

TREND OF THE CONSTITUTIONAL COUNCIL OF CAMEROON'S RULINGS ON ELECTORAL PETITIONS FROM 2018 TO 2023

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ABSTRACT

The Constitutional Council of Cameroon, established in 2018, is the highest body that hears electoral petitions arising from presidential, legislative, and senatorial elections. These petitions are formal complaints lodged by candidates and political parties to challenge fraud, irregularities, violations of the electoral code, and candidate ineligibility. This study examines the trend of the Constitutional Council's rulings on electoral petitions from 2018 to 2023, covering the 2018 presidential and senatorial elections, the 2020 legislative elections, and the 2023 senatorial elections. The research is based on an analysis of official data drawn from the Constitutional Council's annual reports and compendiums of rulings, reviewing petitions filed during both pre-electoral and post-electoral phases. Over the five-year period, the Council received 155 petitions and delivered 107 rulings, of which only 19 were favourable to petitioners, 87 were unfavourable, and one was withdrawn. The 2018 electoral year recorded 41 disputes, the 2020 legislative elections saw 96 petitions, and the 2023 senatorial elections had 18 petitions. Most petitions challenged candidate eligibility or sought the cancellation of election results. The main reasons for unfavourable rulings were that petitions were unfounded (42.5%), lacked legal standing (18.5%), were time-barred (15%), lacked grounds for appeal (11.5%), or fell outside the Council's jurisdiction (7%). Notably, the 2020 pre-electoral phase saw a higher rate of favourable rulings, mostly benefiting the Social Democratic Front, while the 2023 petitions were entirely unsuccessful. The findings indicate that electoral petitions have been largely unsuccessful, with most petitioners failing to secure favourable outcomes. This trend has generated public scepticism about the fairness and transparency of the adjudication process and raises important questions about whether petitioners face technical and procedural barriers that limit their ability to present effective cases before the Constitutional Council.

Keywords: Cameroon, Constitutional Council, Electoral petitions, rulings

RESUME

Le Conseil constitutionnel du Cameroun, créé en 2018, est la plus haute instance compétente pour statuer sur les recours électoraux déposés lors des élections présidentielles, législatives et sénatoriales. Ces recours sont des plaintes formelles déposées par les candidats et les partis politiques pour contester des fraudes, des irrégularités, des violations du code électoral et l'inéligibilité de certains candidats. Cette étude examine l'évolution des décisions du Conseil constitutionnel relatives aux recours électoraux entre 2018 et 2023, couvrant les élections présidentielles et sénatoriales de 2018, les élections législatives de 2020 et les élections sénatoriales de 2023. La recherche s'appuie sur l'analyse de données officielles issues des rapports annuels et des recueils de jurisprudence du Conseil constitutionnel, et porte sur les recours déposés avant et après les élections. Sur cette période de cinq ans, le Conseil a reçu 155 recours et rendu 107 décisions, dont seulement 19 étaient favorables aux requérants, 87 défavorables et une a été retirée. L'année électorale 2018 a enregistré 41 contestations, les élections législatives de 2020 ont compté 96 recours et les élections sénatoriales de 2023, 18. La plupart des recours contestaient l'éligibilité des candidats ou demandaient l'annulation des résultats. Les principaux motifs de rejet étaient le caractère infondé des recours (42,5 %), leur absence de qualité pour agir (18,5 %), leur prescription (15 %), l'absence de motifs d'appel (11,5 %) ou leur exclusion de la compétence du Conseil (7 %). Il est à noter que la phase préélectorale de 2020 a connu un taux plus élevé de décisions favorables, profitant majoritairement au Social Democratic Front (SDF), tandis que les recours de 2023 ont été entièrement rejetés. Ces résultats indiquent que les recours électoraux ont globalement échoué, la plupart des requérants n'ayant pas obtenu gain de cause. Cette tendance a engendré un scepticisme public quant à l'équité et à la transparence du processus de jugement et soulève d'importantes questions quant à savoir si les requérants sont confrontés à des obstacles techniques et procéduraux qui limitent leur capacité à présenter des arguments efficaces devant le Conseil constitutionnel.

Mots-clés : Cameroun, Conseil constitutionnel, recours électoraux, décisions

INTRODUCTION

Understanding the trend of rulings on electoral petitions is central to this study, petitions are formal complaints lodged by candidates, political parties or any stakeholder to decry fraud, irregularities or any violations of the electoral code, they can also be considered elements of conflicts arising from the conduct of elections. These petitions are crucial to the integrity and fairness of the electoral process. The Constitutional Council is the competent body to hear petitions emanating from senatorial, legislative and presidential elections in Cameroon, she has ruled (with the use of the electoral code and constitution) on several petitions from its inception (2018) till present, these petitions, as well as its rulings, are diverse in nature.

This chapter displays the trend of rulings on electoral petitions from the year twenty-eighteen (2018) to the year twenty twenty-three (2023) by outlining electoral conflict factors such as ineligibility of candidates, electoral irregularities and allegations of fraud over a span of five (5) years, as well as reactions of electoral adjudicators like the Constitutional Council. The timeframe covers three major elections, which are; Presidential elections of twenty-eighteen (2018), legislative elections of twenty-twenty (2020) and senatorial elections in the year twenty twenty-three (2023). Petitions span across pre and post-electoral phases and rulings on these petitions have either been positive or negative. Cognisant of the fact that this exercise aligns with the democratic theory, it is worth noting that resolution of these litigations has a bearing on confidence in the electoral system.

THEORETICAL FRAMEWORK

DEMOCRATIC THEORY

Democratic theory is concerned with the nature, conditions, and quality of democratic governance. At its core, this theory holds that the authority of the state must rest on the consent of the governed, expressed through free, fair, and competitive elections. The theory places strong emphasis on the idea that elections are not merely about casting votes, but also about ensuring that the entire electoral process including the resolution of disputes is transparent, accountable, and just.¹

One of the early proponents of this view is Joseph Schumpeter, who defined democracy as a system in which leaders are selected through competitive elections.² While Schumpeter focused on competition, later scholars expanded this view to include the quality and fairness of the electoral process itself. Robert Dahl in his work on polyarchy, argued that democracy requires not only competition but also public participation and civil liberties,

¹ Dean, Rikki, Jean-Paul Gagnon, and Hans Asenbaum, "What Is Democratic Theory?" *Democratic Theory* 6, no. 2 (2019): v–xx. <https://doi.org/10.3167/dt.2019.060201>

² Elliott, John E. "Joseph A. Schumpeter and The Theory of Democracy." *Review of Social Economy* 52, no. 4 (1994): 280–300. <http://www.jstor.org/stable/29769747>.

including the right to challenge electoral outcomes through legal means. For Dahl, an electoral system that does not allow effective remedies for fraud and irregularities falls short of democratic standards.³ Samuel Huntington, in his study of democratic transitions, emphasised that the consolidation of democracy depends on the acceptance of electoral rules by all political actors. When losers in an election refuse to accept results because they do not trust the dispute-resolution process, the stability of democracy is threatened. This idea is directly relevant to Cameroon, where opposition parties have repeatedly expressed dissatisfaction with the Constitutional Council's rulings.⁴ Larry Diamond introduced the concept of electoral integrity, arguing that the quality of democracy depends on whether elections are conducted fairly from the beginning to the end of the process, including the post-election phase. In this regard, the adjudication of electoral petitions is a critical test of democratic quality. If petitions are routinely dismissed on technical grounds or without proper examination, citizens and political parties may lose confidence in the electoral system.⁵

Guillermo O'Donnell contributed the idea of horizontal accountability, which refers to the ability of state institutions to oversee and check one another. In a democracy, an independent electoral tribunal or constitutional court must be able to review the actions of the executive and the electoral management body without fear or favour. When the Constitutional Council rules on petitions against Elections Cameroon (ELECAM) or the ruling party, it is exercising a form of horizontal accountability. However, if the Council consistently rules against petitioners, questions arise about whether this accountability is genuine or merely symbolic.⁶ David Beetham, in his framework for democratic audits, stressed that free and fair elections require not only impartial administration but also effective legal remedies. The right to petition is a fundamental element of political participation. If petitioners are blocked by procedural barriers or if their complaints are dismissed as unfounded in most cases, the democratic right to seek redress is weakened.⁷ More recently, Andreas Schedler has written about electoral authoritarianism, a system in which elections are held regularly but the playing field is tilted in favour of the incumbent through legal and institutional manipulation. While Cameroon is not classified in this study as an authoritarian state, Schedler's work helps to explain why a high rate of unfavourable rulings on opposition petitions can create the perception that electoral justice is constrained by political interests rather than legal merit.⁸

³ Robert A. Dahl, *Polyarchy: Participation and Opposition*, (New Haven, Connecticut: Yale University Press, September 1972), 1 – 272, <https://www.amazon.fr/Polyarchy-Dahl/dp/0300015658>

⁴ Samuel P. Huntington, “Democracy’s Third Wave”, *Journal of Democracy* 2, no. 2 (1991): 12 – 34, <https://www.journalofdemocracy.org/articles/democracys-third-wave/>

⁵ Larry Diamond, “Elections Without Democracy: Thinking About Hybrid Regimes”, *Journal of Democracy* 13, no. 2 (April 2002): 21 – 35, <https://www.journalofdemocracy.org/articles/elections-without-democracy-thinking-about-hybrid-regimes/>

⁶ Guillermo O'Donnell, “Horizontal Accountability in New Democracies”, *Journal of Democracy* 9, no. 3 (July 1998): 112 – 26, <https://www.journalofdemocracy.org/articles/horizontal-accountability-in-new-democracies/>

⁷ David Beetham, “Conditions for democratic consolidation”, *Review of African Political Economy* 21, no. 60 (1994): 157 – 172, <https://www.scienceopen.com/hosted-document?doi=10.1080/03056249408704053>

⁸ Schedler, A (ed), *Electoral Authoritarianism: The Dynamics of Unfree Competition*, (Colorado: Lynne Rienner Publishers, 2006), 1 – 267, <https://research.ceu.edu/en/publications/electoral-authoritarianism-the-dynamics-of-unfree-competition/>

In summary, democratic theory provides the normative standard for this study. It suggests that the trend of rulings on electoral petitions should be measured not only by legal correctness but also by whether the process enhances electoral integrity, public confidence, and horizontal accountability.

LITERATURE REVIEW

The literature on electoral justice in Africa, and specifically on the adjudication of electoral petitions by constitutional courts and electoral tribunals, has grown significantly in recent decades. Scholars have examined how courts handle electoral disputes, the factors that influence judicial decisions, and the consequences of those decisions for democratic consolidation. This literature review surveys existing scholarship on electoral petitions, constitutional adjudication, and the role of courts in electoral governance, with particular attention to studies that relate to the Cameroonian context or to similar institutional arrangements elsewhere in Africa.

The concept of electoral justice refers to the mechanisms and institutions that ensure the resolution of electoral disputes in a fair, timely, and transparent manner. Lisa Hilbink, in her comparative study of judicial behaviour in Latin America, argued that courts do not operate in a political vacuum; their decisions are shaped by the institutional context, the nature of the political regime, and the strategic calculations of judges. Hilbink's work is relevant to Cameroon because it suggests that the high rate of unfavourable rulings against opposition petitioners may not simply reflect the weakness of their legal arguments, but also the institutional and political environment in which the Constitutional Council operates.⁹ Gretchen Helmke, in her study of the Argentine Supreme Court, introduced the concept of "strategic defection," showing that judges may rule against the government when they anticipate a change in political power. However, where political power is stable and concentrated, as in Cameroon, judges may have fewer incentives to rule against the ruling party. Helmke's framework helps to explain why the Constitutional Council has consistently ruled unfavourably on petitions challenging the ruling CPDM party's victories.¹⁰ Jennifer Widner in her study of courts in Africa, noted that judicial independence is often compromised by executive control over appointments, budgets, and enforcement. Widner argued that even when courts have the formal authority to hear electoral petitions, their effectiveness depends on whether they are perceived as impartial by the public and by political parties. In Cameroon, the Constitutional Council's rulings have been met with public scepticism, suggesting that the institution may suffer from the legitimacy deficits that Widner identified.¹¹ Rachel Ellett, in her work on judicial power in Africa, examined how constitutional courts in Kenya,

⁹ HILBINK, LISA, "THE ORIGINS OF POSITIVE JUDICIAL INDEPENDENCE," *World Politics* 64, no. 4 (2012): 587–621. <http://www.jstor.org/stable/41683128>.

¹⁰ Helmke, Gretchen, *Courts under Constraints: Judges, Generals, and Presidents in Argentina*, of *Cambridge Studies in Comparative Politics*, (Cambridge: Cambridge University Press, 2004), <https://www.cambridge.org/core/books/courts-under-constraints/8C470FE501B2211050A0C636DE233281>

¹¹ Widner, Jennifer, "Courts and Democracy in Postconflict Transitions: A Social Scientist's Perspective on the African Case," *American Journal of International Law* 95, no. 1 (2001): 64–75. <https://doi.org/10.2307/2642037>

Malawi, and Uganda have handled electoral disputes. Ellett found that courts in these countries have sometimes acted as genuine checks on executive power, but that their independence is often tested when high-stakes political cases are brought before them. Ellett's comparative approach is useful for understanding whether the Cameroonian Constitutional Council's record is typical of African courts or represents a more extreme pattern of executive deference.¹²

A growing body of literature has examined the specific dynamics of electoral petitions in African democracies and hybrid regimes. Jørgen Elklit and Palle Svensson, in their foundational work on electoral administration, argued that the credibility of elections depends not only on the voting process but also on the availability of effective remedies for electoral misconduct. They emphasised that petition mechanisms must be accessible, impartial, and capable of providing meaningful redress. The Cameroonian case, where 81% of rulings were unfavourable to petitioners, raises questions about whether the petition system meets these standards.¹³ Shaheen Mozaffar, in his study of electoral institutions in Africa, noted that electoral management bodies and courts often face pressure from ruling parties to validate election results. Mozaffar argued that in dominant-party systems, the judiciary's role in electoral dispute resolution is particularly important because it is one of the few institutional channels through which opposition parties can challenge the status quo. The fact that Cameroon's opposition parties have had limited success before the Constitutional Council supports Mozaffar's observation that courts in dominant-party systems may be structurally biased against challengers.¹⁴ Nicolas van de Walle, in his analysis of electoral politics in Africa, distinguished between competitive and hegemonic party systems. Van de Walle argued that in hegemonic systems, elections serve primarily to legitimate the ruling party rather than to transfer power. The adjudication of electoral petitions in such systems, he suggested, tends to reinforce the status quo rather than to provide genuine accountability. Cameroon's Constitutional Council, established in 2018 during a period of CPDM dominance, appears to function within this hegemonic logic, as evidenced by the overwhelming proportion of unfavourable rulings.¹⁵

Scholarly writing on Cameroon's electoral system and constitutional institutions remains relatively limited compared to the literature on Anglophone African countries, but several important contributions exist. Charles Manga Fombad, in his comprehensive study of constitutional law in Cameroon, examined the establishment and functions of the Constitutional Council. Fombad noted that the Council replaced the Supreme Court as the final

¹² Ellett, R. *Pathways to Judicial Power in Transitional States: Perspectives from African Courts*, (London: Routledge, 2013), 1-256, <https://doi.org/10.4324/9780203539163>

¹³ Jørgen Elklit, Palle Svensson, "The Rise of Election Monitoring: What Makes Elections Free and Fair?", *Journal of Democracy* 8, no. 3 (July 1997): 32-46, <https://www.journalofdemocracy.org/articles/the-rise-of-election-monitoring/>

¹⁴ Mozaffar, Shaheen, James R. Scarritt, and Glen Galaich, "Electoral Institutions, Ethnopolitical Cleavages, and Party Systems in Africa's Emerging Democracies," *The American Political Science Review* 97, no. 3 (2003): 379-90. <http://www.jstor.org/stable/3117615>

¹⁵ Walle, Nicolas van de, "Presidentialism and Clientelism in Africa's Emerging Party Systems," *The Journal of Modern African Studies* 41, no. 2 (2003): 297-321. <http://www.jstor.org/stable/3876122>.

arbitrator of electoral disputes in 2018, but he expressed concern that the new body might not be more independent than its predecessor. Fombad's institutional analysis supports the argument that the Council's rulings must be understood in the context of Cameroon's broader constitutional structure, which concentrates significant power in the presidency.¹⁶

Beyond Africa, scholars have examined how courts in other regions handle electoral petitions, and their findings provide useful points of comparison. Wojciech Sadurski, in his study of constitutional courts in post-communist Europe, examined how new courts established after democratic transitions handled their first electoral disputes. Sadurski found that these courts often struggled to establish their legitimacy and independence, and that their early rulings tended to be cautious and deferential to other branches of government. The Cameroonian Constitutional Council, established in 2018, appears to have followed a similar pattern of caution in its initial years.¹⁷ Sujit Choudhry in his edited volume on constitutional design for divided societies, argued that electoral dispute resolution mechanisms must be designed to be perceived as legitimate by all major political actors. Choudhry suggested that where courts lack legitimacy, political disputes are likely to spill out of the legal system and into the streets. The post-2018 political protests in Cameroon, following the Constitutional Council's validation of the presidential election results, illustrate Choudhry's argument.¹⁸ A number of scholars have examined how procedural rules affect the ability of petitioners to obtain redress in electoral disputes. Tom Ginsburg in his comparative study of judicial review, noted that courts often use justiciability doctrines such as standing, ripeness, and political question doctrines to avoid deciding controversial cases. Ginsburg argued that these doctrines serve as "firewalls" that protect courts from political backlash but may also limit the effectiveness of judicial review. The Cameroonian Constitutional Council's frequent reliance on locus standi and jurisdictional objections can be understood through Ginsburg's framework as a strategy for managing political risk.¹⁹ Susan Stokes in her study of democratic accountability, argued that citizens' ability to hold leaders accountable depends on the availability of institutional channels for redress. When courts are inaccessible or unresponsive, citizens may resort to alternative forms of accountability, including protest or electoral abstention. The high rate of

¹⁶ Charles M Fombad, "The Cameroonian Constitutional Council: Faithful Servant of an Unaccountable System" in *Constitutional Adjudication in Africa*, (Oxford: Oxford Constitutions of the World, 2017), 80, <https://oxcon.oup.com/display/10.1093/law/9780198810216.001.0001/law-9780198810216-chapter-4>

¹⁷ SADURSKI, Wojciech, *Rights Before Courts, A Study of Constitutional Courts in Postcommunist States of Central and Eastern Europe*, Dordrecht, Springer, 2008 (2nd ed. of the 2005 hard-back publication) - <https://hdl.handle.net/1814/8509>

¹⁸ Sujit Choudhry, *Constitutional Design for Divided Societies*, (Oxford: Oxford University Press, March 2008), <https://global.oup.com/academic/product/constitutional-design-for-divided-societies-9780199535415?cc=cm&lang=en#>

¹⁹ Tom Ginsburg, *Judicial Review in New Democracies: Constitutional Courts in Asian Cases*, "Cambridge : Cambridge University Press, 2003), 1-295, <https://www.cambridge.org/core/books/judicial-review-in-new-democracies/0000FE1406D329B985D16312A18768E7>

unfavourable rulings in Cameroon may thus have broader implications for democratic accountability beyond the specific cases decided by the Council.²⁰

The relationship between electoral adjudication and public confidence has been examined by several scholars whose work is relevant to this study. Pippa Norris, in her research on electoral integrity, developed a framework for measuring the quality of elections that includes the fairness of electoral dispute resolution. Norris argued that where courts fail to provide effective remedies for electoral misconduct, overall electoral integrity is compromised, even if the voting process itself is well-administered. Cameroon's low rate of favourable rulings suggests a significant gap in electoral integrity according to Norris's framework.²¹

GAPS IN THE LITERATURE

Despite the growing body of scholarship on electoral justice in Africa, several gaps remain that this study seeks to address. First, there is a lack of systematic, data-driven studies of the Constitutional Council of Cameroon. Most existing writing on Cameroon relies on qualitative case studies or political commentary rather than comprehensive analysis of petition outcomes. Second, few studies have compared the pre-electoral and post-electoral phases of petition adjudication, even though the dynamics of these phases may differ significantly. Third, the literature has not adequately examined the specific reasons for unfavourable rulings such as lack of locus standi, want of evidence, and time-barred petitions as indicators of the accessibility and fairness of the petition system. This study contributes to filling these gaps by providing a detailed quantitative and qualitative analysis of all petitions filed before the Constitutional Council from 2018 to 2023, examining the patterns of favourable and unfavourable rulings, and situating these patterns within the broader theoretical frameworks of democratic and institutional theory.

METHODOLOGY

This study uses a qualitative research design with some quantitative elements to examine the trend of rulings on electoral petitions by the Constitutional Council of Cameroon from 2018 to 2023. The research is descriptive and analytical in nature. It describes the number of petitions filed, the rulings delivered, and the reasons for those rulings, and it analyses the patterns that emerge from this data. The study does not test hypotheses through statistical methods; rather, it seeks to provide a comprehensive picture of how the Constitutional Council has handled electoral petitions during its first five years of operation.

²⁰ Adam Przeworski (ed), Susan C. Stokes (ed) and Bernard Manin (ed), *Democracy, accountability and representation*, (Cambridge: Cambridge University Press, September 1999), <https://books.google.cg/books?id=WZdfQgAACAAJ&printsec=copyright&hl=fr#v=onepage&q&f=false>

²¹ Norris, Pippa, "The Concept of Electoral Integrity," Chapter in *Why Electoral Integrity Matters*, 21–39, (Cambridge : Cambridge University Press, 2014), 21-39, <https://www.cambridge.org/core/books/abs/why-electoral-integrity-matters/concept-of-electoral-integrity/A9E1444B6C463DBB3DE55D8B4C2CD7AA>

The research design is a case study of the Constitutional Council of Cameroon. A case study is appropriate because it allows for an in-depth examination of a single institution over a defined period of time. The study covers three major electoral cycles: the 2018 presidential and senatorial elections, the 2020 legislative elections, and the 2023 senatorial elections. These elections were chosen because they represent the only national elections held during the period when the Constitutional Council has been in operation, and they provide a sufficient body of petitions and rulings for meaningful analysis.

The study is divided into two main analytical phases: pre-electoral disputes and post-electoral disputes. Pre-electoral disputes are petitions filed before voting takes place, usually concerning the eligibility of candidates, the validity of candidate lists, or the organisation of the election. Post-electoral disputes are petitions filed after voting has taken place, usually concerning irregularities observed during the voting process, the counting of votes, or the announcement of results. This division is important because the legal standards and the political stakes may differ between the two phases.

The primary source of data for this study is official documents published by the Constitutional Council of Cameroon. These documents include:

Annual Reports of the Constitutional Council: These reports provide summaries of the petitions received, the rulings delivered, and the reasons for those rulings. The study uses the annual reports for the years 2018, 2019, 2020, and 2023. The 2023 annual report was unpublished at the time of this study, but it was made available to the researcher.

Compendiums of Rulings: These are collections of the full text of rulings delivered by the Constitutional Council. The study uses the compendiums of rulings for the years 2018, 2019, and 2020. These documents provide detailed information about the parties involved, the matters in dispute, the legal arguments raised, and the Council's reasoning.

The secondary sources used in this study include academic books and journal articles on electoral justice, constitutional courts, and democratic theory. These sources are used to provide theoretical context and to compare the Cameroonian experience with that of other countries.

Data collection was conducted through document analysis. The researcher obtained copies of the Constitutional Council's annual reports and compendiums of rulings in hard copy. Each petition was identified by its petition number and date, and the following information was recorded:

- The type of election (presidential, legislative, or senatorial)
- The phase of the election (pre-electoral or post-electoral)
- The parties involved (petitioners and respondents)

- The subject matter of the petition (e.g., candidate eligibility, cancellation of results, irregularities)
- The number and date of the ruling
- The outcome of the ruling (favourable, unfavourable, or withdrawn)
- The reason for an unfavourable ruling (e.g., unfounded, lack of locus standi, time-barred, lack of jurisdiction, want of evidence, inadmissible, lack of grounds for appeal)

This information was organised into tables and used to calculate frequencies and percentages. The data was then used to identify trends over time and across different types of elections.

The data was analysed using both descriptive statistics and qualitative content analysis.

The researcher calculated the total number of petitions filed in each electoral year, the number of rulings delivered, the number of favourable and unfavourable rulings, and the percentage of each. The reasons for unfavourable rulings were also counted and expressed as percentages. These statistics are presented in tables and figures throughout the study. For example, Table 20 shows that the Council received 155 petitions from 2018 to 2023, delivered 107 rulings, of which 19 (18%) were favourable, 87 (81%) were unfavourable, and 1 (1%) was withdrawn. Table 21 shows that the most common reason for unfavourable rulings was that petitions were "unfounded" (42.5%), followed by lack of locus standi (18.5%), time-barred (15%), lack of grounds for appeal (11.5%), lack of jurisdiction (7%), and want of evidence (4.5%).

The researcher read the full text of selected rulings to understand the legal reasoning used by the Constitutional Council. Particular attention was paid to the Council's interpretation of the electoral code, its application of procedural rules, and its treatment of evidence presented by petitioners. This qualitative analysis helps to explain the patterns observed in the quantitative data. For example, the finding that many petitions were dismissed for lack of locus standi was explored by examining specific cases, such as the petitions of Kisob Martin and Reverend Gaban in 2018, who were neither candidates nor representatives of government agencies and therefore lacked standing to sue.

In summary, this study employs a mixed-methods approach combining document analysis, descriptive statistics, and qualitative content analysis to examine the trend of rulings on electoral petitions by the Constitutional Council of Cameroon from 2018 to 2023. The research is based on official primary sources and is situated within the theoretical frameworks of democratic theory and institutional theory. The findings are presented in a manner that is both systematic and accessible, with the aim of contributing to scholarly understanding of electoral justice in Cameroon and in comparable political contexts.

TREND OF RULINGS ON ELECTORAL PETITIONS IN 2018

The Constitutional Council was baptised with Senatorial and Presidential elections in 2018, disputes arising from these elections were examined under provisions of the Electoral Code. These petitions ranged from cancellation of lists, contestation of candidate eligibilities, cancellation of election results, suspension of Elections Cameroon (ELECAM) to postponement of elections.

It should be recalled that adjudication of the 2018 presidential elections was highly mediated, and marked the entrance into the political scene of parties such as the Cameroon Renaissance Movement whose defence counsel comprised a battalion of legal practitioners. Amongst debates that animated the litigation process was the famous alleged “missing” 32 minutes containing 1,327,000 votes²² raised by the MRC, which according to them, could seal the party’s victory. Other parties like the PCRN and SDF also lodged complaints on various grounds.

PRE-ELECTORAL DISPUTES

Pre-electoral disputes are disputes which occur before voting takes places, they are customarily observed during any national election in Cameroon, including the 2018 Senatorial and Presidential elections.

Senatorial Elections

Most petitions during this phase contested the eligibility of aspirants, motivating petitioners to seize the Constitutional Council with the hope of reversing the eligibility of competitors validated by political parties and Elections Camerouns (ELECAM). The number of pre-electoral disputes arising from senatorial elections stood at seven (7), thus five (5) calling for the cancellation of CPDM lists, one (1) for the acceptance of a candidate and one (1) against the regional office of Elections Cameroon (ELECAM) in the West Region for failure to forward the original list of candidates. The Constitutional Council ruled on six (6), favourably on one (1) petition, against five (5).²³

²² Frank Foute of Jeune Afrique stated, “*Pour prouver leurs allégations, les avocats de Maurice Kamto ont présenté une série de 32 procès-verbaux issus de la Commission nationale de décompte des voix, dont la forme prouverait selon eux qu’ils ne sont pas des originaux. « On se rend compte que ce qu’on appelle des procès-verbaux originaux dans cette Cour ne sont pas signés. Est-ce qu’il y a un endroit dans ce monde où l’on peut accepter des documents faits dans les bureaux ? En réalité, nous attendions qu’on nous produise ces 32 procès-verbaux. Ils donnent droit à 1 327 000 voix. Voilà 1 327 000 voix qu’on veut donner à monsieur Paul Biya. On ne peut pas l’accepter. Il faut que le Conseil constitutionnel nous présente tous les procès-verbaux. Il en a sorti six ce soir. Aucun d’entre eux n’est signé. Nous attendons encore les autres, qui ne seront pas non plus signés »*, affirme Paul Éric Kingue, le directeur de campagne du candidat Kamto”, October 18, 2018, <https://www.jeuneafrique.com/648537/politique/presidentielle-au-cameroun-elecama-rejette-les-accusations-de-fraudes-de-lopposition/>, accessed June 2025

²³ 2018 compendium of rulings, published by the Constitutional Council, <https://drive.google.com/file/d/1jYrkHGrQAF0vgYp6suqtdfsLr5DDM3-u/view?usp=sharing>, accessed June 2025

Table 1: Dynamic of rulings on pre-electoral disputes on the election of senators

Type of Election	Parties concerned	Number of petitions	Rulings / Decisions	Favourable Ruling	Unfavourable Ruling
Senatorial	CPDM, UNDP, UDC, SDF, ANDP, UDP, FSNC, UMS	7	6	1	5
Percentage				16.7%	83.3 %

Source: Compendium of rulings for the year 2018, June 2025

Table 2: Reasons for unfavourable rulings on senatorial pre-electoral disputes

Type of election	Reason for rejection	Number
Senatorial	Lack of jurisdiction	2
	Lack of <i>locus standi</i>	2
	Unfounded	1

Source: 2018 Compendium of rulings, June 2025

Based on the table above, most petitions were rejected for lack *locus standi* and the Council's lack of jurisdiction.

Presidential Elections

A total of thirteen (13) petitions were submitted to the Constitutional Council during this election with emphasis on claims regarding the acceptance or rejection of presidential aspirants, six (6) were for the validation of candidacies, two (2) challenged the validation of candidacies, another two (2) contested the rejection of candidacies, one (1) called for the postponement of Presidential Elections, one (1) was in support of the cancellation of the decree that convened the electorate and one (1) advocated for the acceptance of an exceptional candidacy. All petitions were examined by the Constitutional Council, thus enabling the electoral board to publish

a final list of nine (09) presidential candidates. Despite the number of petitions filed, they were all met with unfavourable rulings.²⁴

Table 3: Dynamic of rulings on pre-electoral disputes on the election of President of the Republic

Type of Election	Parties concerned	Number of petitions	Ruling / Decisions	Favourable Ruling	Unfavourable Ruling
Presidential	Independent candidates, CPDM	13	13	0	13
Percentage				0%	100%

Source: 2018 Constitutional Council Annual Report, June 2025

Table 4: Reasons for unfavourable rulings on presidential pre-electoral disputes

Type of election	Reason for rejection	Number
Presidential	Unfounded	9
	Lack of locus standi	1
	Want of evidence	1
	Lack of jurisdiction	2

Source: 2018 Constitutional Council Annual Report, June 2025

The table above illustrates that most petitions were deemed unfounded, thus resulting to an unfavourable ruling.

²⁴ Available at <https://drive.google.com/file/d/1itkVWdp6S8kQILZq3pFGzz6i1F1KEZnX/view?usp=sharing>
Page | 13

POST-ELECTORAL DISPUTES

Post-electoral disputes are hearings that take place after voting and are mostly concerned with irregularities observed during the voting process. These irregularities are principally concerned with non-respect of electoral norms, such as vote rigging, voter intimidation, attempts to corrupt election officials, just to name a few.

Senatorial Elections

With regards to post electoral disputes, three (03) petitions were brought to the Constitutional Council, calling for the cancellation of elections due to irregularities. Stakeholders called for elections to be cancelled in the Southwest region, West region and all over the national territory respectively.

Table 5: Dynamic of rulings on post-electoral disputes on the election of Senators

Type of Election	Parties concerned	Number of petitions	Ruling / Decisions	Favourable Ruling	Unfavourable Ruling
Senatorial	ANDP, CPDM, UNDP, UDC	3	3	0	3
Percentage				0%	100%

Source: 2018 Constitutional Council Annual Report, June 2025

Table 6: Reasons for unfavourable rulings on senatorial post-electoral disputes

Type of election	Reason for rejection	Number
Senatorial	Unfounded	1
	Lack of <i>locus standi</i>	1
	Filed out of time	1

Source: 2018 Constitutional Council Annual Report, June 2025

Presidential Elections

Electoral disputes were heard following the said election of the President of the Republic, a total of eighteen (18) petitions were filed, with some jointly heard. Thus, eleven (11) were on the invalidation of results obtained by CPDM in the ten (10) regions of Cameroon and the diaspora, one (1) for the cancellation and reconvening of the electorate, one (1) for lack of jurisdiction of the Constitutional Council (to supervise presidential elections

and proclaim results), one (1) for the suspension of ELECAM’s board, one (1) on the suspension of CPDM, one (1) on the total cancellation of the election of President of the Republic, one (1) on the cancellation of electoral operations and one (1) on the partial cancellation of the election of President of the republic. However, only seven (7) rulings were delivered. All petitions except one, during this phase, were in favour of cancellation of the voting exercise due to irregularities observed. Amongst the top political actors who seized the Council during this phase include Maurice Kamto, Joshua Osih and Cabral Libi.

Table 7: Dynamic of rulings on post-electoral disputes on the election of President of the Republic

Type of Election	Parties concerned	Number of petitions	Ruling / Decisions	Favourable Ruling	Unfavourable Ruling
Presidential	CPDM, MRC, UNIVERS, UDC, FPD, ADD, MCNC, PURS	18	7	0	7
Percentage				0%	100%

Source: 2018 Constitutional Council Annual Report, June 2025

Table 8: Reasons for unfavourable rulings on presidential post-electoral disputes

Type of election	Reason for rejection	Number
Presidential	Lack of <i>locus standi</i>	3
	Unfounded	2
	Filed out of time	1
	Lack of jurisdiction	1

Source: 2018 Constitutional Council Annual Report, June 2025

As demonstrated on the table above, most petitions during this phase were rejected for lack of *locus standi* (petitioners did not have the quality to seize the Constitutional Council), Kisob Martin and Reverend Gaban saw their petitions thrown out for this reason because they were neither candidates running for elections nor

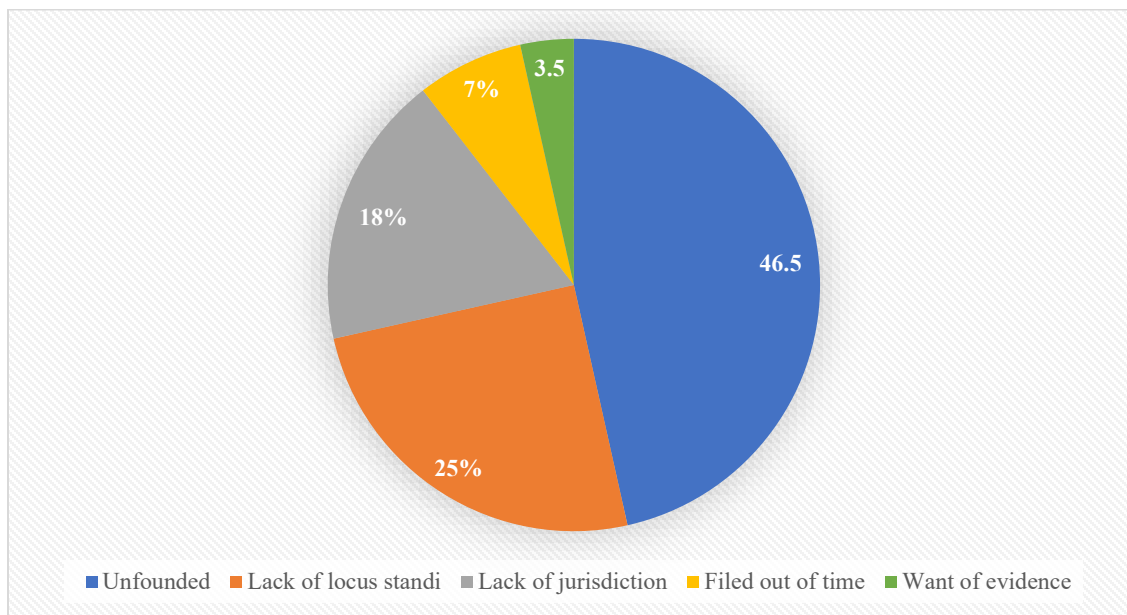
representatives of any government agency. The petitions of Joshua Osih and Maurice Kamto were judged as unfounded meanwhile that of Cabral Libi was denied for having been filed after deadline.

Table 9: Reasons for unfavourable rulings throughout the 2018 electoral year

Type of election	Reason for rejection	Number / Percentage
Presidential / Senatorial	Unfounded	13 (46.5%)
	Lack of <i>locus standi</i>	7 (25%)
	Lack of jurisdiction	5 (18%)
	Filed out of time	2 (7%)
	Want of evidence	1 (3.5%)

Source: 2018 Constitutional Council Annual Report

Figure 1: Graphical presentation of unfavourable rulings throughout the 2018 electoral year



Source: 2018 Constitutional Council Annual Report, June 2025

TREND OF RULINGS ON ELECTORAL PETITIONS IN 2020

In the year two thousand and twenty (2020), the Constitutional Council adjudicated its first parliamentary elections which was the only electoral activity observed that year. Organised amid the covid nineteen (19) pandemic, parties like the CPDM, UMS, UNDP, UDC, FSNC, MCNC, SDF, PURS and PCRN competed for political office. These parties challenged the eligibility of candidates and transparency of the electoral process via petitions, as in two thousand and eighteen (2018), disputes were divided into pre and post electoral periods. Fifty-five (55) petitions were filed in the pre-electoral phase with thirty-three (33) rulings delivered, against forty-one (41) petitions in the post-electoral phase which saw thirty-one (31) rulings delivered. Ninety-six (96) petitions were cumulatively received by the Constitutional Council during the 2020 electoral year, after deliberation, sixty-four (64) rulings were issued. The peculiarity of this electoral year was the high rate of favourable rulings delivered, especially during the pre-electoral phase, mostly to the benefit of the Social Democratic Front.

PRE-ELECTORAL DISPUTES

The Constitutional Council received fifty-five (55) petitions during this phase, which challenged the eligibility of candidates on lists validated by Elections Cameroon, and it issued thirty-three (33) rulings due to the fact that as some petitions were merged. The table in the next page illustrates.

Table 10: Dynamic of rulings on pre-electoral disputes of 2020 legislative elections

Type of election	Parties concerned	Number of petitions	Rulings/Decisions	Favourable Rulings	Unfavourable Ruling	Petitions withdrawn
Legislative	CPDM, FSNC, SDF, PADDEC, UNDP, UDP, UPC, RDDRC, PCRN, ANDP	55	33	17	15	1
Percentage				51.5%	45.5%	3%

Source: 2019 Constitutional Council Compendium of Rulings, June 2025

A major ruling which marked this phase was the rejection of Herve Emmanuel Kom’s candidacy (CPDM candidate in Wouri East) for dual nationality, a petition was filed by SDF to this effect. Petitions received unfavourable rulings for various reasons, ranging from lack of locus standi to lack of jurisdiction as seen in the table below.

Table 11: Reasons for unfavourable rulings on legislative pre-electoral disputes

Type of election	Reason for rejection	Number
Legislative	Lack of <i>locus standi</i>	6
	Want of evidence	3
	Time barred	3
	Unfounded	1
	Lack of jurisdiction	1
	Inadmissible	1

Source: Constitutional Council 2019 Compendium of rulings, June 2025

POST ELECTORAL DISPUTES

A total of forty-one (41) petitions were received, all in view of either a partial or total cancellation of the electoral exercise, however, the Constitutional Council delivered thirty-one (31) rulings, as some petitions were jointly examined as illustrated below.

Table 12: Dynamic of rulings on post-electoral disputes of 2020 legislative elections

Type of Election	Parties concerned	Number of petitions	Ruling / Decisions	Favourable Ruling	Unfavourable Ruling
Legislative	CPDM, UMS, BRIC, UDP, SDF, UNDP, FSNC, ADD, UDT, MCNC, PCRN, UNIVERS, PURS,	41	30	1	29
Percentage				3.3%	96.7%

Source: Constitutional Council 2020 Compendium of rulings, June 2025

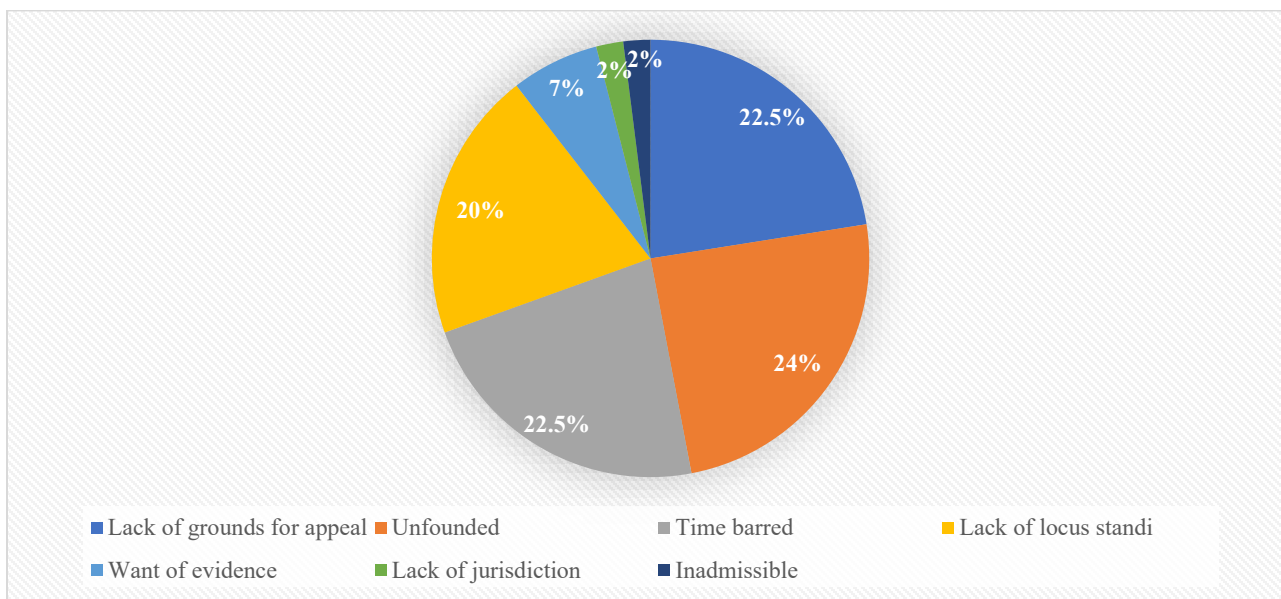
The lone favourable petition at this phase was filed by the Social Democratic Front, calling for the cancellation of elections in some constituencies in the Northwest and Southwest regions, specifically in Menchum North, Bui West, Mezam South, Bui Centre, Bui South, Mezam Central, Momo East, Menchum South, Momo West, Mezam North for the Northwest region, and Lebialem for the Southwest region. A re-run of elections was conducted in these constituencies as instructed by the Constitutional Council.

Table 13: Reasons for unfavourable rulings throughout the 2020 electoral year

Type of election	Reason for rejection	Number / Percentage
Legislative	Unfounded	11 (24%)
	Lack of grounds for appeal	10 (22.5%)
	Time barred	10 (22,5%)
	Lack of <i>locus standi</i>	9 (20%)
	Want of evidence	3 (7%)
	Lack of jurisdiction	1(2%)
	Inadmissible	1 (2%)

Source: 2020 Constitutional Council Annual Report, June 2025

Figure 2: Graphical presentation of unfavourable rulings throughout the 2020 electoral year



Source: 2020 Constitutional Council Annual report, June 2025

TREND OF RULINGS ON ELECTORAL PETITIONS IN 2023

The year 2023 was marked by Senatorial elections which saw CPDM sweep all competitive seats,²⁵ sparking a series of contestations from opposition parties like UNDP and FDC (*Front des Démocrates Camerounais*). The Constitutional Council on its part dealt with conflicts emanating from such elections for the second time, a total of eighteen (18) petitions were received, thirteen (13) during the pre-electoral phase and five (5) during the post electoral phase. Petitions like in previous elections challenged the eligibility of candidates and called for the cancellation of electoral results.

PRE-ELECTORAL DISPUTES

All petitions filed in the year two thousand and twenty three's (2023) pre-electoral phase of Senatorial elections received unfavourable rulings, similar to presidential elections of two thousand and eighteen (2018), observed earlier in this study. Thirteen (13) petitions were cumulatively submitted during this stage, six (6) calling for the restitution of certain list rejected by the electoral board, four (4) soliciting the rejection of validated lists, one (1) on the restitution of a candidate as head of a list, and two (2) contesting the list of a political party. The Constitutional Council delivered thirteen (13) rulings, most of which were rejected for being unfounded, leaving petitioners largely unsatisfied.

The table in the next page provides more details.

Table 14: Dynamic of rulings on pre-electoral disputes of 2023 senatorial elections

Type of Election	Parties concerned	Number of petitions	Ruling / Decisions	Favourable Ruling	Unfavourable Ruling
Senatorial	JDC, SDF, FDC, CPDM, UNDP, UPC, MDR	13	12	0	12
Percentage				0%	100%

Source: 2023 Constitutional Council Annual report (unpublished), June 2025

POST ELECTORAL DISPUTES

This phase of the two thousand and twenty-three (2023) electoral year saw the filing of five (5) petitions, mostly calling for the partial or total cancellation of elections in some constituencies, like the pre-electoral phase,

²⁵ Ayuk Divine, "Cameroon: Ruling party, CPDM wins all 70 senatorial seats", *Cameroon Concord*, (March 2023), accessed June 30, 2025, available at <https://www.cameroon-concord.com/politics-2/cameroon-ruling-party-cpdm-wins-all-70-senatorial-seats>

petitions were rejected on the basis of being unfounded, leaving petitioners in dismay. The table below examines in detail.

Table 15: Dynamic of rulings on post-electoral disputes of 2023 senatorial elections

Type of Election	Parties concerned	Number of petitions	Ruling / Decisions	Favourable Ruling	Unfavourable Ruling
Senatorial	CPDM, FDC, UNDP,	5	3	0	3
Percentage				0%	100%

Source: 2023 Constitutional Council Annual report (unpublished), June 2025

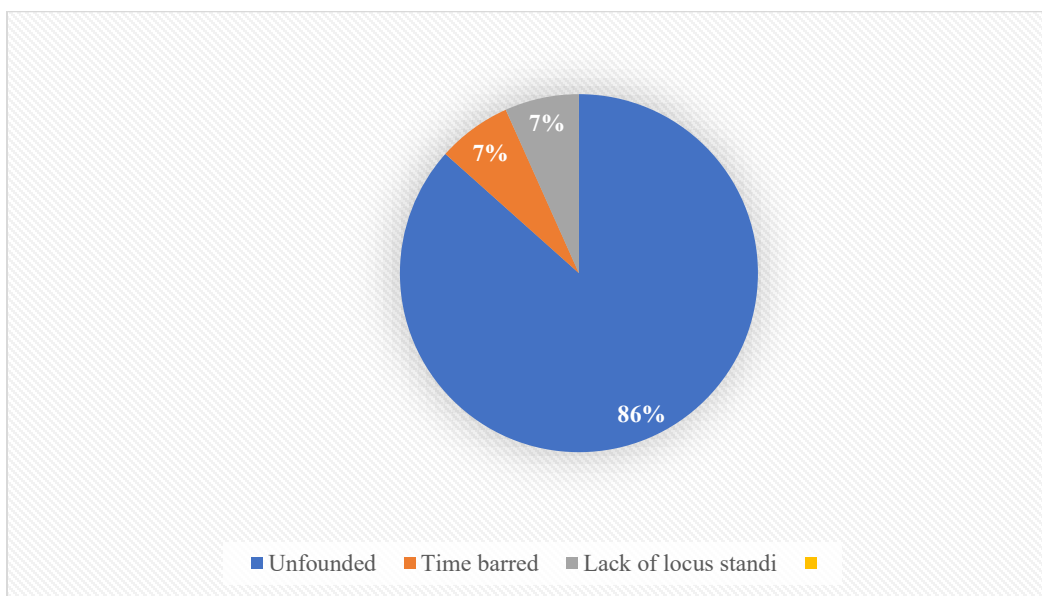
Petitions throughout the 2023 electoral year were rejected for the following reasons;

Table 16: Reasons for unfavourable rulings throughout the 2023 electoral year

Type of election	Reason for rejection	Number / Percentage
Senatorial	Unfounded	13 (86.6%)
	Time barred	1 (6.7%)
	Lack of <i>locus standi</i>	1 (6.7%)

Source: 2023 Constitutional Council Annual report (unpublished), June 2025

Figure 3: Graphical presentation of unfavourable rulings throughout the 2023 electoral year



Source: 2023 Constitutional Council annual report (unpublished), June 2023

SUMMARY OF RULINGS ON ELECTORAL PETITIONS FROM 2018 – 2023

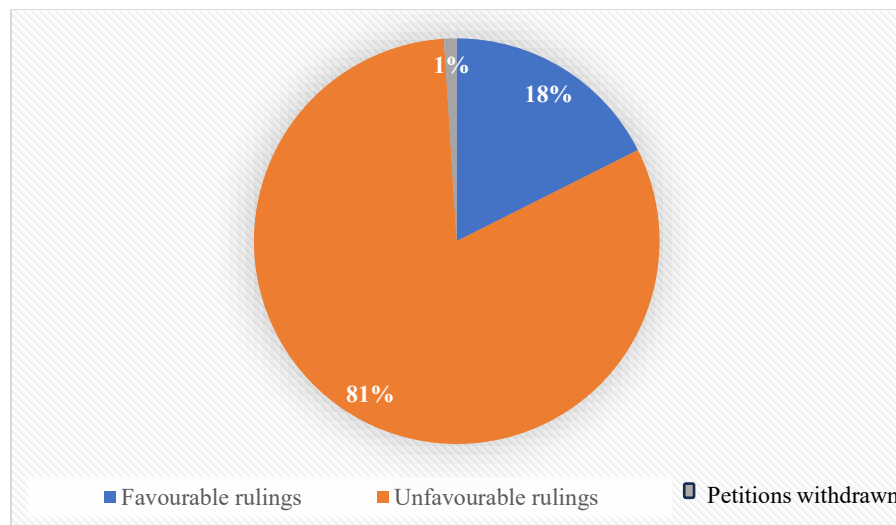
Based on the trends examined above, the Constitutional Council received a total of one hundred and fifty-five (155) petitions from 2018 to 2023, delivered one hundred and seven (107) rulings, with nineteen (19) in favour of petitioners, eighty-seven (87) unfavourable and one (1) which was withdrawn. Amongst the reasons justifying these unfavourable petitions, one (1) was deemed inadmissible, thirty-seven (37) declared unfounded, thirteen (13) as time barred, ten (10) lacking grounds for appeal, sixteen (16) for lack of *locus standi*, the Constitutional Council equally declared its lack of jurisdiction on six (6) and four (4) were found wanting of evidence.

Table 20: Dynamic of rulings on electoral disputes from 2018 - 2023

Election	Timeframe	Number of petitions	Rulings	Favourable Rulings	Unfavourable Rulings	Petitions Withdrawn
Presidential / Legislative / Senatorial	2018 - 2023	155	107	19	87	1
Percentage				18%	81%	1

Source: Annual reports of the Constitutional Council from 2018 - 2023, June 2023

Figure 4: Summary of rulings from 2018 – 2023



Source: Annual reports of the Constitutional Council from 2018 – 2023, June 2025

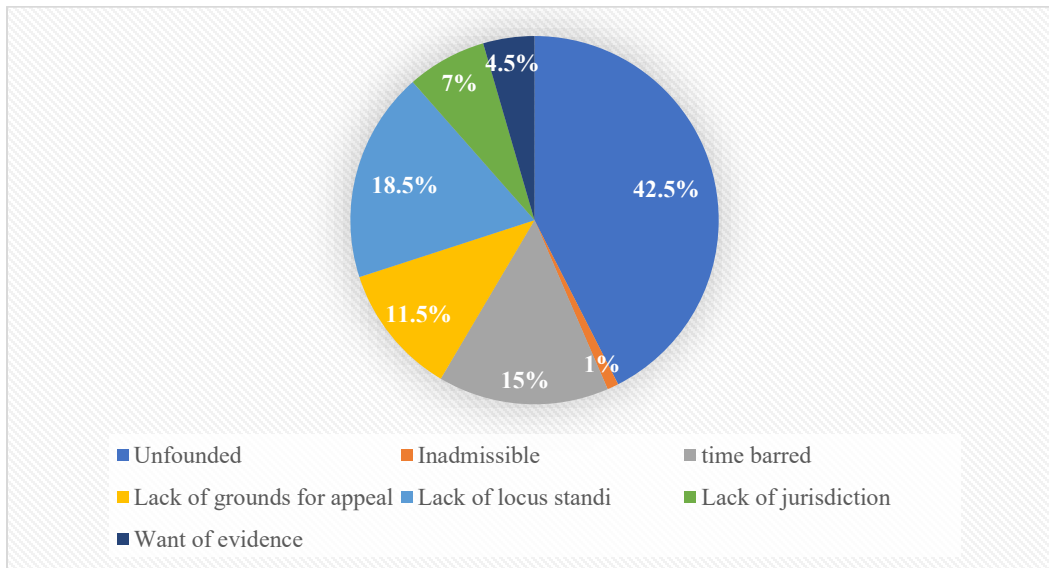
The data above indicates that petitions have been largely unfavourable for petitioners, after five (5) years of adjudication by the Constitutional Council.

Table 21: Summary of reasons for unfavourable rulings from 2018 - 2023

Election	Timeframe	Reason for rejection	Number / Percentage
Senatorial / Legislative / Presidential	2018 - 2023	Unfounded	37 (42.5%)
		Inadmissible	1 (1%)
		Time barred	13 (15%)
		Lack of grounds for appeal	10 (11.5%)
		Lack of <i>locus standi</i>	16 (18.5%)
		Lack of jurisdiction	6 (7%)
		Want of evidence	4 (4.5%)

Source: Annual reports of the Constitutional Council from 2018 – 2023, June 2025

Figure 5: Summary of reasons for unfavourable rulings from 2018 – 2023



Source: Annual reports of the Constitutional Council from 2018 – 2023, June 2025

Given the chart above, one can deduce that the main reason for the rejection of most petitions filed at the Constitutional Council from 2018 – 2025 is because they were unfounded.

CONCLUSION

This chapter set out to examine the trend of rulings on electoral petitions submitted to the Constitutional Council from 2018 to 2023. As per findings, a total of forty-one (41) disputes were recorded in the 2018 electoral year, ninety-six (96) in 2020 and eighteen (18) in the 2023 electoral year, with most focused on the ineligibility of candidates and cancellation of elections. As observed, amongst one hundred and seven (107) rulings delivered against one hundred and fifty-five (155) petitions, eighty-seven (87) were unfavourable to petitioners meanwhile nine-teen (19) were favourable, it should also be noted that one (1) petition was withdrawn by a petitioner during the pre-electoral of the 2020 electoral year.

Petitions were rejected for either being unfounded, deemed inadmissible, time barred, lacking grounds for appeal, evidence, or jurisdiction. The above trend of rulings has sparked public debate on the adjudication of petitions by the Constitutional Council, giving room for scepticism and prompting questions regarding the efficiency of the judicial process in this context. Questions on whether justice is served fairly and transparently have been evoked, the researcher is equally motivated by the need to examine if petitioners face technical limitations that impede their ability to present their cases effectively. The subsequent chapters of this research endeavour to provide comprehensive answers to these critical questions.

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