

**A COMPARATIVE ANALYSIS OF ELECTORAL
REFORMS AND DEMOCRATIC CONSOLIDATION IN
NIGERIA AND GHANA, 2010 – 2015.**

BY

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APPROVAL PAGE

This project has been approved for the Department of Political Science, University of Nigeria, Nsukka.

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DEDICATION

To the greater Glory of God; and to my Mum, who has always support every move I take towards greatness.

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ABSTRACT

The study compares electoral reforms and their implications on democratization in Nigeria and Ghana: in the light of the trends of knowledge on comparative African democratization, where Ghana is largely seen to be consolidated unlike Nigeria; and which had not taken into cognisance the electoral developments in Nigeria between 2010 and 2015. Extant Literature on comparative African democratization, while not being updated as observed, also had not contextualised electoral reforms and democratization in Nigeria and Ghana, between 2010 and 2015. While being guided by the propositions of systems theory and employs secondary method of data collection, the study utilises the descriptive method of content analysis in validating the research hypotheses. Having known that the democratizing process offers opportunities for electoral reforms to correct observed weaknesses and improve the effectiveness of electoral administration in the governance of the state, we recommend that democratic space should be maintained for viable opposition, which only enhance political power alternation and competitive party politics.

CHAPTER ONE: INTRODUCTION

1.1. BACKGROUND OF THE STUDY

Nigeria and Ghana are two countries in the West African sub-region that were colonized by the British. Both countries are culturally diverse societies that experienced political and economic crisis from the 1970s through the 1980s. With the global democratization process, particularly; in the post-cold war era, Ghana and Nigeria successfully made the transition to civil rule in 1992 and 1999 respectively. However, with more than twenty years of uninterrupted civil rule and the successful transfer of power from the ruling party to the opposition party in 2000 and 2008; Ghana's democracy; unlike the Nigerian situation until 2015 election, is largely seen to be consolidated. While internal factors such as corruption, the nature of election administration, lack of political will and ideology have been employed in explaining the differences in democratic consolidation in Nigeria and Ghana, the electoral reforms shaping and determining democratic consolidation in these two countries is very often taken for granted. Yet, given the fact that the process of transition to civil rule in most of the developing world; was in part a response to the electoral reforms process, the fact that consolidating these new regimes may also be connected to such reforms cannot be ruled out.

Electoral reforms is the overhauling of the election management process to accord it the general acceptability and thereby confer legitimacy and credibility to the process in subsequent elections. The credibility of elections as the only legitimate means of regime change depends on how electoral reforms were made to ensure transparent elections. The study explores, comparatively, the nexus between electoral reforms and the search for democratic consolidation in Nigeria and Ghana between 2010 and 2015. This is important for the quality of elections, which according to Elklit and Reynolds (2002: 86-87), connotes "the extent to which political actors see the entire electoral process as legitimate and binding", has

been identified as central to democratic consolidation. The credibility, freedom and fairness of any elections in turn depend largely on the effectiveness of electoral reforms and administration, defined in terms of strict adherence to the rule of the game before, during and after elections (Omotola, 2009).

While most countries have made steady progress in terms of holding regular elections, much less progress has been made in terms of the effectiveness of electoral reforms and the overall quality of the elections, measured by the level of competition, participation and legitimacy of the election. This trend has telling implications for democratic consolidation (Obi, 2009; Alabi, 2009; Mesfin, 2008; Lindberg and Morrison, 2008; Nugent, 2005; Ojo, 2006). The Nigeria's and Ghana's experience under the Fourth Republic, makes them good case studies in electoral reforms and democratic consolidation in Africa. The two countries have been rated differently in the democratisation process. This is particularly so with reference to electoral politics, where Ghana towers higher above Nigeria before the period under study, in comparative African ranking (Afro Barometer, 2006). Ghana's elections have been well administered and their qualities adjudged to be of high standard to the good health of democratic consolidation (May, 2000; Afro Barometer, 2006, Lindberg and Morrison, 2008). While Ghana is considered to have recorded impressive progress in the democratisation process, Nigeria is said to have recorded limited success. Though not totally flawless, especially given protracted controversy that surrounded the 1992 founding elections (Grymah-Boadi, 1994; Quaye, 1995; 2000), there is now a broad consensus domestically and internationally that the electoral process in Ghana is one 'which functions pretty well' (Nugent, 2005; 2). Elsewhere, Nugent (2001:405) posits that Ghanaian politics particularly the 2000 elections ushered in 'an impressive measure of political pluralism', because they 'presented the first test of the workability of the constitutional limits on presidential tenure,

as well as the first real opportunity to achieve a peaceful change of power through the ballot box (Also quoted in Gyimah-Boadi, 2001: 103 and Smith, 2002:622).

Given the massive irregularities that attended the 2003 elections in Nigeria, and the consequent legitimacy crisis they engendered, the 2007 polls presented an opportunity for both the government and the election authorities to restore public confidence in the election process. This opportunity was, unfortunately, squandered by the Obasanjo's presidency and INEC. The process that led to the 2007 elections and their actual conduct was massively flawed. Thus, the outcome of the elections could hardly be regarded as representing the true wishes of the Nigerian voters. Local and foreign election observer groups that monitored the 2007 elections documented the irregularities and manipulation that attended the elections (The Transition Monitoring Group, 2007; The European Union Election Observation Mission, 2007). These have been vindicated by the spate of election reversals coming out of the various election tribunals across the country. Reinforcing these is the admission by the late President Yar'adua, that the elections that produced his presidency were not perfect and had lapses and shortcomings (See *President Yar'adua's Inauguration speech of May 29 2007*). The 2007 polls, significantly reversed the modest democratic gains of the pre-election period and provided the context for the renewed public pressures for electoral reforms that would protect the integrity of the ballot.

Following from above and in the context of recent realities in the democratization politics in both countries, the focus of this study is to compare electoral reforms and democratic consolidation in Nigeria and Ghana between 2010 and 2015.

1.2. STATEMENT OF THE PROBLEM

Since the return of Africa to the paths of democratization, the challenges of consolidating democracy occupy a central position not only in the academic circle, but also in the domains of civil society, public policy and democracy aid industry. This is probably so because sustaining democracy is often a task difficult as establishing it (Schedler, 1998; 2001), if not much more daunting. Moreover, the experience of history demonstrates convincingly the fluctuating fortunes of democratisation in Africa, given the abysmal failure of all previous attempts at democratisation in the continent. Worse still, under the third wave of democratisation, African democracies appear not to have taken firm roots. Indeed, they appear to be under the threats of potential breakdown and/or erosion. Taha Mentan characterized them as being held together by pins and perpetually under siege by anti-democratic forces (Mentan, 2007). Evidently, the democratization process in Africa appears epileptic and inconsistent, beaming new hopes in some countries and instances, and faltering prospects in some others (Osaghae, 1999; Young, 1999; Baker, 2000; May, 2000; Basedau, Erdmann and Mehler, 2007; Journal of African Election, 2007; Menocal; Fritz; Rakner, 2008; Lindberg and Morrison, 2008). The situation is so terrible that one may be tempted to re-echo the sentiments of anti-democratic thought as to the possibility of democracy in Africa (see Gilley, 2009).

The deepening crisis of democratisation in Africa seems closely connected to the pertinent issue of multiparty elections and their administration (Omotola, 2009). Effective electoral reforms energise elections by contributing to the building of social capital for the democratization process. For the most part of Africa, however, electoral reforms and therefore, electoral administration hastended to be largely ineffective, becoming democratic liabilities, instead of assets, thereby reinforcing the thesis that elections in Africa are nothing but a fading shadow of democracy (Adejumobi, 2000; Van de Linde, 2001; Lumumba-Kasongo, 2005; Obi, 2009). Recent electoral rituals in Kenya and Zimbabwe are notable

examples. Nevertheless, there are few exemptions, including Botswana, South Africa, Ghana where elections have been well administered and their qualities adjudged to be of high standard to the good health of democratic consolidation (May, 2000; Afro Barometer, 2006, Lindberg and Morrison, 2008).

These contradictory trajectories depict the Nigerian and Ghanaian experiences under the Fourth Republic. While the former is considered to have recorded impressive progress in the democratisation process, the latter is said to have recorded limited success before the period of study. The Nigerian experience since 1999 presents a vastly contrasting scenario. The country's founding, second and third elections of 1999, 2003 and 2007 respectively, were characterized by massive corruption and violence, leading to the rejection of results by opposition parties and petitions and litigations for alleged irregularities. The damning reports by domestic and international monitoring groups attest to these trends (Omotola, 2009; 2006; Obi, 2008; Onu and Momoh, 2005; Anifowose and Babawale, 2003). The tendentious nature of the political landscape before, during and after the April 2007 elections sums it up (Ibrahim, 2006; 2007). This was as a result of the poor electoral reforms of the electoral law at all stages and levels, where the Independent National Electoral Commission (INEC) has been widely seen as incompetent, partial and not independent (Suberu, 2007; Adejumo, 2007; Omotola, 2009). Bratton (2008: 16) sums it up thus: "The quality of political regime in Nigeria also declined between 1999 and 2008. The country experienced setbacks on *both* the demand and supply sides. Indeed, the drop-off in popular demand for democracy (18 percentage points) is larger than seen in any other country. This is unlike Ghana where the same study finds a dramatic increase (by 30 percentage points over 10 years) in the supply side and relative stability on the demand for democracy (between 56 and 51 percent) between 1998 and 2008, due to a series of well-conducted elections and two peaceful alternations of ruling parties" (Bratton, 2008: 17).

With Ghana's first election of 1992 as a starting point, the electoral commission put in place various measures to facilitate credible and legitimate electoral outcomes in the subsequent elections of 1996, 2000, 2004, 2008 and 2012. From such a slippery start, the strides that Ghana has taken in electoral politics since 1993 are impressive. Ghana has since held five relatively peaceful and generally acceptable elections, two of which led to the alternation of power. Several reforms have accounted for this success story: innovative constitutional provisions; effective electoral management by the Electoral Commission (EC) and related constitutional bodies; consensus building among political actors; the crucial roles of civil society organizations and the media, as well as mass participation in the electoral process. With reference to electoral politics, before the period under study Ghana towers higher above Nigeria in comparative African ranking (Afro Barometer, 2006).

There had not been concrete position or attempt in the literature to situate and compare the interface between electoral reforms and democratic consolidation in Nigeria and Ghana between 2010 and 2015, especially given the fact that Nigeria introduced new electoral reforms after the 2007 general elections that was intended to protect the integrity of the ballot as the only democratic and legitimate means of regime change. Also, Nigeria had experimented these reforms in two subsequent elections in 2011 and 2015 that had been adjudged as credible, with the latter alternating power for the first time in favour of the opposition political party. With these convergences and divergences in the political development of Ghana and Nigeria, it is important to compare the relationships between electoral reforms accounting for democratic consolidation in Nigeria and Ghana between 2010 and 2015. These are the main thrusts of this study.

Research Questions

The study is anchored by some basic research questions:

1. Have the reform of Votersø register enhanced credible regime change in Nigeria like in Ghana between 2010 and 2015?
2. Have the political partiesø guideline entrenched competitive party politics in Nigeria more like in Ghana between 2010 and 2015?

1.3. OBJECTIVES OF THE STUDY

The general objective of the study is to compare the relationships between electoral reforms and democratic consolidation in Nigeria and Ghana between 2010 and 2015.

However, the specific objectives of the study are as follow:

1. To determine whether the reform of votersø register enhance regime change in Nigeria like in Ghana between 2010 and 2015.
2. To determine whether the political partiesø guideline entrench competitive party politics in Nigeria more like in Ghana between 2010 and 2015.

1.4. SIGNIFICANCE OF THE STUDY

The significance of this study consists of two principal levels: theoretical and practical. At the theoretical level, the study compares electoral reforms and democratic consolidation in Nigeria and Ghana between 2010 and 2015. By the interrogation of the causal relationship between electoral reforms and democratic consolidation, it will determine if electoral reforms accounts for such results, and its implication for democracy in Nigeria and Ghana in particular, and Africa in general. By provoking discourse, the study contributes

to the growing body of knowledge and debate on electoral reforms and democratic consolidation in Africa, and fills gap in the literature.

At the practical level, the study while useful not only for generating further researches, will also be useful at the management and policy oriented domains committed to the improvement of the quality of African electoral process for sustainable democracy. It will stimulate activists to further agitation for electoral reforms as a tool of democratisation.

CHAPTER TWO: Literature Review

The purpose of the review is to determine the extent and trend of knowledge on electoral reforms and democratic consolidation in Nigeria and Ghana between 2010 and 2015. Therefore, the review will focus on Reform of voters register and credible regime change, and on the political parties guideline and competitive party politics in both countries.

Comparative African democratization is an emerging field of study with a growing body of knowledge in circulation (Omotola, 2009). Much of these studies have focused on core institutions of democracy, where elections have been identified as central to competitive democratic politics. This partly explains why the focus of research is on elections and democratic consolidation (See Mozaffar and Schedler, 2002; Mozaffar, 2002; Elklit and Reynolds, 2002; Lopez Pintor, 2000; 1999; Pastor, 1999; Elklit, 1999; Ayee, 1996; Elklit and Svensson, 1997, etc).

Ideally, elections guarantee political participation, political competition and smooth regime change, which are pivoted to democratic consolidation (Jinadu, 1997). While elections do not, in and of themselves, constitute a consolidated democracy, Bratton

(1998:52) argues that they, however, remain fundamental, not only for installing democratic governments, but as a necessary requisite, for broader democratic consolidation. Elections have been identified as indispensable foundations of democracy. As a concept, election is primarily a contest among groups, mainly political parties (Alabi, 2009: 281). It is, according to Shively (1997: 185), a complex process that involves a choice between candidates or a choice whether or not a particular policy is to be followed. Similarly, Ojo (2007: 7) sees elections as institutional mechanisms that implement democracy by allowing citizens to choose among candidates or issues. In an insightful piece on international democracy promotion and election monitoring in Africa, Obi (2008:73) defines election as a modality of freely choosing leaders/representatives and democracy. Essentially, therefore, election has to do with the process of choosing/electing a person or a group of people for a position, by voting.

The relationship between elections and democracy is considered to be so strong that some scholars have argued that all democratic variables revolve around elections (Almond, et al, 2004:63; quoted in Alabi, 2009: 280). Little surprise that some scholars have, in the Schumpeterian tradition, attempted to reduce democracy to elections (Dahl, 1989; Huntington, 1948; 1991; Schumpeter, 1942). For these scholars and their disciples, democracy is best defined in terms of electoral politics and the institutional parameters that underpin them. Mesfin (2008:1), for example, argues that the founding pillars of any democratic political system, whether considered fragile or established, remain undoubtedly elections. In a related vein, Agbaje and Adejumobi (2006: 26), in their attempt to underscore the centrality of elections to democracy, contend that election is a viable mechanism for consummating representative government. Furthermore, Obi (2008:73) posits that democracy is best expressed through periodic elections in which equal voters (in a market society) choose their leaders (from competing elites). Added to this is the fact that these elites can be held

accountable for their actions and inactions, since they could be voted out if they fail to perform well. Peter Lewis also added his voice to the democratic significance of elections when he writes that "elections serve as an affirmation of democratic rights, inclusion, and transparency" (Lewis, 2007:13).

The perceived centrality of elections to the democratisation process of any country has been predicated upon a number of reasons, which revolve around the multiple roles credible elections can play to reinforce democracy. First, elections help to institutionalize the process of democratic succession. They do this by creating a legal-administrative framework for handling inter-elite rivalries and providing a modicum for popular backing for the new leaders (Hughes and May, 1988: 20). By implication, elections serve the instrumental purposes of legitimization and mobilization of popular support for the government as well as for development. This is probably what Ojo (2007a:7) meant when he avers that "elections bolster the state's power and authority". This is because, according to Ojo (2007a:7), "the opportunity to participate in elections helps convince citizens that the government is responsive to their needs and wants, which increases its legitimacy". Kambudzi (2008:1) also contend that elections, especially in Africa, "must act as a mechanism for an orderly access to power or exit from it, not a recipe for chaos". Also, Richard Joseph, a leading American Africanist, alludes to the legitimising role of elections especially in the African context when he writes that:

The prime purpose of elections will remain the legitimation of whatever regime that currently holds governmental power and are far from being autonomous operations: they reflect the character of the political order and especially the degree of risk incumbents are willing to tolerate (Joseph, 1999: 11).

Samuel Huntington also avers:

Of greater importance is that in all democratic regimes the principal officers of government are chosen through competitive elections in which the bulk of the population can participate. Democratic systems thus have

a common institutional core that establish their identity (Huntington, 2009: 32).

Another important role of elections is that they help institutionalize the process of democratic competition and participation. Under an ideal situation, elections afford all eligible adults the right to vote and be voted for. By so doing, elections allow the people to participate in choosing representatives and by extension, in the forming of the government in a competitive fashion. Cohen (1983:55-86) underscores these democratic utilities of elections when he contends that "the primary value of elections lay in educating, entertaining and giving the people a feeling of participation". It was in this connection that Michael Bratton notes that "the consolidation of democracy involves the widespread acceptance of rules to guarantee political participation and political competition. Elections - which empower ordinary citizens to choose among contestants for top political offices - clearly promote both sorts of rules" (Bratton, 1998:5). The import of this is that elections allow active citizens to shape and reshape their governments.

Moreover, elections have been reputed as a viable tool of development. This role has been accorded more significance in the African context where there have been an embattled relationship between democracy and development (Omotola, 2009). It is assumed that credible elections, predicated upon popular competition, participation and legitimacy will energise the civil society to hold the government accountable for its actions and inactions. In the circumstance, leaders are likely to be more conscious of the fact that sovereignty resides in the people. In an attempt to show the relationship between elections and development, Kambudzi (2008:1) writes that "properly conducted elections (based on genuine and effective functioning electoral machinery and respect for the will of the people with respect to those who seek to govern them) in any African country would be a major contribution to Africa's social and material development". Also stressing the nexus between elections and

development, Odukoya (2007:152) posits that: "economically, elections properly conducted promote an environment for capital mobility and higher productivity, especially in a post-authoritarian and post-conflict political order in dire need of reconstruction and development"

This is possible because, according to Kambudzi (2008:2-3):

Through the mechanism of elections, citizens seek to improve their lives by listening to views and options offered by political candidates on vital issues of national life and making weighted choices among them. Citizens use elections to keep governments up to the task of providing for basic societal needs and pursuing unrelenting improvement of the country. This is how properly conducted elections play a role as a development asset in any given country.

The foregoing exposition on the democratic and developmental roles of elections raise the fundamental question about the standards of democratic elections. In the extant literature, three core issues have been identified as central to determining the democratic quality of any elections. These are competition, participation and legitimacy (Lijphart, 1997; Bratton, 1998; Bratton and Posner, 1999; Schedler 2002a; 2002b; Lindberg, 2004).

A crucial issue underlining these democratic qualities of elections relates to their measurement/operationalization. With respect to participation, extant studies have demonstrated that the main determinants explaining political participation are institutional factors. Accordingly, the extant literature has identified three core elements for measuring the level of participation namely voter turnout, opposition participation and the presence of authoritarian "old guards". Voter turnout is usually measured as a percentage of registered voters. The assumption is that the higher the level of voter turnout, the higher the level of participation and by extension, the democratic quality of elections (see Altman and Perez-Linan, 2002, Lijphart, 1997). As Bratton (1999:570) puts it, "voter registration was revealed as the single most important determinant not only of a citizen's behaviour but also of overall participation, outweighing any other institutional, cultural, or social consideration."

Other major studies support the claim that declining voter turnout is a reflection of the poverty of democracy (Berg-Schlosser and Kersting, 2003; Cornwall, 2002; Young, 2000).

The issue of opposition participation is also considered central to measuring the democratic quality of elections. This is because the level of participation by opposition parties is seen as a reflection of the level of available democratic space. The absence of viable political oppositions, some have argued, makes it even more difficult for voters to have any leverage over a political party which is predictably returned to power time after time (Southall and Daniel, 2005; quoted in Ballard, 2007:1). In such a situation, elections are of limited democratic value because the outcome is a foregone conclusion (Ballard, 2007:17). By authoritarian old guards it is meant former dictators/autocrats who transformed into democrats (Omotola, 2009). Such leaders, it is reasoned, do lack democratic mind-set and are usually unwilling and unable to play the game of politics according to established rules. For, as Lindberg (2004) rightly argues, until proven otherwise it seems reasonable to assume that those who fought to prevent political liberalization will not willingly further it. In the circumstance, the dominance of such actors hinders the quality of participation and invariably the democratic quality of elections. By implication, participation, as Schedler (2002b:12) reminds us, may be shallow and trouble and political elites (from all parties) are perceived as being corrupt, self-interested and ineffective.

The issue of competition as a reflection of the democratic quality of an election is measured by such indicators as winner's share of the vote, winning party's share of legislative seats, second party's share of legislative seats and turnover of power (Lindberg, 2004). The main argument has been that the closeness of the outcome among competing parties, is a reflection of the level of electoral competition (Bratton, 1988, Schedler, 2002b; Lindberg, 2004). But at times, this may be misleading. This is because a party may win an election with a landslide possibly on the strengths of its organization, popularity and

campaign strategies. It is also possible for electoral victories and gaps among parties to be magically conjured, especially in contexts riddled with electoral corruption and violence. Finally, it has been argued that the competitiveness of an election can be gauged using its ability to generate alternation of power especially after the second election. This has come to be regarded as the two-turnover-test (Huntington, 1991). As Lindberg (2004) puts it, "being the manifest outcome of institutionalized uncertainty, alternations of power occurring in peaceful manner remains a sign of the distributive authority of the people inherent in the expression 'rule by the people'." Schedler (2002b; also quoted in Ornnert and Hewitt, 2006:12) has also argued that where alternation has occurred, there is likely to be more democracy and a greater likelihood that new elites are emerging.

While competition is, without doubt, central to the democratic quality of elections, what these studies fail to show with respect to the aforementioned measuring instruments relates to the conditions that may influence them, for good or for ill. Such conditions relate to establishing and securing a level playing field for parties and candidates. Whether the playing field is level or not can be measured by the extent to which the electoral rules for establishing political parties, for the nomination of candidates, and for individuals to aspire to office on their own, independent of parties, are neutral (Rakner and Svasand, 2003:8). The way such rules are decided, Winger (2001) argues, are as important as the rules themselves. The legitimacy of an election generally has to do with the extent at which political stakeholders particularly political parties accept the outcome of elections in a peaceful and open manner. Rakner and Svasand (2003:4) lend credence to this when they argue that "the legitimacy of the electoral process hinges on the electorate's and candidates' perception that the process has been conducted in a way that does not in advance ensure a certain outcome." It is, therefore, expected that to enhance the democratic legitimacy of any elections, there should be certainty about the process, but uncertainty about the results

(Przeworski, 1991: 40-41). This, according to Lindberg, is in itself, an intrinsic democratic quality. To measure electoral legitimacy, Staffan Lindberg identifies indicators such as losers' acceptance of election results, peacefulness of the elections at all stages – before, during and after- and breakdown.

With respect to losers accepting the results, Lindberg warns that there may be situations, especially in transitional settings, where losers may raise alarm just to gain political advantage, for example, from the international community. It may also be a strategy to undermine the political rule of their rivals. By implication, Lindberg submits, that a challenge to the official results cannot be taken at face value as substantiating allegations of irregularities (2004:64). This rationalization finds empirical support in the ongoing propaganda in Africa that oppositions see elections as legitimate only when they win and vice versa. Nevertheless, it fails to tell how to identify genuine rejection of results by oppositions when elections were seriously flawed. In the circumstance, it does seem that the reports of local and international election monitors may provide some leeway about the genuineness or otherwise of oppositions' protests and rejection of results (Obi, 2008; Omotola, 2006; Adebayo and Omotola, 2007).

The legitimacy of elections, according to Lindberg (2004:64), can also be measured by the peacefulness of the elections, defined in terms of whether violence occurred at any stages of the elections, which according to him, is a symptom of failed institutionalisation (Lindberg, 2004:64). So also the issue of breakdown that is the abortion of the electoral cycle. This can occur either through military seizure of power or the outright breakout of civil wars. As long as the electoral cycle continues, despite all odds, the elections do have some form of legitimacy. This, as far as Lindberg is concerned, is the ultimate indicator of legitimacy (Lindberg, 2004:65). Lindberg went ahead to test the validity of these theoretical propositions, building on the foundational works of Bratton (1998; 1999) and Van

deWalle (1998) and others and concluded that there were reasons for 'demo-optimism' in Africa on the basis of marked improvement in the democratic qualities of its successive elections.

As beleaguered as Lindberg's formulation appear, taking it as a benchmark reveals that not all elections could measure up to the standard of democratic elections. Studies have long begun to recognise these tendencies. Such literature speak to the possibility of adapting elections to disguise authoritarian rule, as has been the case in most transitional settings under the third wave most notably Africa, Asia, Latin America and post-communist Soviet Republics. It was in this connection that Schedler (2002a: 118) exposes the 'manifold instruments ruling parties may deploy to contain the democratic uncertainty of political elections', what he called the 'menu of manipulation'. In such situations, Schedler argues, that 'authoritarian incumbents contaminate electoral contests' by co-opting the electoral process to legitimize their control of power, in which case democracy becomes a game of deception. This is why some have argued that elections can also 'inspire alienation from the system' (Lewis, 2007: 13). However, this is not to suggest that the relationship between elections and sustainable democracy, is given. In some cases, elections can be used to disguise authoritarian rule, as has been the case in most African states (Basedau, Erdmann and Mehler, 2007; Menocal; Fritz; Rakner, 2008).

In recognition of the dysfunctional and sometimes subversive role of elections, there is now a burgeoning literature on pseudo-democratic regimes, what many have labelled as hybrid regimes or electoral authoritarian regimes (Diamond, 2002; Levitsky and Way, 2009, Ekman, 2009). In another insightful piece, Wilson (2005) refers to it as 'faking democracy'. In such situations, elections are mere democratic rituals, where participation, competition and legitimacy are actually eliminated, and the basic requirement is, according to Ekman, (2009:12), 'closer to elections make a potential difference'. Claude Ake (2000) describes

such systems as one where voting does not amount to choosing. Adejumbi (2000) re-echoes this sentiment when he describes such elections especially in the African context as 'a fading shadow of democracy'. Here, elections only function as 'a system of ideological reification of the hegemony and power of dominant class, a system of social acculturation through which dominant ideologies, political practices and belief are reproduced' (Adejumbi, 2000:61). Young (1993:305; also quoted in Mesfin, 2008: 2) buttresses this position when he views elections as providing 'the opportunity to legitimise the political and economic pre-eminence of one group to reward supporters of that group and compel them to adopt greater political conformity, and to impose a firm hand on challenging elements within or outside that group.'

In a comprehensive review of the perversion of elections, Roth (2009) captures it all with the qualification: 'Despots Masquerading as Democrats'. The techniques used by these despots to tame what he calls 'the nettlesome unpredictability of democracy' (2009:141), according to him, was to 'appear to embrace democratic principles while avoiding any risk of succumbing to popular preferences'. They do these in a variety of ways: 'electoral fraud, political violence, press censorship, repression of civil society even military rule have all been used to curtail the prospects that the proclaimed process of democratization might actually lead to a popular say in government' (2009: 141). Although this usually have boomerang effects especially at the domestic front, as the local population is fully aware of these manipulations, the despots still manage to get away with their democratic atrocities.

This escape, according to Roth (2009:142), is facilitated by 'the international legitimacy that an electoral exercise, however empty, can win for even the most hardened dictator'. While pro democracy and human rights movements can profit from the preoccupation with legitimacy to shape international perception of the elections, they are often constrained by a number of forces. First, the established democracies, from which most of the international support and legitimacy emanate, are confronted with some of their own pressing

interests such as energy, commerce, and counterterrorism. These pressing concerns for which they require international support, according to Roth, often compel them to find it convenient to appear credulous of these sham democracies (Roth, 2009:142). Consequently, divorcing of democracy from international standards that give it meaning helps convince autocrats that mere elections, regardless of their circumstances, are sufficient to warrant the democratic label (2009:143).

Second, the much romanticized system of international election monitoring is challenged in a number of ways most notably here the fact that its pronouncements do not carry the force of law and that they do not have the means of execution (Omotola, 2006; Obi, 2008). Thomas Carothers, a leading American expert in this field once did an exposition on what he called 'backlash against democracy assistance' (Carothers, 2006). The backlash revolves around the negative effects of democracy assistance and promotion. The developmental approach to democracy promotion encompasses concerns about equality and justice, with emphasis on socio-economic development and the building of a well-functioning state. This approach has been criticized by some adherents of the political approach as 'vague and unassertive in a world where many leaders have learned to play a reform game with international community, absorbing significant amount of external political aid while avoiding genuine democratization' (Carothers, 2009:6).

In the final analysis, there is now the tendency in the literature to revisit and resuscitate an old debate about the possibility of democracy. The debate has, over the years, been built around two main issues namely democracy's feasibility and democracy's desirability (Gilley, 2009). After a comprehensive review of the extant literature on the subject, weighing the pros and cons of the debate, Gilley (2009: 124) submits that 'democracy is possible for the simple reason that it is the one form of government which evolves constantly to ensure that it is possible. It is a self-correcting system in a way that

others aren't. The nexus between elections and democracy is, therefore, largely contingent upon a number of forces chiefly among which is the effectiveness of electoral reforms.

Electoral reforms inform the legal framework for electoral democracy, and is a subset of electoral governance. Electoral governance being the wider set of activities that creates and maintains the broad institutional framework in which voting and electoral competition take place (Mozaffar and Schedler, 2002:7). The elements, according to Mozaffar and Schedler (2002:7), are rule making, rule application and rule adjudication. Rulemaking involves designing the basic rule of the electoral game; rule application deals with implementing these rules to specifications to organize the electoral game; and rule adjudication involves resolving disputes arising from the electoral game. This suggests that effective electoral reforms is a crucial element in democratisation. Depending on their governance, elections can be a positive or negative reinforcement of the democratisation process. It should, however, be noted that effective electoral governance alone does not guarantee good elections. A number of forces, including social, economic and political variables intervene to play prominent roles in influencing the process, integrity and outcome of elections. Nevertheless, good elections are said to be impossible without effective electoral governance (Mozaffar and Schedler, 2002:6).

According to the Election Administration Research Centre (EARC) at the University of California, Berkeley, USA, as a critical element of electoral governance, electoral reforms focuses on the overhauling of the election management process to accord it the general acceptability and thereby confer legitimacy and credibility to the process in subsequent elections (EARC, 2005:1). In varying degrees, this attests to the fact that electoral reforms is a crucial aspect of electoral governance and democracy. It is perhaps for this reason that the new focus of research in electoral studies and democratization is gradually shifting towards electoral reforms. In this justifiable shift, particular attention has been focused on Electoral

Management Bodies (EMBs), Legislatures and Reform Panels as the primary institutional mechanisms of electoral reforms (Mozaffa, 2002; Mozaffa and Schedler, 2002; Lopez-Pinto, 2000). These studies have demonstrated that electoral reforms are vital in the overall electoral process. This is because based on their effectiveness, elections can either be a positive or negative reinforcement of democracy, depending on the quality of the reforms.

The quality of an election, according to Elklit and Reynolds (2002: 86-87), is determined by the extent to which political actors see the entire electoral process as legitimate and binding. Winners and losers can accept electoral processes and results as acceptable provided the election meet some established standards, notably participation, competition and legitimacy. These indicators of democratic quality can only be guaranteed by effective electoral reforms that satisfy some important conditions that strengthen effective electoral administration (Jinadu, 1997; Elklit and Reynolds, 2002; Mozaffar and Schedler, 2002).

In Africa under the third wave, while most countries have made steady progress in terms of holding regular elections, much less progress has been made in terms of the effectiveness of electoral rules and the overall quality of the elections. This raises serious questions about the legitimacy of African governments (Mozaffar, 2002). Nevertheless, there are few exemptions in the literatures that include Ghana and Botswana where the quality of elections have been adjudged as very high (May, 2000; Afro Barometer, 2006). In other parts of Africa, electoral outcomes are often rigorously contested and in extreme cases, outrightly rejected for reasons such as the political bias and lack of independence of the EMBs, inflation of voters register, ballot boxes and ballot papers stuffing, electoral violence against opposition parties, and vote buying (Nugent, 2005; Ojo, 2006; Davies, 2006). These tendencies serve to make elections in Africa lose their essential standing, become denatured and lose much of their legitimating value (Young, 1999: 26). Unfortunately, for

the most part of Africa with only very few exemptions, this tends to predominate, reinforcing the thesis that elections in Africa are nothing but a fading shadow of democracy (Adejumobi, 2000; Van de Linde, 2001; Lumumba-Kasongo, 2005; Roth, 2009). It is, therefore, not surprising that in the extant literature on comparative African democratization, there is an attempt to establish a direct correlation between the effectiveness of electoral administration and the prospects of democratic consolidation in Africa and vice versa (Nugent, 2001; Smith, 2002; Mozaffar and Schedler, 2002; Mozaffar, 2002; Elklit, and Reynolds, 2002. Gyimah-Boadi, 2004; Menocal; Fritz; Rakner, 2008).

Generally, democratic consolidation refers to a situation whereby democratization is nearing completion, effectively insulated from threats of erosion/collapse (see Schedler, 1998; 2001). This is often measured with reference to at least three core elements. These are the structural, behavioural and attitudinal foundations of democratization. These three elements underline the deepening of democracy provided they are well institutionalized. The structural foundations emphasize issues of socio-economic prosperity where poverty is kept to the barest minimum and institutional parameters such as periodic, competitive, free and fair elections, a multiparty system and the rule of law. The behavioural foundations are embedded in the proven capacity of democrats to roll back antidemocratic challenges. This is because unless, no major political actors violate basic democratic rules anymore (Schedler, 2001:66), such as the use of violence, the rejection of elections and the transgression of authority, democracy will be at risk. The attitudinal foundations, however, encompass the basic normative, strategic and cognitive elements required to sustain democracy. The normative elements include democratic legitimacy, defined as the genuine, non-instrumental, intrinsic support for democracy by political elites as well as citizens. The strategic elements entail the ability to mediate in and transform the usually conflicting

relationship between democrat and anti-democrats in a consensual way, all working in the interests of the democracy project (Schedler, 2001:68).

While internal factors; such as corruption, the nature of election administration, lack of political will and ideology have been employed in explaining the differences in democratic consolidation in Nigeria and Ghana, the electoral reforms shaping and determining credible regime change and competitive party politics in these two countries is very often taken for granted. Yet, given the fact that the process of transitions witnessed in these countries was in part a response to the electoral reforms adopted, the fact that credible regime change and competitive party politics is also connected to electoral reforms cannot be ruled out. Yet, no literature had adequately conceptualized and compare the reforms of voters' register and the political parties' guideline in Nigeria and Ghana as the causal factor of credible regime change and competitive party politics, respectively, between 2010 and 2015. And because none had, it is this gap that we tend to fill.

CHAPTER THREE: Methodology

3.1. Theoretical Framework

In this study, the basic propositions of the systems theory are adopted in the investigation of the problematique. The systems approach was originally in the biological and engineering sciences before it was adapted to social sciences. The systems theory sees phenomena as components of an interrelated whole. The systems approach is primarily concerned with the analysis of a system in its entirety. A system here implies that:

Something consisting of a set (finite or infinite) of entities among which a set of relation is specified, so that deductions are possible from relations to others or from the relations among the entities to the behaviour or the history of the system (Talcott Parsons; 1968:453).

From the above, a system can be seen as a set of independent parts or components of a given entity. As a process, it involves relating with one another in an interdependent manner.

It also entails interaction with the environment. As G.O Nwankwo states:

The systems approach to the study of organizations focuses on the system as a whole, the environment of the system, and the tendency of the system to strive for survival by negotiating with the environment (G.O. Nwankwo, 1988:27).

Any system is viewed as a set of interactions involving three phases, via the input, conversion and output. As a framework for political analysis, the systems theory is rooted in the work of David Easton. In his exposition of the systems theory, Easton represents the input-output exchange of system and its environment diagrammatically. For Easton, politics has to do with understanding how authoritative decisions are made and executed for a society (Easton, 1957:383). Political life is viewed as a system of interrelated activities and they all influence the way authoritative decisions are made and implemented for the society. None can be fully understood, therefore, without reference to the way the whole operates (Easton, 1957: 383-384).

The political system is powered by different kinds of inputs, which are then processed by the system's mechanisms and converted to outputs. And as Easton himself puts it, "these [Output] in turn, have consequences both for the system and the environment in which the system exists" (Easton, 1957: 384). The system is also influenced by the specific setting or environment in which it is immersed (Easton, 385).

This approach is relevant to this study and the understanding of electoral reforms and democratic consolidation in Nigeria and Ghana. The environments constitute the Nigerian and Ghanaian states. We understand how reforms in the electoral systems is converted into the legal framework that guides the electoral process, which had alternate power and entrenched competitive party politics in the environment.

From the above, the inputs are made up of the reforms, while the three arms of government performs the conversion function of rulemaking, rule implementation and rule adjudication that forms the legal framework. Credible regime change and competitive party politics is the output, which are the product or effects of the reforms. The reports after the elections is the feedback loop. If the electorate accepts the process, the outcome then comes in form of support into the political system, and where the results are not accepted by the electorate due to election rigging, then it becomes legitimacy problem and the support for the political system will decline. In turn, there will be subsequent demand for reforms.

3.2. Hypotheses

The study validates the following Hypotheses:

1. The reform of voters register enhanced credible regime change in Nigeria like in Ghana between 2010 and 2015.
2. The political parties guideline entrenched competitive party politics in Nigeria more like in Ghana between 2010 and 2015.

3.3. Research Design

Research design is the plan and structure of investigation so as to obtain the answers of research questions. Against this background, this study adopted ex-post-facto research design, which is based on the examination of the independent and dependent variables after the events have taken place and the data already in existence. It is aimed at the discovery of possible causes for the behaviour by comparing the study participants in which the behaviour is present with similar participants in when it is absent after the independent variable had occurred. In ex-post-facto research design, the test of hypothesis involves observing the

independent and dependent variables at the same time because the effects of the former on the latter had already taken place before the investigation. Kerlinger (1977) define the ex-post-facto research design as a form of descriptive research in which an independent variable has already occurred and in which an investigator starts with the observation of a dependent variable, then studies the independent variable in retrospect for its possible relationship to and effect on the dependent variable.

Cohen and Manihn (1980) further clarifies the phrase ex-post-facto means after the fact retrospectively and refers to those studies which investigate possible cause and effect relationship by observing an existing condition and searching back in time for plausible causal factors. The ex-post-facto or single case design assume the form of an experimental design where an existing case is observed for sometimes in order to study or evaluate it. The simple case design is represented as follows:



Where:

R = Random assignment of Subjects

B = Before Observation

A = After Observation

X = Independent Variable

Y = Dependent Variable

The analytical routine involved in testing the independent variable (X) and the dependent variable (Y) is based on concomitant variation. This is to demonstrate that (X) is the factor that determines (Y). This implies that whenever (X) occurs, there is the likelihood that (Y) will follow later. The criteria for inferring causality have been summarized by Sellitz *et al* (1977:32) as follows:

ÉCo variation between the presumed cause and presumed effect.

ÉProper time order with the cause preceding the effect.

ÉElimination of plausible alternative explanations for the observed relationship.

From the research design discussed above it tried to show how reform of voters register and the political parties guideline, which are independent variables (x) have enhance credible regime change and entrench competitive party system in Nigeria and Ghana between 2010 and 2015; which are dependent variables (Y). It can be seen from the foregoing that while Ghana's electoral reforms had been noted to have enhance credible regime change and entrench competitive party politics, the recent electoral reforms in Nigeria have also enhance credible regime change and entrench competitive party politics likewise. This is despite the internal prevailing factors like ethnicity, incumbent power, etc. Our independent variable (X) greatly determined our dependent Variables (Y).

3.4. Method of Data Collection

This study is qualitative in nature. The method employed involve collection and assembling of data from secondary sources, either published or unpublished materials. Hence, the study is entirely based on data generated from secondary source materials. Data became available through review of relevant text materials and documents which brought insights into the casual relationship between electoral reforms and regime change and competitive party system in Nigeria and Ghana. Thus data were sourced from existing records such as

texts from INEC documents, election observers' reports, news reports and commentaries, as well as other relevant documentary evidence, books, journals, seminar papers, workshops papers, magazines, newspapers and other related documents.

Secondary source of data refer to a set of data authored by another person, usually data from the available data, archives code books etc. (Ikeagwu 1998): Asika (2006: 27) identified the advantages of secondary sources of data to include that of economy. Again is the fact that much information of this sort is collected periodically thereby making the establishment of trends over time possible. The research also extensively utilized materials sourced from the internet that has to do with the same subject matter. Furthermore, the study is both exploratory and explanatory in analysis as it offer a causal explanation for regime change and competitive party politics with a comparative view to determine democratic consolidation in Nigeria and Ghana.

3.5. Method of Data Analysis

The study, while adopting the qualitative approach, utilises deductive-inductive logical reasoning and descriptive method of content analysis as the method of data analysis, which helps in the theoretical discourse and to validate the hypotheses. Using available data from secondary sources the study analyses the causal relations between electoral reforms and credible regime change, and competitive party politics in Nigeria and Ghana between 2010 and 2015. This enabled us to infer and read meaning into our collected materials to give new insight.

3.6. Logical Data Framework

Research Questions	Hypotheses	Variables	Main Indicators	Data Sources	Method of Data Collection	Method of Data Analysis
1. Have the reform of voters' register enhance credible regime change in Nigeria like in Ghana between 2010 and 2015?	The reform of voters' register enhance credible regime change in Nigeria like in Ghana between 2010 and 2015.	(X) The reform of voters' register	<ul style="list-style-type: none"> -Procuring and Deploying of over 132, 000 Direct Capture Machines- one for each of the 179, 973 polling units and 8,809 registration area in Nigeria; and 40,000 biometric verification devices for 26,000+ polling units in Ghana. -Biometric capture and other data of registrants between 15th Jan and 4thFeb 2011 in Nigeria; and 2012 in Ghana -Fresh compilation of a new voters' register with 73,528,040 eligible voters in Nigeria. -Fine-turning of the accreditation and voting system in Nigeria and Ghana. - Production of new voters' cards in Ghana and Nigeria. 	INEC documents, election observers' reports, news reports and commentaries, as well as other relevant documentary evidence, books, journals, seminar papers, workshops papers, magazines, newspapers and other related documents.	The use of qualitative method of data collection from secondary sources and ex-post facto research design	Deductive-inductive logical reasoning and qualitative descriptive method of content analysis
		(Y) Credible regime change	<ul style="list-style-type: none"> -2011 and 2015 Elections in Nigeria. -2012 election in Ghana 			

<p>2. Have the political parties' guideline entrench competitive party politics in Nigeria more like in Ghana between 2010 and 2015?</p>	<p>The political parties' guideline entrench competitive party politics in Nigeria more like in Ghana between 2010 and 2015.</p>	<p>(X) The political parties' guideline</p>	<p>-1999 Constitution of the Fed. Rep. of Nig. (As Amended). -2010 Electoral Act (As Amended). -1992 Constitution of Ghana (As Amended). -Political Parties Act</p>			
		<p>(Y) Competitive party politics</p>	<p>-Opposition Party -Merger of Parties -Election campaigns</p>			

CHAPTER FOUR

ELECTORAL REFORMS AND REGIME CHANGE IN NIGERIA AND GHANA

4.1. REGIME CHANGE

Regime change means orderly transfer of political power from one group to another. Orderliness in the process of power transfer is also used in determining the level of state stability. It also acts as a barometer for accessing both the consolidation and the quality of democracy in a polity at any particular point (Ojo, 2007a). Democracy is about free choice, it is about giving people opportunities to choose their leaders without hindrance, but where obstacles exist, the people can hardly exercise their freedom of choice and in such situation they can hardly gain anything from their rulers (Egwemi, 2010). The strength of the idea of democracy lies in the principle of people's participation in their governance. Thus, democratic regimes tend to be responsive to the collective needs of society due to periodic changes in governments and personalities (Hameso, 2002). On this note, Ojo (2007b) posited that democracy has an educative value and there is no better way of educating citizens than giving them the opportunity to participate directly in the election of their representatives. And for representative government to be democratic, it must be accompanied by universal free suffrage, elections, short terms of office and individual liberty (Mills, 1975).

As rightly observed by Baffour (2003), "Orderly political regime change through the ballot box and peaceful alternation of power are the hallmarks of effective democratization." And, "to sustain democracy and good governance in Africa, there is the need for strategic thinking on succession management from the political, corporate, traditional and social perspectives. Orderly successions are democratic if they are free, fair, participatory, competitive and legitimate. Thus, successions to Diamond (2008) are orderly when they are administered by a neutral authority; when the electoral administration is sufficiently

competent and resourceful to take specific precautions against fraud; when the police, military and courts treat competing candidates and parties impartially; when contenders all have access to the public media; when electoral districts and rules do not grossly handicap the opposition, when the secret of the ballot is protected; when virtually all adults can vote; when procedures for organizing and counting the votes are widely known; and when there are transparent and impartial procedures for resolving election complaints and disputes. Once these basic standards are met, then the succession is orderly. For Bratton and Posner (1999), elections provide the best means of orderly leadership succession in liberal democracy. According to them, elections serve as platforms for popular participation in political developments adding that it also made government responsible and responsive. But, when government failed to be responsible, responsive and block mechanism for peaceful transition, then people engage in violent.

Several years of militarism and dictatorship in Nigeria and Ghana engendered a volatile and unstable political environment with its concomitant negative impact on the building of democratic culture and institutions of governance. The rebirth of democracy in the West African sub-region was against the background of repressive military regimes and one party dictatorships. Here, rebirth signifies the passage of a country from a non-democratic to democratic rule. The sub-region was a hotbed of authoritarianism before the early 1990s. Coups and counter-coups was distinctive features of the politics. The statistics are very revealing. From 1960 to 1989, West Africa was highly unstable and accounted for a very high percentage of military coups on the continent. Without counting abortive coups that were made public, Nigeria, the regional giant, tops the military coup league table with six successful interventions, followed by Ghana with five successful interventions. The military coup league before and after the democratization process in West Africa is shown in Table

4.1 below together with the 2006 Freedom House Rating of the countries in the sub-region on political rights, civil liberties and current freedom status.

Table 4.1: Political Data on West Africa

Country	Yr. of Independence	Yr./No. of Military Coups	Current Political System	Freedom House Ratings (2006)		
				Political rights	Civil liberties	Freedom status
Benin	1960	1963; 1965; 1969; 1972	Democracy	2	2	F
Burkina Faso	1960	1966; 1974; 1980; 1987	Emerging Democracy	5	3	PF
Cape Verde	1975	-	Democracy	1	1	F
Côte d'Ivoire	1960	1999	Restricted Democratic Practice	6	6	NF
The Gambia	1965	1994	Emerging Democracy	5	4	PF
Ghana	1957	1966; 1972; 1978*, 1979; 1981	Democracy	1	2	F
Guinea	1958	1984	Restricted Democratic Practice	6	5	NF
Guinea Bissau	1974	1980	Democracy	3	4	PF
Liberia	1847	1980 (1990-1997-civil war)	Democracy	4	4	PF
Mali	1960	1968; 1976	Democracy	2	2	F
Mauritania	1960	1978; 2005	Military Regime	6	4	PF
Niger	1960	1974; 1996 (1990-1995-Tuareg rebellion)	Democracy	3	3	PF
Nigeria	1960	Jan.1966; July 1966; 1975; 1983; 1985; 1993	Democracy	4	4	PF
Senegal	1960	-	Democracy	2	3	F
Sierra Leone	1961	1967; 1992; 1997 (1991-2001-civil war)	Democracy	4	3	PF
Togo	1960	1963; 1967; 2005	Restricted Democratic Practice	6	5	NF

Source: Compiled from African Elections Database Country Reports

(<http://africanelection.tripod.com/>). Accessed: 27-10-06.

(F= Free; PF= Partially Free; NF= Not Free <see http://en.wikipedia.org/wiki/Freedom_in_the_World_2006>)

The extent of West Africa's instability is clear from the table. Many countries have suffered from one party rule as well as military interventions with the concomitant abuse of the rights of the people. Some have suffered irreparable damage to economic infrastructure because of civil wars. It is interesting to note that in the Freedom House Ratings only five of the West African countries are categorized as 'free' with eight of them being 'partly free' and three classified as 'not free'. One can then conclude, on the basis of the number of countries that are 'partly free' and 'not free' with reference to political rights and civil liberties, that the region is still volatile.

A combination of internal and external factors explain the rebirth of democracy in the sub-region. Various social movements in individual West African countries had been struggling for the opening of the political space for countervailing forces to participate in political activities before the unanticipated collapse of the communist bloc and the subsequent end of the Cold War. The transitions across West Africa were dramatic and unanticipated in most cases. Thus constitutional reforms engulfed the whole of the sub region after 1990. Consequently, there were more elections in the sub-region between 1990 and 2000 than between 1957, when Ghana attained independence, and 1989, when the Berlin Wall crumbled to signal phenomenal political changes across the globe. Another significant outcome of the democratization process was the limitation of presidential terms. This effectively abolished the 'life president' syndrome, which also contributed to military interventions, to the extreme militarization, and to tension in the politics of the sub-region. A highly significant phenomenon is power alternation in some of the countries. Even though this has been on the low side given the fact that the rebirth started only in 1990, it nonetheless signals the gradual strengthening of democratic norms in the sub-region.

A new constitution usually heralds the transition from the old authoritarian or dominant regime to the new or return to constitutional multi-party democracy, to set the tone

for democratic governance or set down the rules of engagement for all constitutional and political actors (Brandt, et al, 2011). What therefore appears to be a common constitutional law theory of democratizing countries of sub-Saharan Africa is that, reforming the constitution or making a new constitution to establish the framework for regular conduct of elections through multi-party political system, will engender constitutional democracy and, eventually constitutionalism. However, there is a divergence in the adaptation of this theory in practice, arising from the differences in the politico-socio-cultural background, the constitution-making procedures, and the constitutional and institutional structures, in the various countries (van de Walle, 2011). Going by the recent constitutional developments in Ghana and Nigeria the constitution aids in the establishment of constitutional democracy, political parties, the organization of regular election and alternation of political parties in government, as has been the case in both countries. Although in Nigeria, a dominant party, the Peoples Democratic Party (PDP), was entrenched since 1999 till 2015.

In both countries there had been incremental and qualitative growth in democratic norms through effective and consensual management of the electoral process. More often than not governments in the sub-region lose their legitimacy by implication as a result of manifest or glaring electoral irregularities. Some of these contestations over election results have degenerated into conflicts. Ghana's relative stability, generally acknowledged by development partners, happens to be one of the positive democracy dividends and this has been contributed to by the comparatively transparent mode of election management. It is difficult to dispute the fact that elections are the heartbeat of any democratic process and this is why any mishandling often leads to destabilization or loss of legitimacy. This in turn leads to the adoption of extra-legal measures by political leaders to hold on to power, thereby undermining stability.

4.2. ELECTORAL REFORMS IN NIGERIA'S FOURTH REPUBLIC

Following Abacha's sudden death in 1998, Major General Abdulsalami Abubakar was sworn into office. He soon pronounced the return to civilian rule, and upon promulgation of the new Constitution in May 1999. Nigeria is a federal presidential republic, consisting of 36 states and one Federal Capital Territory. The president, elected through direct popular vote for a four-year term serves as both the head of state and head of government. The legislature is divided between the two levels of government and is bicameral National Assembly, consisting of the Senate and the House of Representatives. All 360 members of the House of Representatives are chosen for a four-year term, through direct popular vote, using the first past the post system in single-member constituencies. The 109-large Senate is elected for the same period, also through direct popular vote, via the same system, but in 36 multi-member constituencies, being the federal states, i.e. three Senate seats per each state, with an additional seat for the Federal Capital Territory.

Table 4.2: GEOPOLITICAL ZONES COMPOSITION OF THE NATIONAL ASSEMBLY IN NIGERIA

POLITICAL ZONES	NO. OF SENATORS	NO. OF REPS
NORTH CENTRAL	18	64
NORTH EAST	18	48
NORTH WEST	21	77
SOUTH SOUTH	18	55
SOUTH WEST	18	71
SOUTH EAST	15	43
ABUJA	1	2
TOTAL	109	360

Source: organised by the Researcher.

Legal/constitutional framework for the conduct of elections in Nigeria consist of the Constitution of the Federal Republic of Nigeria 1999, the Electoral Act and other laws regulating the conduct of institutions and agencies involved in elections. The 1999

Constitution of Nigeria (as amended) has elaborate provisions on the elections of the President/Vice President (Sections 132-14) and members of the National Assembly at the federal/national level (sections 71-77), and the Governor/Deputy Governor (section 179) and members of the State Assembly at the state level (sections 116-117). The candidate that secures the majority of votes and not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the States in the Federation and the Federal Capital. In default of which a second election between the highest and second highest candidates will take place. The requirement of geographical spread is to deal with the phenomenon of ethnic/regional parties and candidates.

The Independent National Electoral Commission (INEC), election management body, is constitutionally charged with the responsibility of conducting elections, registering and supervising the activities of the political parties, generate voters register, prosecute electoral offenders, and educate the electorates and the political parties on the free and fair conduct of elections. In the performance of its duties, INEC faces a severe crisis of credibility, due to the presidency's overbearing influence on its top leadership and finances, and also due to its questionable management of voter registration and candidate nominations, which frequently lead to court challenges of the polls' validity. The independence and impartiality of the country's election management bodies, that is, INEC, State Independent Electoral Commissions (SIECs) and other institutions involved in election matters, had been questioned by the generality of Nigerians who submitted memoranda and made presentations during the public hearings of the Electoral Reforms Committee 2008. INEC and SIECs have generally been adjudged as operating as appendages of the ruling party and the Executive arms of government. The principal functions of the Commission are first to conduct elections into the offices of President and Vice President, Governors and deputy Governors, the Senate and House of Representatives, the 36 States Assemblies, as well as the Area Councils of the

FCT. Secondly, the Commission is charged with producing and maintaining a national register of voters and thirdly, it regulates the activities of political parties.

The Electoral Act 2010 (as amended), is an act of the National Assembly which provides additional powers to the Commission on how to effectively conduct elections. The Electoral Act 2010 (as amended) provides for the registration of voters, procedures for election, among other provisions, relating to the consideration and determination of election petitions, regulation of political parties and the process of handling electoral offences, etc. As stated early, apart from the Constitution, the Electoral Act is the other fundamental law that governs electoral administration in the Fourth Republic. Provisions from this law complimented the 1999 Constitution and served as the framework that guided the conduct of elections and behaviour of actors and stakeholders in this period. From December 6, 2001, when the 2001 Electoral Act became effective to 2011, the Act had been amended and or repealed many times by the National Assembly. The 2001 Electoral Act contained provisions that apparently negated basic democratic principles and drew wide condemnation from politicians and civil society groups. Due to this, the Act was replaced with the 2002 Electoral Act in October 2002. It was enacted to rectify the defects associated with the 2001 Act. The 2002 Act was later amended in May 2004. On June 6, 2006, the National Assembly repealed the 2004 Electoral Act when it passed the 2006 Electoral Act. In March 2007 the Act saw a minor amendment that gave INEC an extension to complete registration of voters (Electoral Act [amendment] 2007, sections 10 & 21). This Act remained in force until August 20, 2010, when it was replaced with the 2010 Electoral Act.

Early, late President YarøAdua, had admitted that 2007 election was marred by irregularities, constituted the Electoral Reform Committee chaired by the former Chief Justice of Nigeria, Mohammed Uwais, for constitutional and political reforms that was hoped to result in genuine reforms of the electoral system. The recommendation of the Committee

and Government White Paper in the Recommendation were forwarded to the National Assembly, and gave rise to the 1st and 2nd Alterations of the 1999 Constitution in 2010 and 2011 and the Electoral Reforms Act 2010. Before the 2011 general elections, the National Assembly twice amended this Act. These were the December 29, 2010 (Electoral Act [amendment] 2010) and the January 27, 2011 (Electoral Act [amendment], [No. 2] 2011, section 9, subsection 5) amendments. These changes in legislations reflected the response to new challenges associated with democratization in new democracies. It also strongly suggested the continuing search for a robust system of laws that would guide the conduct of elections in the Fourth Republic. The legislative framework for the 2011 and 2015 elections was essentially the Act to Repeal the Electoral Act 2006 and Re-enact INEC, Regulate the Conduct of Federal, State and Area Council Elections and for Related Matters 2010, otherwise simply referred to as The Electoral Act 2010. This important piece of legislation passed by the National Assembly in July 2010 sought to address some of the contradictions and anomalies in the Electoral Act 2006 that impeded the conduct of the last elections (2007), and to pave the way for more credible elections in 2011. The adoption of the Electoral Act, though still an imperfect document was perceived by many Nigerians as an indication of the presence of sufficient political will to conduct better elections in 2011.

Prior to the 2011 general elections, Nigeria had a reputation for the poor management of its elections. In particular, the 2007 general elections left a major dent on the credibility of the country's electoral process due to the magnitude and severity of irregularities recorded during the process. The widespread condemnation of those elections prompted both the government and civil society groups in Nigeria to initiate and implement measures that could improve the conduct of future elections and restore the credibility of the country's electoral process. Given Nigeria's experience with electoral fraud, malpractice and systemic manipulation of the process, the pre-2011 INEC needed to radically alter the electoral process

in order to be seen as truly invested in improving Nigeria's elections. However, we take the position that the first game-changer in enhancing perceptions of the credibility of the electoral process in 2011 was actually introduced by the federal government to restore the integrity of elections in the country by appointing leadership which was widely regarded as credible for INEC. On its part, INEC embarked on a series of internal reforms such as the compilation of a credible voters' register, fine-tuning of the system of accreditation and voting, and modifying the process of collation of election results (Bolaji 2014). These measures partly account for the relative success achieved during the 2011 and 2015 general elections (ICG, 2011).

In the past, INEC could not demonstrate the sufficient capacity necessary to manage the complexity of elections in Nigeria and this has led to electoral disputes. Its history of poor election management had eroded public confidence in the country's electoral process. In some cases, the commission had been accused of outright bias and manipulation of the electoral process. In the 2007 elections, in particular, the actions of the commission provoked outrage, leading to the denunciation of the election by domestic and international election observers. However, there has been a marked improvement in the management of elections in Nigeria since the appointment of Professor Attahiru Jega as chairman of the commission in 2010, which marked the reconstitution of the commission. Under Jega, INEC earned national and international acclaim for its administration of the 2011 and 2015 elections. INEC has since 2011 tried to institutionalize the gains it made then by adopting wide-ranging reforms aimed at improving its structure, planning and policy making capacities.

INEC search light, first and foremost, was focused on the register of voters as it then existed, which was discovered to have fallen far short of the level of credibility required for the conduct of free and fair elections. It was found to be replete with irregularities which included under-aged registrants, blank or blurred photographs, multiple registrations of the

same persons, and missing names of previously registered voters. The register of voters also excluded a sizeable number of eligible voters. If the Commission had gone ahead to use that register for the 2011 General Elections initially fixed for January, it would not only have disenfranchised a large chunk of voters, but also the credibility of the elections would also have been severely undermined. Indeed, the Commission's decision to do a fresh voter registration is unanimously acclaimed by all critical stakeholders in the electoral process who had totally lost confidence in the then existing register of voters. Consequently, the new Commission took the view that an entirely new register of voters was the irreducible minimum for free, fair and credible elections.

Predictably, this decision went down well with all the Stakeholders. Funds were appropriated and released for the commencement of the project. Subsequently the Commission procured and deployed over 132,000 direct data capture machines (DDCMs) - one per each of the 119,973 polling units (PUs) and each of the 8,809 registration areas (RAs), with a provision for some contingency, to facilitate the capture of the biometrics and other data of registrants during the three-week voter registration exercise conducted between January 15th and February 4th 2011. The decision to deploy a DDCM per polling unit, though costly, paid off as it helped overcome the otherwise enormous challenges of conducting Nigeria's most elaborate voter registration exercise within a very short time notwithstanding the country's geographic and demographic peculiarities. It is instructive that the thirty three thousand (33,000) DDCMs deployed during the voter registration exercise in 2006/2007 could not have achieved this feat. The voter registration equipment deployed in 2011 comprised of laptop computers, finger print scanners, high resolution cameras, back-up power packs and integrated printers, configured into the DDCM - packages. These enabled the compilation of a credible register of voters and the production of good quality temporary voters' cards that were used for voting in the April, 2011 General Elections as well as

subsequent elections. A total of 73,528,040 eligible Nigerians were registered at the end of the exercise. The successful delivery of both the voter registration exercise and the April, 2011 general elections owed a lot to this review process.

In addition to administering elections, INEC registers and audits political parties, and regulates political campaigns. Political parties animate the entire electoral process with their campaigns and rallies, and will push for new policy agenda. Most importantly however, parties will provide the only legal avenue through which politicians could be elected into public offices since electoral laws do not recognize independent candidature in Nigeria. The Nigeria's political space like Ghana's have substantial numbers of Stakeholders, such as; Politicians, Political Parties, Electoral system, Election Umpire, Civil Society, and the Electorate. All and each mentioned above play specific role to empower two categories; The Politicians and the Political Parties. These form the Nigeria Political Structure through which governance (good) is administered to other Stakeholders. The Nigerian electoral space has witnessed the registration, name change, merging, and de-registration of several political parties. A total of 69 political parties have been registered. However, at the last count; 28 political parties are currently registered and listed on the INEC's website. Table 4.3 below indicates the parties in Nigeria as of 2015 election.

Table 4.3: Political Parties in Nigeria as at 2015 Elections

POLITICAL PARTY	ACRONYM
Accord	A
Action Alliance	AA
Advanced Congress Of Democrats	ACD
Allied Congress Party Of Nigeria	ACPN
Alliance For Democracy	AD
African Democratic Congress	ADC
African Peoples Alliance	APA
All Progressives Congress	APC
All Progressives Grand Alliance	APGA
Citizens Popular Party	CPP
Democratic People's Party	DPP
Fresh Democratic Party	FRESH
Hope Democratic Party	HDP
Independent Democrats	ID

Kowa Party	KP
Labour Party	LP
Mega Progressive Peoples Party	MPPP
National Conscience Party	NCP
New Nigeria Peoples Party	NNPP
People For Democratic Change	PDC
People For Democratic Movement	PDM
Peoples Democratic Party	PDP
Progressive Peoples Alliance	PPA
Peoples Party Of Nigeria	PPN
Social Democratic Party	SDP
United Democratic Party	UDP
Unity Party Of Nigeria	UPN
United Progressive Party	UPP

SOURCE ó INEC - <http://www.inecnigeria.org/1> Wikipedia - <https://en.wikipedia.org/2>

By 2015 when the fifth general elections were held, the number of registered parties in Nigeria had multiplied to over fifty. Of course not all of these parties had significant electoral strength. Within this period, two major sets of fundamental laws governed party politics. These provided parties with the legal framework that defined the requirements for their formation and registration; their membership; and their ideological and policy orientations. These fundamental laws were the 1999 Constitution of the Federal Republic of Nigeria and the Electoral Act with its series of amendments. Our attention here is on the 2010 Electoral Acts.

From December 6, 2001, when the 2001 Electoral Act became effective to 2011 as early stated, the Act had been amended and or repealed many times by the National Assembly. The 2001 Electoral Act contained provisions such as the power of INEC to refuse registration to any political association and to regulate party activities in any way it considered fit. Provisions such as these apparently negated basic democratic principles and drew wide condemnation from politicians and civil society groups (Electoral Act 2001, section 74, subsection 1). Due to this, the Act was replaced with the 2002 Electoral Act in October 2002. It was enacted to rectify the defects associated with the 2001 Act (Electoral Act 2002, sections 152-153). The 2002 Act was later amended in May 2004 to provide for the establishment of an electoral tribunal to arbitrate in electoral disputes (Electoral Act

[amendment] 2004). On June 6, 2006, the National Assembly repealed the 2004 Electoral Act when it passed the 2006 Electoral Act (Electoral Act 2006, sections 165-166). The new act covered most of the important aspects of party politics including registration of parties and monitoring of their operations, mergers, financial status and disclosure, and regulation on behaviour during campaigns and elections. In March 2007 the Act saw a minor amendment that gave INEC an extension to complete registration of voters (Electoral Act [amendment] 2007, sections 10 & 21). This Act remained in force until August 20, 2010, when it was replaced with the 2010 Electoral Act. Before the 2011 general elections, the National Assembly twice amended this Act. These were the December 29, 2010 (Electoral Act [amendment] 2010) and the January 27, 2011 (Electoral Act [amendment], [No. 2] 2011, section 9, subsection 5) amendments. These changes in legislations reflected the response to new challenges associated with democratization in new democracies. It also strongly suggested the continuing search for a robust system of party laws that would guide the conduct of party politics in the Fourth Republic.

The 2010 amended Electoral Act covered party formation, registration and de-registration by INEC; party symbols and their types; merger of parties and its preconditions; and notices of conventions and congresses at national and local levels. Other issues addressed by this Act were nomination of candidates and party primaries; party finances and election expenses. It also provided guidelines for the conduct of parties during campaigns, rallies, and elections, and bestowed on INEC additional powers to supervise party activities besides those originally given to it by the 1999 Constitution (Electoral Act [amendment] 2010, sections 78-102).

Party registration and de-registration were the first questions addressed by the Electoral Act. It required that an association should submit its application at least six months before general elections to INEC which must be approved within thirty days provided it

satisfied all registration requirements including paying the prescribed administrative fee (Electoral Act [amendment] 2010, section 78, subsection 1-6). Furthermore, the Act gave INEC the power to de-register a party that failed to win a single seat in the National or State Assembly elections. The implication of this provision is that while INEC could not deny registration to any association that met the necessary conditions, retaining registered status by a party depend on its electoral performance during general elections. Should a party fail to win even a single legislative seat, INEC could legally withdraw the certificate of that party (Electoral Act [amendment] 2010, section 78, subsection 1-6). Making INEC to register every association that met the requirements of registration meant that at least theoretically the party system was pluralistic. However, in tying the continuing existence of a party with its electoral performance, the law curtailed the number of parties that could operate in the country. On the positive side, this provision reduced the propensity of politicians to establish smaller and weaker parties.

Mergers, alliances, and coalition building between parties are part of the prominent features of party politics in multi-party democracies. Parties ally with each other against stronger opponents, or altogether merge to improve their prospects for victory during electoral contests. Subsections 1-6 of Section 84 of the Electoral Act required parties intending to merge to notify INEC of their plan at least ninety days before general elections through a joint request signed by their national chairmen, secretaries and treasurers showing resolutions of the individual parties taken at their special conventions approving the merger. If the parties satisfied the conditions and have paid the stipulated administrative cost, it became compulsory for INEC to approve their merger within thirty days. Perhaps to forestall a situation where INEC could come under pressure not to approve a particular merger, the Act provided that should the merger request be rejected without valid reason, the parties should

proceed with their merger and consider it legally sanctioned (Electoral Act [amendment] 2010, section 84, subsections 1-6).

Legislation about how parties generate their funds, spend those funds and nature of their internal financial control mechanisms against fraud are covered in the act. This Section was perhaps the most important to provide a level playing ground for all parties. It addressed the issue of election expenses related to the following points. One, the Act empowered INEC to determine the overall expenses parties should incur during general elections in consultation with all registered parties in the country. Two, parties should submit their expenses to INEC in six months from the date of the general elections. Three, parties should submit these expenses with audited reports that provide information on the funds expended by parties as well as the commercial value of goods they received for election purposes signed by their auditors and counter-signed by their national chairmen. In other words, the law allowed parties to receive donations and organize campaign fund raisers, but the funds received from these sources must be fully accounted by the parties. Any party that violated any of these provisions committed an offence that would attract fine from INEC. Also, the Act required these reports to be published in national newspapers to give the public an insight into the election expenditure of parties within any specific election period (Electoral Act [amendment] 2010, section 91, subsections 1-8).

The inauguration of the Fourth Republic meant that multi-party representative democracy became the new political order for the country. During the 1999 transitional elections, three parties: AD, APP, and PDP sponsored candidates for various elective offices (see table 4.4 below).

Table 4.4: February 1999 Presidential Election Result in Nigeria

Registered Voters	Total Votes (Voter Turnout)	Invalid/Blank Votes	Total Valid Votes
57,938,945	30,280,052 (52.3%)	431,611	29,848,441
Candidate	Party [Coalition]	Number of Votes	% of Votes

Olusegun Obasanjo	PDP	18,738,154	62.78%
Olu Falae	AD [AD-APP]	11,110,287	37.22%

Source: African Elections Database; Elections in Nigeria,
<http://africanelections.tripod.com/ng.html>.

Some months into the fourth republic, with Obasanjo as President, politicians began to clamour for the registration of more parties. The government refused to register more political parties; hence, unregistered associations went to court and won. Court judgment in favour of political associations thus, opened the floodgate for up to 30 parties by the time 2003 elections took place. The number grew up to 50 in 2007. Irrespective of this multiplication of parties, the fact on ground then shows a picture where apart from a few isolated States in the northern parts of the country, the PDP controlled more than 70% of the Nigerian political offices at the federal, state and local government levels and was dominant party (see tables 8, 9, 17, 18, 19, 20, 21 and 22).

The emergence of a two-party dominant system in Nigeria like in Ghana, prior to the 2015 elections significantly altered the socio-political context within which the 2015 elections were conducted, and this had implications for perceptions of the credibility of the most recent elections. By the statutory deadline for the registration of political parties in 2011, sixty three political parties were registered and recognised by INEC to participate in that election at various levels, to contest various offices. Expectedly, not all these parties were impactful in the elections and many did not secure a single seat at either presidential, gubernatorial, national assembly or state assembly elections. Consequently, INEC moved to deregister some of these political parties under Section 78 (7) (ii) of the Electoral Act 2010 as amended which empowers the Commission to deregister parties which breach any of the requirements for registration and also due to their failure to make any impact in the 2011 elections. By the 2015 elections (see table 4.3 above), only 28 political parties were registered (INEC 2015).

In August 2011, a few months after the elections, INEC inaugurated a committee of election experts - the Registration and Election Review Committee (RERC) - to conduct an evaluation of voter registration and the general elections in order to strengthen the commission's operations. It was also charged with enhancing INEC's organizational capacity through a better understanding of its strengths and weaknesses revamping its planning, coordination and execution capabilities, and further deepening its relationships with critical stakeholders in the electoral process. The RERC made far-reaching recommendations on the regulation of political parties, INEC's bureaucracy, constituency delimitation, and the use of Information and Communication Technology (ICT) tools in elections (INEC 2012). The recommendations laid the groundwork for the reforms adopted by INEC from 2012. As part of preparations for the 2015 elections, INEC implemented several reforms including a comprehensive restructuring of its bureaucracy, the development of new communications and gender policies, and an overhaul of its operational and logistics strategy through the introduction of three core innovations: the Election Project Plan (EPP), the Election Management System (EMS), and the Business Process Review (BPR). Though the extent to which the implementation of these reforms helped to improve election management during the 2015 elections has not been determined, but the general outcome of the election is an indication that they helped.

Although several amendments aimed at improving the legal framework for the 2015 general elections were proposed, the National Assembly could not complete the amendment process before the elections took place. The National Assembly only submitted the bills seeking to amend the Constitution and Electoral Act to President Goodluck Jonathan for his assent in mid-March 2015, a few days before the elections. In the end, the existing legal framework proved an adequate basis for the conduct of the elections in accordance with

international democratic principles and with the international instruments ratified by the Federal Republic of Nigeria.

4.3. ELECTORAL REFORMS IN GHANA'S FOURTH REPUBLIC

Ghana was one of the countries that were hit by the democratization surge in early 1990s. At the beginning of the 1990s, Rawlings who was the military Head of State had to succumb to both foreign and domestic pressures, on realizing the character as well as the necessity of political changes that were under way in Ghana, and also continent wide. Writers have pointed to the fact that the Rawlings-led PNDC was not overly interested in Ghana's democratization process (Yeebo 1991, Shillington 1992, Folsom 1993). Ghana's return to democracy could instead be attributed to unanticipated changes in the international system as well as internal agitations by civil society groups. The weak economic base of the nation made the military led PNDC government vulnerable to external pressures, especially at a time in the late 1980s when leading donors or development partners had imposed political conditionalities. This imposition re-energized the hitherto emasculated, enfeebled and uncoordinated civil society organizations, whose struggles for political openings before then had been sporadic and inconsistent (Boafo-Arthur 1998). Confronted with both external and internal pressures for democratization the PNDC adopted several measures to end its dictatorial rule. Rawlings prepared well for the shifts. The year 1992 was to see the draft of a new constitution, a referendum on this act, and free presidential and parliamentary elections. According to the plan, the Fourth Republic was to be pronounced in January 1993.

In May 1992, the ban on political parties was lifted and the preparations for elections proceeded. The 1992 Constitution marked a watershed in Ghana's modern political history. The new highest legal act of Ghana provided for a democratic system within the framework of a presidential unitary republic. The country's administration, following the experiences

gained under the rule of the military led PNDC, was decentralized through a system of local governing bodies. The constitution, which is in power to date, also contains guarantees for human and civil rights and political liberties. The President of Ghana is elected for a four-year term and can serve a maximum of two terms in office. The President is elected in a single national constituency on the basis of a majority system. In order to be elected in the first round a candidate needs to secure at least 50%-plus-1 of the valid votes cast. If no candidate secures such a majority then the leading two candidates contest a run-off election. In the run-off whichever candidate secures the most votes is the winner. The Parliament of Ghana now consists of 275 members, who are elected from single-member constituencies on the basis of the first-past-the-post system. The term of a Parliament is also four years. The legislative power lies with a unicameral parliament. The body charged with the responsibility of managing and supervising elections in Ghana is the Electoral Commission of Ghana (EC) established under Article 43 of the Constitution. The EC is widely seen as an impartial institution in dealing with electoral matters especially in the handling of complains and propaganda emanating from political oppositions.

The key documents providing the legal and regulatory framework for the conduct of the elections are: the Constitution of Ghana (1992, as amended), Representation of the People Act (1992, as amended), Presidential Elections Act (1992, as amended), Electoral Commission Act (1993, as amended), Political Parties Act (2000), Representation of the People (Constituencies) Instrument (2004), Public Elections (Registration of Voters) Regulations ó CI 72 (2012), Public Elections Act ó CI 75 (2012), Political Parties Code of Conduct (2012). The Constitution and the Electoral Commission Act provide for the establishment of the EC as an independent body. The President, on the advice of the Council of State, appoints members of the Commission for an unspecified period. The key responsibilities of the Electoral Commission are to Compile the register of voters and revise it

at such periods as may be determined by law; Demarcate the electoral boundaries for national and local government elections; Conduct and supervise all public elections and referenda; Educate the people on the electoral process and its purpose; Undertake programmes for the expansion of the registration of voters.

The 1992 Constitution of Ghana along with the Political Parties Act, 2000 (Act 574) are the two sets of national laws that govern the creation, functioning and structure of political parties. Act 574 effectively repealed the earlier Political Parties Law of 1992 (PNDC Law 281) and the Political Parties (Amendment) Law, 1992 (PNDC Law 283). Article 55(5) of the 1992 Constitution explicitly notes that "the internal organization of a political party shall conform to democratic principles and its actions and purposes shall not contravene or be inconsistent with this Constitution or any other law". This norm of internal democracy is also reemphasized under Section 9(1) (c) of the Political Parties Law, 1992. Act 574, Section 3 also prohibits the formation of political parties along "ethnic, gender, religious, regional, professional or other sectional divisions". The Constitution specifically requires that founding members of political parties along with their national executive committees must comprise of individuals from all regions of Ghana. In fact, it requires that there must be at least one founding member from each of the districts in Ghana.

Though questions have been raised about the validity of the 1992 elections, starting in 1992, elections in Ghana have been held regularly every four years. There was massive overhauling of the election management process after the 1992 election, to accord it the general acceptability and thereby confer legitimacy and credibility to the process in subsequent elections. The flaws that came to light during the 1992 elections served as a basis for reforms to be made to the electoral process to reduce acrimony, enhance the legitimacy of the elected government, improve transparency and accountability, and to strengthen democratic structures. The Ghanaian polity was still polarized on account of the weaknesses

of the electoral system in 1992. However, stakeholders agreed to reform the system if that was the only way to improve upon democratic governance and thereby prevent the military from interfering in the affairs of the state. As such, far-reaching measures aimed at strengthening the electoral system to assure its credibility were put in place. Some of the grievances of the opposition parties included a transitional authority to supervise the electoral process, a completely new voters register to be compiled, and identity cards issued to voters to forestall multiple voting and impersonation in subsequent elections. The credibility of the 1996 general elections was going to depend on how electoral reforms were made to ensure transparent elections.

Several measures were put in place to facilitate a level playing field for contestants, to reduce the advantages of incumbency, and enhance the electoral process. However, realizing the essence of political consensus in nation building and the need to sustain the parties and assure national stability, a series of meetings to reach an accord on the modalities for governance, and more importantly political understanding and tolerance, were held. In the heat of the recriminations and accusations, an inter-party dialogue with the objective of searching for genuine and sincere modalities for national reconciliation was sought. It was also felt that such inter-party discussions hold the potential for reaching acceptable accord on the form of future electoral process. In actual fact, the accusations of vote rigging levelled against the NDC by the opposition parties were due to the lack of transparency in electoral management. The dialogue brokered by the two leading parties, NDC and the New Patriotic Party (NPP) was an essential step in the efforts needed to stabilize and consolidate (our) fledgling multiparty democratic constitutional experimentö (Boafo-Arthur 1995: 221). Even though the initial efforts at reconciliation at the inter-party level failed on account of entrenched positions taken by the NDC and the NPP at the negotiations, it became the bedrock for further attempts at consensus building.

There is no doubt that political institutions including political parties, draw strength and vitality from an enabling environment fashioned for their operation. Given the deplorable inter-party conflict management mechanism of the First Republic, one cannot overemphasize the importance of mutual agreements between contesting parties (Austin 1960). For sure, political parties, among others, draw their sustenance from a vibrant electoral process that is fair to all. This was the crux of the political disagreements between the main contending parties. Since the long-term sustainability of the political system and the institutions within the system depends on such a transparent electoral system, party leaders and the donor community saw the need in pursuing mutual consensus by the parties. Several measures were taken by the EC, first to redeem its image, second, to gain the inputs of the parties in electoral management and third, to sustain the electoral system and ipso facto prevent relapse into dictatorship via another coup d'état. The measures put in place by the EC before the 1996 elections with the support of the political parties included:

É The compilation of a new voters register. This was necessary since the earlier register was alleged to be bloated. Interestingly, the registration was supervised with the active collaboration and participation of representatives of the political parties.

É The provision of a voter identity card for every registered voter. Financial constraints restricted this facility to voters in the regional capitals and ten selected rural constituencies. Thumb-printed identity cards were issued to the rest of the voters.

É Transparent ballot boxes were provided to debunk allegations or suspicions that ballot boxes were stuffed with votes before being sent to the polling stations.

É The provision of cardboard voting screens to safeguard the integrity of the ballot, as opposed to the previous method of a voter entering a room alone to thumb-print the ballot paper.

ÉVotes were counted at each polling station immediately after the close of voting in the full glare of the general public (Ayee 1998).

One innovation before the 1996 electionsô one that has strengthened consensus-building and confidence-buildingô was the EC's success in bringing the parties into election management through the establishment of the Inter-Party Advisory Committee (IPAC) in March 1994. Donor representatives attended IPAC meetings with those of the political parties and EC officials as observers. It was at such meetings that decisions to hold both presidential and parliamentary elections on the same day and the use of transparent ballot boxes with numbered seals were dispassionately discussed and approved by the parties. Apart from enhancing voter confidence in the management of the electoral system, it gave no room for complaints by any losing party. In addition, the parties decided to put their political fate in their own hands and therefore mobilized 60,000 party agents at polling stations on the day of elections.

In 1992 elections, Rawlings himself officially left the military and turned civilian shortly before the scheduled elections. He also founded his own party, the National Democratic Congress (NDC), an offspring of the PNDC. In November that year, after a campaign that was marred by patronage and abuse of state media by the NDC, and subsequent elections that were, for those reasons, seen as neither free nor fair, Rawlings running under PA (a coalition between Rawlings's NDC, NCP and EGLE) was elected over his opponents by a landslide. The opposition partiesô made up of the NPP, PNC, NIP and PHPô contested the results, bringing accusations of fraud. Parliamentary elections followed in late December. However, in the light of previous alleged foul electoral practices, the opposition boycotted these, resulting in a low voter turnout of only 28%, and the NDC occupying 189 of 200 parliament seats and nine other seats for two smaller parties that were floated by the NDC and two independent candidates. Thus, the Ghanaian elections of 1992

marked the official transfer of power from military into civilian hands, although the hands in question remained the same as see in table 5 under 1992 election. In the view of Gyimah-Boadi (1994), the transition to democracy of which the 1992 elections was the first step was just another transition without regime change, as the key political operatives, both military and civilian, during the reign of the PNDC were the same people that manned the NDC political juggernaut. The modus operandi did not undergo any significant change with the only exception being the modicum of restrictions imposed by the constitution with regards to respect for the political rights and civil liberties of citizens.

Table 4.5: Presidential Election Results of 1992, 1996, 2000 & 2004 (% votes won) in Ghana

	1992			1996			2000			2004		
Rawlings	NDC	58%		Rawlings	NDC	57%	Kufuor	NPP	48%	Kufuor	NPP	52%
Boahen	NPP	30%		Kufuor	NPP	40%	Atta-Mills	NDC	45%	Atta-Mills	NDC	45%
Limann	PNC	7%		Mahama	PNC	3%	Mahama	PNC	2.5%	Mahama	PNC	2%
Darko	NIP	3%					Hagan	CPP	2%	Aggudey	CPP	1%
Erskine	PHP	2%					Tanoh	NRP	1%			
							Lartey	CCPP	1%			
							Brobby	UGM	0.5%			
							2 nd Round					
							Kufuor	NPP	57%			
							Atta-Mills	NDC	43%			

Source: African Elections Database; Elections in Ghana,

<http://africanelections.tripod.com/gh.html>.

By the 1996 presidential elections, the NPP became the strongest opposition party on Ghana's political scene. In the presidential election Rawlings, running for his second mandate as an elected president, faced a candidate from a coalition led by the NPP, John Kufuor, had 57.4 per cent of the votes cast. In 1992 the total votes he obtained was 58.3 per cent. The NPP candidate Kufuor, partly due to insufficient consensus within the opposition ranks, obtained 39.6 per cent as compared to 30.4 per cent obtained by Boahen (NPP's candidate in 1992). Mahama of the PNC obtained 3 per cent of votes cast. In the parliamentary election, the NDC won 133 seats as compared to the 189 seats it won in 1992, and the NPP won 60 seats, PCP won five seats and the PNC one seat. The voter turnout was also indicative of

growing interest and trust of the electoral system. While in 1992 the voter turnout was 50.2 per cent in the presidential elections, the turnout in 1996 was 77.9 per cent. The results of the 1996 general elections and the congratulatory messages from the losing presidential candidates were indications of the growing durability, transparency, efficiency and strengthening of the electoral process and its acceptance by the electorate. As pointed out by Dumor, a member of Ghana's Electoral Commission, the 1996 Election indicates that by paying attention to the techno-structure and functional arrangements of government apparatus and process which allow for an effective participation and competition through multiparty system, the foundation is being laid for a stable society (Dumor 1998: 20).

In sum, even though the NDC won the general elections of 1996, tension and acrimony before, during and after the elections were not as pronounced as in 1992. This was because of the measures taken to ensure free, fair and transparent elections put in place by all stake holders created the necessary rapport and trust among the rank and file of the various contesting parties. Once the process was deemed to be transparent as compared to the 1992 election, accepting the end result was less arduous for the losing political parties. The very good performance of the NPP, winning 60 seats after the boycott of the parliamentary election in 1992, was a positive signal to the opposition in general to focus on the 2000 elections.

For the next election in 2000, the year before the elections generated some level of apprehension as to whether President Rawlings would honour the constitutional provisions with regard to the completion of his two terms as a civilian Head of State. The backlash was sufficient to send a clear signal that the nation was not prepared for any subversion of the constitution. The 2000 elections had several important features. First, the NDC had been in power for two terms of four years each and the electorate was to decide their political fate. Second, President Rawlings had run his two terms of constitutional rule and was not a

contestant. Third, in contrast to the political climate of 1992 and 1996, the economy had not performed any better after several years of structural adjustment. Inflation was high and the same applied to unemployment and other development indicators. Fourth, the NDC's vulnerability was beginning to show as the party had lost a couple of by-elections to the NPP. In addition to the poor economy the political opposition kept reminding the populace of the historical antecedents of the NDC even though Rawlings was no longer a contestant for the 2000 elections. Fifth, the transparency of the elections was going to be further enhanced on account of additional improvements made by the EC.

Apart from the regular meetings of IPAC, the EC replaced thumbprint voter-identification cards with photographic ones. The preparations for the elections had its own drama in connection with the conversion of thumbprint to photo ID cards. The photo ID was meant to eliminate 'ghost voters'. However, based on calculations of the estimated population of Ghana from the 2000 census, there was an excess of 1.5 million 'ghost names' on the voter registration lists displayed by the EC for inspection. The EC was sceptical about complete coverage of voters in the photo ID exercise but argued that what would be left to be done before the elections would be statistically insignificant. The EC, therefore, announced that only holders of photo IDs would be eligible to vote. This decision stirred the ire of the ruling NDC which argued that it was a ploy to disenfranchise rural voters (its perceived support base), while the decision was hailed by the opposition parties. The leaders of the NDC called on their supporters to defy the EC on Election Day. The Supreme Court ruled in favour of the NDC when they took the case to court. Following the ruling of the court, those with thumbprint ID cards were allowed to vote alongside those with photo ID cards. The ruling generated a lot of tension but at the end of the election, it was found out that less than 1 per cent of the electorates voted with their old thumb print ID cards, thus vindicating the EC.

The EC also put in place enhanced measures to ensure free and fair elections to the new ID cards. The measures included

- É Collaboration with the National Media Commission and the Ghana Journalist Association for an effective framework to ensure fair coverage of the activities of political parties by the Ghana Broadcasting Corporation.

- É The EC was to work together with political parties to promulgate a Political Parties Code of Conduct.

- É Involvement of party agents in all stages of the electoral processes.

- É Collaboration with IPAC for a consensus on balloting for positions by political parties on the ballot paper. Parties agreed and for the first time they balloted for positions on the ballot paper.

- É Agreement with the parties on the role of both foreign and domestic observers operating under the Coalition of Domestic Observers (CODEO), Forum for Religious Bodies, Ghana Legal Literacy Resource Foundation, Ghana Alert, and the Commonwealth Secretariat.

- É A strenuous voter education exercise.

- É Cooperation with political parties in recruiting of election officials.

- É Revision of the electoral roll by the EC in May 2000 (carried out in the presence of party agents).

- É Party agents were also to be present during voting, counting of ballots, collation, declaration and verification of results from polling stations (Ayee 2002: 145).

On the strength of its efficient preparation for the 2000 elections as well as the demonstrated trust and confidence reposed in them by both the electorates and contesting parties the EC was bold to reassure the nation that “The EC has worked hard to ensure a freer and more efficient electoral process this time around. This will produce a fairer reflection of the wishes of the people, and, therefore, enhance the elected authority’s claim to legitimacy”

(Ayee 2002: 155). At the end of 2000, after almost twenty years, Jerry Rawlings stepped down from the position. The very constitution that he promulgated after years of authoritarian rule prevented the now democratically chosen president from running for the office again. Constitutional provisions limit a presidential mandate to a maximum of two four-year terms in office.

The 2000 presidential elections were decided in a run-off, since neither of the seven candidates (see table 5) won the necessary number of the votes (above 50%). The second round was won by John Kufuor of the NPP with 56.9%, while his main opponent, former vice-president in the Rawlings administration, John Atta Mills of the NDC won 43.1%. In the run-off, the NPP got firm commitments of support from the smaller parties while the NDC and members of the Progressive Alliance were stuck together. In the parliamentary elections, the NPP, which won 60 seats in 1996, now won 100 seats. The NDC lost 41 of its 133 seats, landing at 92 seats. Four independent candidates won seats as compared to two in 1992 and zero in 1996. The strong showing of independent candidates resulted from protest votes in some constituencies, where there was unhappiness with the mode of selection of parliamentary candidates, not least by the NDC. The parliamentary elections brought a further balancing of power in the legislature, with the NPP taking 100, and the NDC 92 seats. Neither of the two biggest rival parties possessed the absolute majority in the parliament, forcing them to take into account the interests of smaller parties and independent representatives, representing another impulse for further consolidation of democratization.

The voter turnout in 2000 was not as impressive as in 1996. In the general elections, the turnout was 61.7 per cent, declining further to 60.4 per cent in the run-off. This compares poorly with the 1996 turnout of 78.2 per cent. Ayee (2002) assigns four main reasons for the poor voter turnout. First, it is likely the voter registers were still bloated and that several names on the register were non-existent. Second, the use of the photo ID cards prevented

double voting by some people and voting by people below the minimum voting age of 18 years. Third, Rawlings' populist appeal was missing even though he hijacked the campaign of his former Vice-President, Mills. Fourth, voter apathy could also be blamed on the grounds that voting in previous elections had not impacted positively on the life of majority of the people. What must be added to the low turnout was the fear as a result of intimidation by NDC using the military in unwarranted manoeuvres. The most important feature of the 2000 election was effecting a change of government. In addition, the elections in general were peaceful, and since then they have been largely deemed as free, fair and competitive.

Again, the congratulatory message from the defeated candidate to the winner further enhanced the credibility and legitimacy of the electoral process. The election also demonstrated that the nation was prepared for a long haul with democratic governance and the intimidation from the NDC on a possible mayhem if the opposition came to power did not deter the electorate from exercising their franchise. The sheer joy of almost all Ghanaians for a peaceful election and a government turnover was captured by the Forum of Religious Bodies which, on the day of the hand over to a new government on 7 January 2001, noted:

This election has put Ghana on the world map of respectability. For the first time in the history of our nation, a president has been elected through the universal adult suffrage to take over from a democratically elected leader. By achieving this feat, Ghanaians have lived up to and probably surpassed the high expectation of the international community (Aye 2002: 173).

Kufuor also won the next elections in 2004, with 52.45% of the votes, again against Atta Mills won 44.64%²⁵⁵. The other parties shared the remaining three per cent of the votes cast. The parliamentary elections were held for the now enlarged representative body, with 30 additional seats. The NPP won the absolute majority of 128 seats, while the opposition the NDC took 94. The success of the NPP was not that overwhelming as to justify the earlier aspersions by the NDC that the EC was creating the 30 new constituencies to favour the NPP. Out of the 30 new constituencies, the NPP won 16 and the NDC 13, with one going to the

People's National Convention (PNC). Another important outcome was the highly impressive voter turnout of 85 per cent. It underlined the fact that Ghanaians are incurably political and they cherish going to the polls to pick those to rule them. Exercising their franchise has become part of their political existence and this augurs well for the future of democracy. It was a marked improvement on the 2000 voter turnout. Where you have apathetic voters, as indicated by poor voter turnout, all that a bad government needs to do is to induce its core supporters to always go and vote to keep them in power. But where you have a majority of the people taking keen interest in political outcomes, political parties have no option than to play according to the rules or lose the support of the people. The high voter turnout also drove home the fact that Ghanaians now believe in the democratic system as the best mode to change rulers.

For the 2008 presidential elections, Nana Akufo-Addo, former Attorney-General, Minister of Justice and Minister of Foreign Affairs during both administrations of the departing president Kufuor, was the selected candidate of the NPP. The NDC re-elected John Atta Mills who served as Vice-President in Jerry Rawlings's administration in the period 1997-2000. Mills was a candidate in the 2000 and 2004 presidential elections, but lost both times to Kufuor. The other eight candidates on the ballots were running as independent or belonged to minor political parties. After three rounds of voting, and unusually high voter turnout of around 70%, Atta-Mills won the presidency with a wafer thin margin of less than one percent. At the parliamentary elections held at the same time, in another close race, the NDC reserved 114 seats, while the NPP won 107. Although there were allegations of electoral fraud and fear of violence, especially with some politically inspired clashes throughout the year, Atta-Mills's entering the office at the beginning of 2009 represents a significant milestone in Ghana's political history: it was the second time that the presidential powers had been peacefully transferred from one legally and democratically elected president to the

other. It also points out to Ghana's continued determination to maintain its reputation as one of the beacons of democracy on the continent.

The 7 December 2012 elections were the sixth Presidential and Parliamentary Elections since the restoration of multi-party democracy in 1992. President Mills, who died suddenly on 24 July 2012, was immediately succeeded by Vice-President John Mahama. Concerns about voter registration were in the forefront of considerations approaching the 2012 election, given the experiences of the 2008 election where the accuracy and quality of the voter register was universally questioned. By implementing biometric technology, the EC was able to address several issues such as multiple registrations and the existence of the deceased on the voter registration. Issues continued to exist regarding persons who are not residents, and those who were not eligible for other reasons (There were reportedly some 20,000 underage persons on the voter register, which was clear from the photographs of registrants that a number of persons appeared to be children). The registration process is underpinned by a system of electronic biometric voter identification. The EC procured upwards of 40,000 Biometric Verification Devices in order to ensure that a machine available for each of the 26,000+ polling stations, and providing for sufficient spares in case of breakdown. Biometric verification, using the photographic image and a fingerprint, provides absolute certainty that the person who appears at the polling station to vote is the same person who applied for registration as an elector. The registration process set out in CI 72, providing the opportunity for political party and civil society organization representatives to be involved at the initial time of registration, appears on its face to enable sufficient scrutiny to the process, should EC registration officials not exercise their own authority to challenge registration applicants.

There were 8 Presidential candidates, with running mates, 7 representing a political party and an Independent candidate (see table 5.4). A total of 1332 parliamentary candidates were nominated to contest the 275 constituencies (45 new electoral constituencies was newly

created), representing a total of 14 political parties and Independents. Only the ruling NDP and the opposition NPP fielded candidates in all 275 constituencies. Smaller political parties fielded candidates in areas where they believed that they drew support. The political parties which contested the Parliamentary elections and the number of seats they contested is in table 5.5 below. Following the results of the 2012 election, the losing party, the NPP, filed a petition contesting the results and claiming electoral irregularities. It was an extremely close election with the incumbent John Dramani Mahama of the National Democratic Congress (NDC) winning 5.5m votes, or 50.7% and the opposition leader Nana Akufo-Addo receiving 5.2m votes, or 47.7%.

Table 4.6: Result for 2012 Presidential Election in Ghana

Candidates	Parties	Vote (%)
John Dramani Mahama	NDC	5,574,761 (50.70)
Nana Akufo-Addo	NPP	5,248,898 (47.74)
Papa Kwesi Nduom	PPP	64,362 (0.59)
Henry Herbert Lartey	GCPP	38,223 (0.35)
Ayariga Hassan	PNC	24,617 (0.22)
Michael Abu Sakara Foster	CPP	20,323 (0.18)
Jacob Osei Yeboah	Ind	15,201 (0.14)
Akwasi Addai Odike	UFP	8,877 (0.08)
	Total Valid Votes	10,995,262
	Total Rejected Votes	251,720
	Total Votes Cast	11,246,982
	Total Registered Voters	14,158,890
	Turnout	79.43%

Source: compiled by the author from African Elections Database; Elections in Ghana, <http://africanelections.tripod.com/gh.html>

The 2012 elections for the first time made use of biometric machines to identify eligible voters. However, in about 300 out of the 26,000 polling stations the machines failed to work leading to an extension of voting day in the affected areas. After the elections, a number of electoral irregularities were alleged, most prominently 'over voting', duplication of serial numbers and missing signatures of poll officials on the 'pink sheets', a paper stating the result counted in a single polling station before they are aggregated at higher levels. After eight months of hearing and deliberations on these issues that formed the basis of the petition, the Supreme Court of Ghana on 29th August delivered its verdict on the disputed elections.

While the Supreme Court largely dismissed the petition, the verdict was peacefully received throughout the country. In a region that has seen much political conflict and violence, Ghana stands as one of the beacons of democracy. The employment of a legal channel and the peaceful acceptance of the verdict by Ghanaians remains a huge step forward for a country that in its short 56 years of post-independence history has undergone as many as five coups and three dissolved democratic governments before the fourth Republic.

4.4. AN OVERVIEW OF REGIME CHANGE IN GHANA

Ghana's post-independence history began in March 1957 with a civilian regime which soon degenerated into a quasi-dictatorship; and as a result, the first military coup of 1966 (Gyimah 2000:2). In the subsequent one and a half decades, Ghana made two other brief attempts at liberal democracy between 1969 -1972 and 1979-1981, but each was overthrown after twenty seven months. In the later instance, Jerry Rawlings, who assumed the reins of power for a hundred and twelve days in 1979 and handed over to the civilian administration of President Hilla Limann and his People's National Party (PNP) staged a comeback on the Christmas eve of 1981. The new ruling group- the Provisional National Defence Council (PNDC) also under Rawlings Chairmanship; in spite of its name, stuck to power for eleven years until 7th January 1993 when Ghana embarked on the current democratic experiment.

Indeed by 1993, the pro -democratic trend of the post-cold war ó globalization era had begun to have contagious effect across Africa (Ninsin, 1998: 14). The leader of the outgoing military regime - Rawlings contested the Presidential election with the ruling junta- the PNDC metamorphosing into a political party- the National Democratic Congress (NDC) to provide him with the means for the contest (Frempong, 2006). With the victory of the NDC in the Presidential poll of 1992, the opposition parties insisted the elections had been rigged and as a result boycotted the subsequent parliamentary elections. The sources of acrimony in the elections of 1992 included a perceived bloated electoral register, the PNDC's deliberate

and systematic appropriation of state resources in favour of the NDC (Ninsim, 2006:64). The general impression was that the military government plotted to entrench its rule through the backdoor provided by the new democratic set up (Boafo, 2006: 36). It was from such shaky foundation that Ghana's current dispensation blossomed. The subsequent elections of 1996, 2000, 2004, 2008 and 2012 were largely described as peaceful and generally free and fair. In 2000 there was a peaceful alternation of power from the ruling NDC to the opposition, NPP. By 2008 the NPP also successfully handed over power in a peaceful election to the opposition- NDC.

After several years of political instability and socio-economic decline partly caused by endemic militarization of politics and society, and since the inauguration of the Fourth Republic in 1992, Ghana has become a relatively stable democracy. Since 1992, six successful elections have been held, producing two political turnovers between the two major political parties, the New Patriotic Party (NPP) and National Democratic Congress (NDC). The sixth presidential and parliamentary elections under the Fourth Republic were held in December 2012, with the incumbent party NDC emerging as the winner. The opposition NPP challenged the election results and petitioned the Supreme Court to annul the results. The court upheld the results. The peaceful political turnovers have taken place within an environment of promising institutional development and a political terrain very tolerant of a vibrant media, political parties and civil society. Democracy entails the adherence to basic political and civil rights and the presence of institutions. There is no doubt that dysfunctional political institutions and governance contribute significantly to Africa's disappointing political and socio-economic development. Institutions do matter in ensuring democratic consolidation and expansion.

Table 4.7: Presidential Election Results (% votes won) in Ghana

	2000	2004	2008	2012

NDC	44.54 (43.10)	44.64	47.92 (50.23)	50.70
NPP	48.17 (56.90)	52.45	49.13 (49.77)	47.74

Note: In elections where Round 2 run-off elections were held, the results are in bracket

Source: African Elections Database; Elections in Ghana,

<http://africanelections.tripod.com/gh.html>

Democratization is based on factors such as popular legitimation, the diffusion of democratic values, the neutralization of anti-system actors, civilian control over the military, the elimination of vestiges of authoritarianism, the stabilization of electoral rules, alleviation of poverty and economic wellbeing of the people, etc. Ghana cannot boast of satisfying all the criteria to be in the league of democratically consolidated polities, but a significant step was taken with the outcome of the 2000 elections. Given the massive preparation by all stakeholders in conjunction with the EC and especially the continuous retooling of the electoral process to give the outcome the credibility and legitimacy it deserved, the ground was well prepared for the future elections in Ghana. The main issue was whether the structures put in place to ensure free and fair elections as well as stability capable of proving their resilience.

The EC played significant role. Of course, the Commission was assisted in large measure by civic associations and religious bodies. But its proactive innovations so as to produce a credible and legitimate outcome has enhanced the local and international credibility of Ghana's electoral process as well as that of the EC. The reforms the EC has introduced in the electoral process are in two categories: (a) reforms in connection with voter registration, and (b) election and election material management. The former includes the issuance of photo ID cards, the use of scanners to minimize human errors, giving of special numbers to voters to avoid impersonation, etc. On the latter, all Returning Officers and their Deputies are interviewed and the objective is to weed out incompetent or biased officials, working in concert with domestic observers and monitors, balloting by political parties for positions on the ballot box, voter's photos on the register, etc.

The comparatively peaceful elections after the foundational elections in 1992 testify to the good election management by the EC. But more importantly, it demonstrates the benefits of working together with relevant bodies to ensure transparency and by so doing create a general perception of a legitimate and credible electoral process. The country passed the much popularized 'two-turnover test' when the opposition party, the NPP, unseated Rawlings' NDC in 2000 election and stayed in power for two terms, before losing the 2008 election and handing power back to the NDC. Despite the sudden death of the sitting president John Atta Mills in 2012, there was a peaceful and smooth transition of power to his vice-president John Dramani Mahama, the NDC presidential contestant in the 2012 election and the current president of Ghana. The NDC government held power from 1992 to 2000. 2000 elections marked a turnover of power to the NPP which was in office for the next eight years. 2008 elections were heralded as historic as Ghana passed Huntington's much-popularized 'two turnover test' as the NDC came back to power. Since 1992, Ghana has held five successful multiparty elections; it held its sixth set of Presidential and Parliamentary elections in December 2012. Ghana has fared quite well in the consolidation of democracy.

With over twenty years of uninterrupted democratic rule and the peaceful transfer of power to the opposition on two occasions, Ghana's electoral successes have since been described as a 'paragon of good governance and peaceful co-existence in the West African sub-region' (Frempong, 2006:157). Indeed, as indicated by the electoral process in the Ghana in the comparative democratization in Africa, Ghana's democracy is seen to have been consolidated.

4.5. AN OVERVIEW OF REGIME CHANGE IN NIGERIA

Nigeria's democratic experience since the enthronement of a civilian regime in 1999 was shrouded in controversy. Having gained political independence on the 1st of October

1960 Nigeria's first republic lasted only till January 1966 when the first military coup took place. From 1966 the military remained in power until 1979 when the second republic came into being. However, the second republic was short lived. By 1983, following a highly contested General Election, another military coup ousted the Shagari administration and the military remained in power until 1999. Since the end of military rule in 1999, Nigeria according to many observers had only added to its history of fraudulent elections; as opposed to making any significant progress towards the consolidation of democracy. The 1999 elections that brought Olusegun Obasanjo to power were said to have been marred by such widespread fraud that observers from the US based Carter Centre concluded that 'it is not possible for us to make an accurate judgment about the Presidential elections' (Carter Centre and National Democratic Institute, 1999: 12). Nigeria's next round of general elections in 2003 were also widely seen as a test of Nigeria's progress towards more open and accountable governance after four years of civilian rule under Obasanjo. However, the Transition Monitoring Group (TMG) described the 2003 elections thus:

While the voters waited and persevered in the polling stations to cast their votes, the political class and the political parties had different ideas. The voters wanted their votes to determine the winner of the elections, while the political class wanted to corrupt the process and rig their way into elective office. On the whole the result can be said to marginally reflect the choice and will of the Nigerian people (TMG 2003, in Agbaje and Adejumbi, 2006:39).

In the same light, Nigeria's 2007 general elections were widely regarded as a crucial barometer of the federal government's commitment to the notion of democratic consolidation, but according to Human Rights Watch:

The polls marked a dramatic step backwards, even when measured against the dismal standard set by the 2003 election. Electoral officials alongside the very government agencies charged with ensuring the credibility of the polls were accused of reducing the elections to a violent and fraud ridden farce (Human Rights Watch: 2007).

The country hoped for a better election in 2007, believing that because the President had served his two terms, the incumbency factor would be greatly reduced. But as the election period drew near the President and Ruling party see 2007 general election as do or die affair. These actions of the President and his party made the 2007 election the worst in Nigeria's electoral history, surpassing the events of 1965-1966 (Iyayi, 2007). Indeed, the view that the history of election administration in Nigeria is a history of electoral fraud and violence (Ajayi, 2007) is widespread. Comparing tables 4.4, 4.8, and 4.9 indicate that all presidential races from 1999 to 2007 have been won by the ruling PDP.

Table 4.8: April 2003 Presidential Election in Nigeria

Registered Voters	Total Votes (Voter Turnout)	Invalid/Blank Votes	Total Valid Votes
60,823,022	42,018,735 (69.1%)	2,538,246	39,480,489
Candidate	Party	Number of Votes	% of Votes
Olusegun Obasanjo	PDP	24,456,140	61.94%
Muhammadu Buhari	ANPP	12,710,022	32.19%
Odumegwu Ojukwu	APGA	1,297,445	3.29%
Jim Nwobodo	UNPP	169,609	0.43%
Gani Fawehimi	NCP	161,333	0.41%
Sarah Jubril	PAC	157,560	0.40%
Ike Nwachukwu	ND	132,997	0.34%
Christopher Okotie	JP	119,547	0.30%
Balarabe Musa	PRP	100,765	0.26%
Arthur Nwankwo	PMP	57,720	0.15%
Emmanuel Okereke	APLP	26,921	0.07%
Kalu Idika Kalu	NNPP	23,830	0.06%
M.D Yusuf	MDJ	21,403	0.05%
Yahaya Ndu	ARP	11,565	0.03%
Abayomi Ferreira	DA	6,727	0.02%
Tunji Braithwaite	NAP	6,932	0.02%
Iheanyichukwu Nnaji	BNPP	5,987	0.02%
Olapade Agoro	NAC	5,756	0.01%
Pere Ajuwa	LDPN	4,473	0.01%
Mojisola Obasanjo	MMN	3,757	0.01%

Source: African Elections Database; Elections in Nigeria, <http://africanelections.tripod.com/ng.html>.

Table 4.9: April 2007 Presidential Election in Nigeria

Registered Voters	Total Votes (Voter Turnout)	Invalid/Blank Votes	Total Valid Votes
61,567,036	Not Available (approx. 58%)	Not Available	35,397,517
Candidate	Party	Number of Votes	% of Votes

Umaru Musa Yar'Adua	PDP	24,638,063	69.60%
Muhammadu Buhari	ANPP	6,605,299	18.66%
Atiku Abubakar	AC	2,637,848	7.45%
Orji Uzor Kalu	PPA	608,803	1.72%
Attahiru Bafarawa	DPP	289,224	0.82%
Odumegwu Ojukwu	APGA	155,947	0.44%
Pere Ajuwa	AD	89,241	0.25%
Christopher Okotie	FP	74,049	0.21%
Patrick Utomi	ADC	50,849	0.14%
Asakarawon Olapere	NPC	33,771	0.10%
Ambrose Owuru	HDP	28,519	0.08%
Arthur Nwankwo	PMP	24,164	0.07%
Emmanuel Okereke	ALP	22,677	0.06%
Lawrence Adedoyin	APS	22,409	0.06%
Aliyu Habu Fari	NDP	21,974	0.06%
Galtima Liman	NNPP	21,665	0.06%
Maxi Okwu	CPP	14,027	0.04%
Sunny Okogwu	RPN	13,566	0.04%
Iheanyichukwu Nnaji	BNPP	11,705	0.03%
Osagie Obayuwana	NCP	8,229	0.02%
Olapade Agoro	NAC	5,752	0.02%
Akpone Solomon	NMDP	5,664	0.02%
Isa Odidi	ND	5,408	0.02%
Aminu Abubakar	NUP	4,355	0.01%
Mojisola Obasanjo	MMN	4,309	0.01%

Source: African Elections Database; Elections in Nigeria, <http://africanelections.tripod.com/ng.html>.

Goodluck Jonathan, candidate of the PDP won a decisive victory in the 2011 presidential election in the first round and a majority of the vote in 23 out of the country's 36 states and the Federal Capital Territory. Jonathan's closest rival was Muhammadu Buhari, candidate of the CPC, who gained a majority in 12 states. The candidate of the ACN, Nuhu Ribadu came third, gained a majority in only one state.

Table 4.10: April 2011 Presidential Election in Nigeria

Registered Voters	Total Votes (Voter Turnout)	Invalid/Blank Votes	Total Valid Votes
73,528,040	39,469,484 (53.7%)	1,259,506	38,209,978
Candidate	Party	Number of Votes	% of Votes
Goodluck Jonathan	PDP	22,495,187	58.89%
Muhammadu Buhari	CPC	12,214,853	31.98%
Nuhu Ribadu	CAN	2,079,151	5.41%
Ibrahim Shekarau	ANPP	917,012	2.40%
Mahmud Waziri	PDC	82,243	0.21%
Nwadike Chikezie	PMP	56,248	0.15%
Lawson Aroh	PPP	54,203	0.14%
Peter Nwangwu	ADC	51,682	0.14%
Iheanyichukwu Nnaji	BNPP	47,272	0.12%
Christopher Okotie	FP	34,331	0.09%
Dele Momodu	NCP	26,376	0.07%

Solomon Akpona	NMDP	25,938	0.07%
Lawrence Adedoyin	APS	23,740	0.06%
Ebiti Ndok	UNPD	21,203	0.06%
John Dara	NTP	19,744	0.05%
Rasheed Shitta_Bey	MPPP	16,492	0.04%
Yahaya Ndu	ARP	12,264	0.03%
Ambrose Owuru	HDP	12,023	0.03%
Patrick Utomi	SDMP	11,544	0.03%
Chris Nwaokobia	LDPN	8,472	0.02%

Source: African Elections Database; Elections in Nigeria, <http://africanelections.tripod.com/ng.html>.

In the National Assembly elections, PDP also prevailed, winning 205 out of 360 seats in the House of Representatives and 73 out of 109 seats in the Senate. Regardless of the significant improvement in administrative credibility and fairness of the 2011 polls, there was a major outbreak of violence in several northern states immediately after the result of the presidential election was announced. It was the worst post-election violence in decades, leading to the death of at least 800 people and the displacement of more than 65,000 others (Orji and Uzodi, 2012).

Since the dawn of Nigeria's Fourth Republic in 1999 the PDP has been the dominant party in the country's politics. The party supported the candidacy of former military general Olusegun Obasanjo and won a decisive victory in the 1999 presidential and parliamentary elections. The party went on to win the elections in 2003, 2007 and 2011. It also continuously controlled the majority of state governorships, Senate seats, and - with a brief exception from December 2013 to February 2014 - House seats (see tables 5.6, 5.7, 5.9 and 5.11). Before the 2015 elections, the PDP was the only party that came close to representing all parts of the country, although it was not quite as popular in the southwest and the far north, and has never monopolised power at all levels of government (Ibrahim 2011).

Although the PDP and the APC had the most realistic prospects for success in the 2015 elections, several other parties also stood for the elections. These parties could not make any major impression in the framing of the debates during the campaigns nor could their candidates organize a substantial constituency. March 28th through April 1st 2015 marked

another turn in Nigeria's democratic history as registered voters took to the polls to elect the next set of leaders into the Presidential and National Assembly positions. The elections, conducted in the thirty six states of the country and the Federal Capital Territory, witnessed the emergence of the opposition party of the APC and its candidate, General Muhammadu Buhari - as the new president of the Federal Republic. While 2007 election marked the first time in Nigeria that political power changed hands through the ballot box, though there was no alternation of power, the outcome in 2015 was also the first time an opposition party would unseat the ruling party in Nigeria's politics; and the PDP, dominant party since Nigeria's transition to civil rule in 1999.

Table 4.11: 2015 Presidential Election in Nigeria

Registered Voters	Total Votes (Voter Turnout)	Invalid/Blank Votes	Total Valid Votes
67,422,005	29,432,083	844,519	28,587,564
Candidate	Party	Number of Votes	% of Votes
Buhari	APC	15,424,921	53.96
Goodluck	PDP	12,853,162	44.96
Ayeni Musa Adebayo	APA	53,537	0.19
Ganiyu Galadima	ACPN	40,311	0.14
Sam Eke	CPP	36,300	0.13
Rafus Salau	AD	30,673	0.11
Mani Ibrahim Ahmad	ADC	29,666	0.10
Allagoa Chinedu	PPN	24,475	0.09
Martin Onovo	NCP	24,455	0.09
Tuned Anifowose	AA	22,125	0.08
Chekwas Okorie	UPP	18,220	0.06
Comfort Sonaiya	KOWA	13,076	0.05
Godson Okoye	UDP	9,208	0.03
Ambrose Owuru	HOPE	7,435	0.03

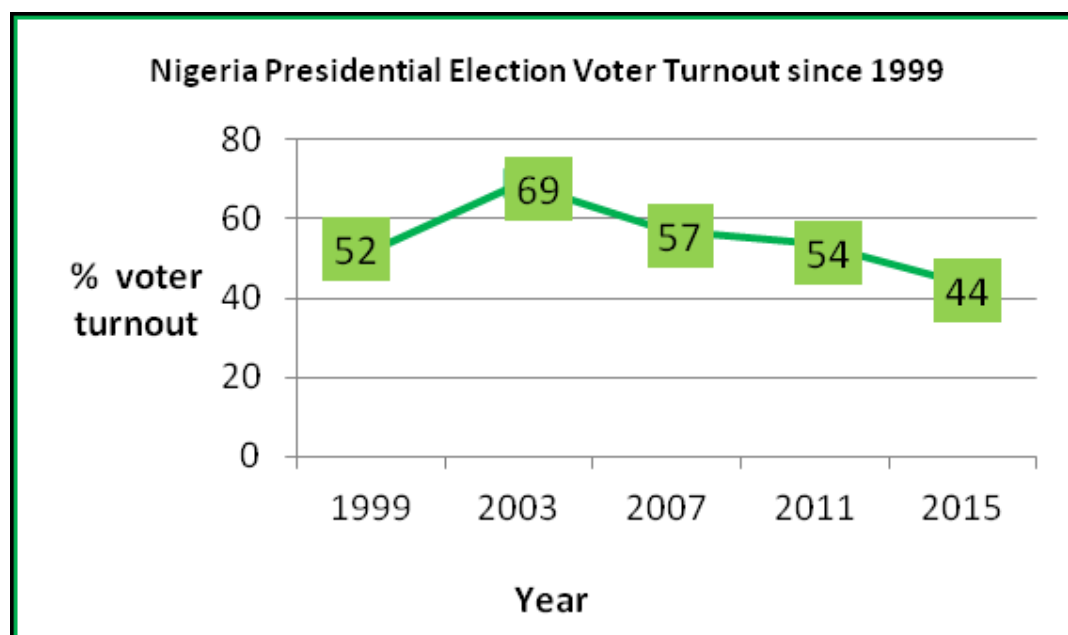
Source: African Elections Database; Elections in Nigeria, <http://africanelections.tripod.com/ng.html>.

The table 13 shows that of the 67,422,005 registered voters in Nigeria, only 31,746,490 (47.08%) were accredited for the 2015 presidential election; 29,432,083 of votes were cast, of which 28,587,564 (~97%) were valid. The 2015 presidential election and the eventual outcome were in many ways different from other elections, especially the 2011 election, which preceded it, and was adjudged credible: 14 political parties (20 in 2011)

contested the election; More votes were cast in 2011 (38,209,978) than in 2015 (28,587,564) by a 25% difference; The incumbent lost to the opposition: 45% (12,853,162) to 54% (15,427,943); The incumbency lost by a relatively wide margin of the total votes cast for the opposition, about 20% (2,574,781); The opposition won more states (21) and had at least 25% of votes in more states (26 to 25); The PDP lost approximately 43% of the votes it once controlled (22,495,187 in 2011 to 12,853,162 in 2015); In contrast, the APC gained approximately 26% more votes between 2011 and 2015 (12,214,853 to 15,424,921); The PDP won 31 states in 2011, but could only muster 16 states in 2015; The PDP not only lost 15 of the 31 states, it also lost some percentage of votes in the states it retained; There was an increase in the number of total votes cast for the two main parties; 98.92% in 2015 compared to 90.84 in 2011 - marginal parties saw their support eroded (INEC, 2015).

Another important fact from the Tables is the falling rates of voter turnout since 1999 that figure 4.1 attests to.

Figure 4.1: Nigeria's Presidential Elections Voter Turnout since 1999



Source: compiled from the election tables.

The overall voter turnout was in the 50 and 60 percentiles between 1999 and 2011 but down to 43.65% in 2015. Although the credibility of the elections and reliability of the figures may be in question in those other years, the figure is not impressive. As for the voting age population, it has been increasing since 1999 from 52.7 million in 1999 to 91 million in 2015 but the voting age turnout has been decreasing. The turnout in 1999 indicates people's appreciation of the transition to democracy. The drop after 2007 election is an indication of decline in faith to change government through elections. Low Turnout in 2015 may be attributed to some factors. First, it might be an indication that previous election results were inflated. Second, There was a heightened sense of insecurity among Nigerians, with causes such as the Boko Haram Insurgency in the North, The possibility of the incumbent not willing to accept the outcome of the election should it not be in its favour, the effects of the election postponement, etc. Also, there is the perception that 'votes do not count' and that the outcomes have been pre-decided by an elite minority.

The presidential elections shows that between 1999 and 2015; five (5) general elections have held, producing four (4) Presidents. A single political party PDP produced Presidents from the first 4 elections (1999, 2003, 2007, and 2011) while the 2015 election produced an entirely new President from a new political party ó All Progressives Congress (APC) (see tables 4, 8, 9, 10 and 11). That is to say: PDP 1999 ó 2007 under Obasanjo (8 years), 2007 ó 2010 under Yarø Adua (3 yeas), and 2010 ó 2015 under Jonathan (5 years). APC 2015. While 2015 election alternate power from the long dominant political party, PDP, and is held locally and internationally to be credible, 2011 election that preceded it, though did not alternate power but is held as credible also.

The outcome of 2015 elections represents a milestone in Nigeria's democratic development and had led to the increase and reinforcement of public confidence and trust in the electoral process. This public confidence is dependent on the integrity of an election

which the 2015 general election appears to possess. Majority of Nigerians after the elections believed that their votes could count and as such their will could be respected in future elections; and this has reinforced the legitimacy of Nigerians in the democratic process. Secondly, electoral fraud was reduced. Inflation of the number of voters present and multiple voting at polling stations were reduced. Thirdly, election litigations were minimized. There was a departure from the past where every election outcome is being contested at the election tribunal. Most of the candidates that lost in the 2015 general election did not challenge the outcome. In fact, some of the major contenders that did not win in the election embraced and congratulated the winners. For instance, the PDP presidential candidate immediately congratulated the APC presidential candidate, the winner of the presidential election. This attitude also happened across many states of the federation in the governorship and house of assembly elections and national assembly elections.

In addition, electoral conflicts and violence was very minimal as the election was seen to be transparent and credible. The usually excessive and pointless attacking and degrading between the election winners and losers in past electoral contest was significantly reduced. In view of the minimal level of electoral fraud, tensions were reduced among the political gladiators, and as such, electoral conflict and violence was grossly diminished in the 2015 general elections outcome compare to past elections in Nigeria. Furthermore, Nigeria's democratic capacity has increased and its democratic institutions strengthened. Nigerians and Nigeria's democratic institutions now understood the knowledge needed to have a free and fair election in order to deepen the democratic process.

CHAPTER FIVE

ELECTORAL REFORMS AND PARTY POLITICS IN NIGERIA AND GHANA

5.1. PARTY POLITICS

Political parties are fundamental organizational unit in the political sphere and play an important role in mobilizing voters, aggregating and projecting the interests of whose votes they seek. At the most basic level, political parties provide an arena for people to channel their grievances into policy, rather than it spilling over to the streets. E.E Schattschneider argued "that the political parties created democracy and that modern democracy is unthinkable save in terms of parties". The parties are not therefore merely appendages of modern government; they are in the centre of it and play a determinative and creative role in it. Some of the roles that parties are tasked with include recruitment of candidates, providing linkages between government and civil society, organizing the legislature and structuring of election campaigns.

Although, the decade of the 1990s witnessed the massive spread of what Huntington (1991) referred to as the "third wave" of democratization to Africa, including Nigeria and Ghana, leading to an unprecedented resurgence of multiparty politics, there is no controversy about the fact that the mere adoption of party pluralism will not automatically advance the cause of democracy without the institutionalization of certain institutional parameters to promote and sustain due process in theory and practice (See, Bratton and Van de Walle, 1992; 1997; Sorensen,1993). Political party is one of the most complex and critical institutions of democracy because of its functions (Moore, 2002; Lapalombara and Anderson, 2001; Simon, 1962). Following Omotola (2005a) and Egwu (2005), Saliu and Omotola (2006) have pointed out that political parties can only cope effectively with their responsibilities to the extent of their political institutionalization in terms of structure, internal democracy, cohesion and discipline, as much as their autonomy. The import of the foregoing,

to take a cue from Saliu and Omotola (2006:2), is that the level of political institutionalization of political parties and their institutional strengths are directly correlated to their ability to discharge their ascribed responsibilities, and by extension, the strengths of democracy. When well institutionalized, political parties can serve as a set of mediating institutions through which differences in ideas, interests and perception of political problems at a given time can be managed (Olagunju, 2000; Omotola, 2005a). However, when the reverse is the case, the democracy project and the general system stand the risk of perversion and eventual breakdown.

In a democracy, political parties perform a number of functions, topical among which are two, namely (i) being principal instruments for contesting elections, the election being staged to select candidates as well as parties to exercise political power (Yaqub, 2002), and (ii) being instruments of political education, interest aggregation, political socialization, and political recruitment. Either in government or in opposition, political parties are expected to perform these two crucial functions in addition to others, depending on the character of the political system in which they operate. In particular, opposition parties are expected to help in educating, articulating and aggregating issues that they contend that the public is not well informed about or about which they want to make their own positions clear. In the words of Yaqub (2002) "It is on the basis of competently performing these roles that an opposing political party can stand a good chance of displacing and, thereby, taking power from a political party currently in the saddle"

In the course of preparing to capture state power and exercise authority in the future, the party must devote its attention to recruiting and training people to occupy political positions in the state. They thus, articulate alternative policies, while serving as legal opposition to the party in power. In his own argument Jinadu (2013:2-3) affirmed that "competitive party and electoral politics is expected to deepen and consolidate the democratic

transition, which the state embarked upon. Political parties are also the crucial link between the citizens and the government in a democracy. There can be no meaningful democracy without a properly functioning party system (Agbaje, 1999; 192). While democracy rests on the informed and active participation of the people, political parties are viable tools in this regard. Democracy exists where the foremost leaders of a political system are selected by competitive elections, in which the bulk of the population has the opportunity to participate. Evidently, the condition of the parties, in a political system, is the best possible evidence of the nature of any democratic regime (Anifowoshe, 2004:59). In fact, in a democracy, the personnel selected through the electoral process are expected to embody specific norms and policy platforms which command the support of the electorate. Elections then are an expression of the people's sovereign will (Agbaje and Adejumbi: 2006: 26). If elections express the sovereign will, political parties provide the platform for articulating that will and selecting the personnel who must embody it in government.

A critical core of liberal democracy is predicated on competition for political power with the governed, as free agents, exercising their free and unfettered choice among competing platforms which are provided under different political parties. Political parties seek to capture political power but they do this by seeking popular support through elections. By contesting and winning elections, political parties become the effective agents for choosing those who exercise governmental power. In effect, political parties act as channel of expression between government and the governed, set and implement agenda for the society while acting as agents of socialization and elite recruitment (Hague and Harrop: 1987: 139-141).

Political parties have played an important role in consolidating democracy in Nigeria and Ghana. It is clear that institutionalization of political parties is critical to the consolidation of democracy. Multi-party constitutional democracy has therefore become the

theoretical and operational constitutional fundamental for governance in sub-Saharan Africa, however, with variants of political systems. Ghana has been a *de jure* multi-party state, but a *de facto* two-party state, NDC and NPP, since 1992. Nigeria presented a constitutionally multi-party state with a dominant ruling party, PDP, at the federal level and majority of the federating states, with opposition parties being unable to work together to defeat the dominant ruling party, PDP, since 1999. Towards the 2015 elections two major opposition parties, CPC merged officially with ACN, together with some fragments of other political parties and decampers from the ruling party, PDP, to form the APC, for a fighting chance of defeating the ruling/dominant party at the polls. This presents Nigeria during and after the 2015 election that alternated power, more or less as a *de facto* two party state. This entrenched strong and balanced opposition for the first time in Nigeria like in Ghana.

5.2. PARTY POLITICS IN GHANA

Ghana's post-independence history has been characterized by long periods of military rule, marked by gross human rights abuses. With the exception of the First Republic under Nkrumah (1960-1966), the interludes of civilian governments under the Second (1969-72) and Third (1979-81) Republics have been short-lived, unable to survive for up to three years without being overthrown in a coup d'état. In the late 1980s, after nearly one decade of quasi-military rule under the PNDC, strong internal and external pressures on the government led to the promulgation of a liberal constitution in 1992 and the inauguration of a multiparty democracy in 1993, ushering Ghana into its Fourth Republic. This sub-chapter will focus on the Fourth Republic, specifically the two main parties to emerge from it, NDC and NPP, and understand how these parties have been able to institutionalize and consolidate democracy when those before them have failed.

Table 5.1: Tracing Political Parties in Ghana in the 1st, 2nd, 3rd and 4th Republic

1st Republic (1957-1966)	2nd Republic (1969-1972)	3rd Republic (1979-1981)	4th Republic (1993-)
**Convention People's Party (Nkrumah)	National Alliance of Liberals (Gbedemah)	**People's National Party (Limann)	National Democratic Congress (Rawlings)
United Gold Coast Convention (Danquah); <i>followed by</i> National Liberation Movement; United Party	**Progress Party (Busia)	Popular Front Party (Owusu); United National Convention (Atta);	New Patriotic Party (Kufuor)

**Party in power during the time period() Name of the party leader

Between May 1992, when the ban on political parties was lifted and November of the same year, 13 political parties were registered in Ghana; namely, Democratic People's Party (DPP), New Generation Party (NGP), Ghana Democratic Republican Party (GDRP), National Independence Party (NIP), Peoples Heritage Party (PHP), Every Ghanaian Living Everywhere Party (EGLEP), National Convention Party (NCP), National Democratic Congress (NDC), New Patriotic Party (NPP), People's National Convention (PNC), People's Party for Democracy and Development (PPDD), National Justice Party (NJP), and National Salvation Party (NSP). Some of the political parties ó for example, the NPP, had emerged from an old political tradition dating back to the 1950s and subscribing to conservative liberalism (Kwesi, 1998). Others like the National Salvation Party were entirely new political entities; they had no roots in Ghanaian politics and did not pronounce any explicit political ideology. A number of them did not survive the competitive as well as organizational and financial demands of electoral politics. Three of these political parties went into alliance with the NDC which won both the presidential and parliamentary elections held in November-December 1992. Six others joined the NPP to form an alliance of opposition parties to rope in the hegemony of the NDC and its allies. Four years into constitutional rule, eight of the political parties had survived to contest the 1996 elections (see table 5.2 below).

Political permutations before the 1996 general elections were also revealing as it showed the freedom people had acquired to join parties of their choice and indeed, team up in a political alliance with the hope of winning political power. In the presidential elections, only three parties namely, the NDC under the flag of the Progressive Alliance (PA), the NPP under the flag of the Great Alliance (GA), and the People's National Convention (PNC) contested (see table 4.5). In the parliamentary election five parties – the NDC, NPP, PNC, the People's Convention Party (PCP), and the Democratic People's Party (DPP) fielded candidates (see table 5.3). The PA was made up of the NDC, EGLE and DPP. The GA was composed of the NPP and PCP, which was in itself made up of the PHP, the NIP, and a segment of the National Convention Party NCP. All the parties in both the PA and GA had contested the 1992 elections independently.

Ideologically, the GA was composed of the –rightist– NPP, tracing its roots to the Danquah-Busia tradition, a centre right liberal conservative party, while the other parties in the Alliance were –leftist– and trace their political antecedents to Dr. Kwame Nkrumah, a social democratic party. Arthur notes that the –NPP is not fundamentally different from NDC in ideological terms– (Boafa-Arthur, 2003:211). They both are committed to democratic ideals and have similar programmatic goals of pro-poor and market-oriented growth. By the 1996 presidential elections, the NPP became the strongest opposition party on Ghana's political scene. In the presidential election, Rawlings, running for his second mandate as an elected president, faced a candidate from a coalition led by the NPP, John Kufuor had 57.4 per cent of the votes cast. In 1992 the total votes he obtained was 58.3 per cent. The NPP candidate Kufuor, partly due to insufficient consensus within the opposition ranks, obtained 39.6 per cent as compared to 30.4 per cent obtained by Boahen (NPP's candidate in 1992). Mahama of the PNC obtained 3 per cent of votes cast. In the parliamentary election that was all NDC affair in 1992, the NDC won 133 seats as compared to the 189 seats it won in 1992,

and the NPP won 60 seats, PCP won five seats and the PNC one seat. The voter turnout was also indicative of growing interest and trust of the electoral system. While in 1992 the voter turnout was 50.2 per cent in the presidential elections, the turnout in 1996 was 77.9 per cent.

In comparative terms, the electoral process in 2000 could be said to have been owned by all the stakeholders in the contest, because of the cooperation amongst them to set the rules to cover the elections. To reduce incumbency advantages and the financial constraints that faced the political opposition, the government enacted the Political Parties Act (Act 574). This Act removed the restrictions imposed on individual financial contributions to political parties. This was a boost to the NPP, whose members were freed from the strictures on contributions to their party to compete with the NDC. By 2004 the political arena had stabilized enough to allow only the better organized political parties to sustain their participation in Ghanaian politics. Table 5.2 shows a list of political parties contesting elections from 1996 to 2004.

Table 5.2: Political Parties Contesting Parliamentary Elections: 1996 – 2004

1996	2000	2004
NPP	NPP	NPP
NDC	NDC	NDC
PNC	PNC	PNC
NCP	CPP	CPP
DPP	NRP	NRP
EGLE	UGM	DPP
PCP	GCPP	EGLE
GCPP		EGLE
8	7	8

Source: Electoral commission of Ghana.

While the number of political parties contesting the parliamentary elections remained more or less stable those contesting the presidential elections varied from time to time.

Table 5.3: Political Parties contesting the Presidential Elections: 1996 – 2004

1996	2000	2004
NPP	NPP	NPP
NDC	NDC	NDC
PNC	PNC	PNC
	CPP	CPP
	NRP	
	UGM	

	GCPP	
3	7	4

Source: Electoral commission of Ghana

Table 5.3 shows the number of political parties that contested the presidential elections in 1996, 2000 and 2004, while table 5.4 below shows for 2012 which is the last election. Clearly the better organized parties, which are also the best endowed - with funds and other material resources, are the ones that could field candidates in both the parliamentary and presidential elections. In fact, apart from the NPP and NDC the other political parties could not field candidates in all the constituencies even for the parliamentary elections. The paucity of funds and other material resources have been the biggest problem for the smaller political parties, and explain why they are organizationally too weak to engage fully in electoral party politics. This is why they have been incapable of contesting the presidential elections and fielding candidates in all the 200 (now 275) constituencies since Ghana returned to constitutional rule.

For the 2012 elections, there were 8 Presidential candidates, with running mates, 7 representing a political party and an Independent candidate (see table 5.4).

Table 5.4: 2012 Presidential Candidates in Ghana

Candidates	Party
John Dramani Mahama	NDC
Nana Addo Dankwa Akufo-Addo	NPP
Papa Kwesi Nduom	Progressive People's Party (PPP)
Henry Herbert Lartey	Great Consolidated Popular Party (GCPP)
Ayariga Hassan	People's National Convention (PNC)
Michael Abu Sakara Foster	Convention People's Party (CPP)
Akwasi Addai Odike	United Front Party (UFP)
Jacob Osei Yeboah	Independent

Source: compiled by the author from African Elections Database; Elections in Ghana,

<http://africanelections.tripod.com/gh.html>

A total of 1332 parliamentary candidates were nominated to contest the 275 constituencies, representing a total of 14 political parties and Independents. Only the ruling NDP and the opposition NPP fielded candidates in all 275 constituencies. Smaller political

parties fielded candidates in areas where they believed that they drew support. The political parties which contested the Parliamentary elections and the number of seats they contested is in table 5.5 below.

Table 5.5: 2012 Political Party Parliamentary Seats Contested

Political Party	No of Seats
NDC	275
NPP	275
PPP	211
NDP	145
CPP	145
PNC	94
DPP	16
United Front Party (UFP)	7
Independent People's Party (IPP)	5
United Renaissance Party (URP)	4
New Vision Party (NVP)	4
Ghana Freedom Party (GFP)	3
Great Consolidated Popular Party (GCPP)	2
Yes People's Party (YPP)	2

Source: compiled by the author from African Elections Database; Elections in Ghana, <http://africanelections.tripod.com/gh.html>

The system of government also contributes to the weakness of the smaller political parties. The constitution combines the American presidential or executive system of government with elements of the parliamentary system. The president is elected directly by popular vote in the same way as parliament. The constitution does not make it obligatory for a presidential candidate to be nominated by a registered political party. However, from the 1992 general elections it has become the norm for a presidential candidate to be nominated by a registered political party; so that the successful presidential candidate would always exercise executive power together with his party which will be in the majority in parliament. Since the 1992 general elections the president's political party has always formed the majority in parliament. In other words, a presidential candidate and his political party go to the polls determined to win the presidency as well as the majority of parliamentary seats.

The 7 December 2012 elections were Ghana's 6th elections since the restoration of multi-party democracy in Ghana. The elections were contested by eight presidential candidates from seven political parties and over 1,300 parliamentary candidates, illustrating that freedom of association is provided for, and that the elections were competitive. The campaign was highly active and generally peaceful, though characterized by a vigorous competition between the two leading parties. According to Dahl (1967) the presence or absence of competing political parties can be used as a litmuspaper test for...democracy in a country. No full-fledged modern democracy lacks parties that compete for votes and offices in national elections. Unfortunately, while competitive parties are considered indispensable for democratic consolidation, the numerous military interventions in post-independence Ghana adversely affected the development of multi-party systems in the country. Indeed by 1962, only five years after independence in 1957, Ghana was a *de facto* single-party state, which was legalized in 1964. The period 1966 - 1992 saw the rise and fall of many political parties, as Ghana entered and exited from a succession of military regimes. Needless to say that the decade-long (1982-1992) ban on political parties under the PNDC, significantly undermined the development of the party system in Ghana.

The frequent coups that Ghana underwent made party institutionalization extremely difficult. Party leaders could be detained and jailed overnight, forcing the entire political party structure to go underground. The two institutions that have suffered the most due to coups are political parties and the legislative branch. Since the restoration of multiparty democracy in 1992, Ghana has witnessed a stable period of political party development. The 1992 Constitution not only proscribed the establishment of a single party state; it also criminalized the unconstitutional overthrow of democratically elected governments (Ghanaian Constitution, 1992). It must be noted however, that the constitutional entrenchment of a multiparty political system in Ghana has been overshadowed by the practical

institutionalization of a strong twoparty system in the country. Although a multiplicity of parties have contested six sets of elections during the Fourth Republic, only the NDC and NPP have been very dominant, with these two parties alone currently controlling majority (274 of the 275) parliamentary seats.

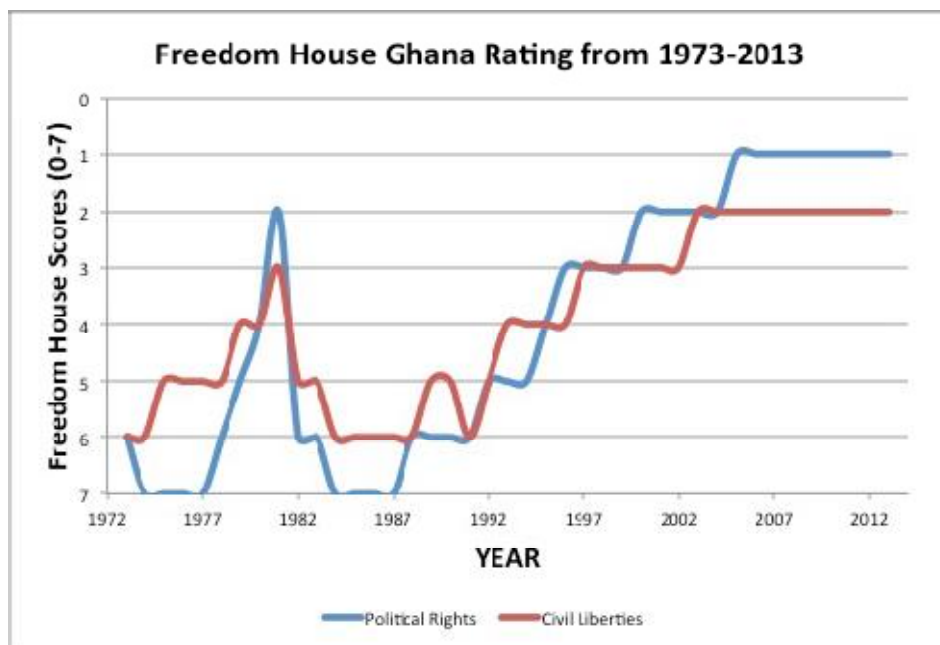
While national laws as had been early indicated exist that regulate political parties, the vagueness of terms such as "democratic principles" makes any oversight or enforcement difficult. As Ohman (2004:104) writes, "Given that neither the law nor the commission [EC] itself has decided on a definition of what a democratic party is, it seems unlikely that the commission will be very active in this area." Further, while the national laws pertaining to parties have remained the same in the past two decades, the parties themselves have undergone immense changes that have made them more internally democratic and competitive. It can be confidently said that while the national laws provide a legal framework for political parties, they have not been the primary reason for increased intra-party and inter-party democracy in political parties in Ghana. Between 1957 and 1992, the country went through five military coups and the overthrow of three democratic governments. Political parties played an important role in consolidating democracy in the country with the reinstatement of multiparty democracy in 1992.

There has been a stable two-party system with both the parties being deeply institutionalized in the political arena. A part of this adaptation has been increased democracy in the internal structures and processes of both the parties. The political stability of the past two decades though has immensely helped the political parties to learn, adapt and institutionalize at every election cycle. Gradually they have moved towards being more open and internally democratic. Huntington (1968:14) remarks, "A political party gains in functional age when it shifts its function from the representation of one constituency to the representation of another; it also gains in functional age when it shifts from opposition to

government. The electoral system in Ghana has helped in this issue. Having a simple majority system has given rise to a dominant two-party system. This has meant that to come into power, the parties have had to win the votes of "swing constituencies". This has allowed the parties to cater to a constituency that it may not have originally catered to.

With Ghana passing the "two turnover test", a two-party system has also ensured that both the major political parties have shifted between being in opposition and being in government. The stability of the two major political parties in Ghana, the NDC and the NPP along with their commitment to democracy has played an important role in the consolidation of democracy in the country. Both these parties have evolved to become more internally democratic over the past two decades and Ghana today is one of the few countries in the region whereby the presidential and the parliamentary candidates in the major parties are selected through primaries and elected through credible elections. The Afrobarometer survey done in 2011 found that 74% of Ghanaians were satisfied with democracy in Ghana. 66% said that they trusted the ruling party and 48% said that they also trusted the opposition party. These numbers are quite high, especially when compared to other democracies in the region. Though challenges and criticisms exist, it is apparent that political parties in Ghana have done well to garner the faith of Ghanaian citizens.

Figure 5.1: Freedom in the World Score, Ghana (1973-2013)



Note: 1 represents the most "free" rating and 7 the "least free" rating

Since 1992, Ghana has held five successful multiparty elections; it held its sixth set of Presidential and Parliamentary elections in December 2012. The peaceful transfer of power from the government of NDC to the NPP following national elections in December 2000 clearly demonstrates how far Ghana has travelled along the path towards democratic consolidation over the past decade. Beyond successful elections, Abdul-Gafaru (2009:1) reports that "Ghana has made appreciable progress in institutionalizing multiparty democratic governance within the framework of the 1992 Constitution". Political Contextual Study of Ghana, argues that there is now considerable evidence of political liberalization in Ghana which allows Ghanaians to enjoy a much wider range of rights and liberties, as well as the emergence of a vibrant civil society and a free and independent media that increasingly hold government accountable on behalf of citizens (Human Rights Project, 2009).

Ghana's deepening democracy has witnessed an increase in the number of political parties that are driven by core values of democracy. The primary aim of political parties in Ghana is to achieve a competitive edge in elections, and to control or influence the conduct of

government by getting candidates elected to public office. Currently, there are about 23 registered political parties, out of which about 10 are active and contested the 2012 elections. These are the: NPP, NDC, People National Convention (PNC), Convention People's Party (CPP), Great Consolidated People's Party (GCPP), Progressive People's Party (PPP), National Democratic Party (NDP), Reform Patriotic Democrats (RPD) and United Front Party (UFP). In spite of the burgeoning of political parties, competition in the Fourth Republic revolves around a virtual two-party system in Ghana, with the NDC and NPP as the main contenders. These two parties only have formed governments in the Fourth Republic and they command over 90 percent of the electoral votes. Indeed, with these significant developments, Ghana's democratization has been touted as one of the political success stories in Africa (Gyimah-Boadi, 2008; Whitfield, and Jones, 2008; Ninsin, 1998).

5.3. PARTY POLITICS IN NIGERIA

Nigeria's experience with the multiparty system in 1960-1969 and in 1979-1983 only encouraged the three ethnic players with their respective political parties and made the small groups to search for shelters under any of the three ethno-regional political parties founded by the leaders of the majority groups. The idea of zoning certain key offices by some political parties is indicative of how deep the problem has come to stay. Under the aborted Third Republic, there was a fundamental change in the mode of party formation in Nigeria. This pertains to the official formation of parties by the state after a series of experiments with different political associations (Oyediran and Agbaje, 1991). The parties were the Social Democratic Party (SDP) and National Republican Convention (NRC), the former being a little to the left and the latter a little to the right (Olagunju, et al, 1993:216; Omoruyi, 2002). This development, executed after the dissolution of the thirteen associations that applied for registration has been as part of the grand design to execute a "hidden agenda" to perpetuate

the military regime in power (Osaghae, 1998:220). The eventual annulment of the 12 June 1993 presidential election by the military lends some credence to this claim.

In the march towards the Fourth republic, the political parties that had sought to engage the emerging democratic order were 24 (Abdu, 2002: 94), INEC initially granted provisional registration to nine (9) political parties in 1998 (Simbine, 2013:4). However, only three were registered by INEC to assume the status of political parties. This was with the condition that after the local government elections of that year, those that had 10% votes and above in at least 24 states of the Federation would qualify to contest the subsequent State and Federal elections (Simbine, 2013:4). This was after supposedly surmounting the constitutional huddles of showing that they were not sectional, ethnic, or religious party and that their membership and support bases were sufficiently reflective of the diversity of the country. The empirical test of this national spread requirement was the nationwide local council elections conducted in 1998. Actually, the AD did not exactly pass the test but was nevertheless registered. The government felt this was the only way that the South West which had sustained the pro-democracy agitation since 1993, would participate in the transition programme, thereby lending it credibility (Agbaje, et al 2007: 84). The 1999 elections ushered in the Fourth Republic. Three political parties contested the elections. These were the PDP, APP and AD.

Some months into the Fourth republic, politicians began to clamour for the registration of more parties. The federal government initially refused to register more political parties, a development that forced the unregistered associations to seek redress in court (Simbine, 2013:4). With Court judgment in their favour, it appeared that a floodgate was opened for parties to seek and get registered. By December 2002, the number of registered parties rose to thirty (Simbine, 2005; Onu and Momoh, 2005). This presupposes the opening up of the political space for democratic opportunities and development. But in

reality, the opportunities associated with such openings were not positively exploited for the political development of the country. This may not be unconnected with the poverty of ideology that characterizes Nigerian parties. In 2003, those who are losing grip of the party and the party politics want a relaxation of rules for the registration of new parties to enable them put together another sprawling organization to compete with the PDP. Consequently, records have it that while the number of political parties increased to at least 64 (Adejumo, 2011), over 40 registered political parties vied for various positions in the 2011 elections held in Nigeria. This probably explains why they resort to primordial sentiments attached to religion, ethnicity and regionalization.

The evolution of these parties with each coming election year raises more questions than answers to the lingering problems of political behaviour and party politics in Nigeria. In Nigeria one of the most crucial and yet least developed democratic institutions is the political party system, as there are currently more than 20 registered political parties in the country. This had produced a dominant party, the PDP, since 1999, and the absence of effective opposition parties due to the fragmentation of opposition parties. Indeed, before the enactment of the 2010 Electoral Act, the opposition parties was unable to present a common front to challenge the dominant party, due to the regulatory and financial control of the dominant party in government, PDP, over the Election Managing Body, INEC, corruption of the judiciary and the security forces, the high level of electoral illiteracy amongst the general populace, and the high incidence of electoral violence during each election in the country. Nigeria's large number of parties, had tendered to result into having ethnic or multi-ethnic parties that tends to weaken the opposition parties in offering viable alternative to the dominant ruling party, the PDP. Yet, the potential for the emergence of a strong opposition party was not explicit in law.

The opposition parties (ANPP, AD, APGA, etc) that ought to serve as alternative parties (or to represent shadow cabinets) were strategically weakened through the overt and covert activities of the PDP. Facts surrounding the recent attempt to get a third term for President Olusegun Obasanjo tended to lend credence to the argument that there was no vibrant opposition party in Nigeria. Opposition parties are expected to function as barometers of change in the nation's political mood. When voters become frustrated with, and are alienated from the positions of the ruling party, they should have alternatives to switch to. This vital democratic content was, to a large extent, lacking in the electoral politics of 2003 and 2007 elections, although, the nation showcased well over forty opposition parties then.

However, due to the party types of the opposition parties as mono-or-multi-ethnic or regional parties, and personalistic parties, it was near impossible for the opposition to form a coalition to defeat the dominant, multi-ethnic catch-them-all party, PDP. As tables 5.6 and 5.7, 5.9 and 5.11 show, the PDP maintains so much hegemony over other opposition political parties in the States and the legislature respectively. Granted that the PDP further liberalized the political space for opposition through development of multiplicity of political parties, the multiparty system, which the PDP encouraged, was never a liberal imperative for genuine democratic process. Its multiparty system was a ploy to consolidate dominance over opposition parties. It has in fact been contended that the multiplicity of parties turn out to be the undoing of the opposition as it created more chances for different political tendencies finding their voices elsewhere (Okanlawon 2006: 38).

Political parties are at the heart of examining the health of any form of democracy. Orji (2013:1) for example, maintains that to talk, today, about democracy, is to talk about a system of competitive political parties. Their roles and activities are critical in any assessment of democratic practice, and with the transition to civil rule in 1999, political parties had the mandate to produce the *right calibre of people to govern* (Momoh, 2013:1).

One of the most complex and critical institutions of democracy is the political party (Omotola 2009). Political parties are traditionally the most significant intermediary organization in democratic societies. Students of political parties have commonly associated them with democracy itself (Orji, 2013:1). Political parties, as makers of democracy, have been so romanticized that scholars claim that neither democracy nor democratic societies are thinkable without them (Omotola 2009). In other words, the existence of vibrant political parties is a sine qua non for democratic consolidation in any polity (Dode, 2010). It is patently ironic that political parties largely pursue (and profess) democracy outside the gates and resist it within the gates (Ibeanu, 2013:1).

Competitive party and electoral politics is expected to deepen and consolidate the democratic transition, which the country embarked upon in May 1999 (Jinadu, 2013:2). Well-functioning political parties are essential for the success of electoral democracy and overall political development of Nigeria (Adetula and Adeyi, 2013:3). Two key points summarises the complicated existence and relations within and between political parties in the Fourth Republic. First is the proliferation of political parties in a manner that dwarfed those of previous republics. Second is the internal contradiction that has promoted factionalization which in itself tends to promote the creation of new parties by aggrieved or ambitious members (Momoh, 2013:12). A major feature of the Fourth Republic is the proliferation of political parties, that primarily do not seek to contest elections, but which are in more ways limited and self-serving in roles and interests. Though the number of political parties was 30 in 2002, 33 in early 2006 and 50 in 2007, only 16 fielded candidates in the 2003 General Elections while only 26 contested the 2007 General Elections. Even the parties that contested the elections were merely temporal machines for electoral contests (TMG, 2003:18).

No new political parties were registered before the 2011 elections. Accordingly, the 2011 General Elections were conducted with the sixty-three (63) Registered Political Parties

that existed as at December 2010 (INEC 2011). A total of fifty-six (56) political parties representing about 89% of the registered political parties participated in the 2011 General Elections. The parties fielded candidates for various elective offices including State Houses of Assembly, National Assembly and Governorship positions across the thirty-six (36) States of the Federation and the Federal Capital Territory. The Presidential election in 2011 was contested by twenty (20) political parties representing about 32% of the Registered Political Parties (see table 4.10). During the preparations for the 2011 elections, whilst the ruling PDP had its internal divisions on the candidacy of President Goodluck Jonathan, this did not take away from the widespread influence of the party. The truth was, the other fifty nine opposition parties might have fielded candidates for various elections, they might have campaigned just as vigorously as the PDP, but nobody really expected any single one of them to upset the power of the PDP's incumbency by winning the presidential election. Thus, the political party system that the 2011 elections bequeathed was a one-party dominant system, with the PDP remaining the ruling party.

According to the official election results announced by INEC (see table 5.6, 5.7, 5.9 and 5.11), out of the 109 seats to the Senate, PDP won 71 Senatorial Districts (65.2 percent), ACN 18 (16.2 percent), ANPP and CPC each 7 seats (6.4 percent), the Labour Party 4 seats (3.7 percent) APGA and DPP one seat each (0.9 percent). Comparatively to the 2007 Senatorial results, PDP lost 14 seats. Throughout the country PDP won in the majority of the districts, with the only exception in the South West, where PDP lost to ACN, which gained 14 seats and LP 3; PDP won in only one senatorial district. For the 360 seats to the House of Representatives, PDP received the majority of the votes winning 199 seats (55.1 percent), followed by ACN with 69 seats (19.1 percent), CPC with 37 seats (10.3 percent), ANPP with 27 seats (7.5 percent), LP with eight (2.2 percent), APGA with six seats (1.7 percent), ACCORD with five (1.4 percent), DPP two seats (0.6 percent) and Peoples Party of Nigeria

(PPN) with one elected seat (0.3 percent). Countrywide, PDP won in the majority of constituencies, with the only exception of the South West, where PDP lost to ACN, which won 53 seats, LP eight, followed by PDP with six seats. For the Governorship elections, out of 36 seats, only 26 were contested in the April polls. PDP won 18 seats, ANPP and ACN each won three, and CPC, and APGA each one seat. PDP lost the Governorship elections to CPC in Nasarawa State, to ACN in Oyo and Ogun, to ANPP in Yobe and Zamfara, and to APGA in Imo State. PDP Governors were re-elected in 17 States, and ANPP was re-elected in Borno State, but lost Kano State to PDP. The South West is the only zone where none of the newly elected Governors belongs to PDP. At the end of the 2011 elections, both ruling and opposition parties hailed the conduct of the elections as free, fair and credible to a large extent. Prominent in assessments of the credibility of that election were references to the role of INEC as we articulate in sub-chapter 4.2.

Expectedly, not all these parties were impactful in the elections and many did not secure a single seat at either presidential, gubernatorial, national assembly or state assembly elections. Consequently, INEC moved to deregister some of these political parties under Section 78 (7) (ii) of the Electoral Act 2010 as amended which empowers the Commission to deregister parties which breach any of the requirements for registration and also due to their failure to make any impact in the 2011 elections. By the 2015 elections (see table 4.3 above), only 28 political parties were registered (INEC 2015). The major development that sets the context for Nigeria's 2015 elections, is the emergence of a strong national opposition party consequential to the 2010 electoral Act, Subsections 1-6 of Section 84. In February 2013, four major opposition parties in Nigeria - The AD, later transformed into the ACN, the CPC, the ANPP, and a faction of APGA merged into a new party: the All Progressives Congress (APC) (Latinwo 2013). Between November 2013 and January 2014, internal crisis in the ruling PDP led to the defection of five state governors, 11 senators, 37 members of the House

of Representatives, and several other notable politicians to the APC (ThisDay 2013). The mass defection left the PDP without a majority in the House of Representatives for the first time since 1999. The new alliance under the umbrella of APC made the attempt for power alternation at the 2015 election and defected the PDP.

The game-changer in the political party configuration prior to the 2015 general elections, was the emergence of this new opposition party borne out of the divisions within the ruling PDP and out of the desire of previously puny opposition parties to provide a formidable competition for the ruling party in the face of widespread dissatisfaction with the PDP government. However, this was not the first time that political parties and politicians would re-align to create election spoilers. Particularly within states, politicians have felt free to build or break their party to achieve their personal ambitions. In 2013, following the breakaway of a faction of the PDP by seven sitting governors (two later returned to the PDP), leaders of three other parties announced that they were coalescing into a new political party, to be called APC. Merging these hitherto separate entities into a single organisation was a feat of gargantuan proportions ó but which was achieved nonetheless. Thus emerged the two-party dominant system that shaped the 2015 elections. Other political parties (see table 4.3) outside these two ó the PDP and the APC ó faded into near invisibility in this time.

The pre-election period resembled a major battle between two giants. In a campaign period that showcased the failure of various regulatory agencies to curtail campaign spending, hate speech, vitriolic exchanges, and other excesses, the 2015 elections were very bitterly fought. It is important to note here that the significance of this political imbroglio for electoral credibility of the 2015 elections lay in the fact that the bifurcation of political space spread into every other area of national life. The 2015 General elections in Nigeria was a watershed experience. Nigeria recorded its first democratic change of government from a ruling party to an opposition party. The 2015 poll pitted incumbent President Goodluck

Jonathan of the PDP against Muhammadu Buhari of APC among other contestants, in what turned out to be the most hotly contested election since the transition to civilian rule in 1999. The 2015 elections represent a paradigm shift in the control of national and state governments from the People's Democratic Party to the All Progressives Congress. The PDP had been the dominant and the ruling party for sixteen straight years (see table 4.11 for the 2015 presidential election).

The tables 5.6, 5.7, 5.8, 5.9, 5.10, 5.11 present below takes an empirical and concise perspective of the Nigeria Political Structure from 1999 to 2015, with focus on the formation of governments through political party representation of the State Governments, and the National Assembly (NASS).

Table 5.6: Political Party composition of the State Governorship in Nigeria since 1999

STATES	1999	2003	2007	2011	2015
ABIA	PDP	PDP	PDP	PDP	PDP
ADAMAWA	PDP	PDP	PDP	PDP	PDP
AKWAIBOM	PDP	PDP	PDP	PDP	PDP
ANAMBRA	PDP	APGA	APGA	APGA	APGA
BAUCHI	PDP	PDP	ANPP	PDP	APC
BAYELSA	PDP	PDP	PDP	PDP	PDP
BENUE	PDP	PDP	PDP	PDP	APC
BORNO	APP	ANPP	ANPP	ANPP	APC
CROSSRIVER	PDP	PDP	PDP	PDP	PDP
DELTA	PDP	PDP	PDP	PDP	PDP
EBONYI	PDP	PDP	PDP	PDP	PDP
EDO	PDP	PDP	PDP	APC	APC
EKITI	AD	PDP	PDP	CAN	PDP
ENUGU	PDP	PDP	PDP	PDP	PDP
GOMBE	APP	PDP	PDP	PDP	PDP
IMO	PDP	PDP	PDP	APGA	APC
JIGAWA	APP	APP	PDP	PDP	APC
KADUNA	PDP	PDP	PDP	PDP	APC
KANO	PDP	ANPP	ANPP	PDP	APC
KATSINA	PDP	PDP	PDP	PDP	APC
KEBBI	APP	APP	PDP	PDP	APC
KOGI	APP	PDP	PDP	PDP	PDP
KWARA	ANPP	PDP	PDP	PDP	APC
LAGOS	AD	AC	AC	CAN	APC
NASARAWA	PDP	PDP	PDP	CPC	APC
NIGER	PDP	PDP	PDP	PDP	APC
OGUN	AD	PDP	PDP	CAN	APC
ONDO	AD	PDP	PDP	LP	PDP
OSUN	AD	PDP	PDP	CAN	APC
OYO	AD	PDP	PDP	CAN	APC
PLATEAU	PDP	PDP	PDP	PDP	APC
RIVERS	PDP	PDP	PDP	PDP	PDP
SOKOTO	APP	APP	PDP	PDP	APC
TARABA	PDP	PDP	PDP	PDP	PDP
YOBE	APP	APP	ANPP	ANPP	APC
ZAMFARA	ANPP	ANPP	PDP	ANPP	APC

SOURCE: Independent National Electoral Commission (INEC) - <http://www.inecnigeria.org/1>
Wikipedia - <https://en.wikipedia.org/2>

Table 5.7: Summary of Political Party Composition of the State since 1999

PARTIES	1999	2003	2007	2011	2015
AC		1	1		
CAN				6	
AD	6				
ANPP	2	3	4	3	
APC					21
APGA		1	1	2	1
APP	7	4			
CPC				1	
LP				1	
PDP	21	27	30	23	14

SOURCE: Independent National Electoral Commission (INEC) - <http://www.inecnigeria.org/1>
Wikipedia - <https://en.wikipedia.org/2>

From 1999 till date, Nigeria's 36 States have experienced 125 Governors. All these administrations have been under Ten (10) political parties as tables 5.6 and 5.7 show. PDP has produced the most Governors, followed by APC, ANPP, ACN, AD, AC, APGA, CPC, and LP. Before 2015 general elections; the PDP is the only party with Governors in all the 6 Geo-Political zones as table 5.6 shows. But with the new political development, political power alternation was effected at the states also. Table 5.6 also shows that no other political party except the PDP has won elections and governed these states of Abia, Adamawa, Akwa Ibom, Bayelsa, Cross River, Delta, Ebonyi, Enugu, Rivers, and Taraba. The only state APC (transformed from AD, AC, ACN) has governed since 1999 is Lagos. Borno and Yobe states have never been governed by PDP. Since 2003, Anambra state has not been governed by any other political party except APGA. PDP won the 1999 elections. Ondo state has been governed by three political parties since 1999; AD (1999), PDP (2003, 2007, 2015), LP (2011).

PDP, having started with 21 Governors in 1999, reached their peak 8 years after in 2007, which is the worst election conducted in Nigeria. The party is currently at its lowest ebb with 14 Governors. The APC currently have 21 Governors; their emergence is evident of

faith in the ballot box and can be seen as credible regime change and competitive party politics. It must also be mentioned that the PDP after 16years of leading the pack, is now in the opposition with their strongest base in the South East and South South.

Table 5.8: List of Senate Presidents in Nigeria starting from the 4th Assembly in 1999.

PRESIDENT	SESSION	PARTY	TENURE
EVANS EWEREM	4 TH	PDP	1999-1999
CHUBA OKADIGBO	4 TH	PDP	1999-2000
PIUS ANYIM	4 TH	PDP	2000-2003
ADOLPHUS WABALA	5 TH	PDP	2003-2005
KEN NNAMANI	5 TH	PDP	2005-2007
DAVID MARK	6 TH	PDP	2007-2011
DAVID MARK	7 TH	PDP	2011-2015
BUKOLA SARAKI	8 TH	APC	2015

SOURCE: Independent National Electoral Commission (INEC) - <http://www.inecnigeria.org/1> Wikipedia - <https://en.wikipedia.org/2>

Table 5.9: SENATE – Political Party Composition since 1999

POLITICAL PARTY	4 TH 1999 (%)	5 TH 2003 (%)	6 TH 2007 (%)	7 TH 2011 (%)	8 TH 2015 (%)
PDP	59 (54.1)	76 (69.72)	87 (79.82)	71 (65.14)	49 (44.95)
APP (ANPP)	29 (26.61)	27 (24.77)	14 (12.84)	7 (6.42)	
AD (AC & ACN)	20 (18.35)	6 (5.5)	6 (5.5)	19 (17.43)	
VACANT	1 (0.92)	-			
PPA			1 (0.92)		
ACCORD			1 (0.92)		
CPC				7 (6.42)	
LP				4 (3.67)	
APGA				1 (0.92)	
APC					60 (55.05)
TOTAL	109	109	109	109	109

SOURCE: Independent National Electoral Commission (INEC) - <http://www.inecnigeria.org/1> Wikipedia - <https://en.wikipedia.org/2>

Table 5.10: List of SPEAKERS starting from the 4th Assembly in 1999

SPEAKER	SESSION	PARTY	TENURE
SALISU BUHARI	4 TH	PDP	1999-2000
GHALI NAØ ABBA	4 TH	PDP	2000-2003
AMINU MASARI	5 TH	PDP	2003-2007
PATRICIA ETTEH	6 TH	PDP	2007-2007
OLADIMEJI BANKOLE	6 TH	PDP	2007-2011
AMINU TAMBOWAL	7 TH	PDP	2011-2015
YAKUBU DOGARA	8 TH	APC	2015

SOURCE: Independent National Electoral Commission (INEC) - <http://www.inecnigeria.org/1> Wikipedia - <https://en.wikipedia.org/2>

Table 5.11: HOUSE OF REP – Political Party Composition

POLITICAL PARTY	4 TH 1999 (%)	5 TH 2003 (%)	6 TH 2007 (%)	7 TH 2011 (%)	8 TH 2015 (%)
PDP	206 (57.22)	223 (61.94)	263 (57.22)	203 (56.11)	140 (38.89)
APP (ANPP)	74 (20.56)	96 (26.67)	63 (20.56)	36 (10.00)	
AD (AC & ACN)	68 (18.89)	34 (9.44)	30 (18.89)	67 (18.61)	
VACANT	12 (3.33)	1 (0.28)			
UNPP		2 (0.56)			
NDP		1 (0.28)			
PRP		1 (0.28)			
PPA			3 (3.33)		
ACCORD				1 (0.28)	1 (0.28)
CPC				32 (8.89)	
LP			1 (0.28)	7 (1.94)	1 (0.28)
APGA		2 (0.56)		7 (1.94)	5 (1.39)
AP				4 (1.11)	
DPP				2 (0.28)	
PPN				1 (0.28)	
SDP					1 (0.28)
APC					212 (58.89)
TOTAL	360	360	360	360	360

SOURCE: 6 Independent National Electoral Commission (INEC) - <http://www.inecnigeria.org/1>
Wikipedia - <https://en.wikipedia.org/2>

The general elections of 1999 started the 4th Assembly. There has been a total of 6 Senate Presidents from 1999 to 2015. The second arm of the National Assembly (NASS) is the House of Representatives. The PDP led and dominated the two chambers from 1999 to 2011 sessions providing the senate presidents and the speakers from the 4th session to the 7th (see tables 5.8 and 5.10). Because of fragmented opposition parties that are serious divided, the power of the ruling party were reinforced, while other parties offer no real opposition in the legislature. 2015 marked total regime change in the political structure of Nigeria.

5.4. COMPETITIVE PARTY POLITICS IN NIGERIA AND GHANA

In Ghana, while 1992 saw the opposition parties severely defeated, the 1996 scrutiny saw the confirmation of the two-party system and the consolidation of democracy through competitive party politics. Although the opposition was almost as severely beaten as four years earlier, it did not boycott the parliamentary elections that took place right after. Besides, the logistical aspects of the elections were much better organized than in 1992. Overall, 1996

was a time of deepening democracy and two-party system (Nugent 1999). It is worth mentioning that 2000 and 2004 elections perpetuated and intensified this bipartisan democratic pattern. In 2000, for the first time in the Fourth Republic, power shifted from NDC to NPP peacefully, which may be considered as the sign of an accomplished democracy. The second round that was held to decide between the candidates of the NPP and NDC consolidated the two-party system, and the very limited number of candidates in the 2004 elections (as well as their very limited results) seemed to establish it. The 2004 election brought together outgoing President John Kufuor, who represented the NPP and NDC candidate John Atta-Mills. Two other candidates also competed in this election: Edward Mahama for the PNC and George Aggudey for the CPP.

Political parties in Ghana have endeavoured to be democratic in both intra and inter-party relations (Ohman, 2002). The Inter-Party Advisory Committee (IPAC), which was formed in 1994 by Ghanaian parties and funded by the donor community, has been particularly outstanding. It provides a forum for building a consensus on electoral issues (Ayee, 1998), where representatives from all parties can articulate their grievances and disagreements openly, where they can interact with each other informally, and develop a better understanding of their respective positions (Lemarchand, 2002: 6). Following its impressive performance over the years, an informed source concludes that: "Today the IPAC constitutes a critically important arena for resolving differences among parties, clarifying the meaning of statutory rules, and regulations concerning their activities and raising a broad range of issues related to the electoral process" (Lemarchand, 2002: 6). In the thick of heightened political tensions during these inter-elections period, the IPAC was instrumental to the signing of peace agreements between the NPP and NDC.

Commitment to democratic institutions is high. For example, two turnovers of power at the ballot box, still an exception in Africa, demonstrates a high commitment to democratic

institutions by the political elites (despite the lingering electoral dispute after the 2012 polls). Moreover, a voter turnout of around 80% in 2012 is evidence of the public's faith in democratic institutions. The Fourth Republic can boast a stable two-party system, with active, if weak, third parties. The process of establishing a two-party system was solidified during the 2012 elections. The two major forces are the opposition party, the NPP, and the ruling NDC party. Both big parties are fragmented, and splinter groups are formed on a regular basis. Still, no other party has been able to effectively challenge the supremacy of the two major players.

Table 5.12: Structure and Contributions of Political Parties in Ghana and Nigeria

Description	Ghana	Nigeria
Party system	Multiple	Multiple
Power alternation	Twice (2000 and 2008)	Once (2015)
Intra-party relations	Democratic and stable	Undemocratic and unstable
Inter-party relations	Highly stable	Stable
Respect for electoral rules	Very high	Low
Societal trust	Very high (366 = 89.66%)	Very low (127 = 26.81%)
Contributions to democratic consolidation	Very High	Average

Source: Omotola 2008 and 2009.

(The chart above on the rating of Nigeria and Ghana; Nigeria is no longer one party dominance state like was obtained before 2015)

The Nigerian experience until 2015 election has been dominated by only one party since 1999, with limited prospects of power alternation. And, there is low level of intra- and inter-party democracy in Nigeria, epitomized by the high level of instability that characterizes party relations at all levels. This manifests mostly in the flagrant violations of regulations on political finance and party primaries. Worse still, INEC has not been able to enforce its regulatory and supervisory role in these areas. Opposition parties too were fragmented and weak. For these and related reasons, an average Nigerian does not reckon with Nigerian parties as a viable engine of democratic consolidation, but largely as parts of the problems to be solved.

Elections organized by incumbent civilian regimes have been very problematic in Nigeria. With perhaps the exception of the 2011 elections, these elections have been characterized by deliberate attempts by the ruling parties to monopolize the electoral space, engineer grand-scale electoral fraud, or otherwise deliberately move the process in their favour. This pattern was reflected in the "stimulated landslide" victories recorded by the ruling parties in the 1964, 1983, 2003 and 2007 elections. The 2015 general elections have proved to be very positive for Nigeria's democracy. It delivered credible elections, renewed citizens' confidence in the electoral process and has offered fresh possibilities for improvement in better election delivery in the country. It provided an opportunity for Nigeria to consolidate the gains it made during the 2011 elections, which had been hailed by observers as the freest and fairest in the country since 1999, and which signified a major progress in the country's electoral and democratic development.

Now, after over fifty three years of independence for both countries (Ghana and Nigeria), we will be making a biased judgment if we give a pass mark to both countries with regards to measuring up with the basic tenets of democratic standards when measured from the ideal standard, in the light of the nature of party politics practiced in the countries under review. While we may cut the Ghanaian system and government some slacks for the efforts they have made towards entrenching an enduring institution of democracy, Nigerian system more like Ghana's, between 2010 and 2015 entrench competitive party politics. The following reasons validates this assertion:

1. Nigeria has succeeded in holding regular elections like Ghana on the platform of multiparty systems, though such activities do not necessarily amount to much when considered from the perspective of redemptive and emancipatory politics in state-society relations and in political economic terms (Amuwo, 2015:4), but had provided opportunities

for reforms of the electoral process at each election period, and which between 2010 and 2015 have entrenched competitive party politics in Nigeria more like in Ghana.

2. If democratization entails a broadening of political space, an expansion of political participations for political mobilization and the establishment of credible processes and institutions that allow for change or renewal of political leadership through elections, (Famunyaoh, 2001:42-43), then the 2011 and 2015 elections uphold these tents, and therefore the practice in Nigeria is consolidating democracy.

3. Nigerian Political parties have been balanced by government and strong opposition, no longer a one dominant party high jacking and privatizing state-power, which undermines level playing field for the electoral politics. (APC) is stronger than its predecessors (the ACN and CPC of 2011).

From the above points it is clear how Nigerians like Ghana, have succeeded in entrenching democracy, between 2010 and 2015.

CHAPTER SIX

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1. SUMMARY

Ghana and Nigeria successfully made the transition to civil rule in 1992 and 1999 respectively. The two countries have been rated differently in the democratisation process and particularly so with reference to electoral politics, where Ghana is said to tower higher above Nigeria before the period under study, in comparative African ranking (Afro Barometer, 2006). However, with more than twenty years of uninterrupted civil rule and the successful transfer of power from the ruling party to the opposition party in 2000 and 2008; Ghana's democracy; unlike the Nigerian situation before the period of study, is largely seen to be consolidated.

After fifteen years of uninterrupted civilian rule in Nigeria, significant changes have taken place in its electoral environment that simultaneously draw attention to the hopes in the electoral process. The hopes in particular have built on the momentum for change created by the electoral malfeasance in 2007 and the popular pressure which moved the Federal Government to set up the Presidential Electoral Reform Committee (ERC), whose recommendations inform the 2010 Electoral Act. The inauguration of a new INEC in June 2010 significantly increased public confidence in the Commission because of its openness in engaging with the Nigerian public and the relevant stakeholders in the electoral process. For instance, regular consultations with the political parties especially using the platform of the Inter-Party Advisory Council (IPAC) for sharing electoral information and confidence-building provides opportunity to get the leadership of the major political parties on board. Coupled with determined efforts to improve the credibility of the electoral process.

Consequently, the 2011 elections reversed Nigeria's negative image of fraudulent elections and restored a measure of public confidence. The massive reduction in the number

of election petitions brought before election tribunals from 1,260 in 2007 to below 500 in 2011 is not only significant in restoring public confidence, but also indication of increased acceptance of election results by losers. The electoral environment created by 2011 elections enhance the credibility and integrity of the 2015 elections. These include increased public confidence in the electoral process following the outcome of the 2011 general elections; continued refinement and improvement on the Electoral Roll that has over 70 million registered voters with the rolling out of Continuous Voter Registration (CVR) and issuance of Permanent Voter Card (PVC), to terminate the latter by December 2014; INEC's internal review and lessons learned from the 2011 elections that informed a five-year strategic plan and the rolling out of Election Project Plan, Election Management System, improved stakeholders' engagement (political parties, civil society, security agencies and the National Youth Service Corps,); Increasing strength of the political opposition following the merger of four major opposition parties into the APC and broader re-alignment of political forces across the country; The unstable impact of elite fragmentation within the ruling PDP and the opposition parties as exemplified by unprecedented political vagrancy in more recent times.

The 2015 elections which was Nigeria's fifth successive elections witnessed for the first time in Nigeria, a peaceful transfer of power from one civilian regime to another. Improved strength of the opposition increase competitiveness and offer real choice to the electorate and possibility of power alternation. However, in the estimation of many, democracy in the country is gradually being credible, free, fair, and transparent as in Ghana. The 2011 and 2015 general elections were crucial for the progress and stability of our nation. With their consequences, one is optimistic that Nigeria has come of age. The period tested the level of the democratic spirit so far imbibed in Nigeria.

After about two decades when the global democratization process broke on Africa's shores, there is ample evidence that the extent to which Nigeria and Ghana have imbibed

democratic principles is mixed. Within the context of the intersection of electoral reforms and the 'democratization', this paper has attempted to provide an explanation on how Nigeria has been able to consolidate its democracy like Ghana in electoral politics. Evidence depicted in this study confirm the hypotheses that the 2010 Electoral Act enhance credible regime change and entrench competitive party politics in Nigeria like in Ghana, between 2010 and 2015. Similarly, the electoral reforms in Nigeria and Ghana consolidate the transition to democracy.

While internal factors such as corruption, the nature of election administration, lack of political will and ideology have been employed in explaining the differences in democratic consolidation in Nigeria and Ghana, the electoral reforms shaping and determining democratic consolidation in these two countries is very often taken for granted. Yet, given the fact that the process of transition to civil rule in these countries was in part a response to the electoral reforms process, the fact that consolidating these new regimes may also be connected to such reforms cannot be ruled out. The credibility of elections as the only legitimate means of regime change depends on how electoral reforms were made to ensure transparent elections. Yet, no literature had adequately conceptualized the electoral reforms in Nigeria and Ghana as the causal factor of credible regime change and competitive party politics, or compared this in Nigeria and Ghana between 2010 and 2015. And because none bothered to interrogate these phenomena, it is this gap that we tend to fill. The study compares the nexus between electoral reforms and the search for democratic consolidation in Nigeria and Ghana between 2010 and 2015.

The specific objectives of the study which we derived from the research questions are as follow:

1. To determine whether the reform of voters' register enhance regime change in Nigeria like in Ghana between 2010 and 2015.

2. To determine whether the political parties' guideline entrench competitive party politics in Nigeria more like in Ghana between 2010 and 2015.

To achieve these objectives, we used the basic assumptions of systems theory in the investigation of the problematique. The theory was originally in the biological and engineering sciences before it was adapted in the social sciences. It sees phenomena as components of an interrelated whole and is primarily concerned with the analysis of a system in its entirety. Any system is viewed as a set of interactions involving three phases, via the input, conversion and output. As a framework for political analysis, David Easton represented systems theory as the system that authoritatively allocates values through the governmental functions.

It is within the context of input-output processes of the systems theory that one can understand and explain the incident of electoral reforms and democratization. The inputs are made up of the reforms, while the three arms of government perform the conversion function of rulemaking, rule implementation and rule adjudication that forms the legal framework. Credible regime change and competitive party politics is the output, which are the product or effects of the reforms. The reports after the elections is the feedback loop. We validate our hypotheses by employing secondary method of data collection that include consulting written materials; textbooks, journals, government publications, unpublished works and articles, Newspapers, magazines, etc. Also, the study utilises descriptive method of content analysis and deductive-inductive logical reasoning for analysis of data.

5.2. CONCLUSION

Arising from the above analysis, we realised the following findings:

1. That the relative stability of the electoral process is predicated on the ability of stakeholders to agree to the rules that should govern the contestation for political power.
2. Strong and Sustainable democracy is dependent on the existence of well-functioning and competitive political parties that offer alternative and can alternate political power.
3. While the new wave of constitutions and electoral frameworks in a democratizing state may not have begotten democracy, the democratizing process offers opportunities for reforms to correct observed weaknesses and improve the effectiveness of electoral laws.

5.3. RECOMMENDATIONS

Following from the above finding, we therefore recommend as follows:

1. A forum should be legally created where the election management bodies, political parties and other stakeholders in electoral contest would regularly convene, in order to synergize ideas and agree on rules.
2. A Legal framework should be enact that protects and empowers formidable opposition by creating a level playing-ground both for the party in government and others in opposition.

3. Stakeholders should be convened after each election to assess and evaluate the entire process and make recommendations that would overhaul and inform the electoral laws.

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