

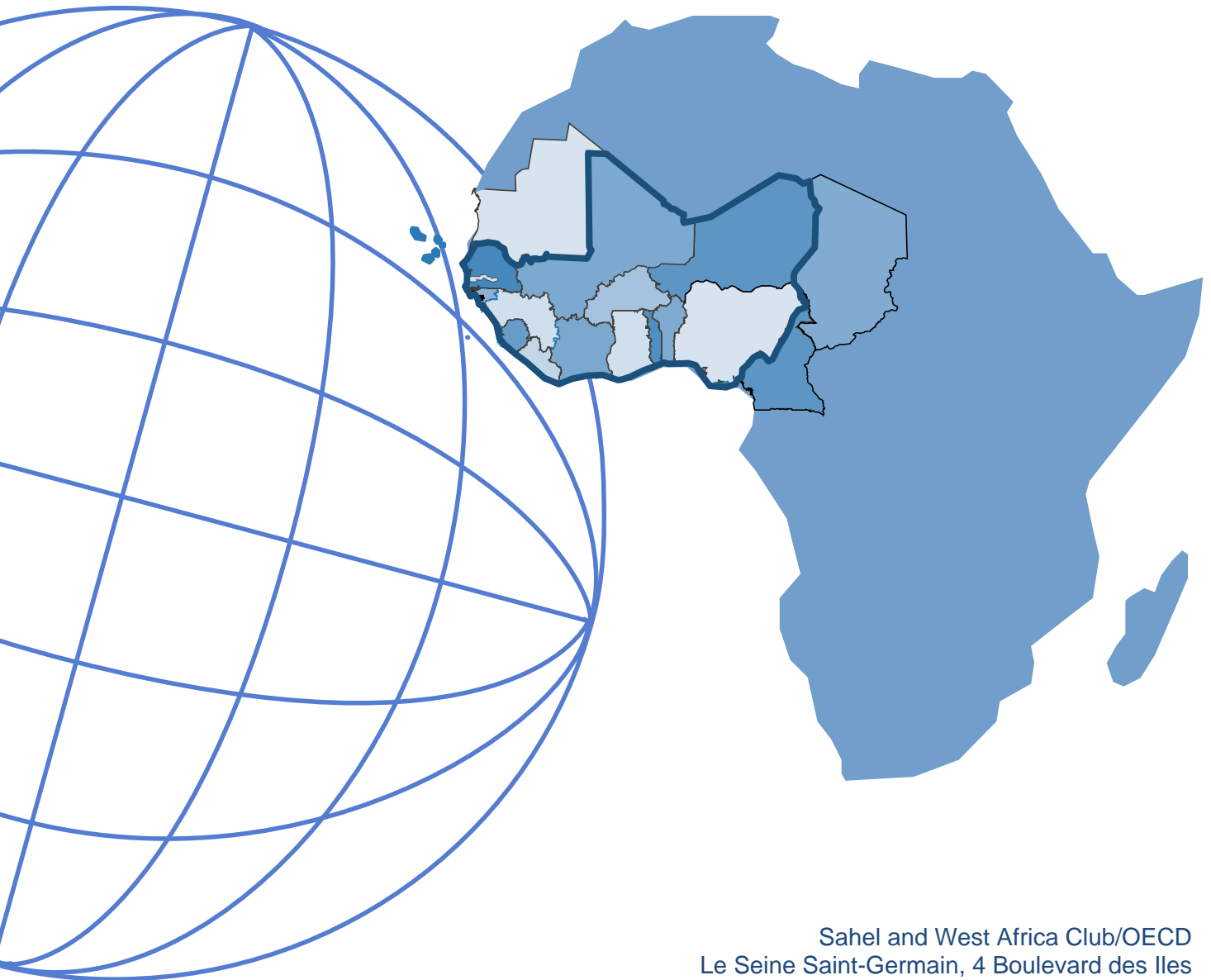


SAHEL AND WEST AFRICA CLUB / OECD



Review of 2007 Election Year in West Africa

Democracy in light of the elections



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INTRODUCTION TO THE PANEL

**Democracy
in light of the 2007 elections**

By

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INTRODUCTION

According to the Afrobarometer survey carried out in 2002-2003, 79% of Africans prefer “to choose their country leaders through regular, open and fair elections” rather than by other means¹. Citizen’s political penchant converges with the political choices made by regional institutions such as ECOWAS. Indeed, in order to further the democratic dynamic initiated in the 1980s and thriving in the 1990s, in December 2001 in Dakar ECOWAS Heads of State adopted *the Supplementary Protocol on Democracy and Good Governance*² that stipulates: “Every accession to power must be made through free, fair and transparent elections”.

- How is this decree in line with actors’ political practices?
- Did the numerous West African elections held in 2007 respond to citizens’ expectations and to States’ democratic choices?
- What do they say about the situation regarding democracy?
- What achievements and challenges do they highlight for democracy’s future in West Africa?

I- ELECTIONS IN WEST AFRICA: Mimicry, political ritual or proof of democracy?

1-1 Elections’ importance is connected to a great desire to break with the past

Elections signal a peaceful and, in principle, democratic alternative path to gain political power. This is a break from the past in a region with three generations of elections:

- First generation: **Colonial elections** which prolonged the colonising political regime prior to 1960;
- Second generation: **Voting elections** organised periodically during the ruling one-party regimes which lasted two to three decades;
- Third generation: **Elections within the new democratisation contexts** which have not been customary and formal due to the decades of one-party rule.

The post-colonial democratic era was marked by violent conflict for control of political power. **West Africa has barely ended its long period of chronic political instability** which is indicated by:

- 10 out of 15 ECOWAS member States are classified as “Fragile States” according to Development Assistance Committee (DAC/OECD) criteria;
- Only 2 out of 16 countries in the Sahel and West Africa have not experienced a military coup d’Etat in 45 years;
- In the last 30 years, only 4 out of 15 ECOWAS member countries were affected by violent conflict at the borders or internally.

¹ Afrobarometer 2002-2003 survey (2nd round).

² In 1999, the 16 ECOWAS member countries developed the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security of which ECOMOG is the most well-known instrument (military). But the States, like regional political and social actors, became rapidly aware that the deep causes of crises, often political, needed to be tackled. With this ECOWAS developed a complementary instrument focusing on preventing political crises and within this framework addressing democracy, governance and election issues.

Through the close examination of crises which likely degenerate and/or feed into violent conflict, the key issue is thus **the desire for or monopolised political power** as a way in which to control natural, material and financial resources.

The Supplementary Protocol on Democracy and Good Governance, proposed at the ECOWAS Heads of State Summit in 2001, articulated the need to respond relying on strengthening the rule of law, promoting democratic governance and holding transparent and reliable elections in order to mitigate conflict and instability. **Elections generate tension, violence and the beginnings of serious political crises.** Thus, the 14 Heads of State, signatories of the 2001 Protocol, decided that these election-related clauses should be applicable immediately without requiring ratification³. Hence ECOWAS is now involved legally and politically in observing and/or supervising elections in West Africa.

The need for transparent and credible elections has been and remains the core of political democracy. Contested election results are evidence of **lack of consensus and a challenge for building sustainable democracies.**

Many countries of the region have created and strengthened election codes and independent election commissions requiring a minimum of consensus. How to overcome the frequency of political powers or their opposition calling consensus into question?

1-2 Elections and the constraints of demographics

With a population of 290 million inhabitants of which 160 million live in Nigeria alone, West Africa's electoral body has a two-fold problem related to a very young population:

- 50% of the population is under 18 years of age who cannot vote and 45% of the population is under 15 years of age. Given the populations' youthfulness, the electoral body is greatly reduced. In comparison, India's electoral body accounts for 75% of the population.

1-3 Examining 2007 election data reveals surprising conduct

- ✓ A huge difference in the participation rate in presidential and legislative elections.
- ✓ Elected candidates with landslides in the first round.
- ✓ Many contestations in countries which were not in crisis situations.

II- SIGNIFICANCE AND LESSONS FROM THE 2007 ELECTION YEAR

2-1 Countries in which *the process of exit from crisis has been politically achieved: elections strengthened the democracy dynamic underway with political change-over and a high rate of voter participation.*

- **In Sierra Leone**, there was a high rate of voter participation (68 %) in presidential elections which resulted in a democratic political change-over bringing the opposition party of Mr. Ernest Bai Koroma of the APC (all People's Congress) to power peacefully, despite contestations and occasional incidents where the Election Commission was called into question.

³ See the intervention of late General Diarra (former ECOWAS Deputy Executive Secretary in charge of Political Affairs, Peace and Security) in the Acts of the *Forum of Political Parties, the Media and Civil Society in West Africa*, edited by the SWAC/OECD; Paris 2005.

- **Togo** broke the participation rate record with 85% registered voters motivated by the exit from crisis issue and a return of confidence hence the high voter turn out of political actors who had for a long time remained on the periphery or withdrawn due to political insecurity and tensions.
- **Mauritania** changed tack from the regime established as a result of Mr. Ould Vall's coup d'Etat. Elections achieved the transition by mobilising 67% of the electorate. Elections were held under acceptable, transparent conditions.

2-2 Countries in which presidential elections were held revealed political dominance of incumbent leaders with a strong corollary imbalance of forces.

The results illustrated the winner's quasi-political dominance even in the first round: in **The Gambia**, with 67% for President Yahya Jammeh compared to 27% for Ousainou Darboe at the time of the 2006 elections; in **Mali** with 71% for incumbent President Amadou Toumani Touré compared to 19% for his challenger Ibrahim Boubacar Keïta; and in **Nigeria** with 70% for Umaru Yar'Adua compared to 18% for his challenger Muhammadu Buhari. In **Senegal** Abdoulaye Wade was re-elected in the first round with majority vote (56%) compared to the immediate runner up Idrissa Seck (15%). These landslides for which proof was demanded, was a very clear renewal, without hesitation, of the incumbent President.

2-3 Countries not in crisis: elections revealed a difference in the rate of participation between presidential and legislative elections.

Comparison in the rate of participation⁴ between presidential and legislative elections

Country	Presidential (1st round)	Legislative
BENIN	75%	59%
BURKINA FASO	58%	57%
CAMEROON	82%	62%
THE GAMBIA	59%	42%
MALI	36%	33%
MAURITANIA	70%	73%
NIGERIA	58%	ND
SENEGAL	70%	35%
SIERRA LEONE	68%	76%
TOGO	64%	85%

The high rate of participation in legislative elections as compared to presidential elections in Mauritania, Sierra Leone and Togo conveyed their desire to strengthen the exiting from crisis dynamic.

On the other hand, the high abstention rate in legislative elections can demonstrate mistrust or political malaise. This legislative/presidential election gap was apparent in Benin, Cameroon, the Gambia and Senegal. **Lack of interest or mistrust in legislative elections was reflected in a drop in the participation rate between presidential and legislative elections: 16 % in Benin; 20% in Cameroon; 17% in the Gambia and 35% in Senegal.**

In **Mali**, the difference between the rate of participation in legislative and presidential elections was negligible at only 3%. Electoral participation has never gone beyond 40% in local elections. **This country does not have chronic problems mobilising its electoral body.**

⁴ Official sources or combination.

The situation in Senegal greatly degenerated with the electoral body's inaction or electoral mistrust leading to a significant step backward in a context where much of the opposition boycotted legislative elections.

This drop in participation in legislative elections was perceived in various ways:

- The executive power⁵ prefers to interpret abstention as an act of political negation, *for voters, the essential is done once the President is elected.*
- The second perception highlights this negation as a manifestation of an *electoral body embittered by the dubitable elections that do not reflect their choices.* This point of view is developed by opposition political actors.

These two points of view were confirmed in Senegal after the 2007 legislative elections.

- A third non-partisan explanation of the high abstention rate is that *a large part of the electoral body considers parliamentarians to have no real power hence voters vote less and less in parliamentary elections.*

In many countries Parliament is just a Presidential tool to legalise whatever they want, resolutely bend and modify the Constitution automatically using partisan majority.

This situation is due to the President of the Republic being at the same time head of the political party, hence leading the party in power and, with this, deciding on his deputy. At the partisan level, the deputy thus acquiesces and is devoted to his president. This also means that the president is head of the majority power and political head of the parliamentary majority. This political situation undermines the constitutional separation of powers which constitutes democracy.

If the electorate is not greatly involved in legitimising such a wide-spread situation, it is due to a good part of the population cannot identify in it. Surveys carried out in 2002-2003 highlight this trend with 64% of Africans "*prefer democracy to any other form of government*", and 75% reject the idea that "*the army comes in to govern the country*" or that "*elections and parliament are abolished so that the president can decide everything*"⁶.

Although political conduct is not logical, voters know what they want. Thus it is not very likely that under these conditions their abstention from voting in legislative elections can be the answer to their impetuous preference for a system where one person manages and decides everything. But then why do they invest so heavily in presidential elections? Further surveys and studies will be able to clarify the answer.

- **Would legislative elections in countries with no political crises, be considered as a second or third round presidential elections illustrating voters' embitteredness?**
- Or better, would the West African countries, traditionally a window of democracy, be in the process of manifesting a change in electorate conduct favouring a monocracy resembling former single-party systems?
- Otherwise, should fraud be accused only in cases of quasi-hegemonic presidential landslides in countries such as Burkina Faso, the Gambia, Mali, Nigeria and Senegal?
- How to prove these accusations? Can the proof be convincing at the global level across localised examples? Why not document such presumed facts?

⁵ Case of Senegal.

⁶ Afrobarometer 2003; *ibid.*

2-4 2007 elections revealed the severe precariousness of consensus on:

- **Unilateral changing of the Constitution** by the ruling powers.
- **Election codes and national election commissions** that have been subject to crises including in Sierra Leone.

III- PROSPECTS FOR DEMOCRACY IN WEST AFRICA

- **How to face these challenges, the crises and imbalances? Is this a growth crisis or as the InterAfrican Union for Human Rights (IUHR) believes, a step backwards for democracy?**

In all the cases cited, problems must be identified and inclusive democratic solutions sought.

- **From this angle, how to meet the challenge of increasing abstention in a region with a shrinking electoral body due to the youngness of the population?**

If the dominant political parties only seek to win the majority of votes but do not develop strategies and policies in order to involve the youth as citizens and mobilise the electorate to vote, there could be serious socio-political consequences for countries and the entire region.

- **What role can ECOWAS play and what regional instruments could contribute to the prevention of political crises and the strengthening of democracy?**

ECOWAS can play an important role in regulating elections and crises prevention. Its mandate, in accordance with the Supplementary Protocol on Democracy and Good Governance, already enables it to observe elections in all countries of the region. Its effectiveness will depend on its capacity to strengthen its legitimacy, its credibility and its authority with regard to actors of the region (States, civil society, political parties).

ECOWAS should contribute to improving the effectiveness of election observation where it would be dissuasive. In order to do this, it should have the authority capable of relying on arbitration through sanctions in order to push political actors towards peaceful democracy, self-regulated and free from external observation or monitoring.

- ECOWAS encouraged a **code of conduct**, in principle and prior to elections, to be accepted by all actors is one of the possible procedures in preventing illegal manipulations in elections and ill-timed unfounded contestations. But what if this code is not respected?
- **Elections can still set off major political crises as in the recent example of Kenya.** Prior to elections, political obstacles must be overcome which weaken or block consensus on the rules of the game and respect democratic ethics.

Like dialogue and consensus on the rules of the game extolled by ECOWAS and socio-political actors of the region at the Cotonou Forum⁷ in 2005, Ivorian political actors sought to find a solution, urged by their Independent Election Commission, for transparent, fair and credible elections.

⁷ *Forum of Political Parties, the Media and Civil Society*, organised by the SWAC/OECD in Cotonou in 2005.

- **The 2007 Senegalese presidential elections revealed a paradox concerning the use of new information and communication technologies (NICT)** for electoral democracy to be modernised and credible. After the elections the opposition accused these technologies of assisting in massive fraud. Due to lack of proof, political superstition was aimed at these NICT by public opinion remaining a challenge to be overcome.
 - How to make advanced information and communications thus electronic technologies more credible and reliable in the maintenance of lists, organisation and management of elections?
 - How to disembarass superstitions concerning electronics in government elections?