



Political Parties

in West Africa:

The Challenge of Democratization in Fragile States

Report prepared for the International Institute for Democracy and Electoral Assistance (International IDEA) as part of its global Programme on Research and Dialogue with Political Parties

Political Parties in West Africa:

The Challenge of Democratization in Fragile States

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Preface

Strong and sustainable democracy is dependent on the existence of well-functioning political parties. Political parties are crucial actors in bringing together diverse interests, recruiting and presenting candidates, and developing competing policy proposals that provide people with a choice. In a democracy there is no substitute for open competition between political parties in elections. Throughout the world, however, political parties find themselves in crisis, unpopular and increasingly distrusted. They are suffering from declining membership, internal management practices that are often weak and not sufficiently democratic, and party system regulations that often set far-reaching limits to the way in which parties are allowed to operate. In Africa, political parties face challenges similar to those faced elsewhere in the world, challenges that are further exacerbated by diverse and complex political and developmental challenges.

By building systematic, comparative knowledge on political parties, International IDEA aims to support the strengthening of institutional arrangements that make parties more effective players in the political system. International IDEA's series of reports on political parties in Africa is based on research and dialogue with political parties in thirty African countries. In Southern Africa the study covered twelve countries—Angola, Botswana, the Democratic Republic of the Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe. In West Africa, the study was conducted in thirteen countries—Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Ghana, Guinea, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo. In East Africa, five countries were covered—Ethiopia, Kenya, Sudan, Tanzania and Uganda.

The research was conducted using three approaches. The first was to examine the socio-political and economic environment in which the parties function, and study



the margins within parties are allowed to carry out their political and electoral activities in the respective countries. The second dealt with the legal provisions that regulate parties. The provisions include those covering the founding of parties, their registration and internal functioning, the rules and regulations for contesting elections, the conduct of election campaigns and the agencies that monitor the conduct of parties. The third approach constituted an in-depth analysis of the organizational structures of the parties and the way in which they actually function.

The series of reports is expected to address a serious gap in existing knowledge regarding the external political party regulatory environment; party structures and internal organization; and policy and programmes development. The reports provide a unique overview of the challenges to and opportunities for strengthening political parties and party systems within the framework of democratic consolidation and development. International IDEA hopes that the findings and recommendations presented here will contribute to the building of sustainable multiparty democracy in Africa.


Vidar Helgesen
Secretary General
International IDEA



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- E. Gyimah-Boadi, Center for Democratic Development (CDD-Ghana), Accra, Ghana (for anglophone West Africa), with Nana Boateng and Elvis Otoo; and
- Jibrin Ibrahim, Centre for Democracy and Development (CDD-Nigeria), with Stella Amadi.

Several scholars and researchers meticulously conducted the national research, held interviews with political parties and prepared country studies, or helped the main researchers in these tasks. They are Fall M. Ismaila (Senegal), Guy Koku Ahianyo (Togo), Mamadou Bella Balde (Guinea), Fernando L. Cardoso (Guinea-Bissau), Daniel Henrique Costa (Cape Verde), Sulayman M. B. Fye (the Gambia), Meima Sirleaf Karneh (Liberia), Hindowa Momoh (Sierra Leone), Theodule Nouatchi (Benin), Kaphalo Segorbah (Côte d’Ivoire), and Charles Wiafe-Akenten and Emmanuel Debrah (Ghana).

We wish to thank all the researchers involved in the study for their painstaking efforts in carrying out desk research and interviews and preparing the Country Reports.



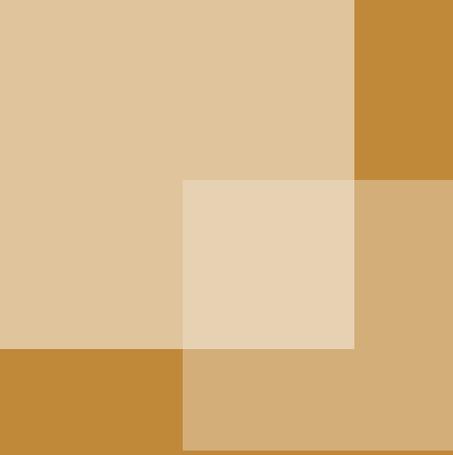
This West Africa report also draws on the drafts for the Country Reports, and we express our gratitude to our fellow authors for their input and cooperation. During the process of the research, International IDEA and the regional and national research partners also engaged regional and sub-regional organizations and networks in a dialogue and in the formulation of a road map for working with political parties in Africa in 2007 and 2008. We would like to give special recognition to these institutions and individuals for their contributions, partnerships and support to the International IDEA initiative on Research and Dialogue with Political Parties. Colleagues at International IDEA who made valuable contributions to the project in its early stages are Roger Hällhag, Julie Ballington and Kenneth Mpyisi (who have since left the organization), and Naomi Effah provided much appreciated administrative support.

We are greatly indebted to the political parties in the 13 West African countries in which this research was undertaken for their invaluable support and cooperation. The countries covered in this report are Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Ghana, Guinea, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo. Political party leaders and cadres alike participated enthusiastically in interviews and dialogue workshops, and completed the questionnaires which formed the basis of this study. On many occasions they were more than willing to share in confidence their challenges as well as making various information material and publications available to the researchers. International IDEA has produced Country Reports for some of these countries, which are available at <<http://www.idea.int/parties>>.

Besides this report on political parties in West Africa, International IDEA and its partners have completed one pan-African report on political parties, by Mohamed Salih and Per Nordlund, and two sub-regional reports, by Michael Chege for East Africa and Khabele Matlosa for Southern Africa. These reports can be found at <<http://www.idea.int>>.

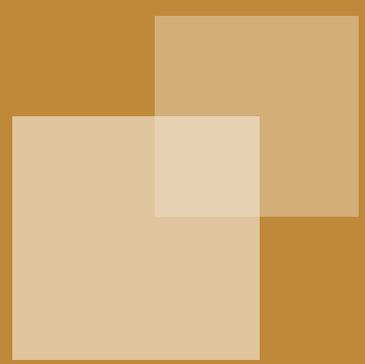
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Chapter 1

Methodology





Chapter 1

Methodology

By building systematic, comparative knowledge on political parties, International IDEA aims to explore the possibility of strengthening the institutional arrangements that make parties more effective players in the political system. Although parties are part of our daily discussion, there is little systematic knowledge of how they are regulated and how they function internally in different countries. We know very little about the operational problems they face and seldom think of the challenges they face in the present and in the future. The objective of this International IDEA Programme of Research and Dialogue with Political Parties is to contribute to an environment that is conducive to the development of political parties, and thereby to contribute to democracy.

Research on parties so far has not led to the construction of any single ‘ideal’ type of political party, and it may not be possible to do so. The aim is therefore not to work out a universally ideal model of a political party, but to examine and collate information on the extraordinary variety of parties that function in different political systems of the world. The results of the study may help parties identify and exchange good practices and learn from one another.

The programme is being carried out in more than 75 countries worldwide. In West Africa, this study was conducted in 13 countries—Benin, Burkina Faso, Cape Verde, Côte d’Ivoire, Ghana, Guinea, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo.

International IDEA and its research partners have carried out research and interviews with political parties in 12 countries, altogether covering 20 major political parties (they are included in Table 1). In seven countries, research was only done on the

national context and the national legislation and regulations of political parties; no interviews with political parties were conducted in these cases. This is indicated in the table below by 'National regulations only'.

Table 1: The major West African political parties

Country	Party name (English)	Party name (national language)	Acronym
Benin	National regulations only		
Burkina Faso	Alliance for Democracy and Federation-African Democratic Rally	Alliance pour la Démocratie et la Fédération-Rassemblement Démocratique Africain	ADF/RDA
	Congress for Democracy and Progress	Congrès pour la Démocratie et le Progrès	CDP
	National Union for Democracy and Development	Union Nationale pour la Démocratie et le développement	UNDD
	Party for Democracy and Progress/Socialist Party	Parti pour la Démocratie et le Progrès/Parti Socialiste	PDS/PS;
	Union for Rebirth/ Sankarist Movement	Union pour la Renaissance/ Mouvement Sankariste	UNIR/MS
Cape Verde	National regulations only		
Côte d'Ivoire	National regulations only		
The Gambia	People's Progressive Party		PPP
	United Democratic Party		UDP
	National Convention Party		NCP
	National Reconciliation Party		NRP
	Alliance for Patriotic Reconciliation and Construction		APRC
	People's Democratic Organization for Independence and Socialism		PDOIS
Ghana	National Democratic Congress		NDC
	New Patriotic Party		NPP
Guinea	National regulations only		
Guinea-Bissau	National regulations only		
Liberia	National regulations only		
Mali	Democratic Republican Union	Union pour la République et la Démocratie	URD
	Malian People's Rally	Rassemblement du Peuple Malien	RPM
	Party for Education, Culture, Health and Agriculture in Mali	Parti pour l'Éducation, la Culture, la Santé et l'Agriculture au Mali	PESCAM
	Sudanese Union-African Democratic Rally	Union Soudanaise-Rassemblement Démocratique Africain	US-RDA
Niger	National regulations only		

Country	Party name (English)	Party name (national language)	Acronym
Nigeria	All Nigeria People's Party		ANPP
	All Progressives Grand Alliance		APGA
	Alliance for Democracy		AD
	People's Democratic Party		PDP
Senegal	Alliance of Progress Forces	Alliance des Forces du Progrès	AFP
	Democratic League-Movement for the Labour Party	Ligue démocratique/Mouvement pour le parti du travail	LD/MPT
	Senegalese Democratic Party	Parti Démocratique Sénégalais	PDS
	Socialist Party	Parti Socialiste	PS
	Union for Democratic Renewal	Union pour le Renouveau Démocratique	URD
Sierra Leone	National regulations only		
Togo	National regulations only		

The study consisted of three questionnaires. The first was about the socio-political and economic environment in which the parties function and about how free or restricted the parties are in carrying out their political and electoral activities in the respective countries. The second questionnaire dealt with the legal provisions that regulate parties. These include the founding of parties, their registration and internal functioning, the rules and regulations for contesting elections, the conduct of election campaigns and the agencies that monitor the conduct of parties. This was done mainly by desk research. Sources of information on the country context and external regulations included constitutions; legislative acts and orders passed by the executive branch; rules, regulations, codes and orders of the election commissions; and judgements of the highest courts in the respective countries. Official statistical reports, reports of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Freedom House Index, the United Nations Development Programme (UNDP) *Human Development Report*, and Transparency International's Corruption Perceptions Index, among other sources, were used for relevant information.

The third questionnaire constituted an in-depth analysis of the organizational structures of the parties and the way in which they actually function. Information was collected through face-to-face interviews with the leaders of various parties. In most cases, five leaders and party officials from each party were interviewed. Each interview took at least one hour and some required longer. Sometimes it required more than one sitting with a leader or official. In choosing the parties' representatives for the interviews, care was taken to interview at least one of the top party leaders, a people's representative in a legislative body, preferably at the national level, a woman leader and a youth leader. Wherever the treasurer of a party was available, he or she

was interviewed. Thus, the account of the internal functioning of parties is based primarily on the information and responses of the party leaders. What is attempted is to develop a self-portrait of parties as presented by party leaders themselves.

Before the interviews with individual leaders were conducted, the parties were informed about the research project and provided with an overview of the research. The meetings with leaders were arranged by prior appointment. Most of the party leaders were cooperative and willing to spare time. Busy as they were with other pressing matters, some were not able to spend sufficient time to discuss the questions in depth, and some found that the questionnaire was taking more time than they were willing to give (two or three interview sessions were required for some leaders). Some were reticent and unwilling to respond in detail to some questions with which they felt uncomfortable, such as those concerning the election of leaders within the party, and descriptions of internal party structures and the selection of candidates. For some questions, such as those concerning party income, funding and election campaign expenditure, it was not possible to elicit sufficient and accurate information either because the party leaders do not have full knowledge or because they were reluctant to speak about them.

The work began in West Africa with pre-testing of the questionnaire in Ghana in May 2004. Afterwards, in July 2004, a three-day methodology workshop for the West Africa researchers to discuss in detail the questionnaire on parties' organizational structures and functioning was held in Ouagadougou, Burkina Faso.

The database on parties that will be developed as part of this research will be of help to those who would like to take a closer look at the working of political parties around the world.

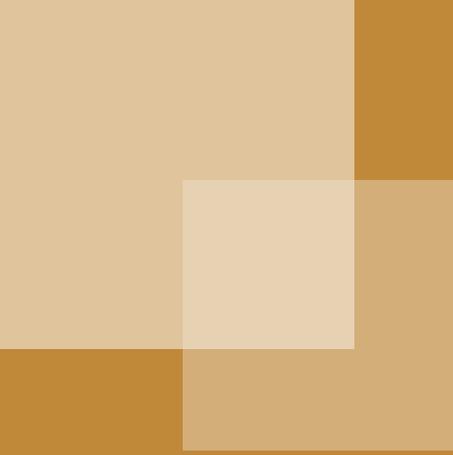
Based on the two questionnaires relating to the country context and the external regulations and environment, as well as the interviews with party leaders, separate Country Reports were prepared for several of the countries.

As a sequel to the research phase, national and regional dialogue workshops were held between political parties, researchers, representatives of civil society and international actors to validate the research findings and discuss agendas for further research, debate and reform. Such regional dialogue workshops were held in Burkina Faso in June 2005, for West Africa. In addition, national dialogue workshops were conducted in Burkina Faso in November 2004, in Mali in November 2005, in Ghana in February 2005, in Nigeria in January 2006, and in Senegal in January 2005. The dialogues provided an opportunity for the party leaders to tell others about the difficulties and challenges they face and for the public and intellectuals to

tell the party leaders how they view political parties and how they think the problems in the party domain could be tackled.

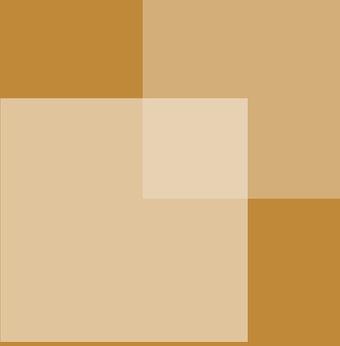
The information gathered from political parties during the interviews with the leaders and the discussions at the dialogue workshops are a major source for the preparation of this report.

This report is one in a series of sub-regional reports that International IDEA has published as well as an Africa regional report. With these regional reports, we hope to arrive at some meaningful conclusions on the state of political parties in different parts of the world, the problems and challenges they face in the 21st century and the measures that can be taken to address them.



Chapter 2

Introduction





Chapter 2

Introduction

2.1 The structure of this report

The report is divided into five chapters. Chapter 1 has presented the methodology of the research on which it is based. Chapter 2 introduces the background and context and is designed to make the necessary connections between political parties, countries' political history and the nature, pattern and course of the democratization process in the sub-region, as well to underline the salient distinguishing and common features of the anglophone and francophone countries of West Africa. In particular, it introduces some conclusions regarding the fact that currently, although the political context has improved significantly, there are serious challenges in terms of respect for civil liberties and the guarantee of political freedom in many West African countries. These aspects of the report also inform the following chapters, and particularly the conclusions and recommendations.

Chapter 3 is about the political party and electoral systems in West Africa and the fact that virtually all the West African countries operate a multiparty democracy. However, in some of them, despite the existence of two or more independent political parties, the electoral space is virtually monopolized by a dominant party which controls both the executive and a significant share of the legislature. In some others, political power and the electoral space are dispersed. Even though political parties are among the least trusted of institutions, the people prefer party politics and electoral democracy to military rule and one-party dictatorship. This chapter also discusses the factors relating to the tenuousness of the party system in West Africa and why democratization in the sub-region is only in the nascent phase. It will require time for parties to stabilize and consolidate. This chapter also addresses the issue of fair representation in political and decision-making structures for marginalized groups,

especially women, the disabled and young people, rather than the winner-takes-all majoritarian system prevailing across West Africa.

In some countries in West Africa, there is a very wide gap between the legal provisions made to ensure fair competition and the efficient functioning of political parties and the reality. The regulations on media access, the internal functioning of political parties, party sanctions, candidate selection and party campaigns are elaborated in chapter 4.

Chapter 5 presents conclusions and recommendations.

2.2 Background and context

The nature, character, functioning and performance of political parties in West Africa cannot be dissociated from the political history and democratization processes of the countries in the sub-region. West Africa countries have some distinct differences, especially as between anglophone and francophone West Africa, where the different colonial powers left very different traditions and structures; however, there are common discernible trends in their political trajectories.

There have been three major political cycles in West Africa. The first was the short-lived era immediately after independence when there was multiparty democracy. The tensions and contradictions of the party system during that time were soon to give way to the second cycle—the era of one-party dominance and military dictatorships. This era was marked by military interventions in Togo in May 1963, in Nigeria in January 1966, and in Senegal from 1966 to 1974, when there was a single-party regime. In some cases, political parties were completely outlawed, and in others there were no opposition parties, with the political space being entirely artificial.

The third cycle is the era of democratization, which begun in the late 1980s and 1990s in West Africa. The nature, pattern and course of the democratization process have been rather uneven in the sub-region. In some countries it was crowned by national conferences at which the established political authorities were challenged, giving way to the emergence of the ‘peoples’ power’. While the national conference succeeded in facilitating regime change and significant liberalization of the political space, allowing political parties to flourish in places like Benin, it did not succeed in Togo. The national conference was the general pattern in francophone West Africa. In some other countries, the democratization process was organized in a formal way through political transition programmes, as happened in Ghana and Nigeria. In this pattern, the military draws up a phased political transition agenda to hand over power

to the civilian politicians. A third situation is that of the unfolding democratization process dissolving into civil war and strife. Côte d'Ivoire, Guinea-Bissau, Liberia and Sierra Leone are examples. There are also currently major threats of outbreaks of violence in several countries—the separatist agitation of the Casamance in Senegal since 1982, the Tuareg insurrection in Mali and Niger (which for the time being has been put down), and the Niger Delta problem in Nigeria. All of them threaten the political health of West Africa.

The outcome of the democratization process in West Africa, as Abdoulaye Bathily noted (Bathily 2005) contains sharp contrasts. Almost all the countries of the sub-region show several signs of enduring political instability and could qualify as fragile states. Some are still the victims of unresolved conflicts (Côte d'Ivoire); others are treading the path of civil peace with difficulty and with international community support (Guinea-Bissau, Liberia and Sierra Leone); some others are still in the grip of an autocracy, with the incumbent regimes holding on tenaciously to power and denying other parties the space for political actualization (Burkina Faso, the Gambia and Togo); yet others have made significant progress in the democratic plane and passed the 'two democratic elections' test, with opposition political parties or candidates able to unseat incumbent political regimes and leaders through the democratic process (Benin, Ghana and Senegal). In Benin, free elections have been held since 1990.

The recent presidential election in Senegal, on 25 March 2007, underscored the fragility of the democratic process in Africa. While Senegal is acclaimed for its democratic credentials, its democratic culture was threatened by that election. The electoral law was amended (irregularly) less than six months before the elections, in contravention of article 2(1) of the Economic Community of West African States (ECOWAS) Supplementary Protocol on Democracy and Good Governance, 2001. The protocol stipulates that 'no substantial modification shall be made to the electoral laws in the last six months before the elections, except with the consent of a majority of political actors'. In Senegal, opposition parties vehemently opposed and condemned the amendment, which was perceived to be beneficial only to the ruling party. There was neither political consensus among the political actors on the amendment nor a national agreement on it.

In spite of the fragility of the democratic process and the real possibility of a reversal in many countries, West Africa has recorded some relative progress in political liberalization with an improved context for the existence, operation and performance of political parties. Compared to the past two decades, the civic space has been opened up in remarkable way, with civil society organizations flourishing, comparatively improved observance of human rights and the rule of law, and an explosion of free media. For instance, in Mali there now exist about 30 private

newspapers, 147 independent local radio stations, seven state radio stations and one national television station. In Ghana, there are 35 registered newspapers (33 privately owned), about 52 radio stations and nine television stations (eight of them independent). Similarly, Mali has over 1,000 civil society organizations operating in the different areas of socio-political life of the country. In Togo, there are at least five private television stations, more than 30 private radio stations broadcasting on FM, and about 40 private newspapers and magazines. In Guinea, while there is no private radio or television station yet in the country, the legal framework already exists for it to take off. On August 2005, a law (Decree D/2005/037/PRG/SGG) was passed which allowed private radio stations to be established in the country. In essence, in many West African countries, the state no longer monopolizes the media space, and this has given both ruling and opposition parties better communication access and given the electorates more political information.

The party registration regime has been relaxed in several countries compared to what it was between the mid-1960s and the early 1990s. It is easier to register political parties than it used to be. Thus, more parties exist than there were two decades ago. Their numbers range from 130 in Côte d'Ivoire to 77 in Senegal, 22 in Liberia and 10 in Ghana. However, the capacity and efficacy of those parties remain feeble. Historical disabilities coupled with internal and external challenges have circumscribed their capacity. Poor organizational skills and commitment and lack of internal democracy and ideological direction are some of the internal challenges they confront.

Environmental constraints in the form of demographic, political, social and economic factors also affect the effective functioning of political parties in West Africa. First, the population of West Africa is currently estimated at 295 million inhabitants, and it is anticipated that that figure will reach 430 million by 2020. Those under 15 years of age make up 45 per cent of the population. This demographic structure poses a serious challenge to the character of political parties. Almost half the population does not have a direct electoral impact as it is not old enough to vote, and it is largely not part of the party system, while at the same time it is the source of major demands for health services, education, food, training and so on. There is therefore a question of how far the political parties are demographically and democratically representative, and the more serious problem of how political power will be passed on to a new generation, both in the party system and in national politics generally.

Second, while the political context has improved significantly, there are serious challenges in terms of the respect for civil liberties and the guarantee of political freedom in many West African countries. As Freedom House documents, the West African countries are uneven in terms of their protection of civil liberties, respect for the rule of law and political freedoms. Table 2 is instructive.

Table 2: Civil liberties and political freedom in 13 West African countries, 2006

Country	Political rights	Civil liberties	Status
Burkina Faso	5	3	Partly free
Côte d'Ivoire	6	6	Not free
The Gambia	5	4	Partly free
Ghana	1	2	Free
Guinea	6	5	Not free
Guinea-Bissau	3	4	Partly free
Liberia	4	4	Partly free
Mali	2	2	Free
Niger	3	3	Partly free
Nigeria	4	4	Partly free
Senegal	2	3	Free
Sierra Leone	4	3	Partly free
Togo	6	5	Not free

Source: Freedom House, *Freedom in the World Report, 2006* (Washington, DC: Freedom House, 2006).

As table 2 indicates, only three countries—Ghana, Mali and Senegal—are classified as free in terms of the guarantee of civil liberties, the rule of law and political freedom; seven fall into the partly free category and three into the not free category. The fact that a majority of the countries fall into the partly free category suggests that the West African countries are still at an early stage of democratization, and considerable efforts, by both internal and external actors, may be needed to urge on the democratization process towards a better political climate of openness and respect for civil liberties and political freedoms.

The third challenge is the daunting problem of poverty in the sub-region. West Africa harbours the World's poorest countries. The four least developed countries on the UNDP Human Development Index (HDI) for 2006 are in West Africa—Burkina Faso, Mali, Niger and Sierra Leone—and all the West African countries are in the low-income bracket of the UNDP ratings. In the context of devastating poverty, it is difficult for political parties to raise the required resources for effective political work and mobilization.

The high rate of illiteracy in the sub-region complicates the problem. Table 3 presents a graphic picture of the poverty and illiteracy levels.

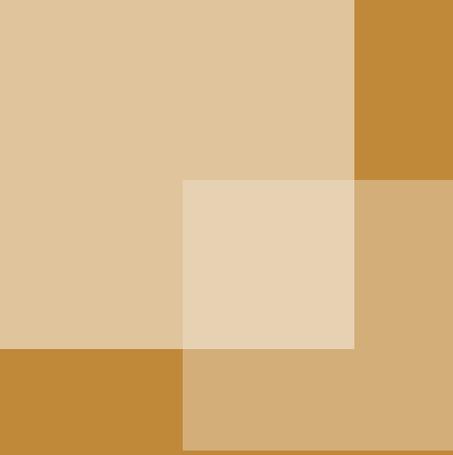
Table 3: Human Development Index ratings for West African countries and adult literacy levels

Country	HDI rating (2006)	Adult literacy (2004) (%)
Togo	147	59.6
The Gambia	155	NA
Senegal	156	39.3
Nigeria	159	66.8
Benin	163	39.8
Côte d'Ivoire	164	NA
Guinea-Bissau	173	NA
Burkina Faso	174	19.0
Mali	175	12.8
Sierra Leone	176	17.1
Niger	177	-

Source: United Nations Development Programme (UNDP), *Human Development Report*, 2004 and 2006.

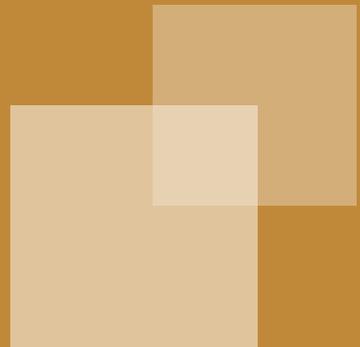
Out of the 177 countries covered by the UNDP *Human Development Report*, the bottom five were West African countries. Liberia was not included in the report.

In summary, the fragility of the democratization process in West Africa and the precarious socio-economic milieu provide serious challenges and constraints—and also some opportunities—for political parties in West Africa. How the political parties surmount those constraints and challenges will determine their efficacy and performance, as well as the course of the democratization process in West Africa.



Chapter 3

West Africa: Political Party and Electoral Systems





Chapter 3

West Africa: Political Party and Electoral Systems

3.1 Party systems

In the current context, virtually all West African countries operate a multiparty democracy. The road to multiparty democracy differs from country to country. Some countries (e.g. Senegal) have over time established a long tradition of multiparty politics; in some others (e.g. Ghana, Nigeria) it was the product of protracted political struggles, while in others again (as in Togo) donor pressure was a key factor in bringing about the opening up of the political space for multiparty politics. In Togo, pressure from the European Union on the government in 2004, leading to an agreement on 22 commitments, including facilitating national political dialogue and legislative elections, was instrumental to the regime of President Gnassingbé Eyadema conceding political space for multiparty democracy. In Liberia, the intervention of the international community through the establishment of the Comprehensive Peace Agreement of 2003 paved the way for a political transition that allowed multiparty general elections in 2005. In Nigeria, the early stages of the re-democratization process in 1999 saw the stifling of the political party space, with the state and the Independent National Electoral Commission (INEC) imposing difficult conditions for the establishment of political parties. It took the intervention of the Supreme Court in 2002 for INEC to liberalize the political party arena and allow political competition to flourish.

The regime for the registration of political parties has been simplified in many West African countries.

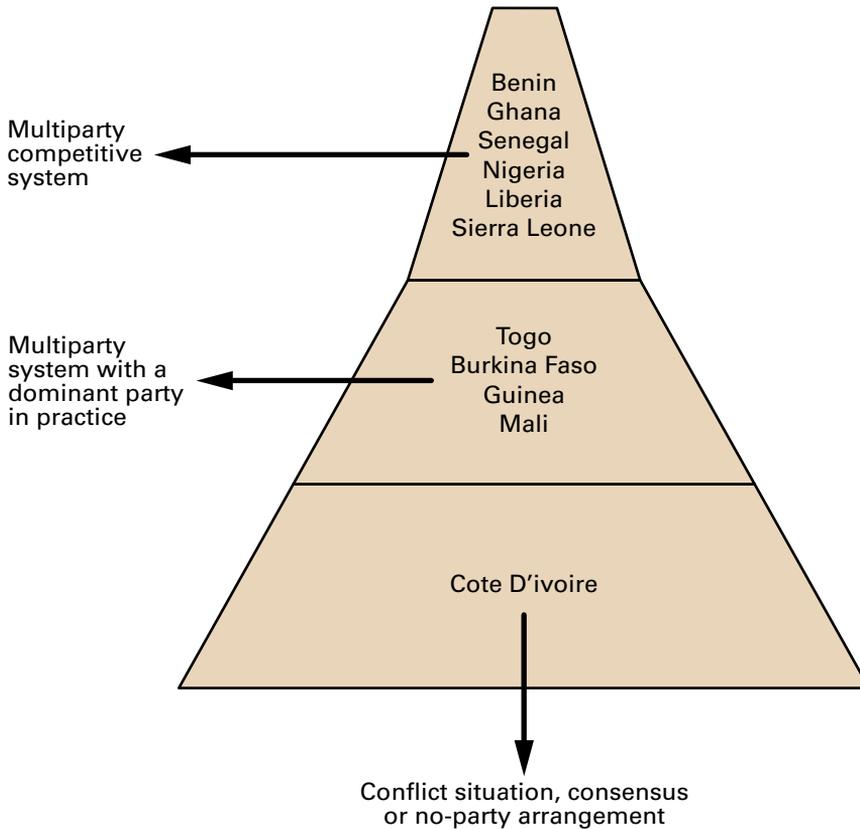
Table 4 shows the number of parties in existence in selected West African countries.

Table 4: The number of political parties in nine West African countries

Country	Number of political parties
Burkina Faso	103
Côte d'Ivoire	130
Ghana	10
Guinea	46
Liberia	22
Mali	94
Nigeria	41
Senegal	77
Togo	68

The flourishing of political parties does not necessarily guarantee competitive party politics. There is therefore a need to make the distinction between the existence of a large number of political parties and a *party system*. The former is a situation in which there are many parties but no meaningful party competition; one party is dominant. The latter is when there is real competitive party politics and democratic competition. This is what denotes the quality of the party system. A genuine party system is marked by the existence of two or more independent political parties actively engaged in the competition for political power and with a meaningful presence in terms of electoral results. Figure 1 depicts the nature of the pluralism of the party systems in West Africa.

Figure 1: The pluralism of the political party systems in West Africa



In the classification above, in some countries, despite the existence of two or more independent political parties, the electoral space is virtually monopolized by a dominant party controlling both the executive and also a significant share of the legislature. In other countries, political power and the electoral space are dispersed. For instance, in Liberia, the current political landscape is balanced, especially in the legislature. The Congress for Democratic Change, the leading opposition, has a majority in the lower house, while the Coalition for Transformation of Liberia (COTOL), which is a coalition of four political parties (the Liberia Action Party, the Liberia Unification Party, the People's Democratic Party of Liberia and the True Whig Party), leads in the upper house. In Senegal, the 2003 presidential election was keenly contested between the then ruling party candidate, Abdou Diouf, and the opposition coalition candidate, Abdoulaye Wade. The elections went into a second round before Wade defeated Diouf with 58.49 per cent of the vote as against the latter's 41.51 per

cent. In Sierra Leone, the August 2007 presidential and parliamentary elections were keenly contested between the All People's Congress (APC) and the Sierra Leone People's Party (SLPP), the latter being the ruling party.

3.2 Trust and social capital

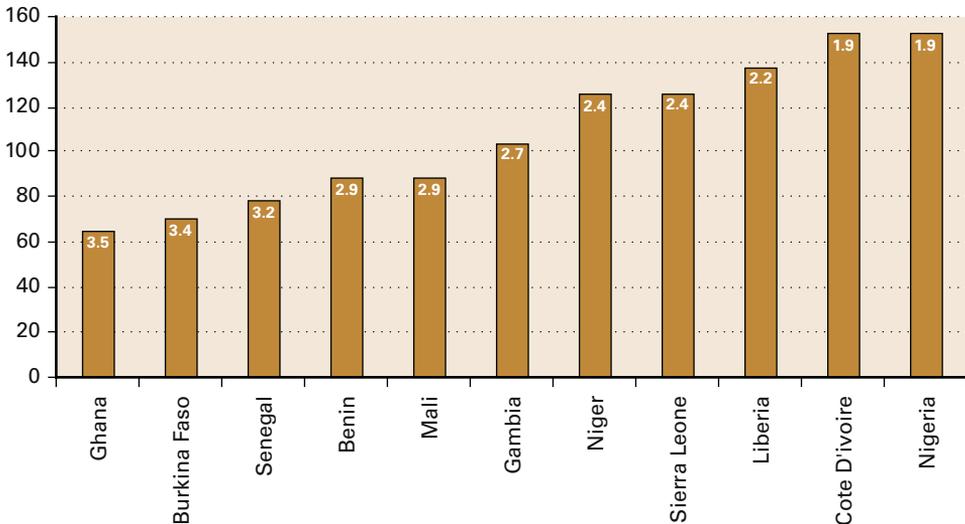
In most of the West African countries, the level of trust people have in political parties is mostly very low. Inter-party relations in many countries are also often poor. In a situation in which the parties are unable to reach consensus and build confidence among themselves, it is much more difficult to do so with the people. There are several reasons for such a low level of public trust in political parties.

The first is the problem of corruption in West Africa. Corruption remains rampant in many West African and, indeed, in African countries generally, and it is centred on the political leadership. Political parties constitute the agency for enthroning the leadership in a democracy, and the corrupt tendencies of the leadership therefore reflect strongly but negatively on the political parties. Indeed, in some cases the parties are direct beneficiaries of corrupt practices. For instance, in Nigeria a major national issue in the twilight of the regime of President Olusegun Obasanjo in 2006–2007 was the corrupt practices involving the leadership of the ruling party, the People's Democratic Party (PDP), during the 2003 general elections and the diversion of public funds from a federal agency into a phoney account to finance the party. A special public account named the Petroleum Technology Development Fund (PTDF), which was to be used to facilitate technological development in Nigeria through training and research, was cornered by the leadership of the PDP and used as 'slush' funds by the party to finance the 2003 presidential elections.

Political parties also use monetary and other types of incentive to corrupt the political process. In poor countries, patronage networks and outright bribery of the electorate constitute major instruments for electoral victory and the maintenance of power by the political elite—a phenomenon which compounds the problem of fighting corruption in those countries.

Figure 2 indicates the level of corruption in 11 West African countries as captured by a Transparency International (TI) global survey on corruption.

Figure 2: The Transparency International ranking of selected West African countries on corruption, 2005



Source: Data extracted from Transparency International, *Global Corruption Survey, 2005*.

The TI rating of corruption ranges from 10 to 1, with the high matrix indicating the less corrupt end of the range and the low matrix the more corrupt end. As figure 3 indicates, Ghana, with the lowest level of corruption in West Africa, has a score of 3.5, and ranked 65 among 159 countries surveyed. Nigeria and Côte d'Ivoire are considered the most corrupt in the sub-region from the survey, with a score of 1.9, ranking equal 152nd out of the 159 countries. It is noteworthy that even Ghana, which is West Africa's best case, is still very corrupt by global standards.

Apart from the problem of corruption, the low level of public trust in political parties is also associated with the lack of alternative ideological world views on the part of the parties which the people can identify with; the parties are essentially 'more of the same'. Moreover, the dividends of democracy are not readily visible to the people (whatever the programmes and manifestos that the politicians and political parties sell to the people during election campaigns). Hence, the people usually inveigh against and largely distrust politicians and political parties.

In spite of this, the people still prefer electoral democracy over military dictatorship. The intangible dividends of democracy such as civil and political rights and political freedom are seen as social values to be desired and protected, which military rule makes impossible.

The low level of trust can also be linked to the perceived incapacity of political parties to keep their campaign promises and reduce the growing level of poverty in their countries. Politicians are largely perceived to be a self-seeking group who, no sooner than they acquire political power, often neglect or care little about the interests and demands of the electorate that voted them into power.

In Guinea and Togo, for instance, the Country Reports observed that the people have little confidence in political parties. The Togo Country Report notes that ‘the socio-economic situation is rather unstable; there is a crisis of confidence open at all levels of power. The military hierarchy, for its part used to the pomp of power for over 40 years, is a constant threat for any decisive democratic turnaround’. In Guinea, there has been constant discord between the ruling party and the opposition parties in which the latter has had to boycott national elections. In November 2001, a constitutional referendum was organized in which the ruling party wanted the constitution revised. Some of the controversial clauses to be revised included issues of the length of tenure of the presidency—an age limit and a tenure limit. It was proposed that the tenure of president should be extended from five to seven years, that the age limit for presidential office be removed, and that the limit to the number of terms of office should also be removed. The opposition parties protested and subsequently boycotted the referendum, and asked their supporters to do so. In spite of that the ruling party went ahead with the referendum.

The existence of extra-party groups like the ethnic militias in Nigeria and an unregistered but clandestine group called the Revolutionary Communist Party of Upper Volta (Parti Communiste Révolutionnaire du Volta, PCRV) in Burkina Faso, founded in the 1980s, which commands tremendous support in the country, underscores the tenuous nature of the legitimacy and public trust which political parties enjoy in those countries. The aim of the PCRV is to work towards a national revolution in Burkina Faso. According to the Burkina Faso Country Report, ‘its political influence is indeed very large in certain segments of the intellectual elite and of the Burkinabe civil society to which a lot of organizations are affiliated. At the time of the socio-political crisis following the assassination of the journalist Norbert Zongo, the PCRV was presented as the directing body of the protest movement which overwhelmed the country’. The growing influence of these groups underscores the declining level of trust and attachment which people have in the regular political parties as vehicles for promoting and defending their collective interests and steering state and society towards the desired path.

However, there are encouraging signs from some countries, such as Ghana and recently Liberia, that inter-party dialogue and a healthy environment for public trust in political parties are advancing. In Ghana, political parties have several platforms

where they meet and discuss issues of common interest to the country. There is an Inter-Party Advisory Committee (IPAC), where representatives of political parties and the Electoral Commission meet regularly to deliberate on various aspects of the electoral process. In this spirit of inter-party cooperation and understanding, in August 2004, all the registered political parties came together to sign a code of conduct to regulate their activities and campaign during the 2004 elections. Civil society groups in Ghana also seek to provide dialogue among political parties. A non-governmental organization (NGO), the Institute for Economic Affairs, organizes a 'chairman's breakfast' meeting where chairpersons of political parties meet to discuss in a very informal context, issues of common concern to their parties and the country.

In Liberia, shortly before the October 2005 general elections, in order to create a conducive environment for political competition, the 22 political parties drew up a Code of Conduct for themselves which was to regulate their behaviour. Through the code, political parties committed themselves to civil conduct of their affairs, non-violence and respect for the rule of law. In addition, an Inter-Party Consultative Committee was established to facilitate dialogue among the parties and between the parties and the electoral commission. In Nigeria, on the other hand, although the parties signed unto a 'Code of Conduct' during the run-up to the April 2007 elections, they did not abide by it. Perhaps because of the extensive vote-rigging that characterized the elections, political violence was rife, with about 500 people reportedly killed during the elections.

In summary, political parties have low level of public trust in many countries in West Africa. As Gero Erdmann, Mathias Basedau and Andreas Mehler note, 'overall, however, political parties belong to the least trusted institutions' (Erdmann, Basedau and Mehler 2007: 7). People's high expectations of the parties are usually disappointed when parties win political power, and parties only go back to the electorates during election periods.

Yet, the people prefer party politics and electoral democracy to military rule and one-party dictatorship. The reason, as already noted, lies in the intangible dividends of democracy, which the people enjoy and which were abrogated under the non-democratic regimes while at the same time the material conditions of life did not improve.

3.3 The stability of the party system

The party system is fairly unstable in many West African countries. Senegal has had a long tradition of multiparty politics, with the relative institutionalization of some parties, but in several other countries the political parties remain fragile and mostly

unstable. While in appearance and number political parties are flourishing in many countries, in form and content there are only few parties in existence. Many of the parties only exist in name, and not in actual practice. They make little electoral impact and are no better than the 'portfolio' NGOs dominated by one person or a few people who populate the civil arena. For example, Ghana, which constitutes a model of democracy in West Africa, has ten registered political parties, but six of them do not have even a single seat in the current parliament of the country. As the Burkina Faso Country Report noted, 'On 9 December, 2004, 103 political parties were registered according to the Ministry of Territorial Administration and Decentralisation. In reality, a lot of these parties no longer have an effective existence'. In fact, as of May 2007, Burkina Faso has 126 official registered political parties but only 13 have seats in the parliament. In Nigeria, while 50 parties were registered for the 2007 elections, fewer than five showed any electoral promise by winning seats in the federal legislature.

The tenuousness of the party system is related to several factors. First, democratization in West Africa is in a nascent phase and it will take time for these parties to stabilize and consolidate. Second, there are no mechanisms by which the state can support the growth of relatively new parties. Thus, it is the old parties which control political power and consolidate their hold on it, gaining access to state resources in the process. Third, since in many countries there are usually no legal constraints on 'cross-carpeting' or floor-crossing, by parties, the dominant parties often entice the strong or promising members of the smaller parties, thereby further weakening the latter.

3.4 The social inclusiveness of parties

Inclusiveness is about how different social cleavages and different groups are represented in the political parties. Apart from the ethnic dimension of representation, there is the question of the representation of women and young people. The legal framework for the establishment of parties in virtually all the West African countries seeks to make the parties representative by prohibiting their formation on a racial, ethnic, regional, religious, gender, sectoral or language basis. Thus, by implication, parties are encouraged to be diverse in character and to represent the socio-economic structure of the country. However, this is not usually evident. In spite of that provision, representation is often still skewed either in ethnic or in gender terms. In Nigeria, there is an explicit constitutional provision on what is referred to as the Federal Character Principle. Chapter 14(3) of the 1999 federal constitution provides that 'the composition of the government of the federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command

national loyalty, thereby ensuring that there shall be no predominance of persons from a few states or from a few ethnic or other sectional groups in that government or in any of its agencies'. The Federal Character Principle is an ethnic arithmetic for the sharing of public goods in Nigeria and is meant to ensure equity and political stability. Although the existence of political parties is not expressly provided for in the constitution to comply with the principle, it is a political formula which resonates strongly in public institutions, including political parties.

Youth and gender representation does not come out strongly in the political profile of the political parties in West Africa. The demographic structure of West Africa is skewed in favour of young people, yet they are marginal actors in political parties. At best, they are treated as marginal and enlisted mostly into youth wings or deployed as political thugs to engage in violence on behalf of the older generation. Thus, there is a major generational lag in the composition of the party leadership in most West African countries. Similarly, most of the parties do not have specific quotas or affirmative action policies in favour of women, and most of the countries do not have any provision in the law or the legal or electoral regulations on women's representation as candidates for elective offices by parties. In terms of women's representation in parties and elective offices, Burkina Faso and Liberia stand out. In Burkina Faso, the ruling party, the Congress for Democracy and Progress (Congrès pour la Démocratie et le Progrès, CDP), adopted a directive (no. 2003/001 CDP/CN/BPN of 23 December 2003) to reform the party structures and bodies by imposing a quota of 25 per cent for women in all structures and bodies of the party. In Liberia, the electoral regulation stipulates that 30 per cent of all parties' candidates for elections should be women. The weakness of the electoral regulation is that there are no sanctions imposed for non-compliance; hence, most of the parties did not adhere to it. It is interesting that the constitution of the main opposition party, the Congress for Democratic Change (CDC) led by the football star, George Opong Weah, provides for disadvantaged groups in the party profile. Article 13 of the party constitution provides for affirmative action: its section 77 states that 'in an endeavour to ensure that women, the disabled, and other disadvantaged persons are adequately represented in all decision-making structures, the CDC shall implement a programme of affirmative action to ensure popular participation of women, the young people, the disabled, and other marginalized groups in the work process of the CDC'.

There should be a regional approach to the issue of fair representation in political and decision-making structures for marginalized groups, especially women, the physically challenged, and young people, in which a regional organization like ECOWAS will take the lead in formulating a regional policy on fair representation. Political parties need to be at the heart of this decision.

3.5 Electoral institutions and systems

There is a marked difference in the organization of elections in anglophone and francophone West Africa. Except in Sierra Leone, where a Political Party Regulatory Commission (PPRC) exists alongside the National Electoral Commission, and of which the chief electoral commissioner is a member of the PPRC, in the other anglophone West African countries, such as the Gambia, Ghana, Liberia and Nigeria, the electoral commission handles the entire process of the conduct of elections, from the registration of political parties to voter registration, the preparation and conduct of the elections, and the announcement of election results. In Nigeria, the electoral commission is INEC, in Liberia it is the National Elections Commission, and in Ghana it is called the Electoral Commission. Essentially, these institutions have overall responsibility for the conduct of elections in their respective countries.

In francophone West Africa, on the other hand, different institutions are involved in the electoral process. Political parties are registered by government departments. For instance, in Senegal and Togo the Ministry of the Interior does this, in Mali it is the Ministry of Territorial Administration and Local Authorities, and in Burkina Faso and Guinea it is the Ministry of Territorial Administration and Decentralisation. The electoral commission is only concerned with the conduct of elections. Even more, there are situations in which the electoral commission does not undertake the entire electoral process; the courts also participate in it. In Togo, there are multiple institutions involved in the management of the electoral process. The Commission Electorale Nationale Indépendante (CENI) and Commission Electorale Locale Indépendante (CELI) handle elections at the national and regional/community levels, respectively. At the national level, after the CENI has done the general count of the votes and announced the provisional results, it sends the Constitutional Court a detailed report on the elections, the results and unsettled disputes, with a copy to the representative of each candidate or list of candidates. It is the responsibility of the Constitutional Court to announce the final result after settling all disputes arising from the elections. The composition of the electoral body is an interesting aspect of the nature of the electoral commission. The CENI and the CELI are multipartisan electoral institutions in which political parties are represented. Articles 15 and 28 of the Electoral Code of Togo ensure that out of the 13 members of the CENI, five come from the opposition parties, and of the five members of the CELI, four come from the political parties, with two each from the ruling and opposition parties.

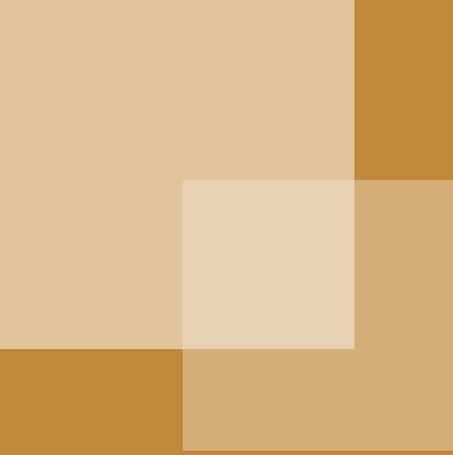
The capacity of the electoral institutions is rather uneven in the West African countries. For instance, the electoral body in Ghana is reputed to be fairly strong, independent and well entrenched in the constitution. The electoral commissioners have security of

tenure: they have life appointments and cannot be abruptly relieved of their positions by the president. Conversely, in Nigeria, the electoral commission (INEC) appears weak. It is widely perceived as not being independent, and its activities are very controversial, with the election results announced by it often disputed by the political parties and candidates. The members of INEC are appointed by the president and can be removed by him. Indeed, the criteria for qualification to be appointed as a member of INEC are equally considered controversial. One criterion is that the person should be qualified to be a member of the House of Representatives, which some have interpreted to mean that the person should be a member of a political party, as it is not possible to be a member of a House of Representatives without being a member of a political party since there is no provision for independent candidacy. Generally however, as Gyimah-Boadi has observed, 'African election authorities tend to lack independence, with many of them located within the Executive branch of government, and election administration is generally weak in terms of logistics planning, implementation and monitoring' (Gyimah-Boadi 2007: 27).

In term of electoral systems, there are several in use. In Ghana, the simple majority system is used for parliamentary elections. In Liberia, a majoritarian two-round electoral system is used for elections to the presidency and the vice-presidency. If no candidate obtains an absolute majority (50 per cent plus one of the valid votes cast) in the first round, a second round is conducted on the Tuesday following the announcement of the result of the first ballot. The two candidates who obtained the highest number of votes in the first ballot then participate in the run-off elections, and the candidate who obtains the majority of the valid votes in the second ballot is deemed to be elected. For the Senate and House of Representatives there is a simple majority electoral system. The two candidates who obtain the highest and second-highest number of valid votes cast in a county are deemed elected to the Senate. The senator with the highest number of votes is a senator of the first category, while the second is a senator of the second category. Senegal operates a hybrid electoral system. Presidential elections are run on a two-round plurality/majority run-off system, fashioned along the French presidential model, while for legislative elections the system is a combination of the simple majority system and proportional representation (PR). From 1983, Senegal changed its legislative electoral system from a pure PR system with a national list to a mixed, parallel system. Sixty-five deputies are elected through a one-round majority ballot, within the jurisdiction of the department (constituency), while 55 are elected through the proportional ballot on a national list. In Nigeria, the First Past The Post, majoritarian electoral system is adopted, but with the proviso for presidential elections that the winner must have not less than 25 per cent of the vote in two-thirds of all the states (there are 36 states and one capital territory) of the federation. This is to ensure popular acceptance and national 'spread' in the election of the president. Many West African countries

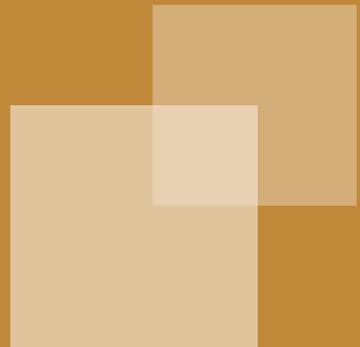
(e.g. Gambia, Ghana, Guinea-Bissau and Sierra Leone) have the two-round majority electoral system, especially for presidential elections.

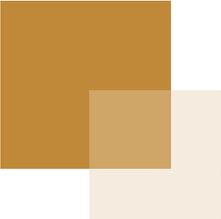
Without doubt, the choice of electoral system has far-reaching implications for the nature of political life and competitive electoral politics in West African countries. It can also mediate or aggravate political tension and conflict in society. A host of factors determine the electoral system adopted by a country, including historical experience and cultural contexts, but, because of the centrality of politics and power in the steering of state and society in West Africa, there is need for an inclusive and participatory electoral system to be adopted rather than the winner-takes-all effect that characterizes the majoritarian electoral system.



Chapter 4

External Regulation and the Internal Functioning of Parties





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External Regulation and the Internal Functioning of Parties

The state and the electoral bodies often establish a regulatory framework and code of conduct in order to ensure fair political competition and a level playing field among political parties and to promote their effective internal functioning. However, there is usually a wide gap between the precepts and practice contained in the legal and official codes and actual party activities. Some of the key areas are:

- state regulation of political parties' access to the media to ensure equity and fairness;
- the regulation of internal party functioning;
- the regulation of the selection of party candidates;
- regulations on parties' election campaigns;
- regulation on political party participation in voting processes; and
- the conditions for party registration, deregistration and sanctions.

4.1 Regulations on media access

In virtually all the West African countries, there are electoral regulations which seek to ensure fair access to the media for all political parties, especially in election periods. In francophone West African, media regulatory bodies are established explicitly by the state to do this. In Senegal, there is the Supreme Audiovisual Council which governs all audiovisual media access by the parties; in Mali, this body is the National Media Council; in Guinea, there is the National Communications Board; in Burkina Faso, there is the High Council for Communication; in Togo, there is the Supreme Authority for Audio Visual and Communication; in Côte d'Ivoire, the electoral law

(Law no. 2004-644 of 14 December 2000) guarantees political parties equitable access to media outlets. In Nigeria, section 29 of the 2002 Electoral Act states that ‘A candidate and his party shall campaign for the elections in accordance with such rules and regulations as may be determined by the commission. State apparatus, including the media shall not be employed to the advantage or disadvantage of any political party or candidate at any election. Media time shall be allocated equally among the political parties at similar hours of the day. At any public electronic media, equal air time shall be allotted to all political parties during prime time at similar hours each day’. The law stipulates sanctions for media houses that contravene this regulation.

In practice, however, there is usually no equal access to the media for the political parties. Ruling parties in most countries often deploy the power of incumbency to gain undue advantage in access to the media. This is the reality of political life in most West African countries, including Ghana and Senegal, two countries that are regarded as ‘success stories’ of democracy in West Africa. For instance, in Ghana during the 2004 elections, the Center for Democratic Development (CDD-Ghana) carried out a study on the abuse of incumbency and administrative resources during the elections. The report was quite critical of the ruling parties at all levels of government in terms of access not only to the media but also to other public resources such as public facilities, and of the way in which they compromised the neutrality of public servants by enlisting them to subtly campaign for the government in power. On the media, the report notes:

Monitoring of selected state-owned media revealed that these organs gave significantly more coverage to the campaign activities of incumbent-party candidates. Print coverage of the incumbent party tended to be more extensive and was more likely to include front-page stories and photographs, while broadcast coverage was similarly imbalanced in quantity and quality. Some broadcast coverage compounded the confusion of state and party by reporting on state functions while displaying footage of party rallies (Center for Democratic Development 2005: 3).

In Senegal, while the law establishing the Supreme Audiovisual Council (Law no. 98-09 of 2 March 1998) invests the council with the responsibility of ensuring pluralism and respect for equitable access of political parties to the state media by supervising political broadcasts and monitoring information bodies, in reality, as the Country Report observed, ‘whilst in practice, we may note equitable access of parties to the main media information bodies in general, we should note a manifest imbalance in favour of the ruling party, particularly with regard to television. Confronted with this imbalance, the Supreme Audiovisual Council seems powerless. The imbalance is even more manifest given that there is only one public television channel, as the ruling party has not yet granted the existence of private television stations’.

In Liberia, where the 2005 general elections received significant assistance from the international community, a radio station created by the United Nations Mission in Liberia (UNMIL)—UNMIL Radio—gave free and adequate media coverage to all the political parties; but some of the candidates established or had links with private radio and print media houses which gave them disproportionate coverage.

There are two external factors that affect the extent to which political parties generally, and opposition parties in particular, can access the media for political purposes.

The first is the degree of pluralism of the media space. Wherever private media exist, political parties have the opportunity to be able to access alternative media for the dissemination of political information. For instance, the existence of private media has aided the opposition parties in Burkina Faso in accessing the media. As the Burkina Faso Country Report observed, ‘The opposition parties have difficulty in accessing the state media to ensure the coverage of their political activities; however, some private media organize a few debates in which representatives of all the parties and different awareness groups of civil society are sometimes invited’.

The second is the general political environment in which the media themselves operate. Wherever there is hostility to or general repression of the media, the possibility of self-censorship by the media is usually very high, thus denying opposition parties the benefit of airing their views to the electorates. The Freedom House rating of the level of political freedom (see Table 2) may be used as an indicator of the extent to which the media operate unhindered in West African countries. While Ghana, Mali and Senegal are rated free, countries like Burkina Faso and Nigeria are rated partially free, and Côte d’Ivoire, Guinea and Togo are rated not free. In Nigeria, for example, in the run-up to the 2007 elections, subtle threats and intimidation were issued to the media, especially by the government. A privately owned television station, African Independent Television (AIT), which covered live the aborted ‘third term agenda’ in the National Assembly (by which former President Obasanjo sought to prolong his tenure of power for another term in office), had its Abuja offices demolished by the Federal Capital Development Authority on the nebulous excuse that the offices were constructed in ‘residential quarters’. Nigerians perceived the action to be politically motivated and vindictive.

4.2 Internal party functioning

In many francophone West African countries, there is usually a ‘Charter on Political Parties’ which spells out the rights, responsibilities and obligations of the parties. However, in most cases this document is not explicit where the internal running

of the parties is concerned. The parties are considered to be independent entities qualified to organize and manage their own internal affairs. Perhaps the assumption is that controlling the internal affairs of parties will compromise their autonomy and constitutes meddling in their internal affairs. Thus, in many of these countries, there are no legal stipulations or codified guidelines on how the parties should manage their internal affairs. However, in a few countries (such as Burkina Faso, Liberia and Nigeria) there are regulations on how the parties should organize themselves, especially in terms of ensuring internal democracy in the selection of party officials to run the parties and candidates for elections. In Liberia, the National Elections Commission Guidelines Relating to the Registration of Political Parties and Independent Candidates (chapter IV, section 14.1-6, 'National and Local Conventions') states that 'there shall be held at least every six years a National Convention by every registered political party in an orderly manner to elect its National Governing Body to serve for a period not exceeding six years'. In the party primaries, the electoral commission only observes the process in order to ensure that the provisions of the law are adhered to.

In Nigeria, the 2002 Electoral Act, section 75 provides that every registered political party shall give the commission at least 21 days' notice of any convention, conference or meeting convened for the purpose of electing members of its executive committees or other governing bodies or nominating candidates for elective office. INEC also reserves the right, with or without prior notice to the political party, to monitor or attend any convention, congress, conference or meeting convened for the purpose of electing members of the executive or other governing bodies, nominating candidates or approving a merger with other political parties. Section 78(2) of the Electoral Act also authorizes INEC to examine the accounts and financial records of all the political parties and make such reports public for scrutiny. This is the more effective as the state gives financial subvention to political parties based on certain criteria, and expects to be able to monitor how those funds are spent.

However, in spite of all these provisions, political parties mostly do not conform to legal codes of internal democracy, whether at the level of electoral regulations or at that of their own internal party rules. As the Nigeria Country Report clearly observes, 'The existence of party caucuses, the monetization of the party nomination process and ill defined screening process for candidates by INEC ensures that party members do not ultimately, in some cases, nominate their candidates'.

Indeed, in Nigeria, the parties have claimed exclusive rights over their internal processes through court action. During the 2006/2007 party primaries for the election of party candidates, the party leadership virtually appropriated the space and conducted selection, not election. Most of the political parties grossly manipulated the primaries, and in many cases the results of the primaries were not respected.

Several candidates who did not win the primaries were eventually selected by the leaders of the party, claiming a spurious logic of party supremacy in the selection of party candidates to compete for general elections. One such reported incident took place in Imo State, where the candidate who polled the highest number of votes at the party primaries of the PDP for the governorship candidacy of the party in the state, Senator Ararume, was dropped for the candidate who came 14th at the primaries, Charles Ugwu. There is a general trend for the party congresses and primaries in Nigeria to be characterized by a lack of internal democratic conduct.

In a report released in June 2005, INEC indicted all the political parties for financial recklessness by not keeping proper accounting records. The PDP and the All Nigeria People's Party (ANPP)—two leading political parties in Nigeria—were indicted for having 'no proper accounting records' in spite of the huge inflow of resources to them.

The issue of internal democracy and the effective functioning of political parties, as noted above, is a major challenge to political parties in all countries in West Africa. There is a democracy deficit in the internal running of the parties as powerful interests and forces often control their internal mechanisms and processes.

4.3 The selection and qualifications of candidates

The electoral law in West African countries usually lays down the basic qualifications or criteria which candidates for elected public office have to meet. The details of these criteria differ from country to country and also depending on the nature of the position to be competed for. For instance, the criteria for presidential candidates may differ from those standing in legislative, regional or local government elections. Some of the basic criteria include citizenship and residence in the country/area for a period of time; a candidate may have to be a registered voter, and anyone who has a criminal record or is a tax defaulter may be excluded. In Guinea, naturalized foreigners are only eligible to stand for elections upon the expiry of ten years after the date of the naturalization decree provided they have lived in the country since then. In Sierra Leone, the corresponding period is 25 years of continuous stay in the country. In Togo, there is a minimum age of 35 years, the conditions for candidates standing for the presidency include the payment of 20 million CFA francs, and the declaration of candidacy not less than 30 days before the election, and the declaration of candidacy must be accompanied by the following documents: the party emblem, a candidacy investiture statement, a certified copy of the birth certificate, a certificate of residency showing that the would-be candidate has been resident for at least the previous 12 months, a tax discharge certificate and a medical certificate. While Senegal and

Nigeria make citizenship one of the preconditions for standing in elections, they do not prohibit dual or multiple citizenship.

The electoral law also determines whether membership of a party will be a precondition for candidacy for public office. In some countries (e.g. Liberia) independent candidates are allowed to stand for public office and to file their papers directly to the electoral commission. However, in many others, political parties are the only platform for candidates for elective public office.

Essentially, the criteria stipulated by the electoral law which candidates must fulfil before they can stand for public office are meant to keep the political arena clean and ensure that the people who do stand for and hold public office are credible and law-abiding. However, in West Africa some of these criteria have become very controversial. This is particularly so where the issue of citizenship is concerned. Who is a citizen and who is not? Who is an indigene and who is a settler within a national context are very controversial issues. The citizenship issue in relation to elections is implicated in the current conflict in Côte d'Ivoire. Allasane Quattara, a prominent political figure and former prime minister of the country, was disqualified on the ground that (allegedly) he was a Burkinabe, and this was one of the catalysts of the war. In some other countries, the problem over citizenship is more localized in the native/settler dichotomy. The raging political conflicts in some local communities in Nigeria are also related to this.

4.4 Election campaigns

In all West African countries there are regulations on political parties' election campaigns. They include the period allowed for the campaign, the nature of the campaign, and actions or practices that are prohibited during campaigns.

The period allowed for the election campaign differs from one country to the other. In Togo, campaigns start two weeks before election date and end 24 hours prior to polling day. In Guinea, the campaign period is indicated in article L41 of the electoral code. For communal and rural elections, the campaign commences 15 days before polling day. For legislative elections the campaign period is 21 days, and for presidential elections it is 30 days. All campaigns end at midnight on the eve of the elections. All electoral gatherings, meetings and events are limited to the hours of 7.00 am to 10.00 pm. In Ghana, election campaigns are allowed to begin at any time but gain momentum immediately the electoral commission accepts candidates' nominations and publishes notice of an election, and it ends 48 hours prior to polling day. In Mali, campaigns start 21 days before polling day, and end 48 hours before

polling day. In Liberia during the most recent general elections (in October 2005) the campaign period was 56 days (15 August–9 October 2005) and ended 72 hours before polling day. In Senegal, campaigns for presidential and legislative elections start 21 days before polling day and end at midnight on the eve of polling day. In the event of a second ballot for the presidential elections, the campaign starts on the day the list of candidates is displayed at the clerk's office in the Constitutional Council. In some countries, including Burkina Faso and Nigeria, there are no official campaign periods.

In many countries political parties are prohibited by the electoral act from engaging in acts of violence and uncivil behaviour, engaging in political provocations and altercations, and any attitude that may endanger public peace and order. On the election day, political parties are prohibited from carrying out any form of political campaigns, distributing newsletters, circulars, and other party propaganda documents, seeking to influence voters through material inducements of gifts, in money or any other form, using the assets and resources of an institution or a public body to undue advantage, and courting favours from election officers in the discharge of their duties.

However, these rules are mostly breached. Political parties and candidates generally devise ingenious ways to continue the political campaign on polling day itself. They use informal family influence and pressure, and lobbying of voters outside the voting arena, and in some cases state security and electoral officials are used, to give undue political advantage, especially by the ruling parties.

4.5 Participation in voting processes

Political parties and candidates standing for election in most West African countries are empowered to send representatives to observe the voting processes. Their representatives do not interfere with or have any official role to play in the voting and counting processes, but they are witnesses to the entire process of the election from the start of vote, to the count and authentication of the election results. In some countries, as in Ghana, Liberia, Nigeria and Togo, party/candidate representatives at the polling stations are authorized to countersign the election results, and in the event of their having reservations they have the right to indicate such and file complaints with the electoral commission. In Guinea, under its electoral law, any candidate or his or her duly accredited representative has the right within the confines of their electoral constituency to check all voting operations, including the opening of the ballot boxes, the start and closing of the voting process, the counting of the votes, and the tallying of the results wherever it is being done. The votes are counted in the

presence of representatives of the candidates by a central administrative commission appointed by the minister of territorial administration and decentralization and presided over in all cases by a legal magistrate appointed by the Supreme Court. In Guinea, commendably, political parties are represented in the commission that is responsible for supervising and controlling the voting operations. In Senegal, political parties are represented in both the tabulation and collation of election results at both the national and local elections.

4.6 Conditions for political party registration and deregistration, and sanctions

In many of the francophone West African countries, political parties are registered as associations and registration is mostly done by the Ministry of the Interior (as in Togo) or the Ministry of Territorial Administration and Decentralization (as in Guinea). In anglophone West Africa, the registration of political parties tends to be conducted by the electoral commission (as in Ghana, Liberia and Nigeria). However, the common denominator, as mentioned above, is that the conditions or criteria for the registration of parties have been significantly liberalized. In Guinea, for example, the conditions for creating political parties are contained in the Organic Law No. 91/02/CTRN on the Charter on Political Parties. The charter requires that the founding members of a party adopt the articles of association at a general meeting and file an application for authorization with the Ministry of Territorial Administration and Decentralization. The application should include four copies of the articles of association signed by at least five founding members of the association; and four copies of the minutes of meeting creating the association containing the complete list of names of the founding members and of their executive body, and indicating their address, profession, birth certificate, nationality certificate, residence certificate and police record not more than three months old. After the application has been filed and a receipt issued, the Ministry of Territorial Administration and Decentralization would within three months conduct investigations and verifications on the information provided by the association and on the basis of its findings issue or deny the authorization for the recognition and existence of the party. If registered, such is immediately published in the official journal of the government.

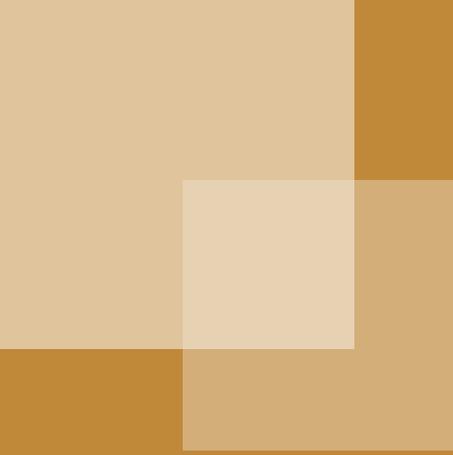
In Liberia, the National Elections Commission registers political parties. Guidelines relating to the registration of political parties and independent candidates section 8.1 specifies the requirements for the registration of a political party. The provision states that ‘an application to be registered as a political party must be prescribed in form P-022....the form must be signed by the Chairman of the Organizing Committee and the Secretary General of the proposed political party and must be notarized’. In

a liberalized conception, chapter 1, section 26 of the Guidelines qualifies political parties to be ‘associations with a membership of not less than five hundred qualified voters in at least twelve counties of Liberia in the case of a new political party, or such membership in each of at least six counties in the case of existing parties, whose activities include canvassing for votes and on any political issue or in support of a candidate for elective public office’.

In order to ensure that political parties conform to the democratic ethos and the national vision of the country, there are rules on the activities they are not allowed to engage in. These include breach of the electoral law, propagating inciteful or hate messages, or engaging in activities that may undermine the corporate existence of the country. In Guinea, the conditions for deregistration or dissolution of political parties include refusal by the minister for territorial administration and decentralization of modifications to the articles of association of the party; indictment on direct or indirect receipt of funds from foreign private or political persons in breach of the provisions of article 24 of the Charter on Political Parties; serious disregard for the fundamental laws and regulations on political parties, including respect for the secular, republican and democratic character of the state and the national independence and integrity of the country; the compromising of public order and freedoms; and operating on a regionalist, ethnocentric, religious, discriminatory or rebellious basis. The minister of territorial administration and decentralization announces the dissolution and appropriately notifies the leaders of the party being dissolved.

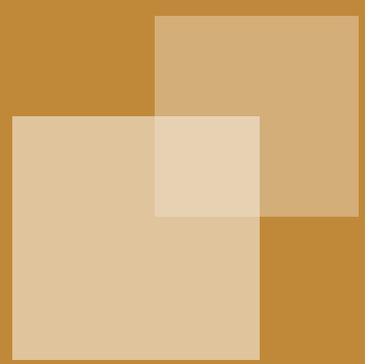
Only in a few cases have political parties actually been deregistered. However, sanctions are imposed on a regular basis on parties and candidates when they violate the electoral laws. For instance, in Liberia during the 2005 general elections, the Liberian Action Party (LAP) was fined 2,500 US dollars (USD) for pre-campaign activities in violation of section 21.3 of the National Electoral Commission Guidelines Relating to the Registration of Political Parties and Independent Candidates.

The sanctions regime generally in West Africa seems to be weak as the electoral body or the state administrative agency responsible for monitoring the activities of political parties usually has serious capacity constraints, which does not allow it to undertake the task effectively. Also, because of the sensitive nature of political parties in society, the issue of sanctions is usually approached with caution in order for the electoral body or agency not to be accused of partisanship.



Chapter 5

Conclusion and Recommendations





Chapter 5

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5.1 Conclusion

Political parties have made modest but significant strides in West Africa as agents of democratization in the sub-region. Their number, role and activities have been enhanced. However, their content and quality remain suspect. They are mostly weak in organizational capacity, internal democratic culture, financial resource mobilization, social inclusiveness (especially of women, young people and the physically challenged) and the articulation of different ideological world views on development challenges. Institutionalizing the political parties will be a fairly long haul given the history of political failures and disappointments, repression and autocracy that characterize Africa's post-colonial experience.

Apart from the internal challenges, there are constraining environmental factors that affect the capacity of political parties to function efficiently. The general level of political freedom in a country, the ruling party's perception of political opposition and the extent to which a level playing field is ensured among political parties, especially with regard to access to public resources, play a large part in determining how far political parties can grow and become consolidated.

In addition, the regulatory regime for the operation of political parties in most West African countries is very weak, especially with regard to issues of internal democracy and financial matters, including campaign financing. The regulatory authorities have immense difficulty in monitoring and enforcing the rules on campaign financing as stipulated in the electoral laws. The consequence is that the strong and the rich in society dominate the political space and control the campaign process. Election management itself continues to be an arduous challenge in many countries in West Africa.

5.2 Recommendations

Political parties are of critical importance to democracy in West Africa and their legitimate growth should be encouraged. Cross-country peer learning and a regional approach to election issues may be a way out of the quagmire which many countries confront on political party and electoral matters. It is therefore suggested that:

1. Greater efforts are needed to find ways in which to curb the domination by ruling parties through the abuse of state funds and resources. Independent audit functions can be introduced, but parliamentary committee systems can also contribute to transparency in this regard.
2. The West African countries have made the slowest progress on women's representation in parliaments in Sub-Saharan Africa. This shortcoming needs to be addressed and there are no short cuts to increased gender equality except for real influence over party agendas and policy formulation. Quotas to improve the participation and representation of women, training and the introduction of decision-making processes that can help to open up opportunities for women must remain high on the agenda for both political parties and the development partners.
3. There is a need for dialogue and interaction at the ECOWAS level among parties, electoral management bodies (EMBs), and media and civil society organizations in adopting a regional approach to policy formulation on fair representation of disadvantaged groups such as women, the physically challenged and young people in the political processes, and ensuring goodwill, trust, confidence, tolerance and partnership among the political actors. These forums should facilitate the building and strengthening of election-related structures in general and promote efficiency, transparency, probity and accountability in political party affairs, in particular. This could also ultimately take the form of an ECOWAS–IPAC dialogue on a global level.
4. The election observation missions of ECOWAS should always endeavour to team up political parties with EMBs from countries that are at different levels of democratization, for the purposes of encouraging exchange of ideas and knowledge about the integrity of the electoral processes in the region.
5. West African EMBs should put in place mechanisms at national and local levels through which the EMBs and the political parties can have sustained interaction, to encourage inter- and intra-party democracy. Here mutually agreed and enforceable codes of conduct for political parties could be adopted and regularly reviewed.

6. Sustaining the role of political parties in the democratization process in the region could also be tackled from a long-term perspective whereby ECOWAS, in partnership with the West Africa Examination Council (WAEC), EMBs, political parties and other stakeholders, should encourage the incorporation into the schools' social studies curriculum, from junior-secondary school levels upwards, of a simple and systematic programme that seeks to enable young people to learn different party and electoral systems, political ideologies and principles, including the principles of accountability, inclusiveness and internal democracy, and the code of conduct for political parties.



Acronyms and Abbreviations

ANPP	All Nigeria People's Party (Nigeria)
CDC	Congress for Democratic Change (Liberia)
CDD-Ghana	Center for Democratic Development, Ghana
CDD-Nigeria	Centre for Democracy and Development, Nigeria
CDG	Centre pour la Gouvernance Démocratique (Burkina Faso)
CDP	Congrès pour la Démocratie et le Progrès (Congress for Democracy and Progress) (Burkina Faso)
CELI	Commission Electorale Locale Indépendante (Togo)
CENI	Commission Electorale Nationale Indépendante (Togo)
CFA	Communauté financière d'Afrique
ECOWAS	Economic Community of West African States
EMB	electoral management body
HDI	Human Development Index
IDEA	International Institute for Democracy and Electoral Assistance
INEC	Independent National Electoral Commission (Nigeria)
IPAC	Inter-Party Advisory Committee (Ghana)
LAP	Liberian Action Party
NGO	non-governmental organization
PCRV	Parti Communiste Révolutionnaire du Volta (Revolutionary Communist Party of Upper Volta) (Burkina Faso)
PDP	People's Democratic Party (Nigeria)
TI	Transparency International
UNDP	United Nations Development Programme
UNMIL	United Nations Mission in Liberia
USD	US dollar

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About International IDEA

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The International Institute for Democracy and Electoral Assistance (International IDEA) is an intergovernmental organization that supports sustainable democracy worldwide. Its objective is to strengthen democratic institutions and processes. International IDEA acts as a catalyst for democracy building by providing knowledge resources, expertise and a platform for debate on democracy issues. It works together with policy makers, donor governments, UN organizations and agencies, regional organizations and others engaged on the field of democracy building.

What does International IDEA do?

Democracy building is complex and touches on many areas including constitutions, electoral systems, political parties, legislative arrangements, the judiciary, central and local government, formal and traditional government structures. International IDEA is engaged with all of these issues and offers to those in the process of democratization:

- knowledge resources, in the form of handbooks, databases, websites and expert networks;
- policy proposals to provoke debate and action on democracy issues; and
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