

Towards Improving Integrity of Elections in Africa

By

**Attahiru M. Jega, OFR
Professor, Department of Political science
Bayero University, Kano, Nigeria
Former Chairman, Independent National Electoral Commission
INEC, Nigeria (June 2010-June 2015)**

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Introduction

Most African countries have embraced representative democracy, warts and all, and across the continent the conduct of elections is becoming regular and routine. However, there is a remarkable deficit of electoral integrity, which affects stability and development, as well as imposes constraints on the scope of good democratic governance. Elections are supposed to have integrity if they have the barest minimum of malpractices, if any, throughout the electoral cycle and if they are prepared and conducted within the framework of globally acceptable standards enshrined in ‘conventions, treaties, protocols and guidelines’. I perceive electoral integrity in the context of Norris’ overarching conceptualization, thus:

It is proposed to ground the overarching concept of electoral integrity broadly in terms of international commitments and global norms, endorsed in a series of authoritative conventions, treaties, protocols, and guidelines. These universal standards apply to all countries worldwide throughout the electoral cycle, including during the pre-electoral period, the campaign, on polling day, and in its aftermath. Conversely, the term “electoral malpractice” is used ...to refer to violations of electoral integrity (2014: 9).

The Kofi Annan Foundation’s Electoral Integrity Initiative has also made a definitional statement, which I fully subscribe to, as follows:

We define an election with integrity as any election that is based on the democratic principles of universal suffrage and political equality as reflected in international standards and agreements, and is professional, impartial, and transparent in its preparation and administration throughout the electoral cycle (2012: 12).

Without integrity, the electoral processes in Africa throw up charlatans, upstarts and /or crooks as “elected” representatives / executives, who having bought or stolen their electoral “victories” proceed to engage with the legislative and policy-making and execution processes irresponsibly and largely if not totally unresponsive to the needs and expectations of the electorate. As a result, the governance process is often perceived as illegitimate, and almost invariably the political processes become unstable and conflict-ridden, more often than not, characterized by violence, especially in countries, which are ethnically and religiously diverse.

Undoubtedly, “threats to electoral integrity are not limited to poor, divided or war-torn countries. They can be found in every democracy” (ibid.:23). However, they are more profound in the African countries with ethno-religious diversity and fractious politics in the striving the capture power and state resources.

The deficit of integrity inn African elections needs to be addressed if representative democracy is to have substantive meaning and to catalyze democratic development in the continent. The assumption that holding periodic elections equals democratic maturity in Africa (Lindberg 2006; 2009) is being proven to be faulty. Regularity of elections devoid of integrity undermines legitimacy of “elected” governments and exacerbates conflicts, with negative consequences on development. Only electoral integrity can legitimize governments and stabilize otherwise conflict-ridden countries.

However, a key challenge relates to how to bring about and institutionalize electoral integrity as a fundamental tenet of transition to democracy in Africa. Political actors strive hard to win elections at any cost and by any means

necessary. And Election Management Bodies are either legally hamstrung or institutionally weak to assert autonomy and conduct elections with impartiality and integrity, in spite of the overbearing influence of incumbent governments. The media and civil society organizations, often do not help matters as, more often than not, they are aligned to vested political interests and throw spanners in the works, making the job of EMBs very difficult indeed.

Drawing from personal experience, as former chairman of Nigeria's Independent National Electoral Commission (INEC), who served a tenure of 5 years, and presided over the conduct of two (2) general elections and hundreds of other governorship, national assembly and state assembly bye-elections, re-run elections, and run-off elections; and having studied, as well as interacted with Chairmen and Commissioners of, various EMBs throughout the continent, I can state that, there are indeed formidable challenges in trying to conduct elections with integrity. In this presentation, I attempt to share perspectives on how an EMB can best strive to nurture and entrench integrity in the management, conduct and outcome of elections. It is no doubt difficult in the African political contexts, characterized by the mobilization of ethnic, religious and other primordial identities and loyalties. However, it is not impossible, with resoluteness, determination, patriotic fervor and courage of conviction. An EMB has to do its best to nurture and sustain electoral integrity under any and all circumstances. It is the first crucial step to sanitizing the tumultuous nature of our politics and deepening democracy in African countries. There would be no good democratic governance, or any quality of government to talk about, unless the leadership selection and election processes are imbued with requisite integrity.

At least four (4) dimensions of electoral integrity can be identified, which are worthy of note and serious consideration:

1. Moral and ethical conduct of the chairpersons / chief electoral commissioners, other commissioners and staff of the EMB, permanent or *Ad hoc*.

2. Engendering professionalism, non-partisanship, transparency and accountability of the electoral processes by the Election Management Body (EMB)
3. Conduct with integrity and/or ethical conduct by key stakeholders and partners as they engage with EMB in the electoral processes
4. Experience and knowledge sharing, as well as peer learning amongst EMBs.

These are briefly discussed in what follows.

Moral and Ethical Conduct by the Chief/Electoral Commissioners and other staff

In a recent presentation, I observed as follows:

Ordinarily, Chief electoral commissioner and electoral commissioners do a thankless, often dangerous, difficult and frustrating jobs. Presently, these are no ordinary times. As electoral democracy faces challenges, if not onslaught, globally; as scholars of democratization begin to write and talk about “resurgence of authoritarianism” as evidenced by the dramatic events of the last few years; and especially as in Africa, politicians increasingly see elections as a “do-or-die” affair and sharpen their skills of winning elections by “hook by crook”; a greater burden is imposed on electoral commissioners as they strive to be independent champions or guardians of citizens and voters rights (Jega, July 2017).

Chairpersons / Chief Electoral Commissioners and other Commissioners in particular, and all staff of EMBs in general, need to realize that theirs is a unique national service; a rare opportunity for display of patriotism and for adding value to their country’s democratic development. It is not just “another job,” or a career pursuit for self-advancement; or merely a moneymaking occupation. It is a crucial national service, which has to be handled with care, seriousness of purpose and integrity in order not to plunge the country into bad governance, crises and conflicts. If Chief/Electoral Commissioners become preoccupied with

self-enrichment, given the terrible culture of corruption in most of our polities, they could make tons of money through electoral procurement processes or by taking bribes from desperate politicians; but at the expense of personal and institutional integrity; and at the risk of plunging their country into profound electoral crises and violent conflicts, with massive losses of lives and property. Chief electoral Officers and commissioners, to be sure are not saints, and no sensible person would expect them to be so, especially within the environments in which they operate. If it were possible to be saintly without being a saint, I would strongly recommend that, for few if any public service positions actually require that. Be that as it may, in any case they require certain character traits and disposition, with a sincerity of purpose, which would command respect and garner support from partners and stakeholders.

Among the requisite traits, discipline, selflessness, focus, personal integrity and humility are required for successful leadership of an EMB towards achieving the objective of conducting elections with integrity. Indeed, heads of EMBs don't have to be saints to deliver on its core objectives. However, they must be modest, humble, hard working, self-respecting and commanding of respect. They should not assume or pretend to have all the solutions to all the problems. Rather, they should put in their best under all circumstances and, through engagements within and without the EMB, dialogue and consultations with key stakeholders and partners, the best ideas can be generated and plans of action executed. For example, to use an anecdote, as a professor of political science who has studied and written about Nigerian politics and elections, I came into INEC arrogantly thinking that I already knew all that there was to know to do the job; but within weeks, I realized that there was a huge difference between theory and practice of Nigerian politics, and that I barely knew the true character and disposition of Nigerian politicians contesting for elections! I had to quickly adjust and be humble enough to listen and learn more from those whom I had considered and dismissed as ignorant bureaucrats and politicians. Humility is indeed, the beginning of wisdom in dealing with African politicians. As a Nigerian saying goes, humility enables you to bend or kneel to the level of a dwarf or physically challenged, and yet stand ramrod thereafter while s/he couldn't.

Strengthening institutional capacity, competence and professionalism of the EMB

Given that most public institutions in Africa are weak and lacking in capacity and competence to deliver their mandates competently and efficiently, it is absolutely necessary for leaders of EMBs to pay attention to building institutional capacity for delivering on its core mandate: conducting elections with integrity. Incentive mechanisms for staff motivation must be put in place, so also procedures and mechanisms for disciplining erring staff following due process. It is necessary for the commission to lead by example, and to be strict on discipline and ethical conduct of staff, because infractions by a few would give the entire EMB a very bad name, as seemed to be the case in the 2007 elections in Nigeria.

Planning, in terms of both strategic planning and specific election project planning are necessary for successful conduct of elections with efficiency and effective delivery, as well as with integrity. Rigorous and incessant planning and testing and piloting help anticipate challenges long before the D-day. Ahmed Hassan (one time chair of IEBC, Kenya) has popularized the African saying to the effect that, "it is foolhardy to test the depth of a river with both feet!" It is absolutely necessary to heed this saying in electoral preparations in order not to compromise its integrity. Improving efficiency and effectiveness of an EMB in discharging its mandate may sometimes require repositioning it through restructuring and reorganization. If restructuring and reorganization are deemed necessary, they must be undertaken with resoluteness and by realistically taking into consideration both the time element and the resources requirement. If phasing can deliver a better outcome that should be done with clearly defined priorities. In Nigeria when we came in as a new commission in June 2010, it became evident that without restructuring and reorganization, INEC would continue to be constrained in delivering elections professionally, efficiently and effectively. But we had only six months to the constitutionally determined date for the general elections of January 2011. Much as repositioning was required, we could only attempt a minimal "placement of square pegs in

square hole” before the elections, which together with other measures, helped to raise the bar of electoral integrity in 2011. We then had to use the period between 2011 and 2015 general elections to do fairly comprehensive restructuring and reorganization of INEC. This, complimented with numerous other measures, policies and plans, helped to remarkably upgrade the integrity of the 2015 general elections.

Similarly, an EMB, especially the commission has to work as a team, with unity of purpose and devoid of rancor and pettiness, in order to assure successful and professional conduct of elections. Ordinarily, devious politicians work hard to put a wedge between the Chairperson and the commissioners; or divide the commissioners along partisan or other primordial identity fault lines and weaken them, for the advancement of their selfishly pursued electoral fortunes. The Commissioners must be mindful of these and engender unity of purpose and teamwork. Thus, they must work together closely as an effective team and not allow open rifts and cracks that could be exploited by politicians to truncate the integrity of the elections.

Impartiality and non-partisanship on the part of the Commission are additional requirements for conducting elections with integrity. It is not enough for the Chief electoral Commissioner and the commissioners to be non-partisan, She/they must be seen to be so. Friendships and personal relations would have to be moderated to give a sense of impartiality and neutrality in dealings with political parties and contestants.

Ethical conduct by other key stakeholders

EMBs have an obligation to engage regularly and transparently with all critical stakeholders, especially political parties, candidates, civil society organizations, and women and youth groups, through dialogue and consultative efforts at consensus building, and so as to get them to positively contribute to, or engage with, the electoral processes, with requisite integrity. An EMB may put in its best and discharge its responsibilities professionally and completely, however, if other stakeholders do not do as much, electoral integrity would be compromised

if not undermined. Thus, EMBs have to cultivate and prod key stakeholders to partner with them to keep on adding value to ensuring conduct of free, fair and credible elections. In particular EMBs need to cultivate a relationship with credible youth groups and youth oriented civil society organizations, because the youth need to be empowered and placed at the fore-front of struggles for deepening of democracy through transparent and credible elections (Jega 2017). Transparent processes of consultations and dialogue, which help to build mutual trust and confidence, enhance electoral integrity. As politicians or their supporters tend to operate outside of the legal framework, and quite often deploying such deplorable tactics as hate speech and aggressive behaviors or even violent confrontations, there is need to ensure that they are held to account through a code of conduct, and strict enforcement of the provisions of the electoral legal framework especially if/when penalties are involved.

Knowledge and experience sharing amongst EMBs

In the contemporary era of knowledge economy, information and knowledge sharing adds tremendous value to building institutions and empowering them to discharge their functions efficiently and effectively. Significantly, electoral integrity is enhanced when EMBs relate well with one another and share knowledge and experiences. This enables understanding of and familiarity with good practices and standard methods of operation in other electoral jurisdictions, which could be adapted to local circumstances with positive impact on the integrity of elections. In Africa, which is characterized by what can be termed as trial-and-error electoral democracy, EMBs need to work closely together, support each other, strengthen common bonds of solidarity and learn from each other as they strive to conduct elections with integrity and deepen democracy in their individual national jurisdictions. The Association of African Electoral Authorities (AAEA), which is currently being strengthened with the support of the African Union Commission and other partners is a veritable platform for peer learning and review at the levels of chief electoral commissioners and commissioners. Beyond this, however, EMBs need to forge links sub-regionally and continentally, if possible sign MOUs for visitations and

staff exchange, as well as for mutually beneficial technical support for one another.

Conclusion

Undoubtedly, all hands need to be on deck to nurture and sustain electoral integrity in Africa. It is a collective responsibility of all stakeholders and development partners. Regrettably the politicians and political parties, the key stakeholders cannot, for now, be entrusted to lead the process, given their predilection to struggle and win elections by any means necessary. EMBs have a moral and ethical obligation to do whatever it takes to entrench the culture of conducting elections with integrity. They have to, like physicians, heal themselves, strengthen their political will and moral courage, and strengthen bonds of unity and solidarity amongst themselves to be able to discharge this task and responsibility creditably. Then, they have to develop effective and transparent relationships with credible stakeholders, especially youth groups and civil society organizations, with a shared common purpose and objective of deepening and consolidating democracy in Africa through the conduct of elections with integrity.

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