regulations, 2012 (C.I. 75), the petitioners questioned the validity of any declared votes that had not been certified by presiding officers of the EC at the polling station. Per Article 49(3) of the constitution,

The presiding officer, the candidates or their representatives and, in the case of a referendum, the parties contesting or their agents and the polling agents if any, shall then *sign a declaration stating*

- a. the polling station, and
- b. the number of votes cast in favour of each candidate or question, and the presiding officer *shall, there and then, announce the results of the voting at that polling station before communicating them to the returning officer...*

(Republic of Ghana 1992b, p. 46)

To the petitioners, therefore, 'the presiding officer has a mandatory constitutional and statutory duty to sign the declaration form at the polling station before he can lawfully declare the results of the polls at that polling station' (Bawumia 2013, p. 10). As a result, they emphasised, the absence of presiding officers' signatures from the declaration forms of 1826 polling stations rendered those votes invalid. Consequently the petitioners requested the court to annul 4 547 109 of the total valid votes recorded at 11 842 polling stations tainted by alleged irregularities. Had the court agreed, about 3 084 638 votes would have been deducted from those recorded for John Dramani Mahama and about 1 462 471 from those for Nana Addo Dankwa Akufo-Addo. Thus Akufo-Addo would have emerged as the winner of the 2012 presidential election, with 59.55% of total valid votes cast (Table 3).

The petitioners also foresaw that the court might not grant all the requested reliefs, and thus suggested possible directions it might consider (Table 4). They further concluded that if only the vote surplus complained of at 2065 polling stations was annulled by the Supreme Court, John Dramani Mahama would get 49.1% and Nana Addo Dankwa Akufo-Addo 49.3% of total valid votes cast. Secondly, if only voting without biometric verification at 2279 polling stations was considered, the two rivals would get 49.13% and 49.38% respectively of valid votes cast. Thirdly, if votes were annulled on the basis of 'instances of same serial numbers for different polling stations with different results in the 10 533 polling stations', they would get 41.1% and 57.55% respectively. Finally, if votes at only 1826 polling stations were annulled on the basis of missing signatures of presiding

Table 3
Total votes earned by contestants after deductions

	EC Results	EC Announced %	Affected Votes	Valid Votes	% of Total Valid Votes
John Mahama	5,574,761	50.70	3,084,638	2,490,123	39.17
Henry Lartey	38,223	0.30	19,629	18,594	0.29
Nana Akufo-Addo	5,248,898	47.70	1,462,471	3,786,427	59.55
Paa Kwesi Nduom	64,362	0.60	32,239	32,123	0.51
Akwasi Addai Odike	8,877	0.10	4,713	4,164	0.07
Hassan Ayariga	24,617	0.20	14,129	10,488	0.16
Abu Sakara	20,323	0.20	10,497	9,826	0.15
Jacob Osei Yeboah	15,201	0.10	8,989	6,212	0.10
TOTAL	10,995,262	100.00	4,637,305	6,357,957	100.00

Source: Bawumia 2013 (p. 18)

Table 4
Candidates' performance after NNP's suggested annulments (%)

	Basis for Annulment of Votes			
	Over-voting	Voting without verification	Same serial numbers	Absence of signatures
John D. Mahama	49.1	49.13	41.10	49.45
Nana A.D. Akufo-Addo	49.3	49.38	57.55	49.03
All other contestants	1.6	1.49	1.35	1.52
Total	100	100	100	100

Source: Author's compilation from Bawumia's affidavit (pp.18-19)

officers, Mahama would get 49.45% and Akufo-Addo 49.03%. It is worth noting that in all but the third scenario a run-off would have been necessary, because a winner needs to win 50% plus one vote.

In the conclusion to their court affidavit, as prepared and presented by the second petitioner on behalf of the first and third, they observed:

That as a matter of fact, however, these violations, irregularities and malpractices occurred in different combinations in as many as 11 842 polling stations. In the result, I am advised by counsel and verily believe same to be true that what must be taken into account is the impact of the combined effect of these violations, irregularities and malpractices on the outcome of the election as declared by the 2nd Respondent.

...

That I say if the impact of the combined effect of these violations, irregularities and malpractices on the outcome of the election as declared by the 2nd Respondent is taken into account, the 1st Petitioner is the person who ought to be declared as having been validly elected as President of the Republic of Ghana.

(Bawumia 2013, pp. 18-19)

In effect the petition sought to question the integrity of the EC and further buttress the mistrust that has often lingered in losing political parties after almost all elections organised in the Republic of Ghana so far. As argued by Frempong (2012), the NPP in particular has harboured 'suspicion and mistrust of the election authority as an independent and impartial arbiter' (p. 62) partly because its present composition is the creation of the PNDC/NDC government.

The NPP's petition and the relief sought from the court share some similarities with those of Kenya. Originally filed as three separate petitions on 14 and 16 March 2013, the Kenyan Supreme Court ordered on 25 March the same year that they be consolidated. After the consolidation the court agreed with all parties involved on four issues to be tried. These were the validity of declaring Kenyatta the winner of the election; the credibility of the electoral process; the effects of rejected ballots on the final votes tallied for each candidate; and other orders and reliefs the court might deem fit (Republic of Kenya 2013). The petitioners' concern regarding the first three issues related to electoral irregularities at poll centres. They believed, like their counterparts in Ghana, that the irregularities were wilfully planned and executed by election officials to favour Kenyatta and his deputy.

THE SUPREME COURT JUDGMENT

Without delving into the details of the court's judgment on the petition, it suffices to note the cumulative effect of the combined views of the nine judges hearing the matter. On 29 August 2013 the judges, presided over by Justice William Atuguba, ruled against the petitioners by a majority of five to four. Despite the NPP's denial that it received a fair verdict from the court, and a plethora of analyses that followed, the landmark ruling succeeded in arresting the apprehension and uncertainty characterising the entire trial period. The ruling notwithstanding, several recommendations were proffered to the EC (the second respondent) as directions for necessary reforms to Ghana's electoral system. The recommendations included raising the calibre of presiding officers, simplifying the pink sheet and streamlining the biometric device system to avoid breakdowns.

The judgment observed that the petitioners had failed to prove the allegation that the second respondent superintended over 'deliberate, well-calculated and executed' irregularities and electoral malpractices to help the first respondent win the December 2012 presidential election (Republic of Ghana 2013). For instance, the court observed that:

We were at a loss as to how the embossment of the same number on more than one pink sheet whether serial or otherwise in respect of two different polling stations has impacted adversely on the 2012 electoral process. Those numbers, on the evidence of Dr. Afari Gyan the Electoral Commission's chairman, are the offshore generation of the printers of the pink sheets. Those numbers have no statutory base. However the decisive fact is that their incidence has not been shown to have any detrimental effect on the electoral process. We felt that grounds V [i.e. duplicate polling station codes] and VI [i.e. unknown polling stations] did not relate to matters that could have any substantial effect on the declared results. We therefore dealt mainly with the first three grounds of the petition. Nonetheless, for the easy future ascertainment of the number and electoral location of pink sheets in the electoral process their numbering should be streamlined.

(Republic of Ghana 2013, p. 4)

The first three grounds of the petition dealt with – and subsequently dismissed – were over-voting, voting without biometric verification, and absence of the signature of a presiding officer on a pink sheet. Of these irregularities, that which most engaged and sharply divided the court as to its consequence was 'absence

of the signature of a presiding officer' (Republic of Ghana 2013, p. 4). Should it or should it not declare the absence of a presiding officer's signature consequential to the outcome of the presidential election? The court did not cancel votes on affected declaration forms from the nationwide 26 002 polling stations; rather it protected the rights of voters by validating the votes recorded.

The judgment indicates that the people's franchise must be jealously guarded and that individual officers' omissions must not be visited on innocent electorates. By its choice the court sealed a dangerous avenue through which corrupt presiding officers could sabotage opponents of their preferred political parties in unfriendly electoral areas. It must be noted, as has been argued by some political observers, that by rejecting the petitioners' request, the court set a precedent that acts of commission and omission on election declaration forms will in future not necessarily hold any consequences for the final determination of election outcomes. This argument is, however, a very weak one.

Citing its duty to preserve the letter and spirit of the constitution, the Supreme Court affirmed that it reserved the right to rectify any error committed in any statute or the constitution itself (Republic of Ghana 2013). Thus it ruled:

It is undoubtable that in some instances the declared results were not signed by the presiding officer though the petitioners' polling agents did sign. The crucial question that has devastated this court is whether those results should be annulled. To arrive at an answer to this question a number of considerations are relevant. To some minds the sacred nature of the constitution and the clarity of article 49 so far as the requirement of the presiding officer's signature is concerned warrant the unmitigated annulment of the votes involved. Quite clearly however this has not been the approach of this court and its predecessors to constitutional construction or application.

(Republic of Ghana 2013, p. 5)

In modern times the courts do not apply or enforce the words of statutes but their objects, purposes and spirit or core values. Our constitution incorporates its spirit as shown for example, in article 17(4)(d). This means that it should not be applied to satisfy its letter where its spirit dissents from such an application

(Republic of Ghana 2013, pp. 45-46)

Thus, as in Kenya, the relief sought by the petitioners was not granted. In both cases the EMB's declarations were validated and EMB officers left unpunished. While Ghana's Supreme Court arrived at a majority decision, in Kenya six judges

chaired by Chief Justice Willy Mutunga on 30 March 2013 unanimously declared the Kenyan poll free and fair. This difference notwithstanding, both rulings leave in their wake questions about their implications for future elections. Precedent has thus been set on aspects of election management in Ghana.

IMPLICATIONS OF THE SUPREME COURT JUDGMENT

Although the Supreme Court's judgment succeeded in settling the immediate conflict brought before it, the judgment set a legal precedent that could have grave consequences for Ghana's electoral management system. Why were offending presiding officers not allowed to address in court issues pertaining to their professional conduct? Suggestions that such an exercise may have prolonged the period for determining the issues raised in the petition clearly denied citizens the opportunity to know exactly what had gone wrong. Neither could their absence from court explain the slim majority decision against the petition.

Offending presiding officers from the stations affected should have been punished by the court even after it had protected voters' rights. This opinion is based on the fact that their actions and/or inactions affected the integrity of the election and its outcome. In fact the EC's own court evidence, of 905 erring presiding officers against the petitioners' alleged 2009, is still too many. By failing to punish them for their failure to adhere strictly to procedure, the Supreme Court concluded that election officials may at any point act contrary to electoral rules, yet go unpunished. The danger in this is that people entrusted with the responsibility of safeguarding the nation's electoral processes could feel 'untouchable' even when they act irresponsibly. In my view, the failure of presiding officers to sign primary election records constitutes a criminal offence under C.I. 75 and PNDCL 284.

Punishing erring election officers is necessary for several reasons. Firstly, sanctioning officers for any action or inaction is inherent to the principle of accountability (Lindberg 2003). Secondly, their failure to act as required by law denied citizens freedom from fear, an aspect of human security. In fact the entire duration of the court's hearing was accompanied by national prayers, peace campaigns and anxiety – just as in the pre-election period. One may argue that this kind of ambience was an extension of the extremely tense atmosphere that characterised the 2008 elections. However, the spontaneous vandalism in parts of Accra preceding the 2012 petition, and the accompanying fear, were unprecedented. Incidents of that nature are 'typical of what occurs when a "technical irregularity" intersects with political suspicions' (Pastor 1990, p. 2). Had the NPP not abandoned its initial intention to stage Ghana's version of the Arab Spring at the Obra Spot in Accra, human insecurity would have degenerated from

the presence of excessive fear to people's inability to meet their wants. Luckily Ghana narrowly escaped post-election violent conflict for the second time.

The third reason why erring officers should have been punished is the need to stop, or at least minimise, the emerging trend of sponsoring card-bearing political party members for positions in EC offices. Generally parties consider the existence of loyalists at polling stations an important internal strategy for winning a contest. Arguably, petitioners are aware of the effectiveness of this illegal strategy and its potential deployment by political parties. Parties could also not underrate the allegation that some presiding officers applied dark cream to their hair, rubbed their fingers through it during ballot counting, and then used their stained fingers to impress multiple thumb prints on ballot papers during 2008 general elections. The problem of rejected ballots after every election could probably be solved if attention was given to this alleged practice. Although not based on any scientific estimation, it is an open secret that no fewer than 75% of presiding officers are either members or sympathisers of the NDC or NPP.

But why did the court choose not to punish offending presiding officers? Was their failure to properly fill in pink sheets (leading to the petitioners' allegation of over-voting), or to sign them, not offensive conduct? Article 17(5) of C.I. 75 describes contravention of the laws and regulations governing the conduct of elections by a presiding officer or polling assistant as offences 'liable to sanctions applicable under the electoral laws of Ghana' (Republic of Ghana 2012, p. 12). Indeed, the petitioners did not specifically ask the court to punish them. In my opinion, this decision was made to ensure consistency with the decision on the non-consequentiality of the absence of signatures. Had the court punished the offending officers, questions would have been raised about the validity of votes recorded on the affected pink sheets. Simply put, the arguments raised by the petitioners would have been validated by the court, leading to an appeal for a review of the ruling and possible cancellation of the affected votes. Whether such cancellation would have favoured the NPP's candidate, as claimed by the petitioners, would have been another issue.

Another reason could be because C.I. 75 falls short of prescribing punishments for defaulting presiding officers. If so, did it escape all the nine judges that a complementary law exists in the statutes? As argued by lawyer Ayikoi Otoo, other legal provisions could have been referred to in exacting full accountability from presiding officers (see myjoyonline.com 2014b). Otoo cited, for example, section 30 (Offences of Electoral Officers) of the Representation of the People Law, 1992 (PNDCL 284), which provides answers to how the state should deal with erring election officials. In terms of this section, among other offences, an –

election officer, clerk, interpreter or other person who has a duty to perform, whether under this Law or otherwise, in relation to an

election and who ... without reasonable cause acts or fails to act in breach of his official duty commits an offence and is liable on conviction to a fine not exceeding one million cedis [now Gh¢ 100] or to imprisonment or to a term not exceeding two years or both

(Republic of Ghana 1992a, p. 21)

Based on the above provision, perhaps the court would have considered sentencing each erring officer to two years in prison instead of imposing a fine of GH¢100 (equivalent to \$.025.72 as at 20 June 2016). This is because, unless revised to reflect current economic situations, imposing a fine would be less of a deterrent. Whatever the case might be, the whole nation lost the opportunity to see them answer for any alleged infraction. Although we might not agree with aspects of the court's ruling, as confidently expressed by Odinga in a news conference after the Kenyan verdict (BBC 2013), our belief in constitutionalism should remain supreme. Perhaps Justice Robert H. Jackson's comment on US Supreme Court decisions is reassuring: 'We are not final because we are infallible, but we are infallible only because we are final' (quoted in Maina 2013).

CONCLUSION

Arguably, the EC has improved its performance with each succeeding election by learning from past mistakes and scaling up good practices (Frempong 2012). The petitioners' emphasis on over-voting and missing presiding officers' signatures, however, raises questions about the capacity of these officers to manage polling station processes efficiently. Arguments have been raised by the EC and others that pressure at stations could lead to mistakes on the part of officers. Indeed, human error happens sometimes and mistakes might not affect electoral credibility if they are random and do not cumulatively determine the outcome of an election (Elklit & Reynolds 2005; Mozaffar & Schedler 2002). In the present case, though, to describe irregularities at no fewer than 905 stations as mere human error is difficult to understand. It is not a good enough excuse, because elections are won and lost at the polling station in Ghana's electoral system. So it is in the interest of political parties to jealously raise issues considered to be contrary to electoral rules. Moreover, just as a slight thumb-printing mistake on the part of voters renders their votes invalid, an election officer's mistake should carry equal weight.

Perhaps, had Alex Frempong considered the 2012 elections in his analysis of electoral politics in Ghana's Fourth Republic, he would not have concluded that 'professional election administration has been the linchpin of Ghana's electoral success' (Frempong 2012, p. 145).

Items of evidence presented before the Supreme Court necessitate a second look at the professionalism exhibited by contracted EC officials at polling station level. Indeed, an officer's level of formal education might be just one of the indicators of professional conduct. In the preparation of election declaration forms, however, proficiency particularly in written language is extremely important. This is why the IEA should be commended for recommending that reasonable educational qualifications be demanded from recruited presiding officers. It is also why the EC should consider revising the syllabus for training selected applicants (Gyampo 2014). Certainly, technical incapacity of election officers leads to political suspicion that convinces one party its opponents benefited from an observed technical irregularity (Pastor 1999). Such suspicions have caused the failure of many elections in Africa and elsewhere. My analysis in this paper is fully aligned with IEA's position that:

Where they [presiding officers] perform their duties efficiently, the credibility of the poll is guaranteed; but where they are incompetent and act negligently, they compromise the polls and undermine the nation's electoral process. In the nation's drive towards democratic maturity and quest for credible, transparent and acceptable elections, there is the need for a rethink of the calibre of people recruited as election officials.

(Gyampo 2014)

When one looks critically at the petition from this perspective, it is fair to conclude that it was presiding officers who succeeded in holding the nation to ransom for the eight months of the court hearing. The hearing diverted attention from debates on national development issues to polarised political debates; it distracted the government, although a caretaker one, from attending to serious business of governance; and it potentially diverted foreign direct investment away from the country. This defeats the position taken by a section of Ghanaians who blame the petitioners for having created a condition of anxiety, insecurity and tension in the country. Erring presiding officers were fully to blame.

Indeed, elections are won and lost at the polling station. As such, a clear signal should be sent to election officers of all categories that the nation is ready to hold every officer legally responsible for actions or inactions in electoral matters. It is in Ghana's national interest to ensure that measures are taken to safeguard the integrity of electoral processes and their outcomes. The words of the first petitioner, Nana Akufo-Addo, after the Supreme Court verdict, are important in this regard. To him, and to all politicians:

It is painful enough to lose an election, I can testify to that; but the pain should not come with a suspicion of having been cheated. We should be able to congratulate the winner enthusiastically and extend the support needed for our many problems to be tackled.

(citifmonline.com 2014)

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**'BUNKER' DEMOCRACY AND THE
CHALLENGES OF SUSTAINING DEMOCRATIC
VALUES IN NIGERIA**
An Appraisal of the 2011 General Elections

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ABSTRACT

This paper has two focal points. It undertakes a critical review of Nigeria's 2011 general elections vis-à-vis manifestations of violence across all the regions and zones of the country. It also attempts an in-depth and dispassionate overview of the nexus between democracy and violence. The paper infers that Nigeria is currently operating an 'insecurity-based democracy' which can literally be called a 'bunker democracy', allegorically describing Nigeria as a country where politicians and the electorate are in constant fear and trepidation for their lives when an election is imminent. I argue that this unwholesome situation should be addressed so that Nigeria does not suffer democratic regression and undue relapse to military autocracy and absolutism.

Keywords: absolutism, peace, violence, insecure democracy

INTRODUCTION

The following statement was made jointly by the global watchdog Human Rights Watch and the Nigeria Bar Association in 2011, urging the Federal Government to set up a special panel to investigate and prosecute election-related abuses and violence (*The Nation* 14 March 2011, p.4):

Nigeria has a history of violent and deeply flawed elections. At least 300 people were killed in violence linked to the last general elections

in 2007 ... Since November 2010, more than 50 people have been killed in violence linked to political party primaries and election campaigns and the level of violence is expected to increase in the run-up to the April poll.

The above quotation epitomises the central argument of this article, the thrust of which is basically to lend credence to the fact that democracy comes at a high price in many countries. Each year, hundreds of people lose their lives in connection with fiercely contested elections (Hoglund 2009, p. 42). Concerns about security at election time have gained increased attention, especially in deeply divided societies such as Nigeria, Sudan, the Democratic Republic of Congo and Zimbabwe (Hoglund 2000, p. 2; Reilly 2002, pp. 156-170). In a perceptive work, Adekanye summed the problem up thus: 'elections in the country have often been characterized with political tension, crisis, assassination and high levels of violence' (Adekanye 1990, p. 2).

As Africa's largest democracy was preparing for the 2011 polls, serious questions remained about Nigeria's capacity and political will to conduct free, fair and peaceful elections. Since independence in 1960, 'violence and myriad irregularities have persistently marred the process of electing the country's leaders' (Onwudiwe & Berwind-Dart 2010, p. 2). No doubt, fierce ambition among Nigerian politicians is certainly part of the problem. In addition, 'elections have been about power: controlling it, undermining it, and distributing it' (Samuel 2016). Other predisposing factors to electoral violence include monetisation of politics, poverty and unemployment, imposition of unpopular candidates and political thuggery.

In a democracy, an election campaign is supposed to be conducted as a peaceful and open discourse of persuasion. In Africa, however, elections more closely resemble bitter struggles over access to the resources controlled by the state, which are the biggest prize in most African states. Given these high stakes, politicians resort to a variety of means – fair or foul – to attain public office (Bratton 2008, p. 21). This is because persuasion alone seldom generates enough support; candidates regularly attempt to purchase or coerce votes (Bratton 2008, p. 21). Since the rebirth of Nigeria's democracy in 1999, violence of varying levels has been an unfortunate staple of Nigerian elections. The risk of election violence nationwide is unacceptably high (Onwudiwe & Berwind-Dart 2010, p. 2). It was so bad that prior to the 2011 elections, merely declaring oneself an aspirant was enough to put one's life at great risk.

A number of factors are responsible for the high incidence of electoral violence in Nigeria. These include dissatisfaction with government performance, competition for resources, inter- and intra-group distrust, joblessness, and anger

at an abundance of unscrupulous politicians with little respect for due process or the rule of law. In an earlier work (Ojo 2009a, pp. 1-218) I argued that much of the difficulty with electoral violence in Nigeria is not unconnected with the failure of mechanisms of national integration in Nigeria's deeply divided and plural society. The unprecedented spate of violence associated with the 2011 election has become a great challenge to sustainable democracy in Nigeria (Ojo 2009a, pp. 1-389).

This paper has two main foci. First, I critically review Nigeria's 2011 general elections *vis-à-vis* manifestations of violence, covering pre-election, election-day and post-election conflicts across all regions of the country. The second thrust has to do with the exploration of the nexus between violence and democracy, thereby bringing to the fore the concomitant impact of violence on democracy. To achieve this aim, the paper is organised into a number of sections. With brief introductory remarks, the paper begins with a conceptual framework divided into two parts. The allegory of 'bunker democracy' is explicated, after which I proceed to conceptualise electoral violence without necessarily being definitional. The third part of the paper is a survey of electoral violence in all zones and regions of the country, to empirically establish the tempo and intensity of electoral violence as visited on the polity. Section four explores the nexus between democracy and violence. The paper concludes with a suggestion that because of Nigeria's 'bunker democracy', state security apparatus might need to be strengthened so that the polity does not relapse into military dictatorship and absolutism.

CONCEPTUALISING 'BUNKER DEMOCRACY' AND ELECTORAL VIOLENCE

In military terminology, a 'bunker' is an 'underground shelter' (Fowler & Fowler 1974, p. 158). In an unconventional application of the term for the purpose of this paper, it is used in relation to democracy¹ – the very antithesis of the military². In this application to democratic elections, Nigeria is currently operating an 'insecurity-based democracy' (Dukor 2011, p. 20). It is a system where the masses of the people and the electorate live in constant fear and trepidation, and scamper for safety, while the politicians – armed with mortars, bombs, grenades and rifles

1 In his study of the 2007 General Elections in Nigeria, Omotola (2009) described the process as 'Garrison' democracy much as the 2011 election is perceived here as 'Bunker' democracy.

2 For other sources where the term was deployed, see these relevant works: Emmanuel O. Ojo, 'The military and democratic transition in Nigeria: An in-depth analysis of Gen. Babangida's transition program (1985-1993)', in *Journal of Politics and Military Sociology*, vol. 28, no. 1 (Summer) 2000, pp. 1-20; Emmanuel O. Ojo, 'Taming the monster: Demilitarization and democratization in Nigeria', in *Armed Forces and Society*, vol. 31, no. 2 (January 2006), pp. 254-272; and Emmanuel O. Ojo, 'Guarding the "Guardians" – A prognosis of panacea for evolving stable civil-military relations in Nigeria', *Armed Forces and Society*, vol. 35, no. 4 (July 2009) pp. 688-708.

in pursuit of naked and inordinate power – campaign from the trenches. In pre-election Nigeria, attending a campaign rally was a big risk. During the elections, it was equally risky to venture close to polling points in an attempt to perform one's civic duty, as the empirical evidence cited in this paper shows. In the words of a Nigerian philosopher, 'in Nigeria's bunker democracy [...] is a harvest of freedom without human value, milk of liberty and equity' (Dukor 2011, p. 20). The idea of social and political freedom stems from the period before Nigeria's civil war. This freedom constantly sets the political landscape and the civil society aflame.

The reality, however, is that there cannot exist an ideal democratic government without security of life and property, where security is conceptualised as a social, bodily and mental state that guarantees protection of life and property (Dukor 2011, p. 20). Democracy, on one hand, means togetherness and recognition of the human person in running group affairs, while the rule of law is a body or assemblages of signs or conventions approved by the society for security, governance and development. From a philosophical point of view, security and democracy are not in contradiction; they are borne out of instrumental reason and applied to the human social nature. Their superstructure is, therefore, constituted by human nature and reason. On the other hand, the rule of law is a social structure superintending the observance of reason for the overall interest of human beings. Nonetheless, 'insecurity-based' democracy is a contradiction to the democratic canon, the rule of law and reason, a total negation of what the values of democracy stand for. Thus, it is the high level of insecurity I describe in this paper that has given the Nigerian version of democracy the epithet of a 'bunker democracy'.

ELECTORAL VIOLENCE

Electoral violence can be perceived as any form of election-related violence. In a research report, Adetula conceptualises it as 'any violence (harm) or threat of violence (harm) that is aimed at disrupting any part of the electoral or political process during the election period' (Adetula 2007, p. 227). This perception assumes that 'election violence generally involves political parties, their supporters, journalists, agents of government, election administrators and the general population which include threats, assault, murder, destruction of property, and physical or psychological harm' (Adetula 2007, p. 227). According to the International Foundation for Electoral Systems (IFES), electoral conflict and violence can be defined as 'any random or organized act or threat to intimidate, physically harm, blackmail, or abuse a political stakeholder in seeking to determine, delay, or to otherwise influence an electoral process' (Fischer 2002, p. 3).

By comparison, electoral security can be defined as the process of protecting electoral stakeholders, information, facilities and events.

Regarding the typology of electoral violence, Ebere Onwudiwe and Chloe Berwind-Dart are of the view that election conflicts typically fall into four related categories: intra-party feuding, inter-party clashes, electoral event violence, and communal unrest (Onwudiwe & Berwind-Dart 2010, p. 5). In another relevant work, Nwolise (2007) defines the components and three dimensions of electoral violence as being physical, psychological, and structural forms of violence.

Going by the findings of the IFES in a survey, electoral conflict and violence can occur at five intervals in an election chronology, namely:

- Identity conflict can occur during the registration process, when refugees or other migrants from conflict regions are unable to establish or re-establish their officially recognised identities.
- Campaign conflict can occur as rivals seek to disrupt the opponents' campaigns, intimidate voters and candidates, and use threats and violence to influence participation in the voting.
- Balloting conflict can occur on election day, when rivalries are played out at the polling station.
- Results conflict can occur when there are disputes over election results and judicial mechanisms are unable to resolve such disputes in a fair, timely and transparent manner.
- Representation conflict can occur when elections are organised as 'zero-sum' events and 'losers' are left out of participation in governance (Fisher 2002, p. 3).

The same survey conducted in 2001 revealed four descriptive categories of conflict and violence that emerged. These categories suggest a variety of motives, victims and perpetrators (Fisher 2002, p. 4):

- voters in conflict with the state and claiming unfairness in the election process (Thailand, Zambia);
- the state in conflict with voters who challenge the election results or the electoral hegemony of the state (Chad, Belarus);
- political rivals in conflict with each other for political gain (Yemen, Benin, the Philippines, Uganda, Fiji, Seychelles, Pakistan, The Gambia, Bangladesh, Sri Lanka); and
- a blend of the above three categories.

In relation to the foregoing, the term 'electoral violence' has been used generically in two strands of research. In the first approach, electoral violence is seen as a

subset of activities in a larger political conflict. In the second approach, electoral violence is seen as the ultimate kind of electoral fraud (Ojo 2011, pp. 1-16). Electoral fraud has been defined as 'clandestine efforts to shape election results' (Lehoucq 2003, p. 233), and includes activities such as ballot rigging, vote buying, and disruptions of the registration process (Chaturvedi 2005). Both approaches focus on the goal-oriented or instrumental character of violence. Several instances cited in this paper are sufficient to buttress this point. I turn now to a survey of electoral violence across the various regions of Nigeria.

A Survey of Electoral Violence

This section of the paper examines the empirical indices of electoral violence across the six geopolitical zones comprising the 36 states of the Federal Republic of Nigeria. These are: North East – Adamawa, Bauchi, Borno, Taraba and Yobe; North West – Jigawa, Kano, Katsina, Kebbi and Sokoto; North Central – Benue, Kaduna, Kogi, Kwara, Niger and Plateau; South East – Abia, Anambra, Enugu and Imo; South West – Lagos, Ogun, Ondo, Osun and Oyo; and South South – Akwa Ibom, Cross River, Delta, Edo and Rivers (Ojo 2011³). It is important to note that this survey is far from exhaustive of all cases of electoral violence, but includes as many cases as possible as reported by the mass media, both print and electronic, of conflict before the election, on election day and after the poll.

North East Zone

According to media reports, the North East presidential rally by Mallam Ibrahim Shekarau of the All Nigeria Peoples Party (ANPP) scheduled for Tuesday 29 March 2011 in Maiduguri was disrupted at mid-day. Gunshots were fired at a nearby filling station, causing pandemonium at Ramat Square, the venue of the event, leading to a stampede. By the end of the day four persons had lost their lives in the gun battle (*Daily Sun* 30 March 2011, pp. 1 & 6).

In Maiduguri, the Borno State capital, the ANPP governorship candidate, Modu Fannami Gubio was murdered in broad daylight on Friday 28 January 2011, by gunmen who apparently trailed him by motorcycle from Maiduguri mosque, where he had gone to observe the Moslem *Jumat* prayers. Also killed were Governor Ali Modu Sheriff's brother, Alhaji Goni Modu Sheriff, a former chairman of Ngala Local Government Area, and four others including a 10-year-old boy. At the time, the ANPP was the ruling party in the state, and according

3 At a workshop, participants agreed that violence is antithetical to democracy and the conduct of free and fair elections.

to media reports, the party was believed to have a strong chance of retaining the governorship in the April general elections (*The Nation* 31 Jan 2011, p. 1). A day before the presidential election, Maiduguri witnessed another sad event as two gunmen – suspected to be from the Boko Haram sect – laid siege to residents of Gwange suburb and killed two people; a further two soldiers and five civilians sustained gunshot injuries (*Sunday Tribune* 17 April 2011, p. 5).

On election day, Maiduguri was like a battlefield. Bombs exploded in two separate places in the city, killing two and leaving no fewer than 10 persons injured. Another bomb, which exploded at about 12h00 – thirty minutes before completion of the accreditation of voters – left no fewer than ten wounded, with seven of the victims critically injured. A female police officer was injured and one of the presiding officers lost his eyes during the mid-day blast. Barely five hours later, another explosion occurred at Abaganaram collation centre where Independent National Electoral Commission (INEC) officials were collating election materials after the poll. The blast killed Ahmad Maira Abihud, an undergraduate at the University of Maiduguri, and four other persons were badly injured. The 37-year-old Abihud, who reportedly died on the spot, was an ad hoc staff member of the INEC.

By 20h00 on Saturday 29 March 2011, the streets of Maiduguri were deserted, as people warned their relatives and friends to remain indoors. Earlier, *Nigerian Compass*, a national daily, had reported that a violent clash between supporters of the People's Democratic Party (PDP) and the Action Congress of Nigeria (ACN) had left two people dead in Bauchi State. Twenty houses and five cars were torched in the clash, which occurred in Katanga Warji, headquarters of Warji Local Government Area in the North East. All affected buildings and vehicles belonged to chieftains of the two political parties (*Nigerian Compass* 30 March 2011, p. 1).

The post-poll conflict which broke out in the north spread to Adamawa State in the same zone when irate youths caused mayhem and destroyed property worth millions of naira. To restore peace to Adamawa State, Governor Murtala Nyako imposed a dusk-to-dawn curfew. No fewer than 50 youths were arrested (*National Mirror* 17 April 2011 p. 3; *Vanguard* 20 April 2011 pp. 1 & 5). Post-poll violence also spread to Bauchi State, where six members of the National Youth Service Corps (NYSC) were killed in an orgy of violence that engulfed some states in the north following the announcement of Dr Goodluck Jonathan as the president-elect. Twenty people, including two policemen, were murdered in cold blood by rioters protesting the alleged rigging of the election (*Nigeria Compass* 20 April 2011, p. 1). The presidential election in Bauchi State was partially marred by violence as youths in Migan Local Government Area burnt down part of the INEC building and injured two voters (*Sunday Punch* 17 April 2011).

Perhaps the most critical election-related violence in the zone occurred with the invasion of villages in Tafawa, Balewa and Bogno Local Government Areas in Bauchi State. Rioters attacked and invaded the villages in the two council areas and appeared to be after one thing: villagers' voters' cards. As they moved around attacking people in the area, they dispossessed their victims of their cards. The attackers were said to have repeated their invasion of the area after the National Assembly election was rescheduled, before it was eventually shifted to 9 April 2011. In the wake of both attacks, no fewer than 50 people – predominantly Christians – were feared killed, and about 100 buildings were allegedly set ablaze by the attackers.

The villages that were attacked included Imbira, Goshe, Goshkarbo, Namu, Mingil, Fada, SabonLaji, Gongo and Yola-Bogoro. According to one of the villagers, 'their intention was to make sure we did not vote in the election because their main target was our voters' cards, and they succeeded in burning so many of them. Now we can't vote in any of the elections' (*The Nation* 9 April 2011, pp. 14-15; *Nigeria Tribune* 9 April 2011, p. 4). At the last count, 92 people had been killed in the North East zone of the country alone in connection with the 2011 elections.

North West Zone

The North West zone comprises five states. The zone did not witness much violence and turmoil either in the pre-election period or on election day. However, it did witness post-election violence as the fall-out of the presidential election. Severe violence erupted in most northern states, leading to loss of life and destruction of property. According to media reports, no fewer than 20 churches and houses belonging to members of the PDP and non-indigenous people were set alight (*National Mirror* 19 April 2011, pp. 1-3; 53). In Katsina State, angry youths burned down shops, worship centres and private houses in six local government areas in protest against the outcome of the presidential election. Several houses with PDP posters on their walls or gates were also attacked, as well as the party secretariat in the area (*National Mirror* 19 April 2011, pp. 1-3; 53).

Violence also broke out in Kano, the stronghold of General Muhammadu Buhari, as restive Muslim youths went on the rampage. As the results of the presidential poll trickled in, Christians and non-natives were also attacked in the confrontation. Notable politicians who were victims of the unprovoked attack included two former Speakers, Salisu Buhari, whose multimillion naira factory on Hadejia Road was vandalised, and Ghali Na'Abba. The number of deaths was unspecified (*National Mirror* 19 April 2011). In Sokoto, soldiers and mobile policemen were drafted to the streets following protests across the city and its environs. The protesting youths torched a house at Rijija, and two vehicles and a

motorcycle belonging to officials of Rima Radio, Sokoto were set alight. Similarly, five vehicles were destroyed at the radio station and several others were smashed across the city (*National Mirror* 19 April 2011).

In the build-up to the election, security operatives had envisaged the crisis. For instance, in Kano, men of the Nigerian Customs Service impounded more than 190 pairs of military uniforms and bulletproof vests at Mallam Aminu Kano International Airport (*The Nation* 7 April 2011, p. 2). Compared with the North East, the carnage was not as alarming.

North Central Zone

This zone, comprising six states, was not immune from electoral violence. Jos, Plateau State's capital, first witnessed a crisis when two people were killed and one wounded in skirmishes that occurred over the registration of voters at Tina Junction (*Daily Sun* 18 January 2011, p. 7). Suleja in Niger State was rocked on Thursday 18 January 2011 by two explosions at a PDP rally in the town, which killed at least 13 people and injured 20 others. Victims were severely injured, leaving some in a coma and others with lost limbs. According to media reports, some of the injured were members of the Federal Road Safety Corps, the Nigeria Security and Civil Defence Corps and other security outfits drafted to the venue of the rally. Niger State Governor Aliyu Babangida was whisked away from the scene by security agents (*The Punch* March 2011, p. 1).

In Benue State, unknown gunmen in the early hours of 18 March 2011 shot and killed Emmanuel Ajibo, an aide to the ACN senatorial candidate for Benue State, General Lawrence Onoja. Onoja blamed the killing on those who wanted to rule Idoma by hook or by crook. With preparations for the senatorial election in top gear, the Office of the Senate President, Senator David Mark, raised the alarm that his campaign train had been attacked by armed thugs under way to Igumale, the headquarters of Ado Local Government Area in Benue State (*The Nation* 19 March 2011).

As preparations for the rescheduled National Assembly election across the country were at fever pitch, a bomb blast rocked the office of the INEC. The dastardly act was timed to coincide with a meeting of the ad hoc staff of the commission, the majority of whom were former corps members checking their names and placements for the National Assembly elections scheduled for the next day. The explosion sent no fewer than 13 young men and women to an early grave, while more than 20 others were left with permanent physical disabilities. The explosion also pulled down the fence of the office, shattered virtually all the louvers of the windows in the complex, and destroyed the V-SAT of the office.

(*The Nation* 16 April 2011, pp. 14-15). An eyewitness of the Suleja bomb blast recounted thus:

I saw some young men and women who were amputated by the bombs. Some of them were rendered immobile. Many of them were glued to a spot in pains, while many others were soaked in blood and unable to move. The injured people were just there. It was a horrible sight. I could not stand the sight of blood, so I left.

(*Daily Sun*, 11 April 2011, p. 16)

This orgy of violence was unprecedented in the annals of electioneering in Nigeria. With the outcome of the presidential election not in favour of any of the northern candidates, the North Central zone was engulfed in unprecedented violence. For instance, in Kaduna, Kaduna State, the house of Vice-President Namadi Sambo was burned down by irate protesters. Churches and mosques were also torched. Scores of dead bodies were recorded. The protesting youths forced open Zaria Central Prison and freed the inmates. The INEC office was set alight and areas such as Trikania, Malabalindo, Sabin Tasha, Naragi, Ungwan Sarkin and Kawo were also affected. To avert an escalation of the crisis, the Kaduna State Government immediately imposed a 24-hour curfew on the metropolis and its environs, urging all security agencies immediately to enforce the order.

The post-election violence spread to Niger State where aggrieved youths in Minna, the state capital, took to the streets following the release of the presidential election results. At Sabon Gari, mostly dominated by the Igbo, the hand of a female civil defence officer was cut off and three cars were set on fire. Scores of cars with PDP stickers as well as five churches were set ablaze at Maitunbi, Shango, Angwan Kaje and other areas of the town. Niger State declared three days of curfew in the five major towns of Minna, Suleja, Kontagora, New Bussa and Bida to contain the spread of the violence in the state.

The North Central zone was the worst hit by electoral violence. The official figures released by the Inspector General of Police Hafiz Ringim were not only shocking but did great damage to the credibility of the 2011 general elections. According to Ringim, 520 persons were killed in post-election violence in Kaduna and Niger States alone. He said that Kaduna State accounted for 518 deaths (of whom six victims were policemen) and the remaining two persons were killed in Niger State. The Inspector General of Police also noted that 77 persons were injured in Kaduna State, and 22 000 persons were displaced as a result of the crisis in the state. He reported that destruction of property had been colossal, with 157 churches, 46 mosques, 1435 houses, 437 vehicles and 219 motorcycles set on fire

(*The Punch*, 2 June 2011, p. 6).⁴ At the last count, no fewer than 556 persons had died, with scores wounded in that zone.

South East Zone

This zone comprises four states. Surprisingly, despite the high rate of youth restiveness prior to the election, the zone was relatively calm. But in Ebonyi State alone, about six persons were killed in Amuda Ezza North Local Government Area during an orgy of violence that also left many with various degrees of injuries (*National Life* 26 April 2011). During the voters' registration exercise in the Ndiike Amugu Ikino community in Ebonyi State, three persons were allegedly shot and one person went missing in a gun duel between rival groups over who should take charge of the Direct Data Capture machines for voter registration (*Daily Sun* 20 January 2011, p. 6).

Shortly before the postponement of the National Assembly election was announced, one person was confirmed dead in Ebonyi State as supporters of the People's Democratic Party and All Nigeria Peoples Party clashed. Still, the zone recorded perhaps the lowest rate of casualties.

South South Zone

This zone has five states. In Rivers State, an aspirant to the State House of Assembly, Mr Jacob Peter, was attacked by thugs suspected to be from his Degema Constituency. He was attacked while returning from Zambia to Port Harcourt, the venue of a proposed ad hoc delegates' election in Degema Constituency. It was rumoured that the attack occurred because he wanted to confront a PDP chieftain (*The Nation* 30 December 2010, p. 5).

In Akwa Ibom State, electioneering included a long convoy of vehicles, with youths singing and drumming as the crowd of residents waved excitedly. Suddenly, shots rang out and the carnival ended abruptly, and everyone ran for dear life. When the dust had settled, many ACN supporters of Akwa Ibom State governorship candidate, Senator John Udoedehe lay dead and property worth billions of naira had been destroyed (*The Nation* 15 March 2011, pp. 1-2). By the time Akwa Ibom began counting the loss of the ethno-political war that engulfed the state on Tuesday 14 March 2011, when PDP and ACN supporters clashed in Ikot Ekpene with a spillover in Uyo, collateral losses on both sides included 20 deaths, and 1300 brand new cars and tricycles destroyed. Also torched was

⁴ A number of other national dailies reported similar events: *The Nation*, Lagos, 16 April, 2011, p. 15; *The Nation*, Lagos, 9 April, 2011, p. 2; *Nigerian Tribune*, Ibadan, 9 April, 2011, p. 1.

President Goodluck Jonathan and Governor Akpabio's campaign building. Four PDP supporters reportedly lost their genitals and 65 ACN supporters were in police custody.

In the words of Governor Godswill Akpabio,

This is no longer politics. You cannot just go and destroy over 800 brandnew cars and burn down over 500 brandnew "keke napep" [tricycles], and burn down all sorts of edifices in the place. They went as far as cutting the private parts – genitals of PDP members and they are in the general hospitals.

(Daily Sun 24 March 2011, p. 6; Nigeria Compass 10 April 2011, p. 5.)

Four persons were feared killed in election violence in Ogume Ndokwa West and Ughelli North Local Government Area of Delta State. Two were reportedly shot dead at Ogume by anti-riot policemen, who purportedly fired shots to quell an uprising; the other two were said to have been killed at Ughelli by suspected mercenaries. At the last count, electoral violence in the South South Zone had recorded 24 deaths (*Daily Sun 24 March 2011, p. 6*).

South West Zone

This zone, reputed to be the 'Wild West', comprises five states. This zone too was not immune from violence. During the election campaign, the Ondo State Police command summoned the leadership of the Action Congress of Nigeria (ACN) and the ruling Labour Party (LP) to an emergency meeting over the violent clash that occurred in Imeri in Ose Local Government Area. No fewer than 10 people had sustained injuries in the clash that forced residents of Imeri to scamper for safety (*Saturday Punch 19 March 2011, p. 7*). One person was reportedly shot dead after being hit by a stray bullet from yet-to-be identified hoodlums sponsored by one of the political parties (*Saturday Punch 19 March 2011, p. 7*).

In Ekiti State, in the Kota area of Omuo-Ekiti, two people were shot dead on Wednesday 23 March 2011 by men in police uniform, when supporters of the ACN and their PDP counterparts clashed. The body of one of the victims, the late Faluyi Kehinde Ayoola, was dumped by members of the PDP at the entrance of Governor Kayode Fayemi's office in Ado Ekiti (*Daily Sun 24 March 2011, p. 12*). In the neighbouring Osun State, the police recovered a large cache of arms in Atakumosa Local Government Area from a PDP member of the House of Assembly of Osun State, including 19 Italian pump-action rifles and 14 live cartridges, as well as expended ammunition and a long cutlass (*The Nation 7 April 2011, pp. 1-2*).

Ibadan, the capital of Oyo State, lived up to its 'Wild West' reputation as guns boomed, blood flowed and bodies fell during the PDP local government congress. The major casualty of the 'war' was the Oyo State factional leader of the National Union of Road Transport Workers, Alhaji Lateef Salako (Eleweomo), who was allegedly killed in crossfire between his loyalists and suspected thugs (*Nigeria Compass*, 31 December 2010, pp. 1 & 50). The Senate Leader, Senator Teslim Folarin, was said to have been at the scene of the fracas. He admitted that 'even my convoy was seriously attacked on my way home, and this resulted in the death of two of my supporters, while I also learnt that two others had their arms chopped off' (*Nigerian Compass* 31 December 2010, pp. 1 & 50).

At Iseyin in Oyo State, PDP Secretary, Alhaji Bashir Akanbi claimed that Congress for Progressive Change (CPC) members clashed with his party members who were returning from a political tour of Oke Ogun Local areas. He also alleged that a chieftain of the CPC shot at the vehicle in which he was travelling. He said further that 'they broke the windscreen and all the glasses of the car and also looted my bag containing N250 000.00, a gold wristwatch, a silver wristwatch, all my chequebooks and ATM cards, as well as two dresses.' The attack claimed a life (*Sunday Tribune* 27 February 2011, p. 11).

In the neighbouring Ekiti State, the PDP Secretary in Ido-Osi Local Government Area, Toyin Akinlade, was killed by unknown gunmen in the early hours of Thursday 24 March 2011. The late Akinlade, who was a former councillor, met an untimely death in his home at midnight (*National Life* 25 March 2011, p. 35).

In Ogun State, no fewer than three people were reportedly killed at the Labour Party (LP) campaign rally in Ikenne Local Government Area, prompting the PDP to postpone its rally in the area (*National Life* 25 March 2011, p. 35). Around the same time, at least five vehicles were burnt when supporters of the PDP and the Accord Party clashed at Iwo Road, in Ibadan, Oyo State on Sunday 13 March 2011 (*Sunday Tribune*, Ibadan, 13 March 2011, p. 12). Segun Osoba, a former governor of Ogun State – who is also a chieftain of the ACN – disclosed that a member of the party was killed during last Saturday 13 March 2011 National Assembly election at Saje. Tajudeen Balogun, an ACN agent, who monitored the election at the Kessi-Emere unit at Saje, was on his way from the collation centre at the Saint Mary Primary School when he was shot by unknown assailants (*Daily Sun* 11 April 2011, p. 5). Earlier, the police had announced that one life was lost during the PDP ward congress in Ogun State. Many were also injured. The deceased was simply identified as one Toyin who was 27 years old (*The Nation* 30 December 2010, p. 5).

Osun State was not spared the venom of electoral violence. Tension was palpable in Ife town, as five supporters of an aspirant politician were killed in the early hours of Saturday 30 December 2010. The slain were said to have

been supporters of an ACN House of Representatives candidate in Ife Federal Constituency, Mr. Rotimi Makinde. The victims were alleged to have been killed by persons sponsored by a politician in the town when he unleashed terror on Makinde's house and the candidate for the Senate, Hon. Jide Omoworare. A guard at Makinde's house and four members of a church in the neighbourhood were shot and killed.

Perhaps the worst case of electoral violence took place in Ibadan, the capital of Oyo State, where the National Union of Road Transport Workers became politicised and was caught between manipulation by both the ruling PDP and the opposition ACN. Prior to and after the gubernatorial election, the state capital was reeling from violence. The violence assumed a dangerous dimension in May shortly after the inauguration of the new governor, Senator Abiola Ajimobi, when several innocent lives were lost. The reason was that the loss of the ruling party in the state translated to the loss of the ruling elite in the drivers' union too. Oyo State Government had to set up a judicial panel of enquiry and also proscribed the union before peace could be restored to the ancient city. At a well-attended press conference, a faction of the proscribed union led by Alhaji Lateef Akinsola (a.k.a. Tokyo), disclosed that the leadership crisis rocking the union in the state had thus far claimed more than 200 innocent lives. In a 120-page memorandum submitted to the probe panel, the factional secretary of the union, Alhaji Lekan Aleshinloye, said the killings and destruction of property associated with the violence were not merely owing to intra-union conflict (*Nigerian Compass* 10 April 2011, p. 11). He averred that the other faction of the union was 'backed, empowered and bankrolled' by the ruling party governor of the state (*Nigeria Compass* 10 April 2011, p. 5).

From the above survey of all six geopolitical zones of Nigeria, it is clear that conducting the 2011 general elections was in many respects like a war. Holding elections is no doubt one of the vital aspects of democracy, and that several communities should have experienced it as such a dreadful event places a question mark over the credibility of the exercise. The question that the next segment of this paper attempts to answer is: How compatible are violence and democracy? And what intensity of violence can a polity absorb for an election still to be credible?

Democracy and Violence: An Exploration of the Nexus

Undoubtedly, democracy and violence are far from compatible. The former is a benign anarchy of diversity (Ake 1995). Democracy presupposes human sociability. It enjoins participation – a means of consensus-building. As averred by Nwolise, 'there can be no democratic election, democratization, consolidation of democracy, growth in democratic culture or internalization of best democratic practice in any country if electoral violence is prevalent' (Nwolise 2007, p. 155).

Perhaps the greatest damage violence does to an election is to the credibility of the results (Ajulu 2008, pp. 33-51) and the accompanying succession crisis (Ojo 2007, pp. 24-32).

It is against this background that pre-election, election day and post-election violence have become a worrisome trend to scholars, politicians, the international community and public policy-makers in Nigeria alike. For instance, the International Society for Social Justice and Human Rights, in its 2011 report, disclosed that as a result of post-election violence linked to the 2011 general elections, the number of internally displaced persons in Nigeria had reached 6.3 million. The group explained that its last check showed that the number had increased from 5.6 million to the current intimidating figure owing to the post-election riots in some parts of the country. The Chancellor of the group, Chief Jackson Omeuazu, warned that the number of those dislodged from their communities could increase if proactive measures were not taken to check the trend (*The Punch* 25 April 2011, p. 6).

As a result of electoral violence prevalent in some northern states, the INEC had to postpone the 26 April 2011 governorship and state House of Assembly elections in Bauchi and Kaduna States. They cited the terrible security situation in the two states following the violence that erupted in some parts of the country over the previous presidential poll (*Nigeria Tribune* 22 April 2011, p. 4):

The magnitude, tempo and dimension of the violence which accompanied presidential poll result compelled the President – Dr. Goodluck Jonathan – of Nigeria to address the nation on why the country must be united:

... they killed and maimed innocent citizens. They set ablaze business premises, private homes and even places of worship. In some cases, they showed utter disrespect to all forms of authority, including our most revered traditional institutions. They systematically targeted population groups. They singled out and harrassed nationalistic politicians. They intimidated travellers.

The Nation 21 April 2011, p. 9

He went further to state in the same speech that:

If anything at all, these acts of mayhem are sad reminders of the events which plunged our country into thirty months of an unfortunate civil war. As a nation, we are yet to come to terms with the level of

human suffering, destruction and displacement, including that of children to far-away countries, occasioned by those dark days.

The Nation 21 April 2011, p. 1

On the same issue, national daily *The Guardian* noted that:

The violence that broke out in some states following the announcement of the presidential election results is unfortunate and condemnable. It is a sad signal that rather than improve in their attitude over elections, politicians are still desperate, their supporters even more so. It is particularly worrisome that the violence occurred at a time all Nigerians should be congratulating themselves for successfully holding a presidential election that can go down in history as an orderly and peaceful one. Last Saturday's presidential election may not be the best Nigeria has ever had, it is certainly commendable when compared with similar elections in 1999, 2003 and 2007.

(The Guardian, Lagos, 21 April 2011, p. 14)

Be that as it may, vote rigging – which means accumulating votes through the use of violence – has devalued the vote, leading to apathy among the electorate and dampening their enthusiasm for democracy. This is because rigging, violence and intimidation made a mockery of the electoral process. In Africa, Asia and several other developing regions, thuggery and intimidation are the most popular methods used by political parties and politicians to exclude large proportions of the population (Ubi 2007, p. 21).

Writing on the consequences of electoral violence, Kristine Hoglund averred that it can have several negative effects. Violence and insecurity may cause low voter turnout, it can interfere with the registration of voters, or it may affect the validation of election results. In essence, it can influence both the electoral process and the outcome of elections. She added that violence during the election campaign targeting politicians can force candidates to resign their candidature (Hoglund 2009, p. 417). Corroborating this position, Michael Bratton in a perceptive work observed that 'in reality, people who are paid or threatened during the election campaign are actually less likely to turn out to vote on polling day. Threats of violence lead to an especially sharp reduction in voter turnout' (Bratton 2008, p. 622).

It is however imperative to note that violence is not in any way synonymous with the political culture of Nigerians. In a survey, a clear majority of Nigerians interviewed said that political violence was always wrong. Almost four out of five adult Nigerians (79%) see political violence as 'never justified', even 'in support

of a just cause'. The survey revealed that only 5% of Nigerians strongly support the 'necessity' of using violence in pursuit of political goals (Bratton 2008, p. 623).⁵ As revealed by the survey of the six geopolitical zones, the negative consequences of political intimidation include, in approximately equal proportions, threats to personal safety, threats to the safety of family members, and the loss of property (Bratton 2008, p. 624).

At the base of electoral violence are protests and agitations over socio-economic issues, especially in ethnically defined constituencies (Despres 1975, pp. 131-157). From another perspective, electoral violence is a consequence of the weak capacity of new states and the difficulty they experience in enforcing laws (Adebayo & Ojo 2009, p. 7).

CONCLUSION AND RECOMMENDATIONS

From the foregoing, and coupled with ethno-religious conflicts that have bedevilled Nigeria's political landscape as a regular worrisome phenomenon in the country, Nigeria presents a glaring picture of a beleaguered state (Ojo 2006, pp. 368-378). These and other development indicators are so dismal that the 2010 Global Peace Index report ranked Nigeria 137th out of 149 countries surveyed (Global Peace Index 2010). The problem is that election administration and conduct have become a curse rather than a blessing, in view of the violence that accompany elections (Motsamai 2010).

In essence, one of the major challenges Nigeria's nascent democracy faces is conducting violence-free elections in which both the candidates and the electorate can participate without fear of being attacked or injured. In curbing electoral violence in Nigeria, two institutions readily come to mind: the judiciary and the mass media. No doubt, the judiciary is a crucial institution in established democracies of the world. This is not unconnected with the fact that constitutional government must in part be judicial government (Onyeoziri 2005, p. 3). The judiciary is assumed to be the guardian of the rule of law and the upholder of justice, fair play and equity. This is the reason that in Nigerian constitutions the judiciary enjoys the greatest measure of independence from both executive and legislative arms of government – except during military interregnum (Adebayo & Ojo 2009, p. 17).

Despite the constitutional provisions that ordinarily prevail, the judicial organ is faced with two major problems, which to a large extent have encumbered its

5 For a detailed account of the forces between two factions of the PDP at the Local Government Congress of Ona-Ara Local Government Area, Ibadan, Oyo State, see *Nigeria Compass*, Isheri, December 31 2010. pp. 1 & 50. It was in this confusion and violence that 'Eleweomo', a factional leader of National Union of Road Transport Workers (NURITW) in Oyo State was killed in cold blood.

performance and exacerbated electoral violence. First, Nigerian judges are in most cases unable to interpret the laws to accord with the progressive aspirations of the people. Thus when elections are rigged, the perception of the majority of the electorate, including candidates in elections, is that justice might not be served by election petition tribunals. This perception has been responsible for some people resorting to lawlessness and violence (Ojo 2011, pp. 125-136). Secondly, certain judges are said to belong to secret local societies that are very powerful and feared by their members for imposing serious sanctions on them. Judges who belong to such secret societies are believed to have a double loyalty – that is, loyalty to the state and its laws, and loyalty to the secret societies and their obnoxious norms and dastardly acts.

Furthermore, there are widespread allegations of corruption against members of both the Bench and the Bar (Davies 1990, pp. 125-136). It is only transparency and accountability that can boost the confidence of the masses with regard to the judiciary. The judiciary is yet to pass that litmus test in Nigeria. The concomitant effect of lapses in justice has been exacerbating electoral fraud and violence.

In the final analysis, the role of the mass media in curbing electoral violence and promoting a sustainable democracy cannot be overemphasised (Ojo 2003, p. 5). With those two institutions (the judiciary and the mass media) taken care of, politicians too need to eschew a winner-takes-all kind of politics. In Africa, the state is central to the economic wellbeing of the citizenry; hence, politics of exclusion is antithetical to peace and tranquillity. Unless there is a sudden turnaround – and so far, there are few signs of it – the polity appears closer to the brink than ever before.

In its 2011 Failed States Index, the United States-based Fund for Peace rated Nigeria in 14th position out of 177 countries analysed, the same spot it held in 2010. The country was only ahead of the world's 13 most miserable countries: Somalia, Sudan, Chad, Congo (DR), Haiti, Zimbabwe, Afghanistan, the Central African Republic, Iraq, Côte d'Ivoire, Guinea, Pakistan and Yemen. Using indicators such as security, state legitimacy, and factionalism and group grievances, Nigeria appeared to the Fund for Peace researchers to be close to the 2005 prediction by the US Central Intelligence Agency that the country could break up by 2015. The 2011 ranking of the country as the 14th 'most failed' state in the world therefore underscores the precarious national condition as well as the imperative of taking immediate measures to arrest the downward slide (*The Punch* 30 June 2011, p. 18).

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A COMPARATIVE CASE STUDY OF THE VOTING BEHAVIOUR OF POOR PEOPLE IN THREE SELECTED SOUTH AFRICAN COMMUNITIES

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ABSTRACT

Despite the growing speculation about the electoral power of poor voters, little is known about what influences them to vote the way they do and why. Poor communities are often considered a homogeneous group, with little appreciation for their agency in making electoral choices. In this paper, comparative data are shared from a quantitative study undertaken in two selected poor communities during 2013 in Johannesburg (Riverlea and Doornkop) and a rural community in the Limpopo province in 2014. Two key factors were explored that might explain voter preferences, namely identification and loyalty on the one hand, and on the other clientelism, social grants and vote-buying. Firstly, it was found that long-term party loyalty and party performance are the main predictors of voter preferences, irrespective of geographic location. Secondly, in all three areas, it is unlikely that the majority of poor voters will be persuaded to vote for a particular party on the basis of receiving food parcels before elections. Finally, the study showed that one in six voters would consider voting for a party that provides a social grant, with this trend being most prevalent in the African communities of Doornkop and Limpopo. Therefore, it could be argued that social grants can be used as a campaign strategy of gaining (or retaining) support from grant-holders and could influence the floating vote.

Keywords: social grants, food parcels, elections, party identification

INTRODUCTION

Studies on voting behaviour across the world, and in South Africa since the first democratic elections in 1994, generally focus on the voting behaviour of the eligible voting population as a whole. However, little is known about the voting behaviour of poor people in South Africa. Understanding what motivates poor people to support a particular party after 20 years of democracy is important, as the poor and unemployed constitute a large proportion of the country's 54 million people. The official unemployment rate in 2013, when the study was conducted, was 25.6% and the expanded unemployment rate was 36.8% (South Africa Survey 2013, p. 228), while 35.9% of the population lived in relative poverty (South Africa Survey 2013, p. 343).¹

In previous elections, party support, identification, and loyalty were strongly associated with electoral outcomes and reflected voting patterns along racial lines (Habib & Naidu 2006; Letsholo 2005). In the run-up to the 2014 elections, there was growing speculation in the media as to whether the receipt of social assistance – for example social grants – affects the voting behaviour of poor voters. Access to social protection has increased from 3 million in 1995 to 16.7 million in 2015, reaching over a third of the population. Not only are social grants a highly controversial topic, but there is also a great deal of speculation about the electoral power of grant beneficiaries and their role in securing electoral support for the African National Congress (ANC). The party has been accused of using the social grant system as a vote-buying mechanism to win the support of poor voters (*News24* 17 March 2011; *The Star* 26 April 2013). This issue became particularly pertinent in the 2014 general elections.² Equally controversial has been the issuing of food parcels by the government before local government by-elections in 2013 (*City Press* 3 August 2013).

The first question addressed by our study seeks to establish whether party support, identification and loyalty are likely to be less important in future elections in the three communities in which the study was conducted. Secondly, we sought to establish the influence of clientelism on voting behaviour 20 years after democracy. In this context, clientelism refers to individualised exchange

1 Relative poverty means that the poverty line is adjusted each year according to the cost of living, and varies depending on the number of people living in a household. In 2012 this ranged from R1 450 (US\$145) per month to R5 157 (US\$515) for a household of eight. Of those living in poverty 41.9% are African, 24.5% are coloured, 11.1% are Indian and 0.8% are white (South Africa Survey 2013, p. 343). Income poverty is used for this purpose, as it captures grant beneficiaries who meet the qualifying income thresholds.

2 The importance of this issue was highlighted further by KwaZulu-Natal agriculture's MEC Meshack Radebe's statement in early April 2014 that those who received social welfare grants but voted for opposition political parties were 'stealing from government' (*The Mercury* 9 April 2014).

of goods and services, that is, social grants and the distribution of food parcels during elections as a vote-buying strategy to gain political support (Weitz-Shapiro 2012). Similarities and differences are identified between the three communities in relation to these factors. The data are drawn from a study on the voting behaviour of poor voters (Patel, Sadie, Graham, Delany & Baldry 2014).

To our knowledge, this is the first quantitative study on the voting behaviour of specifically poor communities in South Africa. Although the findings are not generalisable to the national population of poor voters, they nevertheless provide valuable insight into the voting behaviour of poor people. However, further research is needed on a national level to draw robust conclusions.

To contextualise the study, the paper starts with explanations of the voting behaviour of South Africans during the first four general elections (1994, 1999, 2004 and 2009). This is followed by a brief overview of the research method used and a description of the respondents from the three communities surveyed. Thereafter, the findings are presented in two parts: firstly, whether party support, identification and loyalty influence voting behaviour. In addition, perceptions on government performance, corruption and trust are considered, which may provide some explanation for party support or the lack thereof. The second part is devoted to the manner in which 'vote-buying' or clientelism shaped the voting behaviour of poor people in these communities. In the concluding part, the implications of the findings for future elections are considered.

GENERAL EXPLANATIONS OF VOTING BEHAVIOUR IN SOUTH AFRICA

Voter preference in South Africa's past four democratic elections has been linked to a number of determinants. Scholars such as Lodge (1995), Guelke (1996), Johnson (1996), Davis (2003) and Ferree (2004 & 2006) have all argued that elections have been nothing more than a 'racial' census, with the majority of Africans supporting the ANC and the majority of whites supporting the Democratic Alliance (DA). Some elements of ethnic and regional voting have also been evident, especially in the 1994 and 1999 elections. An example is the support for the Inkatha Freedom Party (IFP), particularly among Zulus in KwaZulu-Natal (Letsholo 2005, pp. 2-3). The influence of race on the voting behaviour of the coloured and Indian populations seems, on the contrary, less significant (Ferree 2004, p. 14).

However, others contest this 'racial arithmetic', arguing that voters are not unthinking and irrational people who vote according to their skin colour (Taylor & Hoeane 1999). In this regard, Mattes et al. (1999, pp. 245-246) argue that performance and delivery, a strong election campaign, and the obstacles that opposition parties face in convincing voters to 'take them as a real alternative' also shape the choice of voters. However, voters' perceptions of performance and

campaigns are shaped by race, class, and ethnicity and the interaction among these. Party identification (and loyalty) is also often used to explain voting behaviour in South Africa (Habib & Naidu 2006). A strong sense of identification with and long-term loyalty to a party is another explanation of voting preference (the party identification model) (Miller 1991; Peele 2004).

The ANC has a dominant position in South African politics because it is perceived to be a liberation party and the historic bearer of democracy, while opposition parties such as the DA suffer from a legitimacy problem (Letsholo 2005, p. 5). Letsholo (2005, p. 5) argues that this situation is purposely maintained by the ANC because it enables the party to discredit its opponents and thus be seen as the single legitimate representative of the interests of South Africans. As a consequence, despite the fact that some voters complain about the way the ANC rules the country, they continue to vote for the party because other parties, especially the DA, are perceived as being a remnant of the apartheid regime. However, scholars increasingly argue that while party identification and affiliation are still prominent in South Africa, these are combined with issue-based voting, especially with government performance on issues such as service delivery, poverty, unemployment and health (Kersting 2009, pp. 131-132; McLaughlin 2008).

The lack of service delivery has been the cause of numerous public protests in the country over the past few years. In 2013, when the research was conducted, 155 major protests occurred at a rate of almost one every second day (Municipal IQ, Feb 2014)³. Whether the lack of government performance in terms of service delivery is a specific factor influencing the voting behaviour of poor people, in particular, is also addressed in this study.

Social protection and receipt of food parcels during election campaigns, also known as patronage or clientelism, is an acknowledged determinant of voting behaviour (Bratton & Van de Walle 1997; Van de Walle 2003). It is consistent with the expansion of a new generation of social protection policies in middle-income countries in the South (Patel, Midgley & Ulriksen 2013). Studies in Argentina and elsewhere have found that poverty predicts vote-buying and that a poor person is 65 times more likely to be influenced by vote-buying than a middle-class or wealthy person (Stokes 2005, p. 322). Also, in Brazil it was shown that social grants can influence the electoral choice of poor voters (Hall 2006, 2012; Hunter & Power 2007). The Peronist Party in Argentina and the Mexican Institutional

3 Municipal IQ's *Hotspots Monitor* collates major protests staged by community members (who can be identified as living in a particular ward) against a municipality. Such protestors raise issues that are the responsibility or perceived responsibility of local government (such as councillor accountability, the quality and pace of basic service delivery, and in metro areas, housing). Not included are issues falling outside of local government's service delivery mandate (Municipal IQ *Municipal Hotspots Monitor*, 4 /2/2014).

Revolutionary Party have also been able to sustain electoral dominance for decades by catering to poor voters (Magaloni 2014a).

While there is growing interest in clientelism associated with the expansion of social protection in the South, it is difficult to measure and understand the variation of its use within and between countries. In this regard, Weitz-Shapiro (2012, p. 577), based on data collected in Argentina at local government level, found considerable variation among politicians who choose to use vote-buying measures. Competition from other parties and areas where there are high levels of poverty are associated with increased use of clientelist practices. Conversely, where competition is low and there is a growing middle class, politicians are less likely to use vote-buying electoral strategies. In our study, it was important to understand the perceptions of poor voters and the influence of social protection on voter preferences, and the way this varied in the three communities we surveyed.

METHOD AND SOCIO-DEMOGRAPHIC CHARACTERISTICS OF RESPONDENTS

The study was mainly an opinion survey conducted during June 2013 in Doornkop and Riverlea in Johannesburg. These two poor urban areas have a high uptake of social grants and diverse political interests. These areas are predominantly African, and African and coloured, respectively. In the 2011 local government elections, 90% voted for the ANC in Doornkop, while 47% supported the ANC in Riverlea, and 49% voted for the official opposition the DA (Electoral Commission of South Africa 2011).

For the purpose of local government elections, Doornkop is divided into two election wards, wards 50 and 129, while Riverlea represents one ward, ward 68. Ward 129 in Doornkop was selected for the study since it closely resembles the size of the population of Riverlea. In addition, ward 129 consists of 23 365 inhabitants over 18 years of age, while Riverlea has a population of 25 230 inhabitants over the age of 18 years (Census Statistics South Africa 2011).

A systematic, multistage sampling method was used to select the respondents. The sample was drawn in three stages: first, the wards were selected, then in stage two the dwellings were selected and in stage three the respondents were randomly selected. Only South African citizens who were 18 years and over (i.e. people who are eligible to vote) were interviewed, and they were randomly selected in each of the communities surveyed. Our study design was essentially a case study approach, with purposive sampling used at the community level and randomised sampling used at the individual level.

In November 2013, an additional poor rural community was selected for the study because it was assumed that different levels of political mobilisation, organisation and politicisation might exist between urban and rural areas. The

Elias Motsoaledi local municipality in Groblersdal in the province of Limpopo was selected. Like Doornkop and Riverlea, this area is characterised by a high uptake of social grants. Wards 9 and 11 were selected for the study, with a population of 11 2070 and 4724 respectively. The ANC received 47% and 36% of votes respectively in these wards in the 2011 local election, with the Mpumalanga Party receiving 45% and 58% respectively. This is exceptional in the political landscape of Limpopo, where the ANC held a majority in the post-1994 period. Groblersdal was previously part of the Mpumalanga province, but due to new local government boundary demarcations the area was later incorporated into the Limpopo province. This was highly contested and resulted in a loss of support for the ANC.

The purposive selection of the three sites was warranted as this study sought to understand voting behaviour in different urban and rural contexts. In addition, these sites presented a variation in support for political parties and a high uptake of social grants. The sample size and sampling method was standardised across all three areas. A total of 1204 respondents were interviewed, with 402 in Riverlea, 402 in Doornkop, and 400 in Groblersdal.

The questionnaire consisted of 29 closed-ended questions and three open-ended questions, broadly covering the following aspects: demographics, access to political information, knowledge of democratic rights, perceptions of government performance, trust in institutions, perceived corruption, voting behaviour, reasons for voting, attitudes towards social grants, and access to social grants.

The nature of clientelism – that is, individualised exchanges for political support – makes it a difficult variable to measure. Proxies were used such as, among other things, perceptions of corruption and knowledge of rights, in keeping with research elsewhere (Kitschelt et al. 2009). While most studies are done at a national level, the focus here was on the sub-national level. The questionnaire was developed by the lead researchers, piloted in Riverlea and Doornkop, and amendments were made to simplify and clarify certain questions. The fieldwork was done by a team of fieldworkers under the supervision of the Centre for Social Development in Africa and the Department of Politics and International Relations at the University of Johannesburg. Bachelor of Arts (BA) Honours students in Politics formed part of the fieldwork team. All fieldworkers were trained to conduct the interviews. In Groblersdal, assistance with fieldwork was provided by Ndlovu Care Centre and eight fieldworkers were recruited from the Moutse area, a local community.

Data analysis was conducted by means of SPSS. Descriptive analyses were employed as well as inferential statistics, predominantly chi-squared analyses (using Pearson chi-square test).

The areas are comparable in that they are low-income areas with a high grant uptake. However, the purposive selection of the areas is a limitation in that the findings cannot be generalised to the country. Moreover, in surveys of this kind, there is always the chance that respondents will provide socially desirable responses. To address this limitation, efforts were made to ask similar questions in different ways. The research was conducted before new parties such as the Economic Freedom Fighters were registered for the 2014 national elections. Voter preferences for these parties were not recorded. Nevertheless, the findings provide an indication of what motivates people to vote in particular ways and could inform further research.

The socio-economic profile was fairly similar across the three communities, although Riverlea had a lower grant uptake (30%) than the other two areas, Doornkop (41%) and Groblersdal (42%). Riverlea also had a larger coloured population (41%) compared with Doornkop in Soweto, and Groblersdal, both of which are mainly African communities. Riverlea and Doornkop had more people in their households who were employed full-time or part-time (35% and 31%, respectively) than Groblersdal (19%). Unemployment rates were similar across the three areas. Most people lived in formal houses in Riverlea and Groblersdal, while 22% of Doornkop respondents lived in informal dwellings. All three areas had large youth populations (18–34 years) ranging between 46% and 51%. Levels of higher educational attainment were fairly low in Groblersdal (32%) and slightly higher in Soweto (40%) and Riverlea (47%). Groblersdal, a rural area, had lower educational attainment levels and part-time or full-time employment rates than the urban areas.

We now discuss the findings with reference to the factors that might explain the voting behaviour of poor people in the three communities surveyed.

PARTY SUPPORT, PARTY IDENTIFICATION AND LOYALTY

In establishing whether respondents strongly identify with their party and are therefore also very loyal to the party, three different sets of questions were asked. One set of questions was direct: respondents had to indicate their closeness to a range of the most important parties in the country (at national level), whether they have ever considered voting for another party, whether they thought it was acceptable to vote for different parties in the national and local elections, and lastly, which party they would support 'If an election was held tomorrow'.

A second set of questions revolved around 'Why people vote' and 'What would the considerations for respondents be in voting for a specific party?' The third set of questions tried to establish how respondents evaluated the

performance of the government and the extent to which this could be linked to party support and loyalty.

In order to link responses to some of the above questions to party support, the party electoral choice of respondents was also established. Respondents were presented with a list of the nine most prominent national parties at the time of the fieldwork. They were asked: 'If an election were held tomorrow, which party do you think you would vote for?' As shown in Table 1, the ANC received the overall majority support (56%), which was unevenly split across the three areas. Riverlea recorded lower levels of support for the ANC (47%) and had the highest support for the DA (25%). Groblersdal polled 57% support for the ANC, while in Doornkop it was 65%. The DA was the second most preferred party for voters in Doornkop (12%) and Groblersdal (13%).

A large majority of African respondents (85%) indicated that they would support the ANC, while the coloured vote was largely split between the DA (36%) and the ANC (31%), with a large percentage (25%) who were unsure or refused to answer the question.

Table 1
Party electoral choice

Political parties	Riverlea	Doornkop	Groblersdal	Total N (%)
ANC	189 (47%)	261 (65%)	226 (57%)	676 (56%)
DA	102 (25%)	47 (12%)	52 (13%)	201 (17%)
COPE	8 (2%)	8 (2%)	5 (1%)	21 (2%)
Agang	10 (2%)	6 (1%)	1 (<1%)	17 (1%)
IFP	3 (1%)	5 (1%)	1 (<1%)	9 (1%)
PAC	2 (1%)	3 (1%)	2 (1%)	7 (1%)
FF Plus	1 (<1%)	1 (<1%)	3 (<1%)	5 (<1%)
ACDP	2 (1%)	1 (<1%)	-	3 (<1%)
AZAPO	-	-	2 (1%)	2 (<1%)
Other	7 (2%)	11 (3%)	17 (4%)	35 (3%)
Don't know	42 (10%)	25 (6%)	44 (11%)	111 (9%)
Refused	36 (9%)	34 (8%)	46 (12%)	116 (10%)
Total	402 (100%)	402 (100%)	399 (100%)	1203 (100%)

Note: The fieldwork commenced before the establishment of the Economic Freedom Front (EFF) in July 2013

First set of questions: closeness to party

Respondents were asked to indicate how close they feel to a list of nine parties, using a scale of 1 (very distant) to 5 (very close). In all three areas the average scores for closeness to a political party were highest for the ANC (3.8). Respondents in Groblersdal, in particular, felt close to the ANC (4.1 mean score as opposed to 3.4 in Riverlea), while the average mean score for opposition parties ranged between 2 and 2.7. To use this question as a measure of party loyalty, respondents who indicated that they felt 'close' or 'very close' to only one party were regarded as having a strong party identification. Those who felt 'close' or 'very close' to more than one party, as well as those who did not know the answer to the question, were regarded as having weaker levels of party identification.

As indicated in Table 2, just more than half of the respondents indicated that they feel close to only one party, with limited variation across the three areas. Of these respondents, the largest proportion (85%) indicated that this party is the ANC, while only 16% indicated strong identification (closeness) with one of the opposition parties, most commonly the official opposition (DA).

Table 2
Identification with one political party (closeness)

Closeness to political parties	Riverlea	Doornkop	Groblersdal	Total N %
Close to one party	210 (52%)	201 (50%)	211 (53%)	622 (52%)

A further question determined how often respondents, who have voted in the past, have considered voting for another party. The response options were 'never', 'seldom', 'often' and 'very often'.

Doornkop had the largest number of respondents (70%) who have voted before, but never considered voting for another party, followed by Groblersdal (66%) and Riverlea (60%). These voters can, therefore, be considered loyal to a single party as opposed to those respondents who had considered voting for other parties or had not given a response (see Table 3 below).

We cross-tabulated these results with party support (which party they would support if an election was held 'tomorrow'). A notable difference emerged in reported party loyalty among those who said they would vote for the ruling party (if there was an election tomorrow) and those who said they would vote for opposition parties. Significantly more respondents who intended to vote for the ruling party indicated they had never considered voting for another party.

Table 3
Frequency with which voters have considered voting for another party

Frequency with which have considered voting for another party	Riverlea	Doornkop	Groblersdal	Total N (%)
Never	181 (60%)	208 (70%)	186 (66%)	575 (65%)
Seldom	51 (17%)	38 (13%)	17 (6%)	106 (12%)
Often	43 (14%)	31 (10%)	32 (11%)	106 (12%)
Very often	29 (10%)	20 (7%)	46 (16%)	95 (11%)
Total	304 (100%)	297 (100%)	281 (100%)	882 (100%)

In a follow up open-ended question, the two main reasons given by respondents who have never considered voting for another party are firstly, that they identify with or have a strong attachment to the ANC. Comments included: 'I believe in the party', 'the party brought democracy and freedom to us and our kids', 'comfortable with the party', 'I don't like other parties', 'I only love the party that I am with', 'I feel I belong to the party', 'trust the party', and 'have been with the party for a very long time'. Equally important were the references to Mandela, in particular, such as 'ANC for me as long as Mr Mandela is still alive we won't vote for another party because he fought for democracy'. This type of sentiment was shared by respondents in all three areas.

Secondly (though mentioned slightly less), respondents were satisfied with the party because the party 'provided the necessities', the 'party delivers', the 'party is doing well for me, even though they are not providing for all', and the 'party is doing good'.

The major reason, expressed by a large majority of those who have considered voting for another party (in all three areas unless otherwise indicated), can broadly be encapsulated as, firstly, dissatisfaction with the government's performance. This was reflected in numerous statements such as:

- ANC keeps making promises, don't deliver, don't deliver on promises, doesn't keep promises, no housing as promised, empty promises.
- No employment, high unemployment, no creation of jobs.
- No service delivery, slow service delivery, poor services.
- Conditions which I am staying, no houses for poor.
- No crime prevention, crime, poor safety and security.
- No clean water or no water (especially respondents in Groblersdal).

The second major reason provided was the prevalence of corruption. Numerous mentions were made to corruption in the ANC in particular, for example, in their leadership and then more broadly to corruption in other institutions such as the police.

A third question was asked to establish how strongly respondents identify with their party. This was measured by the extent to which they agreed with the statement, 'It is acceptable to vote for different parties in the national and local government elections' on a scale ranging from 'strongly disagree' to 'strongly agree'. Given that 65% of respondents have never considered voting for a different party, it was rather surprising that more than two-thirds of respondents agreed with the statement (see Table 4).

Table 4
Agreement with acceptability of voting for different parties in national and local elections

It is acceptable to...	Riverlea	Doornkop	Grobbersdal	Total
Vote for different parties in the national and local government elections	75%	64%	67%	69%

Riverlea respondents are more likely to vote for different parties in national and local elections than voters in Doornkop and Groblersdal. This might be due to the changes in the demographic profile of Riverlea since 1994, and as indicated previously, that it is more politically diverse. The low level of trust and perceptions of performance of local government, particularly ward councillors (discussed below), might provide another explanation for this deviation. Many of the problems mentioned above, as to reasons why opposition parties attracted more votes in the last elections, are issues that are mainly dealt with at local level. In other words, it seems that issues that have a direct bearing on people's quality of life or their well-being may influence voters to vote for other parties at local level.

Second set of questions: reasons for voting and choosing a particular party

All respondents were asked for their opinions on why people chose to vote, even if they themselves have not voted previously. Respondents were asked to indicate the extent to which they agreed or disagreed with a series of nine statements, using a scale from 1 (strongly disagree) to 5 (strongly agree).

The majority of respondents believed that people vote to make things better, with 95% agreeing in Riverlea, 94% in Groblersdal and 89% in Doornkop. Similarly,

most agreed that it is their democratic right to do so, with Riverlea respondents holding this view most strongly (93%); and because they perceive it to be their duty as citizens to do so (84%). In all three areas, respondents understood the reasons for voting to be both a democratic right and duty. This is closely followed by ensuring that their party wins and because they trust the party. The statement with the lowest levels of agreement (66%) was that they choose to vote because their party takes care of them. There were no significant differences between respondents in the three areas surveyed in relation to the latter questions.

Overall, the responses of grant recipients and non-recipients to the series of statements were very similar. The only statistically significant difference related to agreement with the statement 'People vote because their party takes care of them'. Although both groups tended to agree with this statement, grant recipients (70%) were more likely to agree or strongly agree with this statement than those who do not receive grants (63%). There were no other significant differences between the respondents in the three areas.

In addition to asking respondents why they vote, they were also asked why they vote for a particular party. They responded to a list of nine statements using a scale from 1 (strongly disagree) to 5 (strongly agree).

Table 5
Reasons for voting for a particular party

	Riverlea Agree	Doornkop Agree	Groblersdal Agree	Average Agree
You have known the party for a long time	66%	63%	64%	64%
You trust the party	86%	80%	89%	85%
They have good strong leaders	83%	76%	82%	80%
The party best represents your racial/ethnic/language group	60%	58%	49%	56%
The party brought freedom and democracy to South Africans	77%	82%	91%	84%
You would have a better life	93%	82%	91%	89%
The party provides social grants for households like yours	52%	61%	63%	59%
The party promises to look after households like yours	71%	62%	61%	65%
The party gave food parcels before elections	17%	34%	29%	27%

Table 5 shows that across the three areas, the most common reason respondents provided for voting for a particular political party was that they would vote for a party because they would have a better life: 93% in Riverlea, 91% in Groblersdal and 82% Doornkop. This was followed by trust in party leaders, with higher scores in Groblersdal (89%) and Riverlea (86%) than in Doornkop (80%). Across the three areas, close to two-thirds of respondents said they would vote for a party because they had known the party for a long time.

Although not as common as the abovementioned reasons, more than half of the sample population (59%) would vote for a party if the party provides social grants to them, while race or ethnicity could also be a motivation for more than half of the respondents (56%). In Riverlea, fewer respondents agreed with the statement (52%) that they would vote for a party that provides social grants compared with Doornkop (61%) and Groblersdal (63%). This is possibly due to Riverlea having a slightly lower uptake of social grants than the other two areas. Only 27% of respondents overall, however, would vote for a party because the party gives out food parcels before elections. Again, this was less in Riverlea, where 17% of respondents agreed with the statement, than in Doornkop (34%) and Groblersdal (29%).

Cross-tabulations were done on the above responses in terms of social grant-holders and non-grant-holders, employment (employed and unemployed / not economically active), and age (18–34 years and above 35 years). Overall, the reasons that grant recipients and non-recipients vote are very similar except that 65% of grant recipients would vote for a party because ‘the party provides social grants for households like theirs’, while only 56% of non-recipients would vote for a party for this reason. In terms of employment, 68% of those respondents who are unemployed or not economically active would vote for a party because the party promises to look after households such as theirs, as opposed to 61% who are employed. In addition, 61% of the unemployed would vote for a party because ‘the party provides social grants to households like theirs’. Just over a quarter of respondents would vote for a party that ‘gave food parcels before elections’. However, the proportion is higher among those who are unemployed than employed (29% and 23% respectively), and among grant-holders compared with non-grant-holders (29% and 26% respectively).

Little difference was found between the youth (aged 18–34 years) and adults (35 years and older) on the reasons for voting for a party, with the exception that the youth views ‘knowing the party for a long time’ as a less important reason to vote than do adults (58% versus 71%). What is important when looking at party identification, however, is that a very large proportion of both the youth (84%) and adults (85%) regard the fact that ‘the party brought freedom and democracy to South Africans’ as an important reason to vote for a party. There were no significant differences between the areas with regard to the latter findings.

Third set of questions: government performance, trust and corruption

While scholars underline the importance of democratic institutions and processes, such as elections in sustaining democracies, they equally emphasise citizen support for not only democracy but also its institutions – what Linz and Stepan (1997, pp. 15-17) refer to as ‘attitudinal’ support. Bratton and Cho (2006, p. 3) underline that peoples’ perceptions in the domain of politics have a bearing on their expectations and behaviour. It matters ‘*just as much – if not more – than reality*. That which people think is true, including judgements about present conditions or past performance and expectations for the future, is a central motivation for behaviour’ (authors’ emphasis).

One of the main functions of the governing political party is to organise government institutions and implement its policies or programmes. How voters perceive the performance of these institutions, which in effect is ‘managed’ by the governing party, is an important determinant of whether voters will again support the governing party in a future election. However, it is also likely that bad performance and mistrust may, due to very strong party loyalty, have little bearing on voters’ choice and may suggest a lack of a rational choice being exercised.

Equally important is establishing respondents’ trust in their political institutions. There are many explanations, based on different theoretical rationales, as to why people trust or distrust their institutions; these include perceived institutional performance and effectiveness. Trust in political institutions is closely linked to perceptions of political performance (good governance) and government delivery (Bratton et al. 2005, p. 67). Trust is thus something that does not come naturally; it has to be earned. Trust in institutions such as the legal system, police, and civil service depends heavily on their ability to solve the problems they are designed to address (Listhaug & Wiberg 1995, p. 302).

Given the response options ‘poor’, ‘average’, ‘good’, ‘excellent’ and ‘I don’t know’, respondents were asked to rate the performance of the president as well as various public institutions. These results are presented in Table 6.

As Table 6 shows, 38% of the respondents in Riverlea, 46% Doornkop and 32% in Groblersdal thought that the performance of parliament was good or excellent. A good or excellent rating of the president’s performance was higher, with 39% in Riverlea, 55% in Doornkop and 35% in Groblersdal. Respondents in Groblersdal were most dissatisfied with the performance of local government (59%) and ward councillors (68%). Local government, police and ward councillors in particular, received a consistently poor rating across all three areas.

In a subsequent question, respondents were also asked to indicate their trust in these public institutions and the president. The results are shown in Table 7. The close link between trust and performance, alluded to by Listhaug and Wiberg (1995) above, was also evident in this survey. Distrust thus corresponds with low performance.

Table 6
Perceptions of performance

	Riverlea				Doornkop				Groblersdal			
	Poor	Average	Good/Excellent	Don't know	Poor	Average	Good/Excellent	Don't know	Poor	Average	Good/Excellent	Don't know
Parliament	18%	38%	38%	6%	23%	27%	46%	4%	25%	26%	32%	17%
The president	25%	35%	39%	1%	20%	23%	55%	1%	32%	31%	35%	3%
Local government	40%	26%	31%	3%	31%	29%	38%	1%	59%	23%	16%	3%
Ward councillor	47%	25%	21%	7%	41%	24%	32%	3%	68%	17%	13%	2%
Judiciary	14%	32%	48%	7%	16%	26%	52%	6%	15%	17%	43%	26%
Army/Defence force	7%	16%	68%	10%	10%	24%	56%	9%	13%	13%	41%	33%
Police	44%	28%	27%	1%	48%	22%	29%	1%	44%	30%	26%	1%

Table 7
Perceptions of trust

	Riverlea			Doornkop			Groblersdal		
	Dis-trust	Trust	Don't know	Dis-trust	Trust	Don't know	Dis-trust	Trust	Don't know
Parliament	28%	70%	2%	26%	70%	5%	36%	52%	12%
The president	38%	61%	1%	27%	71%	2%	39%	59%	2%
Local government	42%	57%	1%	36%	62%	2%	61%	37%	2%
Ward councillor	55%	41%	4%	48%	50%	2%	69%	29%	2%
Judiciary	16%	79%	5%	25%	72%	4%	18%	60%	22%
Army /Defence force	10%	83%	7%	19%	75%	6%	13%	58%	30%
Police	53%	47%	1%	52%	48%	1%	50%	49%	2%
Ruling party ANC	35%	63%	1%	25%	74%	1%	38%	61%	1%
Official opposition DA	39%	50%	12%	50%	37%	13%	48%	25%	27%
Other opposition parties	46%	24%	30%	51%	30%	19%	44%	20%	37%

High levels of distrust were expressed for local government, and particularly for ward councillors and the police, which coincided with perceptions of poor performance mentioned above. More than half of the respondents in the three communities were distrustful of the police: 53% in Riverlea, 52% in Doornkop and 50% in Groblersdal. This negative evaluation of the police corresponds with the reasons given by respondents as to why the ANC lost support to other parties, with crime cited as one of the major reasons. It is also not surprising given the high crime rate in the country. During the period 1 April 2012 to 31 March 2013, for example, there were 16 259 murders, which amounts to 45 murders a day (31 per 100 000 of the population). This is about four and a half times higher than the global average of 6.9 murders per 100 000. Similarly, 60 262 incidences of street or public robberies took place, primarily affecting poorer people. Most often such robberies occur when people are travelling to and from work or the shops, or while visiting people; and most events happen in quiet streets or overgrown areas as people make their way to and from taxi ranks (Africa Check 2013).

The perceived weak performance of local government and ward councillors, and the subsequent low levels of trust in local government, could be ascribed to services not being provided or not being adequately provided to the poor – which is a function of local government. These include prevention of crime, improving living standards for the poor, building and maintaining roads, and providing adequate toilets (established in a different question on whether the government is doing a good job in terms of a list of issues).

A specific indicator of performance, which Bratton et al. (2005) regard as ‘the overall predictor of institutional trust’, is whether the population regard state officials as being corrupt. Popular perceptions of corruption undermine trust in institutions. As Diamond (2007, p. 6) states, ‘Nothing is more toxic to public trust in government than extensive corruption.’ To gauge corruption, respondents were asked to indicate the extent of their agreement about the involvement of various officials in corruption (Table 8), and whether there is ‘more corruption in the country than 5 years ago’.

A large majority of respondents (77%) were of the opinion that ‘there is more corruption now than five years ago’. Corresponding with perceptions of performance and trust, the police are regarded as the most corrupt (75%), followed by local government (67%).

Cross-tabulations were conducted to establish the differences between ANC supporters and opposition party supporters on the performance, trust and prevalence of corruption in the various institutions. Although a higher proportion of non-ANC supporters distrusted all the institutions evaluated, excluding their own party, respondents did not differ in their choice of the least trusted institutions, nor did they differ in their performance ratings of these institutions (the

exception again being in terms of proportion and intensity and excluding their own party). However, rather conspicuous in terms of party support and the findings on trust and corruption is the fact that 52% of ANC supporters were of the opinion that their party is involved in corruption, and 60% think the party is doing a good job. However, 85% of ANC supporters trust their party, which, together with the above findings, seems to indicate some party loyalty.

Table 8: Perceptions of corruption

	Riverlea	Doornkop	Grobblersdal	Average
	Agree	Agree	Agree	Agree
There is more corruption now than five years ago	79%	74%	78%	77%
The president is involved in corruption	49%	49%	50%	49%
Members of parliament are involved in corruption	62%	67%	62%	64%
Magistrates and judges are involved in corruption	47%	46%	39%	44%
People in local government are involved in corruption	63%	70%	69%	67%
The police are involved in corruption	78%	77%	71%	75%

CLIENTELISM, SOCIAL GRANTS AND VOTE-BUYING

Clientelism can be a determinant in the voting behaviour of poor people, particularly with regard to 'democratic redistribution' in the form of social policies and conditional cash flows. Clientelism, as noted above, is 'the selective exchange of material resources and opportunities for votes and loyalty and is often presented as the dominant mode of interaction between parties and the urban poor.' However, clientelism involves much more than the emphasised electoral uses. As Magoloni (2014b) points out,

clientelism is an exchange relationship that entails, on the part of the patron, the delivery of material benefits including, offering privileges across government jobs and programmes, and demands on the part of the client, a variety of political behaviours, of which voting for the patron is perhaps the most consequential.

Kitschelt and Wilkinson (2007, p. 76) further argue that a clientelistic exchange relation is characterised by the following features:

- the exclusion of non-participants from the exchange
- whether such exchanges become viable from the perspective of politicians – thus whether voter constituencies respond in a predictable fashion to clientelistic inducements
- apart from spontaneous and voluntary compliance by constituencies, ‘politicians can invest in organisational structures to monitor and enforce clientelistic exchanges’.

Clientelism therefore entails an ongoing relationship. Establishing this type of relationship fell beyond the scope of this study. However, Brusco et al. (2004, p. 67; also see Stokes 2007, p. 606) conceptualise a form of clientelism which they label as ‘vote-buying’. This refers to the proffering ‘of cash or more commonly minor consumption goods by political parties in office or in opposition, in exchange for the recipient’s vote’, rather than focusing on the creation of long-term relationships with poor communities (also see Resnick 2012). The specific reference was to Africa.

In determining whether the provision of social grants and the issue of (for example) food parcels close to elections shapes the voting behaviour of poor people, it was important first to establish whether respondents know their rights. In this regard, the following question was asked: ‘How much do you agree that the following are your rights in a democracy?’ Seven rights were listed and respondents had to indicate their response by selecting (1) ‘strongly disagree’ to (5) ‘strongly agree’ or ‘don’t know’ to each of these.

In all three areas, respondents demonstrated a high level of knowledge of their civil, political and socio-economic rights. Over 90% of respondents in Riverlea and Groblersdal agreed with the seven items identified, while Doornkop was slightly lower at 87%. Of particular relevance to this study was knowledge of the right to social security, and again Riverlea and Groblersdal respondents had a high level of agreement (both 94%), while Doornkop was slightly lower (87%).

To develop an overall measure of the respondents’ knowledge of their rights in a democracy, the seven statements were combined to create a ‘knowledge of rights’ scale. The inter-correlation among the seven rights was Cronbach’s $\alpha = 0.77$, indicating a relatively high level of internal reliability.

Table 9 indicates the mean scores by area; there were no statistically significant differences between grant recipients and non-grant recipients.

Table 9
Mean score of agreement with seven statements of knowledge of rights

	Mean	Standard Deviation
Full sample	4.29	0.5
Area		
Riverlea	4.22	0.48
Doornkop	4.19	0.53
Groblersdal	4.46	0.46
Grant status		
Grant recipient	4.33	0.48
Non-recipient	4.27	0.52

A further question was then posed: 'If a party other than the ANC comes into power, how strongly do you agree or disagree that the new party would protect your rights?' Despite the fact that the majority of respondents (over 90%) know their rights in a democracy, the proportion of respondents who think these rights will be protected when another party comes to power dropped significantly (Table 10). Respondents were then asked: 'Do you think that social grants will continue if another party comes to power?' Options provided were 'Yes', 'No', 'Perhaps', and 'Don't know'.

Table 10
Continuation of grants if another party comes to power

	Yes	No/perhaps/don't know
Full sample	606 (51%)	592 (49%)
Area		
Riverlea	234 (58%)	168 (42%)
Doornkop	167 (42%)	231 (58%)
Groblersdal	205 (52%)	193 (48%)
Grant status		
Grant recipient	191 (42%)	264 (58%)
Non-recipient	415 (56%)	328 (44%)
Political affiliation		
Ruling party	287 (43%)	385 (57%)
Opposition parties	194 (65%)	105 (35%)

As Table 10 indicates, 42% of Riverlea respondents, 58% of Doornkop and 48% of Groblersdal respondents thought that social grants would not continue if another political party came to power, or they were unsure, or did not know. In Riverlea, where there is stronger support for an opposition party as well as higher levels of education and income than in the other two areas, voters appeared to have greater knowledge of their rights to social grants. Despite the fact that Groblersdal is poorer than Riverlea, just under half of the respondents in Groblersdal (48%) held similar views. Here too, there was stronger support for an opposition party. Across the three areas, grant recipients (58%) were more likely than non-recipients (48%) to believe that social grants would not continue. Interestingly, supporters of opposition parties (65%) were more likely than supporters of the ruling party (43%) to believe that social grants would continue if another party came to power.

From the above results, including the fact that 59% of respondents agreed that they would vote for a party because it provides social grants for households like theirs (Table 5), it seems social grants could provide an incentive for people to vote for the ANC. The data also suggest that, where there are opposition parties and some contestation about which party to vote for, voters are inclined to have a better knowledge of their constitutional right to social assistance.

The following question arises: Do respondents perceive the provision of social grants as a form of vote-buying? Two statements in this regard are presented in Table 11.

Table 11
Perceptions on bribery and vote-buying

	Riverlea	Doornkop	Groblersdal	Average
	Agree	Agree	Agree	Agree
Giving social grants to people is a form of bribery so that they support the governing party	20%	27%	23%	24%
Handing out food parcels before elections is like vote-buying	70%	67%	77%	70%

From the responses, it is evident that a very large proportion of respondents across the three areas regard the handing out of food parcels before elections as 'vote-buying', while they do not regard the provision of social grants as such. The variation among the respondents in the different communities who agreed with the statement 'giving social grants is a form of bribery by the ruling party to win votes' was small. The breakdown between the areas was as follows: Riverlea (20%), Groblersdal (23%) and Doornkop (27%). This conforms to the agreement

by 88% of respondents (to a different question) that 'Social grants help poor people to survive'.

One could, therefore, argue that it is highly unlikely that the majority of poor voters will be persuaded to vote for a particular party on the basis of receiving food parcels before elections. Nevertheless, 27% of respondents would vote for a party because they give food parcels (Table 5), which can certainly influence party support if food parcels are handed out before an election. This could be a determining factor in marginal seats (particularly in local government elections) or where ruling party support (particularly in poor areas) is not strong. Social grants, on the other hand, can be used as a successful campaign strategy by the ruling party since the majority of grant-holders (58%) do not think that they will continue receiving a grant when a new party comes to power (Table 10).

CONCLUSION

In view of the fact that there were few differences among the three communities, some general but tentative conclusions can be drawn. After 20 years of democracy, it is evident that party identification and loyalty is still an important determinant in voting behaviour, and that the ANC, in particular, still holds a dominant position in South African politics. The majority of people in the three communities surveyed (56%) supported the ANC. This figure, however, is far lower than the support of over 65.9% received in the 2009 election and the 62% in the 2014 election. It should be remembered that a large proportion of respondents were uncertain (9%) or refused (10%) to reveal their choice of a party. Of more importance is that among the 72% of respondents who voted in the past, 65% indicated that they have never considered voting for another party, with a notable difference in reported loyalty for the ruling party. Party loyalty is further underscored by the fact that, despite the acknowledgement of the high levels of corruption in general and in various institutions (including their own party) by a majority of ANC supporters, they will still vote for the party.

However, although there are clear signs of continuous party identification and loyalty, some qualification needs to be made. Firstly, a strong party loyalty only seems to pertain to support of a party (and in particular the ANC) at national level (general elections). A large majority of respondents, across all three areas, indicated that they have no problem in voting for different parties in national and local government elections. Past election results show that in practice this has indeed been the case. This suggests that strong attachment to a party wanes when people's quality of life or living standards are directly confronted (referred to in this study as 'the poor'). This is clearly reflected in the low rating of the performance of local government and, in particular, the ward councillors in Riverlea, Doornkop

and Groblersdal. Low ratings were also evident in relation to the performance of the police. The government's performance, across all three areas, on issues such as preventing crime, improving the living standards of the poor, and providing adequate toilets (which are all local government responsibilities) was rated as 'poor' by the majority of respondents, with little difference between ANC and opposition party supporters. These ratings, together with other issues mentioned (which are also the responsibility of local government) such as lack of service delivery, poor living conditions, and a lack of clean water (especially rural respondents), point to signs of issue voting among the poor, and signify elements of rational decision-making.

Whether party loyalty among poor communities – especially to the ruling party at national level – will persist in the years to come remains to be seen. This is relevant given the present disjuncture between perceptions of the performance of the party at national level compared with the local level. An important consideration would be the argument that the 'born-free' generation is likely to be a driver of change in future elections; that is, people born after 1994 have less historical connection to the ruling party. Of further importance will be how long the 'Mandela legacy' will continue after Mandela's death, since respondents referred to him in particular as a reason for not have considered support for any other party, with some adding 'when he is alive'. Our study was undertaken before his death.

Although race has been regarded as a factor in predicting electoral choice in previous studies on voting behaviour in South Africa, one should be cautious to draw a definite conclusion based on our study. Our sample included a very small number of respondents who were white or Indian, and therefore the sample did not remotely resemble the country's actual demographics. However, in terms of black respondents, a large majority indicated support for the ruling party, while the coloured vote was split between the ANC and DA.

Finally, social grants, unlike receiving food parcels before elections, were not regarded as 'vote-buying' by a large majority of respondents. None the less, social grants can provide an incentive for people to vote for the ANC, since just under half of grant-holders who support the party did not think that they would continue to receive the grant if a new party came to power. A majority of respondents also said they would vote for a party that provides social grants. Therefore, in a situation where one party has dominated the electoral scene for such a long time, and without having the experience of other parties being in power, it is difficult for voters to know whether these benefits will continue under a different party in power, particularly if the official opposition has the legacy of being a 'white' party. We therefore conclude that social grants can effectively be used as a campaign strategy to gain (or retain) support from grant-holders, in particular.

The study has further shown that it is unlikely that the majority of poor voters will be persuaded to vote for a particular party on the basis of receiving food parcels before elections, irrespective of where they live. Nevertheless, more than a quarter of the respondents (with a higher proportion being unemployed rather than employed), would vote for a party that provided food parcels before elections. This suggests that the provision of food parcels to the poor before elections, together with propagating the distribution of social grants as a 'party initiative', can indeed influence the 'floating' vote. It is also likely that, where there is political contestation and competition between political parties in poor communities, vote-buying may to some extent inform electoral strategies.

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ELECTORAL PREDICTIONS IN AFRICA:
*Predicting winners in relatively stable two-party systems,
using early and incomplete results*

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ABSTRACT

In African elections, the period between polling and announcement can be protracted and tense. In the best cases, this intermission is marked by hopeful candidates urging tense supporters to stay calm. In the worst cases, such periods are used by politicians to hurl accusations of fraud back and forth to work up partisanship and devalue electoral institutions. The days between an election and its results are stressful because incomplete information about this constituency or that trickles out, but partisans have few systematic ways to compare these data with past results or exit polling, and worry that the missing data are somehow being tampered with. This paper shows how OLS regression using past results to fill in partial results can not only reduce uncertainty in the short term, but may also point out whether or not withheld results seem plausible. What began as a simple social media experiment is presented here as an elegant formula that accurately predicts outcomes across Ghana's Fourth Republic and in Nigeria's 2015 presidential election. This accuracy was achieved with as little as 10% of the results in, and extremely biased samples.

Keywords: election forecasting, Ghana, Nigeria, regression models

INTRODUCTION

After Kenyans went to the polls to vote on 27 December 2007, a tense three days would pass before the Electoral Commission declared Mwai Kibaki the winner.

This news unleashed a torrent of post-election violence that would claim more than 1000 lives and displace tens of thousands (Gibson & Long 2009). Earlier in the same year, Sierra Leone held two rounds of presidential elections, the first on 11 August and the second on 8 September. Results were not released until twelve days later in the case of the first round, and nine days later in the case of the second (Öhman 2008). A few months before that, Nigeria's Independent National Electoral Commission (INEC) took two days to release its election results, and a few more days to post slightly different results on its website (Kerr 2013). INEC Nigeria have refused to release any data on this election save for the final nationally aggregated results.

The elections described above are far from a comprehensive list. They vary in terms of location, electoral violence, outcome for incumbents, and internationally adjudicated 'free and fairness' – and paint a broad picture of what elections in Africa tend to look like. More importantly, these anecdotes illustrate a pattern that election observers on the continent, professional and amateur alike, are familiar with: polls close, days pass, election results are announced. During the 'days pass' period, results trickle in through private media outlets and more recently on social media, political operatives take to the airwaves to declare themselves winners and accuse their opposition of all kinds of foul play, and citizens grow tense.

For Ghana's 2012 elections, I wanted to see if even partial results could be used to gain some certainty for the interim between balloting and the official results. As results trickled in over the radio and internet, data from 2008 were used to fill in the gaps using OLS regression models. By the time a crowd of rowdy youth had moved from their respective party headquarters to make noise and assemble on Roman Ridge outside the Electoral Commission headquarters, I was pretty confident of what the ultimate outcome would be. Ghanaians, on the other hand, were by-and-large fed their news by the two major parties – a steady diet of biased and anecdotal evidence, insinuating their popular support and their opponents' conniving ways (Brierley & Oforu 2014; Pryce & Oidtmann 2014). Using some basic statistical tools available to most political scientists, soon after the polls closed I was able to cut through the uncertainty of post-election tension and point to a likely outcome. Divergence from this outcome would require remarkable, and potentially untoward, conditions.

As I was performing this impromptu experiment, I had no idea whether or not the models would work. Inspired by accurate predictions, I wanted to see why these simple models worked and find their limitations. Using random and non-random samples of various sizes, multiple renditions of OLS models used in the impromptu experiments, and adding four more elections, the predictive equations were put through their paces and showed themselves to be most reliable. As a final test, the model was transported from the Ghanaian context – where democracy

is relatively consolidated and the party system relatively fixed – to the Nigerian context, where past elections have been tarnished by widespread accusations of manipulation (and until 2015 there had not been a single democratic turnover of power). To bring some clarity to the confusion that thrives in the period between elections and results, my research question was: ‘Can partial results accurately predict final election outcomes?’ The answer which the various regression models provided was a tentative but hopeful ‘Yes’.

FORECASTING RESEARCH AND NEW DEMOCRACIES’ POLITICAL NEEDS

The bulk of literature on election forecasting falls into one of two categories, differentiated by the character of their independent variables. In the first category are studies attempting to predict election results using population characteristics and events as independent variables. Approval ratings, socio-economic conditions, and international security events have all been used with varying success to foretell the winners of elections before polling day (Lewis-Beck 2004; Snowberg, Wolfers & Zitzewitz 2007; Powell & Whitten 1993; Gartner, Segura & Barratt 2004). In the second category, polls of potential and /or actual voters are used to predict electoral outcomes in advance. These polls are intended to approximate electoral conditions years, months, days and sometimes hours before polls close, using randomised sampling strategies and confidence intervals to extrapolate likely results (Levy 1983; Silver 2012; Fisher et al. 2011; Walther 2015).

Unfortunately for scholars interested in forecasting elections using well-trodden paths in new democracies, polling is irregular and aggregate data are unreliable in the developing world (where most of these scholars are located). This is why novel cases outside North America and Europe are almost never incorporated into comparative studies of electoral predictors. In most African countries, pre-election polling is the realm of a few news organisations whose sampling procedures are ad hoc, and whose samples – if even described – are heavily populated by citizens living in large, easily accessible cities (Ansu-Kyeremeh 1999). Afrobarometer has conducted several rounds of public opinion surveys in dozens of countries, and some of these rounds have come close to regularly scheduled election cycles. There is a problem here, however, with a natural inflating of preferences for incumbents because of the perceived risks of being identified with the opposition (Bratton, Bhavnani & Chen 2011). The validity of aggregate data in African countries has taken much of the shine off of these reified numbers (Jerven 2013). When Nigeria became Africa’s richest economy in 2013, it did so by doubling its GDP without changing the living standard of a single Nigerian (Magnowski 2014). If rebasing calculations can change such a fundamental piece of economic data in

a profound way, it would take a major leap of faith to rely on this – or even less scrutinised – aggregate data to build a predictive model in which one could have any confidence.

Although recording of aggregate characteristics and pre-election polling remains poor and uneven in the developing world because of cost and infrastructural realities, fairly substantial electoral data do exist. These data inform the aforementioned models based on aggregate characteristics and events, as well as those based on polling. They provide the historical equilibrium at which contemporary occurrences and trends can tug and pull toward one party or another. In a context where elections occur days or sometimes even weeks before winners are announced officially by electoral commissions, such data can usefully be put to forward-looking forensic purposes (Geben, Elphinstone & Holloway 2006¹).

In the African context, elections usually follow a similar script. Shortly after polls close, political operatives take to the airwaves urging partisans that they have already won the election and warning that vigilance is necessary because their opponents are trying to steal victory under cover of night. In some cases this behaviour results in little more than chest-pounding and minor bouts of youth disorderliness, but in other cases the tension of this period of uncertainty boils over into mass violence. Partial election results can show how likely particular electoral outcomes are, and if there is an unexpected outcome once the results are declared, results that deserve closer inspection can be more easily identified. This would help in search of the causes, whether legitimate or illegitimate, of these discrepancies.

GHANA 2012: AN IMPROMPTU EXPERIMENT

When Ghanaians went to the polls in 2012, I watched the campaign from afar. Reading newspaper reports on the internet became a daily ritual, and unlike in past elections, I added my say to the news on social media. President Mills had died just four and a half months earlier. His death meant the election would pit an incumbent, John Mahama, who had never run a national campaign on the top of the ticket, against a challenger, Nana Akufo-Addo, who had won the plurality of votes in 2008's first round – and barely lost in its second, and who had already been campaigning for several months. Because of these unusual circumstances,

1 South Africa's Council for Scientific and Industrial Research (CSIR), to which Geben, Elphinstone and Holloway are attached, has had similar ideas. Their analysis is the only regular systematic forecasting done on the continent. It has a very good track record, but requires a far more sophisticated model than that presented here, and is much more data intensive. Both these characteristics present substantial problems in most other African countries where data and econometric skills are more limited than in South Africa.

partisans on both sides were confident about their chance of victory. With roughly one in every 15 Ghanaians having a Facebook page, for people like me who had many Ghanaian friends, the campaign took centre stage in news feeds (Fripp 2014).

Polls for the first round of voting were open on 7 December 2012, but results trickled in slowly. Ghana's Electoral Commission (EC) does not issue certified results until they have all been compiled, leaving news outlets to gather bits and pieces of information from their contacts within the EC and reporters at individual polling stations, where ballots are physically counted in view of the public. Because the EC is reluctant to publish results at the polling station level ($N > 25\,000$), for comparison's sake the results are worthless, except in the eyes of residents who attended the counting in previous elections and remember the results. The news outlets rely on constituency-level election observers situated at compiling centres to push out the results to the general public before they are formally certified and released by the EC days later.

By 13h00² on 8 December 2012, only 22 of the country's 275 constituencies had been reported by Joy FM.³ With slightly less than 10% of constituencies tallied, I posted the following comment approximately 18 hours after polls closed:

I just used Joy FM's incomplete data to predict the eventual winner. I ran two regressions, one using 2008 New Patriotic Party (NPP) results to predict 2012 NPP results based on the incomplete data and the other doing the same for the National Democratic Congress (NDC). I got the following two linear models as a result: $NDC_{12} = .067 + .926(NDC_{08})$ and $NPP_{12} = .011 + .943(NPP_{08})$. This means that a constituency where the NPP and NDC won 50 percent of the vote in 2008, they are polling about 53 percent for the NDC and 48 percent for the NPP. Very preliminary figures look good for John Mahama.⁴

Substituting actual values from 2008's first round of presidential votes instead of the hypothetical 50% mentioned in my post, these models predict a victory for the NDC candidate, Mahama, with 51.07% of the vote. Akufo-Addo is predicted to poll 47.43% for the NPP. Actual numbers after all the votes were tallied were 50.70% for Mahama and 47.74% for Akufo-Addo. Hence, this early rudimentary model was accurate to within half-a-percentage point on both accounts.

2 All times are reported on the 24-hour clock in Greenwich Mean Time (GMT) hours.

3 Joy FM (2012) is an independent radio station based in Accra. Founded in 1995, it is Ghana's first privately licensed radio station and part of the Multimedia Group media conglomerate. Though I checked other sources, Joy FM tended to be the quickest to release results and their results matched those of other media houses (which followed Joy FM's) lead.

4 I present these Facebook posts unedited for content, but have corrected typos and grammatical errors and spelt out abbreviations.

Two-and-a-half hours later, approximately 15h30 the day after the election, the results for nearly a quarter of the constituencies had been reported. I reran my analysis with the 63 known constituency results. These updated models predicted the final outcome of the race to be Mahama with 50.50% and Akufo-Addo with 47.63%. This proved to be another successful experiment, as both totals were slightly closer to the actual numbers than in the previous model. The first model used only 10% of the results, whereas the second model used the newly available 23% of results.

Between this second post and the following post, six hours passed. I realised that my sample was likely not random. Some regions had compiled and reported nearly all their results but others were missing nearly all their data. Given what I know about the varying preferences of Ghana's regions (Fridy 2007), I worried that a disproportionate number of one party's strongholds pending could make my predictions highly inaccurate. Dummy variables were created to address this potential deficiency.

Using the same constituencies I last reported on I wanted to see if this election is shaping up to be more or less polarized than the last election so I threw in a dummy variable for the NPP strongholds (Ashanti and Eastern region) and NDC strongholds (Volta and three Northern regions) and got the following lines: $NPP12 = .027 + .876(NPP08) + .045(NPPRegionDummy) - .011(NDCRegionDummy)$ and $NDC12 = .120 + .851(NPP08) - .052(NPPRegionDummy) + .012(NDCRegionDummy)$. This is interesting stuff! The model suggests that NPP and NDC did similarly well in the Ashanti and Eastern regions as they did in 2008. In the mythical Ashanti/Eastern constituency where Mills and Akuffo-Addo got 50 percent in 2008 the model predicts the NDC will pick up just shy of 50 percent in 2012 and NPP just over 50 percent in 2012. For Swing and NDC regions, however, there has been a lot of movement. In these areas the prediction is for Mahama to pick up about 55 percent of the vote and Akuffo-Addo about 46 percent.

Unlike previous models, these regressions were designed to predict individual constituencies' outcomes and general trends, and do not translate into a national prediction without additional inputs.

Just after midnight on Sunday my most complex model was posted. This model had nearly half the total constituency results available as actual data. The model, which used past performance and dummy variables controlling for strongholds, was used to predict the missing data. Predicted percentages were

then multiplied by the total number of actual votes from 2008 to approximate total votes from each constituency for the two major parties in 2012.

Last prediction of 2012. With information on just under half of the constituencies (N=130), I get the following regression equations. I must say these have been pretty consistent since we had only a couple of dozen constituencies which impressed me at least. $NPP12 = .052 + .816(NPP08) + .057(NPPRegionDummy) - .042(NDCRegionDummy)$ and $NDC12 = .166 + .773(NDC08) - .071(NPPRegionDummy) + .045(NDCRegionDummy)$. I ran every unknown constituency through these formulas and then added the knowns in and came up with the following: John Mahama (51.6 percent) Nana Akufo-Addo (45.8 percent). I think the region dummies, even with their relatively low coefficients, are necessary because most of the unknown votes are in relatively heavy NDC areas. I am pretty comfortable at this point predicting a John Mahama one touch.⁵ We shall see tomorrow or Monday how close these numbers are to the tallies published by the EC.

This final model adjusts for varying constituency size, which is a major improvement on the previous models. For example, Sekyere Afram Plains in Ashanti Region has just over 12 000 registered voters, whereas Ketu South in Volta Region and Ledzokuku in Greater Accra have more than 127 000 voters each. The ability to account for varying size greatly enhanced the face validity of the final model. As far as predictive values go, however, the predicted results were close to the actual results, but not as close as the results of the simpler (earlier) models – which had access to less actual data.

SYSTEMATICALLY EXPLORING RESULTS OF IMPROMPTU EXPERIMENT

Buoyed by the promising results from these impromptu experiments, I set out to test the models described above more systematically, in hopes of finding out whether I had gotten lucky or was merely onto an efficient method of decreasing anxiety between elections and results. If the model works across elections, I wanted to figure out how early in the process of reporting results it can begin to produce reliable projections. I also wanted to figure out which parts of the above regression models were necessary and which parts were superfluous.

⁵ 'One touch' is the phrase Ghanaians use to describe a candidate obtaining a majority of the votes in the first round of presidential balloting, thus avoiding a potential second round contest.

My final experimental model had included not only previous results, but also dummy variables for traditional strongholds and controls for constituency size. For parsimony, I needed to find out which of these variables could be trimmed from future models. First-round presidential contests were used as test cases, because that yielded six comparable cases in the Fourth Republic. In 1992 Ghana had 200 constituencies, in 2004 it had 230 constituencies, and in 2012 the constituencies were increased to 275. Fortunately for the project at hand, newly minted constituencies are always the result of a single old constituency being segmented into two or three new constituencies, making it a simple addition problem to aggregate up to 200 like units.

The test began with ten random selections of 10% (N=20) and 25% (N=50) of constituencies. I wanted to explore the benefits of increasing the sample size to see how early in the process of released unofficial results the forecasting models begin to work. Though I anticipated that Ghana's strong two-party system would be largely unaffected by the difference, I was interested in testing models using one and two parties' previous results. In a situation where there is more party volatility and/or more significant parties, it could be useful to include all the parties gaining a substantial portion of the vote in the model. Finally I wanted to see how important it is to weight constituencies, given their vastly different numbers of registered voters. I began to venture into this territory in later versions of my impromptu experiments, and given the known size of each constituency's voters' roles, it was easy to take population sizes into account.

Table 1 displays the results of these tests. The first striking feature of these regressions that use complete 2008 election results and partial 2012 results to predict the outcome of the 2012 election are the coefficients of determination. Not surprisingly, the adjusted R² values were slightly higher when I used a quarter of the 2012 results than when I used a tenth. For both cases, however, the mean R² was quite high, with the lowest adjusted R² being .852. This finding suggests – as one would expect given the recurring patterns in Ghanaian elections – that past election results are really good predictors of future election results.

Adding data from both the NDC and NPP parties⁶ does not produce consistently more accurate models than using data from only the party one is trying to predict.⁷ In the eight models shown in Table 1 (one run for the NPP and one for the NDC), there are 16 generic regression equations. Two-party models perform slightly better in half the cases, one-party models in nearly 40% of the cases, and there is a tie in one case. Even when there is a slight difference, however, it never surpasses 0.003%. Weighting regressions by the size of constituencies does

6 Party A 2012 = b + m(Party A 2008) + m(Party B 2008)

7 Party A 2012 = b + m(Party A 2008)

Table 1
Random tests using 2008 first-round presidential results to
predict 2012 results

(a) 10 random tests from 10% of constituencies				
Independent variables		Predicted average	Predicted maximum	Predicted minimum
1 party	NDC (Mahama)	52.2%	54.3%	50.4%
	NPP (Akufo-Addo)	46.5%	48.3%	44.6%
2 parties	NDC (Mahama)	51.9%	53.7%	50.1%
	NPP (Akufo-Addo)	46.4%	48.4%	44.7%
1 party weighted	NDC (Mahama)	51.9%	53.5%	50.3%
	NPP (Akufo-Addo)	46.8%	48.4%	45.4%
2 parties weighted	NDC (Mahama)	51.7%	52.8%	50.3%
	NPP (Akufo-Addo)	46.8%	48.2%	45.4%
(b) 10 random tests from 25% of constituencies				
Independent variables		Predicted average	Predicted maximum	Predicted minimum
1 party	NDC (Mahama)	51.7%	52.2%	50.8%
	NPP (Akufo-Addo)	46.7%	47.4%	46.1%
2 parties	NDC (Mahama)	51.6%	52.1%	50.8%
	NPP (Akufo-Addo)	46.8%	47.4%	46.2%
1 party weighted	NDC (Mahama)	51.3%	52.1%	50.4%
	NPP (Akufo-Addo)	47.2%	47.9%	46.7%
2 parties weighted	NDC (Mahama)	51.4%	52.0%	50.6%
	NPP (Akufo-Addo)	47.1%	47.7%	46.6%

Source: Ghana Electoral Commission (n.d.)

Electoral Commission Certified Results: Mahama 50.7%, Akufo-Addo 47.7%

Notes: For the 10% tests, adjusted R² varied from .973 to .852. The average adjusted R² for the 10% tests was .939; for the 25% tests, adjusted R² varied from .982 to .884. The average adjusted R² for the 25% tests was .956.

give consistently better results. In all instances weighted regressions were more accurate than their non-weighted counterparts, although this enhanced accuracy advantage was slight and never rose above 0.004%. Random tests conducted knowing a quarter of the 2012 results were, as anticipated, better than similar tests conducted knowing only a tenth of the results. For both the NDC and NPP, more results led to a prediction that was roughly 0.004% better on average across the four models and ten samples.

More important than the differences between the models were the similarities. Table 1 depicts the results of four models with a total 20 of random samples. In total, 80 tests were performed. Not a single test predicted anything but the accurate outcome. In no test was Mahama predicted to win less than 50.1% of the vote. In no test was Akufo-Addo predicted to win more than 48.4% of the vote. Some model tests were slightly better and some slightly worse than the impromptu experiments described above, but on the whole they were much on par.

The random samples drawn to perform the preceding tests are likely not representative of real world returns. Even under conditions where everything is above board and nothing untoward is happening, rural areas can take longer to report because of logistical difficulties, and large constituencies can be delayed because of long lines at poll closings. Weather can cause delays in some regions but not others, and if these regions differ significantly in voting patterns compared with the rest of the country, premature predictions will paint an inaccurate picture.

To see how the best model in Table 1 (two-parties weighted) works under situations that are not random, the 200 Ghanaian constituency units are divided into three subsets: NDC strongholds (N=56), NPP strongholds (N=62), and competitive (N=82). Strongholds are defined by a single party winning by 10 percentage points or more in the last three first-round presidential elections (2000, 2004 and 2008).

Table 2 shows the results for prediction regressions using 2008 first-round presidential results and partial results from the 2012 first-round presidential contest to predict the election's final outcome. For NDC and NPP strongholds, as well as for competitive districts, the regression models accurately predict a first-round Mahama victory. The adjusted R^2 values in these models are less robust than those in the random models, which suggests that the samples are problematic, but are still quite impressive as they never fall below .750. This finding suggests that elections, at least those in Ghana, work a bit like a dimmer switch. Across a diverse array of constituencies, the switch gets turned a little in favour of one party or another. Perhaps it is economics, social policy, pro- or anti-incumbent sentiments, or some less well-studied *zeitgeist* that does the turning, but whatever the independent variable, it affects the results across constituencies similarly. Put another way, in 2012 the NDC did a few percentage points better in NPP

strongholds than in 2008. This statement need not be adjusted to describe NDC strongholds and competitive constituencies. As a result, this finding suggests the laborious models of my later impromptu regressions, which segmented Ghana into partisan blocs through the use of dummy variables, were unnecessary. The simpler models in Table 1 work well even for the most extreme non-random samples.

Having shown that a relatively simple regression model works well in filling out missing 2012 election results, I was interested to see if 'election 2012' was an anomaly. Using the same 200 constituency units sampled and the same randomly drawn samples of a quarter of constituency units in the models above, first-round presidential elections in 1992, 1996, 2000 and 2004 were used to fill in the gaps from missing election results for 1996, 2000, 2004 and 2008 respectively. If the prediction regressions work in these tests, every single Fourth Republican election will demonstrate the utility of this model. Table 3 displays these results.

For every election under consideration (N=4) and both of the major political parties (N=2), these random samples (N=10) yield accurate results when run through the regression model. That is 80 regressions without a single inaccurate result. Rawlings wins handily for the NDC in 1996; Kufuor needs a second round to beat Mills in 2000 for the NPP, but clears the 50% hurdle in 2004's first round; and Mills gives the presidency back to the NDC in 2008, but needs a second round to defeat his opponent by a very narrow margin. Two of these elections preserve the status quo and two push Ghana past Huntington's (1991) vaunted 'two turnover test.' Two elections are won by the NPP and two by the NDC. Two elections are won with a single round and two require a run-off. Despite these different electoral

Table 2
Test using 2008 first-round presidential results to predict 2012 results in strongholds

	Units	NDC (Mahama)	NPP (Akufo-Addo)	Adj. R ²
NDC Stronghold	56/200	53.3%	44.3%	.864 (NDC) .813 (NPP)
NPP Stronghold	62/200	50.7%	48.0%	.790 (NDC) .786 (NPP)
Competitive	82/200	51.8%	46.6%	.765 (NDC) .777 (NPP)

Source: Ghana Electoral Commission (n.d.)

Electoral Commission Certified Results: Mahama 50.7%, Akufo-Addo 47.7%

Notes: Strongholds are defined as constituency units (N=200) where a party won by at least 10% of the vote in 2000, 2004 and 2008 first-round presidential elections.

contexts, the use of past election results and partial contemporary election results to fill in the gaps of missing election data and predict final results provides a consistently accurate approach.

Table 3
Random tests using Ghana's previous election first-round presidential results to predict future results

		Actual	Predicted		
			Average	Maximum	Minimum
1996	NDC (Rawlings)	57.4%	57.0%	58.3%	54.1%
	NPP (Kufuor)	39.7%	39.6%	40.7%	36.5%
2000	NDC (Mills)	44.5%	45.7%	47.1%	43.9%
	NPP (Kufuor)	48.2%	46.8%	47.6%	46.0%
2004	NDC (Mills)	44.6%	45.0%	46.8%	43.1%
	NPP (Kufuor)	52.5%	52.3%	54.2%	50.4%
2008	NDC (Mills)	47.9%	48.8%	49.9%	47.1%
	NPP (Akufo-Addo)	49.1%	48.0%	49.0%	46.9%

Source: Ghana Electoral Commission (n.d.)

Notes: All tests had 10 renditions with different randomly selected 25% samples. The regression equation was $Party A_t = b + Party A_{t-1}(m_a) + Party B_{t-1}(m_b)$ and was weighted by the number of registered voters. Adjusted R^2 across all election predictions varied from .978 to .761. The average adjusted R^2 overall was .904. The average adjusted R^2 for the NDC was .894 for 1996, .937 for 2000, .870 for 2004 and .922 for 2008. For the NPP the R^2 was .871 for 1996, .942 for 2000, .895 for 2004 and .901 for 2008.

NIGERIA 2015: A NEW TEST FOR THE PREDICTION MODEL

When Nigerians went to the polls in 2015, I used the election as a test of these simple regression prediction techniques. There was some consistency between the 2011 and 2015 elections, with Goodluck Jonathan and Muhammadu Buhari being the presumed main contenders in both. Although it is possible for this technique to work in cases where candidates and parties change markedly from election to election, it would require a certain expectation of stability in social cleavage and political party interaction. While there was consistency in the top two contenders, Nigeria's 2015 race differed from the 2011 contest in ways that make it markedly different from the Ghanaian case. Though Nigeria's Fourth Republic has been holding democratic contests since 1999, only seven years less than Ghana's Fourth Republic, the case for democratic consolidation is much

harder to make in Nigeria. Prior to 2015 Nigeria had not seen a single democratic turnover of power, opposition parties rise just in time for an election only to disappear before the next, and reported election results are suspect (Omotola 2010).⁸ In other words, Nigeria is a novel enough case for the prediction model to demonstrate its more general reliability.

Nigeria's Independent National Electoral Commission (INEC) was not reporting partial results in the 2015 contest. INEC's policy is not to publish results until the counting is finished and results certified. Electoral Commissioner Jega went so far as to warn media outlets that published partial results that 'Only INEC is empowered by law to announce results and it is an offence for anyone to preempt the Commission in this regard' (The Citizen 2015). One of the accused scofflaws was *Sahara Reporters* (SR), a New York-based online news agency that has been described as 'Africa's WikiLeaks' (Shenon 2010). Outside of Jega's reach, SR published several updates on election results prior to INEC's official announcement (Sahara Reporters 2015). Muhammadu Buhari, in an election that took place on Saturday 28 March, would not be declared the winner by INEC until the early morning hours of Wednesday 1 April. SR published partial results of all states (N=37)⁹ just before 01h00 on Monday 30 March (SR Result 1), again just after 09h30 in the morning (SR Result 2), and again just after 22h00 that evening (SR Result 3). This data gives the aforementioned forecasting model the data it needs to be tested.

The SR results, advertised as provided by a 'credible source,' are uneven and at least occasionally erroneous. Jonathan's strongholds in the southeast were quite late in reporting to INEC and being reported by SR. In SR Result 1, Buhari had already collected more than a quarter of his total votes compared to Jonathan's seventh. By SR Result 3 this gap had narrowed, but Buhari had 92% of his final votes counted compared with Jonathan's 83%. In three instances for Buhari and three for Jonathan, votes are slightly over-reported by SR. In none of these six instances does a candidate receive more than 108% of their final vote. The rarity of occurrences, small margins, and fact that Buhari and Jonathan have similarly over-reported votes indicate random error in the model, rather than systematic error.

Less than an hour after SR posted its first preliminary results, I ran the numbers through the regression model. I posted the following comment on Facebook on Monday 29 March at 01h22. At that point polls had been closed for over a day and SR had partial results for only 30 of Nigeria's 37 states. Only Ekiti had complete results, and Buhari had collected 27% of his votes while Jonathan had collected 14%.

8 In Yar'Adua's 2007 election, results were so problematic INEC has refused to this day to publish results at the subnational level.

9 For the purposes of this paper, Abuja (Nigeria's Federal Capital Territory) is treated as a state unit.

I put this data into an OLS regression using Goodluck Jonathan and Muhammadu Buhari's results from 2011 to fill in the blanks in the 2015 data. Assuming this *Sahara Reporters'* data is legit and the states reporting are not significantly different from those that are not reporting, the model says Buhari will get about 60 percent of the vote and Jonathan about 40 percent. If you are interested in replicating I used the formula Candidates' 2015 vote = $b + m(\text{Candidates 2011 vote})$ and weighted for number of 2011 voters.

With $N=30$ and less than a quarter of votes reported (from what could be a random or non-random sample of polling stations), this prediction was ten points closer to the actual results than the raw percentages being reported by *SR*. The latter source said Buhari would claim just shy of 70% of the vote and Jonathan just over 30%.

Table 4
Prediction models versus reported results in Nigeria's 2015 presidential election

% of votes reported	Source of Results	APC (Buhari)	PDP (Jonathan)
21%	<i>Sahara Reporters' raw</i>	69.4%	30.6%
	Model prediction	58.3%	41.7%
40%	<i>Sahara Reporters' raw</i>	72.8%	27.2%
	Model prediction	56.3%	43.7%
88%	<i>Sahara Reporters' raw</i>	57.2%	42.8%
	Model prediction	53.6%	46.4%
100%	INEC final results	54.5%	45.5%

Source: *Sahara Reporters (2015) and INEC (2015)*

Notes: *Sahara Reporters* reported only results for the top two contenders. Because candidates other than Buhari and Jonathan received only 1.08% of the vote, these numbers do not differ vastly from results that include all the candidates (but they are slightly different). To regularise the units, INEC's final results are calculated without the minor candidates as well. Model prediction uses the partial results from *Sahara Reporters* as the dependent variable and INEC results (2011) as the independent variables. The regression equations were $\text{Buhari 2015} = b + \text{Buhari 2011}(m) + \text{Jonathan 2011}(m)$ and $\text{Jonathan 2015} = b + \text{Buhari 2011}(m) + \text{Jonathan 2011}(m)$. The regressions were weighted by the number of votes in a state in 2011. $N=37$, and adjusted R^2 across all election predictions ranged from .788 to .907. Average adjusted R^2 overall was .829.

Table 4 shows how the regression forecasting model fared compared with *SR*'s raw percentages. As was the case when I worked with data from just 21% of the votes reported, once 40% and then 88% of the votes were reported, the regression forecasting model predicted results that were increasingly closer to the actual final results, compared with the raw percentages offered by *SR*. Whereas raw percentages reported by *SR* put Buhari ahead of Jonathan by 40 percentage points, the regression forecasting model predicted a much tighter race, with Buhari leading by only 15 percentage points. As more results trickled in, *SR*'s percentages came closer to the actual final INEC results but never got as close as the regression forecasting model's results. On average, raw percentages reported by *SR* were off by 12%, suggesting Buhari was due for a much bigger victory than he actually achieved. The regression forecasting model using Buhari and Jonathan's results from 2011 and weighting for state size was only 2 percentage points off, on average. A Buhari victory was still predicted, but one that was more closely tied to actual results.

CONCLUSION

In the case of Ghana's Fourth Republic, past election results are remarkably good predictors of their successors, assuming very little data are collected. Only knowing 10% of the 2012 results, those past election results reliably predicted a Mahama one-touch victory. While the Ghanaian media presented anxious voters with a story that resembled 'it's anybody's race', pastors, mallams, musicians, actors and footballers sought to outdo each other by praying for peace, and signalled to citizens that an uncertain future awaited that might disappoint – or worse, might be cause for alarm. Yet less than a dozen hours after polls closed the race was not 'anybody's to win.' At that point all signs pointed to Mahama's eventual victory, and anything contrary to that result would either indicate a rare anomaly or fraud.

Lessons learned from the Ghanaian case proved useful in interpreting partial results from Nigeria's 2015 election. A day after polling ended and with only 21% of the vote known, there were strong indicators that Buhari would win the historic elections in one round. This prediction was surprisingly accurate despite the fact that Jonathan's home region was late in reporting. Nigerians would be led to believe the election was up for grabs for another two-and-a-half days. Elections breed anxiety and there are ways to mitigate the length of this period of marked tension.

Despite these two successful applications, some substantial questions remain unanswered. First, how scalable are the tests offered here? Ghana has a stable two-party system. Although Nigeria's party system is decidedly less stable, the

top two presidential candidates in 2011 and 2015 were identical. In countries where parties change names with the seasons, and candidates regularly come and go, this system of election predictions might – or might not – work. A dearth of subnational election results on the continent makes testing these hypotheses difficult, but a more diverse set of trials is called for. Only with more real-world tests can we find the model's limits.

Second, what is the utility of the knowledge gained from these predictions? In most cases we are talking about predictions that preceded the certified results by only a few days. If these days are the only pay-off, the regression models amount to not much more than cheap parlour tricks. There is no systematic evidence suggesting that the 'wait and see' post-election period leads to more electoral violence or less respect for electoral institutions compared with the more instant gratification of quicker results. There is, however, plenty of anecdotal evidence to suggest that tensions do run high during this period of purgatory, and competing narratives begin to harden.

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