

AFRICAN GOVERNANCE REPORT III

Elections & the Management of Diversity



Executive Summary



United Nations
Economic Commission for Africa



Executive Summary

African Governance Report III

2013



Economic Commission for Africa

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This summary is in two parts: the first is on trends in governance in Africa against the background of the first African Governance Report (AGR I) of 2005 and the second (AGR II) of 2009; the second is on the theme of elections and diversity management in Africa.

Monitoring governance trends: Marginal progress

Africa's democratization remains fragile and contestable. Although the continent has recorded a 1 percentage point gain in its governance indicators overall since AGR II, that falls short of the 2 percentage point improvement made between AGR I and AGR II (figure 1). Mali—a country previously regarded as a success story but that has succumbed to a military coup and conflict—attests to this fragility.

Still, the democratic transition in North Africa—starting with Tunisia in 2010 with effects on other countries in the region including Algeria, Egypt, Libya and (partly) Morocco—shows the complexity of the continent's democratic trajectory, as confirmed by the 2012 governance-tracking data.

The slight improvement in governance challenges African countries to intensify their efforts in deepening democratic culture and practices and in upscaling their governance performance. Steps include: enhancing the institutional capacity of democratic structures like parliament and the judiciary and of horizontal accountability bodies like the office of the auditor general,

ombudsman, anti-corruption institutions and other public agencies; enacting freedom of information laws that grant to citizens and the media greater access to information; meeting demands for accountability from the political leadership; and providing better public services, social infrastructure and public security.

Although performances differ, the challenge for African countries is to raise governance outcomes so that the democratic project has tangible meaning in the lives of their citizens (table 1).

Elections and diversity management

While diversity may be a source of creativity and positive growth, when poorly managed, diversity often becomes a source of unhealthy competition, conflict and instability

Ban Ki-moon, United Nations Secretary-General, 2011

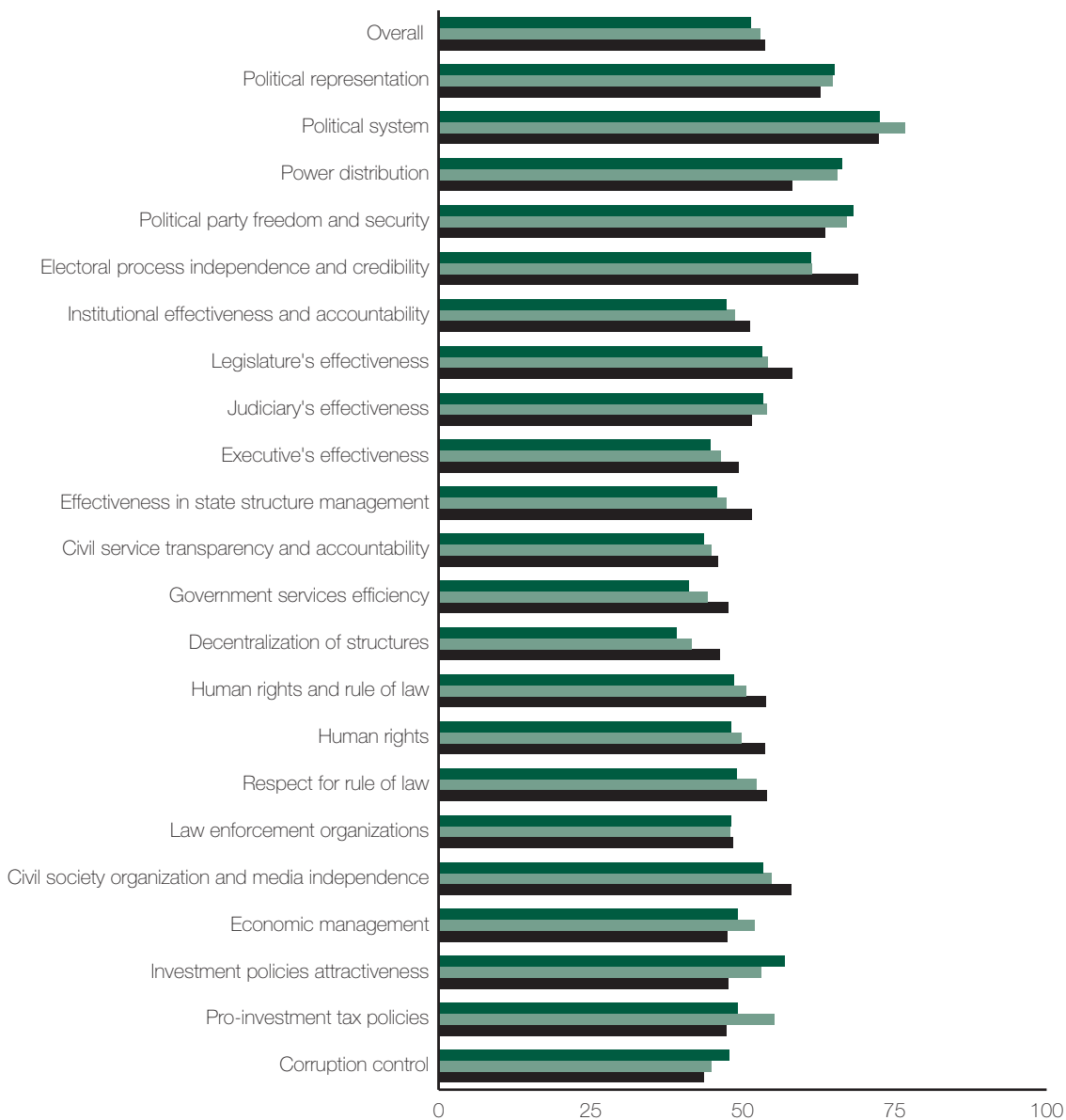
Since democratization begun in Africa in the 1990s, elections have become more regular on the continent (box 1), as a mechanism for popular expression, leadership selection (and change) and political accountability.

However, these elections have differed in form, content and quality, and greater regularity has not necessarily enhanced their value. Sectarian mobilization, intimidation and violence are major features of some African countries' elections, which have become conflict triggers rather than instruments for resolving differences, as in Côte

Figure 1 Governance indicators, AGR I, II and III

Scores, average across project countries (%)

■ AGR I
■ AGR II
■ AGR III



Source: Expert Opinion Surveys, AGR I (2005), II (2009) and III (2012).

Table 1 Overall index of governance trends in Africa, AGR III

Country	Overall index	Country	Overall index
Rwanda	72	Ethiopia	51
Seychelles	71	Kenya	51
Cape Verde	69	Mauritania	51
Algeria	66	Mozambique	51
South Africa	65	São Tomé and Príncipe	51
Mauritius	63	Tanzania	51
Namibia	63	Angola	50
Botswana	62	Congo	50
Ghana	62	Guinea	50
Liberia	59	Uganda	50
Senegal	59	Egypt	49
Benin	56	Zambia	49
Mali	56	Lesotho	47
Tunisia	55	Nigeria	47
Cameroon	54	Burkina Faso	44
Sierra Leone	54	Madagascar	44
Comoros	52	Togo	44
Gabon	52	Gambia	43
Malawi	52	Chad	42
Djibouti	51	Zimbabwe	38

Source: AGR III Expert Opinion Survey 2012.

Note: The countries cannot be directly compared because of contextual differences in the economic, social and political environment in which the survey was conducted.

Box 1 Africa's elections, 1996–2012

In recent years the following national elections have been held:

- 1996–2006: 44 elections in Sub-Saharan Africa;
- 2005–2007: 26 presidential and 28 parliamentary elections in Africa;
- 2011: 15 presidential and 20 parliamentary elections; and
- 2012: 10 presidential and 13 parliamentary elections.

d'Ivoire, the Democratic Republic of the Congo, Kenya, Nigeria and Zimbabwe.

Rather than unite, elections can divide people, undermining the very essence of elections, which is

to peacefully aggregate preferences in the choice of political leadership. Diversity as a resource for governance and development then becomes a political liability among acute electoral deficits. Switching this liability to an asset—so that elections promote social cohesion, grant political legitimacy and manage diversity—requires answers to the following questions, tackled in this report:

- How can elections be sensitive to diversity in ensuring inclusiveness and participation of diverse groups, communities and interests?
- What kind of electoral systems should African countries adopt for democratically managing diversity?
- What are the good practices in Africa in managing diversity in the electoral process?
- How can electoral governance and the quality of elections be enhanced to reduce electoral and political conflict?
- What unique electoral products can Africa develop to promote social cohesion and electoral integrity?
- What legal, political and institutional reforms are necessary to facilitate credible elections and consolidate democracy?

Chapter 1—Political architecture: State-building and diversity in Africa
Chapter 1 focuses on diversity in relation to political processes and

elections in Africa. It also maps the political geography of Africa and the evolution of Africa’s political architecture in the colonial and immediate post-colonial eras.

The main argument is that although African countries are essentially plural societies—of diverse identities, groups, classes and professional interests—state formation and the emergent political architecture exacerbated the challenge of managing diversity in Africa. Diversity is best managed in an enabling democratic framework, in which all people are at liberty to choose their leaders and programmes through free, fair, credible and regular elections. Yet at the time, authoritarian political structures were grafted onto previous policies of ethnic and social fragmentation that had aimed to divide groups and generate antagonism, necessary for colonial economic exploitation and political dominance.

Colonialism did not aim to create a common citizenship—an identity for all. Citizenship was in fact multi-layered and group based: on higher rungs were white colonialists—“first class” citizens of the colonial state; among the “natives” were privileged groups in the “second class”; while the others were lumped as “third class”.

The colonial regime’s electoral management was rarely impartial. On the contrary, it took great interest in the emergent local political elite and the successor regime, to which political power was to be gradually devolved.

Diversity is best managed in an enabling democratic framework, in which all people are at liberty to choose their leaders and programmes

The gradual introduction of the elective principle under colonial rule (which arose largely as a result of African agitation and resistance) was based on an autocratic and divisive political framework, which produced bitter ethnic politics—embedding the roots of electoral failure in Africa. The colonial heritage and the character of the successor leadership thus framed post-independence politics.

As the successors embarked on the complex task of building their nations, they pursued authoritarian strategies like centralization and single-party systems that stifled democracy and democratic diversity management. They regarded ethno-linguistic diversities or divergent political opinion as detrimental to unity and inimical to the nation-building project, and strangled them under common-identity, single-nation and one-party systems. The successor elites reconfigured liberal democracy and its electoral systems as instruments for themselves and their party's rule—into the foreseeable future.

These strategies stymied any moves to deepen democracy through multi-party systems that would have created the political space in which diverse identity interests could play out. With no alternatives for the smooth transfer of power, military intervention became common, pushing post-colonial states deeper into autocratic rule.

Authoritarianism in Africa generated opposition and struggle, which liberal democratic reforms

channelled into democratization in the 1980s. This tide enabled people to exercise their right to organize in associational relations, at last opening the space for diversity aspirations and interests. It also engendered a gradual but significant renegotiation of the political architecture—including issues surrounding the separation of powers (executive, legislative and judicial), decentralization, term limits and horizontal accountability-promoting institutions (“watch-dogs”)—geared to entrenching democratic governance and better managing diversity in Africa.

Chapter 2—Democratic transition, elections and diversity management

Chapter 2 focuses on how democratic transitions—which most African countries have undergone at different periods and to varying degrees—affect democratic diversity management. Elections are central to these transitions and facilitate such management in four main ways: participation, representation, rotation of leaders and fulfilment of local needs and aspirations. Alone they are not enough to address all the demands of diversity management in a plural society, but when backed up by constitutional and political reforms they may ensure efficient and democratic diversity management.

Since the early 1990s, most African countries have witnessed democratic transition in which popular agitation and struggle for political reform have ousted authoritarian and despotic regimes. The process climaxed with North African political

6 *Since the early 1990s, most African countries have witnessed democratic transition in which popular agitation and struggle for political reform have ousted authoritarian and despotic regimes*

uprisings that started in Tunisia in December 2010, with knock-on effects in Algeria, Egypt and Libya.

Freedom, human rights and economic opportunities were severely constrained in many Sub-Saharan countries and made worse by financial austerity and structural adjustment programmes, which were major factors that triggered political protests for democratic reforms.

Countries differ in the patterns, processes and outcomes of democratic transition, although four modes of transition can be delineated: civil society-inspired; state-led; pacted; and stalled. Hence, while some countries managed to consolidate the democratic process to a degree as elections became more credible, regular and generally accepted by the people, some others used elections only to reinforce autocracy and confirm civilian dictatorships.

Overall, Africa has made progress, with some indicators—such as respect for human rights and the rule of law, legislative capacity, civil society engagement and civil liberties—generally increasing. However, democracy remains vulnerable, and requires greater institutional and procedural certainty to be consolidated.

Almost all democratic transitions have had to navigate serious diversity challenges, including power distribution and the nature of the political structure; ethnicity and religion; citizenship; and marginalized groups of women, youth and people with disabilities. In North Africa, for example, the role of

religion in the state and that of marginalized groups in politics stands out. In addressing the challenge of diversity management, governments have built (or reformed) institutions, passed laws and put in place policies—yet issues linger in many countries.

Central to consolidating the democratic transition are resolving issues like the quality of elections, how the constitution promotes diversity, how deeply embedded diversity is in public and democratic institutions, and the capacity of the state to mediate and rise above sectarian interests.

Chapter 3—Diversity and the electoral process in Africa

Even at the best of times, elections are hard to organize in societies with deep-rooted diversity, and this chapter argues why diversity in African societies is key to explaining the tensions and conflicts that often accompany elections. Elections on their own do not resolve these issues. The distribution of wealth and power, for example, as well as an end to poverty, cannot be decided in a single election. Indeed, if improperly handled, elections can turn diversity into a tinder box. However, elections can gradually lead to credible processes that resolve contests for power and other resources at national, regional and local levels, transparently.

Drawing on the AGR III country reports, this chapter reviews each stage of the electoral process—boundary delimitation, voter registration and education, campaigning, voting, tallying and adjudication—to see how diversity is ignored or

6 *Elections can gradually lead to credible processes that resolve contests for power and other resources*

addressed. At most stages, marginalization of some social groups remains a challenge (although some countries have seen positive results from their efforts).

The debate over which is the most suitable electoral system has not abated. While the chapter avoids a “one size fits all” approach, it weighs the merits of first past the post, proportional representation and mixed-member proportional systems. The trend of expert opinion in Africa favours proportional representation: the majority of respondents in 35 of 40 countries in the AGR III Expert Opinion Survey “agreed or strongly agreed” with the view that “electoral stability and diversity management can be attained through the proportional representation as opposed to majoritarian system.”

The extent to which electoral management boards (EMBs)—also called electoral commissions—are sensitive to diversity is crucial, especially how much their composition reflects diversity in wider society. Matters have been gradually improving with the appointment of women as EMB members or chair in Cape Verde, Ethiopia, Ghana, Malawi, South Africa and Zimbabwe, for example, although the number of women and members of other minority groups should also increase among professional staff of EMB secretariats.

Delimitation, voter registration and education should be comprehensive, transparent and fair. The bodies responsible for these processes should be seen to be independent, non-partisan and not manipulative.

Given the high stakes in elections, one of the most contentious issues is deliberately inflating—or undercounting—numbers on registration lists: the majority of experts do not believe that voter registration is credible in Chad, Gambia, Lesotho, Nigeria and Zimbabwe, for example.

Most countries’ respondents feel that their countries pay particular attention to voter education, in an attempt to spread information about people’s need to claim and exercise the right to vote; to increase voter turnout during elections; and to reduce the number of spoilt ballots. Still, most country reports acknowledge that much ground has to be covered before voter education is accessible to all who require it. This is an area where complementary roles between EMBs and civil society organizations would ensure wider reach.

Few elections are perfect: disputes are common and the adjudication system should deal with them quickly and effectively, especially as even where elections are quite orderly, citizens may have little confidence in the courts to resolve them promptly. In some countries, though, the expert respondents believe that disputes are “usually managed to the satisfaction of the political parties”, among them Algeria, Botswana, Cape Verde, Mauritius, Seychelles and South Africa. Encouragingly, in most countries the rule of electoral law is becoming a preferred alternative to resorting to violence.

How do women fare in the electoral process? Although unevenly, they have made real progress in

6 *The rule of electoral law is becoming a preferred alternative to resorting to violence*

6 *Electoral management boards are central to democratic development in Africa*

parliamentary representation (and as seen, in electoral institutions). Countries with more than 20% of female Members of Parliament include Burundi, Ethiopia, Lesotho, Mauritania, Mozambique, Namibia, Rwanda, Senegal, Seychelles, South Africa, Tanzania, Tunisia and Uganda, and women have been elected presiding officers of parliament in Botswana, Gabon, Gambia, Ghana, Lesotho, Rwanda and Zimbabwe. But there is still a long way to go to secure significant female participation, and then consolidate it, in the electoral process. The same can be said about the participation of youth and people with disabilities, which remains paltry.

Religion does not feature as a major factor in most countries. Some exceptions are in West and North Africa as well as the Horn of Africa, including Côte d'Ivoire, Mali, Nigeria and Senegal, and Algeria, Egypt, Sudan and Tunisia (less so in Kenya and Tanzania). Religious diversity represents a challenge to electoral politics that should be sensitively managed in these countries.

Other diversities that electoral systems should address include marginalized indigenous peoples like the Basarwa in Southern Africa and the Batwa in Central and East Africa. They should be enfranchised and represented in parliament and other institutions of state.

Chapter 4—Electoral management boards

EMBs are central to the electoral process—and thus democratic development in Africa. After

independence, the inherited quasi-autonomous EMBs came under greater control of successor regimes as instruments for retaining power, so that, from the 1960s to the 1990s, a combination of a weak EMB, legislature and judiciary versus a strong executive was fatal for electoral governance and democracy in most countries. However, popular and social movements enabled constitutional and political reforms leading to incremental improvements in EMBs' status and performance.

The challenges that African EMBs encounter are daunting, especially in conditions of diversity where their role becomes even more sensitive as the epicentre of electoral management. Given the history in most African countries of seriously flawed elections—owing mainly to electoral maladministration, manipulations and mismanagement—legitimate, independent and credible EMBs are instrumental for administering free and fair democratic elections. In this guise, they can mitigate electoral violence and deepen democratization, which is crucial to harnessing diversity.

Electoral integrity entails a set of norms and regulations to be established and enforced, in order to ensure professionalism, ethics, accountability and transparency. Concerns remain over the following: EMBs' independence, especially the method of appointing and removing members as well as their funding and costs; involvement of the executive and civil service in elections (and forms of EMB embeddedness in their countries' political processes);

limited power of EMBs over political parties; professionalization and powers of EMBs; the role of stakeholders as partners; electoral-dispute adjudication; security for elections; and elections' steep costs.

EMBs in Africa have two major models: independent, and "hybrid" or mixed. Whatever the model, EMBs need to be strengthened by ensuring their independence, primarily by entrenching them in constitutions or other statutory provisions and improving their institutional professionalism and operational efficiency.

The perceived lack of independence appears strongly among the respondents, who did not consider 77% of EMBs independent and competent. Most countries' experts did not regard the procedure of appointing and removing electoral commissioners as open, transparent and credible. They pinpointed executives and ruling party-dominated legislatures as the major political forces compromising EMBs' autonomy, underlining the need to review the procedure and guarantee officials' security of tenure, in order to insulate them from undue political influence and interference. An overwhelming number of country reports recommended an independent body be responsible for appointing (and removing) EMB officials in a competitive job-selection process.

Administrative and financial autonomy of EMBs is an issue particularly because, although in most countries these bodies (and the electoral process) should under the constitution

be funded by the state, such financing is inadequate and often delayed, thus promoting dependence on donors and government. This heavily undermines EMBs' performance, which is why most country reports recommended independent budgets for EMBs.

Yet despite these concerns, citizens' perceptions of EMBs have improved in some countries since 1980, and expert respondents rated most EMBs as fair in their performance (and in Ghana, Mauritius, Seychelles and South Africa, good or very good), pointing to sharp gains in democratic institutions since the 1980s' wave of democratization.

Chapter 5—Competitive elections and conflict

Elections in Africa are not always violent (despite the stereotype): in the past 10 years most elections have improved hugely, with peaceful and satisfactory outcomes the norm, and only about 20% of elections in 1990–2008 involved significant levels of violence. Interestingly, evidence points to greater likelihood of conflict with first past the post than proportional representation, a view backed up by expert panels in Angola, Burkina Faso, Djibouti, Kenya, Lesotho, Namibia, Nigeria, Rwanda, Senegal, South Africa and Zimbabwe, where the majority of respondents believe that electoral stability and diversity management are better promoted through proportional representation.

Electoral systems are entwined with their environments. The causes of election-related violence lie in

6 *Citizens' perceptions of electoral management boards have improved since 1980*

deep-rooted structural factors and short-term conjunctural “triggers” during the electoral process itself. Structural factors relate to political and economic diversities based on ethnic, regional, racial and class competition for resources, including wealth and power. Triggers relate to conflicts—sometimes serious clashes between parties—throughout the campaign, during balloting and counting, and when results are announced on election day. Conflicts within parties can also break out, especially during party primaries in the run-up to national elections. Such conflicts are an indicator of factionalism and low levels of internal party democracy.

In some countries, the partisanship of state agencies (police, intelligence forces and the army) fuels electoral conflict. The agencies often promote the incumbent party by repressing other parties during elections. Where such state agencies and party-linked militia combine, capacity to deal with electoral violence is further undermined. Election rigging becomes more likely if state agencies support the incumbent party.

Such violence may draw on youth and militia groups during campaigning and post-election periods. Owing to high unemployment, youth are easy to lure into violence, which often goes beyond the parties involved. And women and children are often caught in the melee, and may be displaced.

Countries have tried various approaches to defuse electoral

disputes. These include joint operation committees and party liaison committees in South Africa (which have had marked success), conflict management panels in some countries in Southern Africa and adjudication of disputes through the courts. Unlike other mechanisms, party liaison committees are maintained throughout the electoral cycle. In Sierra Leone, the Political Parties Registration Commission, with members from registered parties, serves as a vehicle for consultation and cooperation between the Independent Election Commission and parties on all electoral matters.

Some good practices for managing electoral conflicts stand out. They include the EISA model (named after the Electoral Institute for the Sustainability of Democracy in Africa), which is based on conflict mediation panels—grass-roots units in the Democratic Republic of the Congo, Lesotho, South Africa and Zambia, among other countries, have been effective. Civil society initiatives, like that in KwaZulu-Natal in South Africa, which helped to heavily cut electoral violence in that province, are others. In Nigeria, the National Campaign on Reduction of Electoral Violence was set up in the 2007 election campaign as an early warning system on violence.

Regional organizations such as the African Union, the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC) have mediated to resolve electoral conflicts in several

countries including Kenya and Zimbabwe. Other cases include mediation in Togo where a wide range of human rights activities such as training, sensitization, advocacy, capacity building and monitoring programmes for six months before the 2010 election were conducted—and no major violence occurred during the election. In West Africa, the ECOWAS Conflict Prevention Framework and Supplementary Protocol on Democracy and Good Governance have been used to provide technical and financial assistance to member states to organize credible elections. In Southern Africa, SADC has been involved in election-related mediation in Madagascar and Zimbabwe within the framework of the SADC Principles and Guidelines Governing Democratic Elections.

Finally, technical assistance for electoral processes has been fairly effective in providing compliance standards and capacity for EMBs, and should therefore be encouraged. But most countries have yet to fully institutionalize their election dispute settlement mechanisms, and still show a tendency for last-minute attention to conflict prevention. Strategic tools for preventing violence should be woven into each stage of the electoral cycle.

Chapter 6—The economics of elections

Resources—especially financial—are vital to electoral competition. But while they can enable parties and candidates to be competitive in elections, they can also distort the electoral process. Ruling parties tend

to command more resources (than other parties) owing to their access to state resources. Access to campaign resources in parties is also skewed, and women, minorities and youth are usually at a disadvantage. Disparities in electoral resources between parties, candidates, men and women, classes and age groups, as well as within parties, militate against the ability of many citizens to compete fairly for power and leadership.

The new era of competitive politics from the 1990s not only increased the regularity of elections but also their cost—exponentially over the past two decades—making election campaigning affordable mainly to wealthy candidates and well-endowed parties. All types of election resources—money, logistics, campaign paraphernalia and media coverage—are critical to shaping the electoral playing field and ultimately the outcome. Only in 4 of the 40 surveyed countries did half or more of respondents believe that parties have equal access to electoral resources.

In the run-up to elections, ruling parties through their control of government are tempted to splash out on thinly disguised buy-offs that may include new infrastructure (roads, dams, clinics and houses) to attract voters. This is a misuse of incumbency power and tends to corrupt the electoral process.

Electoral risks also slow business and investment, especially in manufacturing, as fear of conflict around elections often makes investors wait

6 Strategic tools for preventing violence should be woven into each stage of the electoral cycle

and see, discouraging investment (as borne out in Kenya).

Funding for EMBs is largely from the government, for operational expenses (outside election periods) and for elections. EMB allocations in a country often depend on factors like geography and population size, and while some states can fund their EMBs fully, some cannot.

The funding for political parties is critical to their preparedness for elections: a party's presence—nationally, regionally and locally—gives an indication of its capacity to compete. The principal funding sources for most parties are internal party resources as well as public, diaspora and external (donor) funding. While some countries base a party's funding according to the seats it has in parliament, others base it on the proportion of votes that it received in the last election.

Campaign funding shows three major patterns: ruling parties tend to command greater resources; a few opposition parties now also command considerable resources; but most parties in opposition still have few resources (it is also a challenge for them to maintain a national or media presence).

Some countries provide both party and campaign funding, to various degrees and for different elections. Benin, for instance, grants public funding to candidates and parties in presidential and legislative campaigns. On the whole, however, self-funding is the principal resource for election campaigns.

The increasing costs of campaigning mean that only individuals willing to invest large sums of money can become candidates. Another outcome is that, with no rigorous expenditure-monitoring systems in place, candidates with deep pockets can spend far in excess of that allowed by campaign regulations.

Some countries that are not self-sufficient resort to foreign funding for their elections—including the Democratic Republic of the Congo, Liberia, Mozambique, Rwanda, São Tomé and Príncipe, Sierra Leone, South Sudan and Tanzania. This helps to reinforce the authoritarian proclivity that portrays elections as a Western imposition in some political cultures, with the effect of a seemingly half-hearted commitment to elections as integral to democratization. (Some countries, though, ban foreign donations to parties and candidates.)

Political finance remains under-regulated in Africa—and fund-raising by parties and candidates is fully unregulated self-help. Two countries have all four constituent elements of a regulatory regime, and 15 others have one to four of the elements—thus slightly fewer than half the AGR III countries have some form of regulation for political finance.

Although resources shape political competition, they do not automatically lead to victory. Ruling parties have sometimes had the greater resources but lost the election. Other variables also have a role, like coalition building among opposition

“The funding for political parties is critical to their preparedness for elections

parties, popularity and quality of candidates and organizational capacity of the parties.

Chapter 7—Electoral, constitutional and political reforms

Born out of pressures for liberal democratic space, reforms in these three interrelated areas have generally made significant progress in Africa—although depth and scope are uneven. Such reforms are embedded in a state–society dynamic in which reform seeks to respond to changes in the relationship and demands by society on the state.

Several countries have undertaken key constitutional reforms (such as Kenya and South Africa) while political reforms have included greater decentralization, establishment of watchdogs like human rights and anti-corruption bodies, and invigoration of democratic institutions like parliament.

With an underlying design to improve and democratize electoral governance in Africa, electoral reforms have centred on the following:

- redesigning EMBs by entrenching them in constitutions and by diminishing the influence of the executive;
- unbundling the powers and functions of the EMBs (in some countries) through creating two (or more) EMBs to undertake the major components of electoral administration and management;

- redesigning the electoral system to achieve a more democratic management of diversity by combining elements of first past the post and proportional representation; and
- making provisions in national constitutions and electoral laws or specific legislation for the regulation and oversight of party activities (including financing).

The country reports and AGR III Expert Opinion Survey suggest that further reforms may be necessary in seven broad areas. First is modifying the electoral system, particularly first past the post: mixed or proportional representation systems are becoming more popular and generally accepted as better for managing and promoting diversity in plural African countries. Second is strengthening the independence of EMBs via constitutional guarantees and transparency (as discussed in chapter 4).

The third area is improving and democratizing the legal framework for election administration, management, EMB accountability and professionalization for increased efficiency. Fourth is strengthening the election-adjudication and dispute-resolution mechanism and providing remedies for electoral irregularities (a reform closely related to judicial independence, which is generally lacking). Fifth is levelling the democratic playing field through guarantees of equitable access to electoral resources by political parties (including the media). Sixth is reforming

6 Electoral, constitutional and political reforms have generally made significant progress

the role of the security forces. Seventh is promoting internal democracy in political parties—a wide deficit in most African countries.

In the areas of constitutional and political reforms, action for marginalized groups of women, youth and the physically challenged should be more affirmative. For women, it has already spawned encouraging results in many countries, but not for youth and the physically challenged: their issues have to be internalized in political and constitutional processes. And even affirmative action for women varies—Rwanda for one stands out for its remarkable progress. Reforms to bring marginalized groups into the governance mainstream require upscaling.

Judicial reform is generally slow, improvised and out of tune with continental democratization, preventing this branch from playing its proper role in regulating and ensuring justice in political and electoral processes. Specifically, institutional capacity, relative autonomy, resources and the quality and integrity of judicial officers need to be addressed in many countries.

Finally, the state's capacity to deliver services is central to promoting citizens' approval and support for democracy—the democratic dividend. But most African countries' service delivery remains abysmal, as the Expert Opinion Survey confirms. African governments should greatly enhance their capacity to deliver services if the democratic project is not to founder.

Chapter 8—Policy recommendations

The concluding chapter synthesizes the policy recommendations flagged in earlier chapters. They are drawn from 40 country reports, views of expert panels, focus group discussions and analysis of these sources. The recommendations are grouped into five categories.

The political system

Most expert panels did not believe that the constitutions of their countries adequately promote diversity and inclusive governance or protect minority interests, and that at best the constitutional protection of diversity was uneven among countries, engendering two recommendations.

First, constitutions should have specific provisions on the tolerance and protection of diversity as well as a national mechanism to monitor implementation of these provisions. Second, for the constitution to better protect diversity, the voices and aspirations of the people should resonate in the constitution. The best way to achieve this is a bottom-up and people-driven approach in constitutional engineering and reform.

Electoral institutions, processes and finance

The institutional and financial autonomy of EMBs should be enshrined in national constitutions. Reinforcing this position, most country reports recommended that the appointment of EMB members should not be the prerogative of the national president but should follow either a mechanism of open

6 Institutional capacity, relative autonomy, resources and the quality and integrity of judicial officers need to be addressed

advertisement or a vetted process in which civil society organizations and parties are involved.

Because most country reports indicated that intra-party democracy was rare, sometimes leading to splits, parties should be required to register and have appropriate democratic governance mechanisms. Other recommendations relate to a more inclusive electoral system—most expert panels believed that proportional representation (or some hybrid) has a clear advantage over other systems, including greater balance in the legislature among ethno-regional parties and among women and other groups. More generally, if democracy is to set down firm roots in Africa, governments must make election funding a priority and reduce dependency on external funding.

Managing electoral conflicts and disputes

This set of recommendations relates to pre-empting or managing election-related violence, defusing (or fanning) electoral conflicts by state agencies, managing conflict (including early warning systems) and adjudicating election disputes transparently and quickly. The recommendations take on a special resonance given the persistence of election-related violence in

some countries—despite the overall declining trend.

Regional and international organizations and promotion of electoral integrity

Regional and international organizations, as well as development partners, should apply peer pressure on those states that do not respect basic norms of electoral integrity. In particular, the African Union should continue to push for speedy implementation of the African Charter on Democracy, Elections and Governance while the regional economic communities should do the same with their regional protocols on democracy and good governance.

Policy dialogue, training and research

Given the vacuum in capacity of key stakeholders (such as EMBs, political parties, state institutions and civil society organizations) to administer and shape the election process, countries need to expand EMBs' professional know-how, inculcate internal democratic values and practices in political parties and encourage regular inter-party dialogue and consultations with other key stakeholders. Relevant training and policy-oriented research should be conducted to help further build electoral institutions' capacity, professionalism and effectiveness.

Relevant training and policy-oriented research should be conducted to help further build electoral institutions' capacity, professionalism and effectiveness

The *African Governance Report*, the most comprehensive report on governance in Africa, assesses and monitors the progress of African countries on governance, identifies capacity gaps in governance institutions and proposes policies and strategic interventions to improve governance on the continent.

This third edition of the *Report*, while continuing to monitor governance trends, adopts a thematic approach: elections and the management of diversity in Africa. Elections are central to democratic governance and the political management of diversity in plural societies. While elections are held with greater regularity in Africa, their content and quality remains suspect in many countries, with Africa's rich diversity deployed as a combusive tool in electoral conflicts. Elections have often triggered conflict, with violence, tensions, acrimonies and sharp elite divisions surrounding electoral processes and outcomes—a worrying trend for Africa's democratic future.

This *Report* investigates elections in the face of managing diversity in Africa. It recommends major electoral, institutional, political and constitutional reforms to enable elections to facilitate the democratic management of diversity, while significantly improving their quality and credibility. These include reform of the party system to make it more inclusive and democratic, a move to more proportional electoral systems, and an increase in the autonomy and effectiveness of election management boards. The *Report* argues that regional and subregional initiatives and frameworks for elections, democracy and governance have to be implemented and monitored to improve electoral performance and promote democratic consolidation and stability.

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