Election Management Bodies in Africa: The pity of it all

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Abstract—**Since the (re-) introduction of multiparty politics in Africa in the early 1990s, electoral competition for state power has become the norm and most African countries have held more than three successive elections. However, while election is important part of a political process in a democracy and that every political system participate in election as a symbol of the democracy, experience of how Electoral Management Bodies (EMBs) have managed elections in Africa has revealed that over the years, their independence have been mortgaged by different internal and external interest thereby being used to subvert the will of the people. This has generated a worrying trend of increasing election-related violent conflict that threatens democracy, peace and stability of the continent. Therefore, this research paper uses content analysis to examine the pitfalls of EMBs in managing elections in Africa with empirical evidence from different African Countries. In order to create an institutional strengthening design for EMBs that has high integrity, the paper concludes by proposing a raft of recommendations such as the need to create a framework for mutually cooperative links based on professionalism and impartiality, enabling EMBs to iron out any disputes during the electoral process, thus strengthening electoral administration and management as an investment for consolidating democracy in Africa.**

Keywords— **Democratisation; elections; election management bodies; multi-party politics; voting and democratic consolidation**

I. INTRODUCTION

Elections have always been an integral part of African politics since the end of colonialism and have assumed the utmost importance in the course of recent democratization processes (Nohlen et al., 2014). Voting in an election is an important component of democracy as it creates the meaning indifferent for all political system and indicates that the election is an unavoidable process since if there is no election, a political regime will be dictatorship (Chitlaoarporn, 2015). Nevertheless, an election or direct democracy voting such a referendum is often considered one of the most important activities that are ever prepared in a country. It is a very complex administrative task and is usually implemented in a politically charged atmosphere (Wall & IDEA, 2006). Notably, increasing pressure both from within and outside Africa for free and fair elections have made electoral competitions in Africa in the last decade very intense and the results very close. This has made the issue of electoral administration and management very critical (Fombad, 2016).However, in the management of elections, Electoral Management Bodies (EMBs) plays a critical role and have become a keystone of the process of democratisation in most African countries. Therefore, their composition, mandate and activities have attracted increasing public attention (Makulilo et al., 2015). Remarkably, since the third wave of the democratisation process in Africa in the late 1980s and the 1990s, many countries have organized multiparty elections in Africa. As such, single-party regimes and authoritarian leaders of all shades increasingly became under intense pressure to liberalise and permit more participation in the political process through elections (Huntington, 1991). This new development in Africa shifted focus to EMBs which have become the centre of attraction for election stakeholders with vested interest in the election process thus leading to the EMBs capture by the political elites. The result of this has often been manipulation of EMBS, which is characterised by fraught and fragility thereby precipitating moments of crisis such exacerbating ethnic conflict, political breakdown, and related social disequilibrium(Reynolds, 1999). Similarly, when EMBs are superficially corrupt and flawed, the ethnic political violence is heightened and the resulting governance is usually worse than it would have been if elections did not determine the government at all elites (Gaulme, 2010). Furthermore, despots in Africa are seemingly being legitimized through stolen elections and substantive participation of people in elections never penetrates beyond the existing elites (Gaulme, 2010). Therefore, the general objective of this paper is to analyse the extent to which election management bodies (EMBs) in Africa have served as unbiased umpires during electoral processes thereby subverting the will of the electorate and stagnating democracy.

II. METHODOLOGY

This paper is a product of desktop research and it employs content analysis of the experience of Electoral Management Bodies (EMBs) in managing elections in Africa. The discussion is guided by the following question; to what extent does election management bodies (EMBs) in Africa serve as unbiased umpires during electoral processes? In order to answer this question, the paper is organized as follows; it begins by examining the concept of election and Election Management body, then briefly gives an overview of multi-party politics in Africa and how it has affected the election patterns. Thereafter, it critically examines the election management bodies in Africa vis-a-vis elections and how its management has become an obstacle to the process of

democratic consolidation. The critical examination is done with the aid of empirical examples of EMBS from across African countries. Lastly, the paper concludes by recommending on how to reform EMBs to ensure it plays its role in securing credible democratic elections through systematic analysis of electoral governance gaps in Africa.

III. ELECTION

An election is a legitimate process of choosing a person for public office or of accepting or rejecting a political proposition by a way of voting (Eulau, & Webb, 2015).As such, elections are regarded as a central institution of democratic representative governments because in a democracy, the powers of the government are derived solely from the consent of the people who are governed and the principal mechanism for translating that consent into governmental authority is by holding free and fair elections (USAID, 2015). Although elections were common in ancient Athens, in Rome, and in the selection of Popes and Holy Roman emperors, the use of elections in the contemporary world lie in the gradual emergence of representative government in Europe and North America beginning in the 17th century (Eulau, & Webb, 2015). In Sub-Saharan Africa, competitive elections based on universal suffrage were introduced in three distinct periods (Eulau, & Webb, 2015). In the 1950s and '60s, many countries in Africa held elections following the decolonization. Although many of them reverted to authoritarian forms of rule soon after independence, there were exceptions such as in Botswana and Gambia. In the late 1970s, elections were introduced in some countries when military dictatorships were dissolved such as in Ghana and Nigeria, while other countries in Southern Africa underwent decolonization. For instance Angola, Mozambique, and Zimbabwe. In the early 1990s, following the end of the Cold War and the reduction of military and economic assistance from developed countries brought about democratization and competitive elections in more than a dozen African countries, including Benin, Mali, South Africa, and Zambia (Eulau, & Webb, 2015). The history of democratization in Africa has revealed that competitive elections are always the cornerstone of historical moments as they have ushered in change, rebirth and renewal (Reynolds, 1999).

According to Dickerson et al (1990) , election is defined as a post mortem that investigate the record of office holders whose actual performance may have little to do with promises made when they were previously elected. In other words, it is a way of ensuring that leaders are evaluated based on their commitment to promises they made and what they achieved while in the office rather than just popularly accepted. This method diffuse chaos in a system hence it is diminutive of peaceful handover from one administration to the other so long as the process is devoid of election rigging. Admittedly, the continued spread of democracy in sub-Saharan Africa since the early 1990s to date has endowed competitive elections with special significance (Diamond, 1999). Elections have become an important organized method of peaceful democratic transition and transfer of power, a salient indicator of democratic consolidation in Africa, and accepted institutionalized means for large numbers of people to participate peacefully in instituting and changing democratic governments afterwards. Free, fair and peaceful competitive elections have thus become a requisite, albeit insufficient, source of behavioural, if not attitudinal, legitimacy in Africa's surfacing democracies (Diamond, 1999).Strikingly, in defining elections, it is important to distinguish between the form and the substance of elections(Eulau, & Webb, 2015). In some cases, electoral forms are present but the substance of an election is missing, as when voters are uninformed and do not have a free and genuine choice between at least two alternatives. Most countries in Africa hold elections in a minimum of the formal sense, however in several of them the elections are not competitive or the electoral state of affairs is in other respects are highly compromised by those with a vested interest in the outcome (Eulau, & Webb, 2015).

Over and above that, the right to vote and stand for elections is a matter of universal concern and is protected in numerous international instruments. For instance, Article 21, Section 3 of the United Nation (UN) Universal Declaration of Human Rights (1948) enshrines this cornerstone precept and states that, "The will of the people shall be the basis of the power of any government in place; this shall be expressed in periodic and genuinely organized elections which shall be by universal and equal suffrage and shall be conducted by a way of secret vote or by equivalent free voting procedures." (Kelley, 2011). Likewise, Inter-governmental bodies in Europe, Africa, Asia, Latin America and the Middle East have equally developed guidelines focusing on democracy, human rights, and elections and is ratified by member states or which states are obliged to respect. Moreover, the UN and other intergovernmental institutions have acknowledged the role of international and domestic observers as non-partisan participants in election processes (Institute of Scientific Information for Social Sciences of the RAS & Korgunyuk, 2019). According to American political scientist Larry Diamond, democracy is compost of four key elements which are very important: a political system for selecting and replacing the government through free and honest elections; an active participation of the individuals, as voters, in politics and civic life; protection of the human rights of all citizens; a rule of law, in which the laws and procedures apply equally to all citizens(Diamond, 2004). Therefore, an election system is primarily, however not exclusively about the incorporation of special interest groups into the political system and effective representation of minority as it is one of the key elements of a democratic state. The existence of an electoral system notifies democracy in the country and elections to build trust between state and citizens. Therefore, it is an integral and necessary part of democracy (Fuad Afgan, 2016).

IV. ELECTION MANAGEMENT BODY

Election management body (EMB) is a concept that is widely used to refer to an organization or a body that have a sole responsibility and authority to manage elections to choose representatives of the people in a credible manner based on the principles of independence, impartiality, and integrity, professionalism, transparency, efficiency and voters' service-oriented (Wall & IDEA, 2006). According to Olaniyi, election management consists of a plethora of activities such as registering voters, providing voters information, ballot design, distribution, processing of ballot, securing and reporting results and hearing and resolving election disputes (Olaniyi, 2017). The concept of Election Management Body (EMB) has been conceived differently in some countries as they refer to it as an electoral commission. However, it should be noted that the two concepts are used interchangeably by psephologist in particularly and political scientist, in general, to refer to electoral management body and its main function remain the same which is to hold elections (Pintor, 2000). For instance, the EMB in Burundi is managed by the National Independent Electoral Commission, in Rwanda, it is the National Electoral Commission (RNEC), in Ghana it is managed by the Electoral Commission (EC), in Mexico, it is managed by the Federal Electoral Institute, in Paraguay is managed by the Supreme Tribunal of Electoral Justice, in Honduras is held by the National Electoral Tribunal, in Russia is conducted by the Central Election Commission, in the United States is managed by the Federal Electoral Commission, and in South Africa is managed by the Electoral Commission (Nugroho, 2017).

Additionally, according to Wall & IDEA, different Election Management Bodies (EMBs) may be established for different electoral processes. For example, In Mexico and Poland, the EMB is responsible both for presidential elections and for parliamentary elections; in Lithuania, one EMB deals with presidential elections and a separate one with parliamentary elections. In the UK, the arrangements for the conduct of elections and referendums are altogether totally different from one another addition to the division of purposeful responsibility for various parts of the electoral method and electoral responsibilities could also be divided between bodies at totally different levels. For example, some components of the conduct of elections could also be managed by a national-level electoral commission, a ministry, or a national government agency, while others are implemented by local-level commissions, regional branches of government departments, or local authorities (Wall & IDEA, 2006).

Importantly, in major advances in 2006, Walle and IDEA argued that while there are many variations on the detail of the designs of EMBs, a country's electoral management model may result from a holistic design process and as such, there are three broad types or models of electoral management designs that are widely used by different countries – the Independent, Governmental and Mixed Models. However, the effectiveness of EMBS as institutional linchpins of electoral governance depends largely, but not exclusively, on their

autonomy from the government (Mozaffar, 2002). Figure 1 below classifies the different models as explained by Wall and IDEA.

Figure 1: The Three Models of Electoral Management
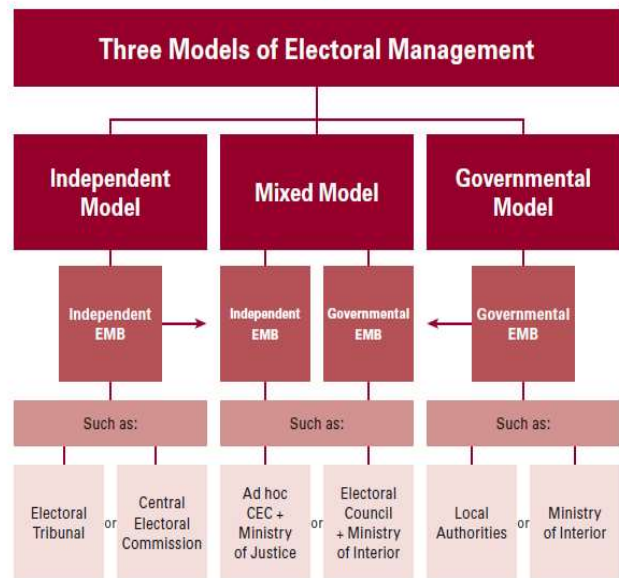
Source: Wall & IDEA, 2006.

As shown in the figure 1, the Independent Model of electoral management exists in those countries where elections are organized and managed by an EMB which is institutionally independent and autonomous from the executive branch of government, and which has and manages its budget. Examples of EMBs under the Independent Model in Africa include Burkina Faso, Liberia, Mauritius, Nigeria and South Africa. On the other hand, the Governmental Model of electoral management exists in those countries where elections are organized and managed by the executive branch through a ministry (such as the Ministry of the Interior) and/or through local authorities. Countries whose EMBs fall into this model are mostly found outside Africa and include Denmark, New Zealand, Singapore, Switzerland, Tunisia, the UK (for elections but not referendums) and the United States. Lastly, In the Mixed Model of electoral management, there are usually two-component EMBs, and dual structures exist a policy, monitoring or supervisory EMB that is independent of the executive branch of government and an implementation EMB located within a department of state and/or local government. The Mixed Model is used in France, Japan, Spain and many former French colonies in Africa, especially in West Africa, for example, Mali, Senegal and Togo (Wall & IDEA, 2006). Lastly, despite the different patterns of electoral governance in Africa's emerging democracies, it should be noted that the work of the election management bodies (EMBs) should be concerned with how election officials and electoral bodies control their political environment to conduct

elections that can be judged as being free, fair and credible. This assertion implies that it is not enough for all the necessary resources or logistics to be made available to the EMB in a country but what is more important is how it manages the process to achieve a credible election result (Olaniyi, 2017). In conclusion, the threefold classification must not be taken at face value. There is no perfect model. Whilst each model has its advantages and disadvantages (Fombad, 2016).

V. MULTI-PARTY POLITICS IN AFRICA

A multi-party system is a political arrangement where multiple political parties across the political divide are allowed by law to compete in a national election, and all can gain control of government offices, separately or in coalition (Robert, 2015). This particular system is generally regarded as the most reliable system for the cultivation, development and institutionalization of democracy (Prah, 2014). The multi-party model is synonymous with the modern liberal democracy and its main advantage is that, in a modern capitalist society, it allows for the coexistence of diverse views of how social life should be ordered without suffocating relatively inferior constituencies (Prah, 2014).Additionally, according to Hague, Harrop and McCormick (2016), "in multiparty systems, the legislature comprises several minority parties, resulting in coalitions or, less often, minority government by the leading party". Simply stating, multipartism infers a party system that has more than two parties. However, according to Ware, multipartism has several different types such as polarized, moderate, and segmented or atomize (Were, 2000). A democratic regime in the multi-party system is shaped by the type of multipartism. This is because different multi-party systems have different levels of fragmentation as well as different competition/cooperation patterns, which have to be taken into account while observing and analysing the "level" of democracy in the country (Prah, 2014).

Africa in early 1990s witnessed a sudden resurgence of the democratisation process in the quest for a plural politics which ushered in multi-party politics, representing the most significant political change in the continent since the independence period three decades before (Van de Walle, 2001). According to Makinda (1996), the push for the political changes stemmed from sustained efforts by domestic political forces in African states, albeit assisted by a variety of demanded requirements from global financial institutions and developed countries, as well as by the collapse of the Soviet Union. The popular political cliches during this time were elections, multipartyism, civil society, and democracy. As such, between 1985 and 1991, over twenty-eight authoritarian regimes in Africa were forced to liberalize the political arena, while multiparty elections were held in eight countries (Adejumobi, 2000). By 1997, about three-quarters of all African countries were under "democratic rule," succumbing to the logic of periodic elections, albeit mostly with questionable content (Adejumobi, 2000). The restoration of

multiparty politics in Africa and the organisation of multiparty elections; the embrace of the notion of independent electoral commissions; the adoption of widespread electoral reforms were designed to open up the political space and in so doing, allow for greater competition in the struggle for political power (Olukoshi,2004). The ambition was to create a level playing field for all political actors, make government more representative and accountable, allow for greater popular participation in national governance, and enrich the public space as an autonomous arena for the articulation of popular aspirations and/or the canvassing of policy and political alternatives (Olukoshi, 1998). In a democracy, political parties are important ingredients in building Multi-Party systems as they are vehicles for strengthening the electoral systems and processes. Similarly, they are the means for strengthening accountability in the institutions especially the parliament. They strengthen the partnership with civil society organizations, they mobilize disadvantaged groups such as women, people with disabilities, and the youth to actively participate in public decision making (Huntington, 1968). Notably, in the period between 1990 and 2015, 184 multicandidate presidential elections and 207 multiparty legislative elections were held in some 46 countries of sub-Saharan Africa (Bleck & Van de Walle, 2019).

VI. THE PITY OF ELECTION MANAGEMENT BODIES IN AFRICA

Election management bodies (EMBS) perform a crucial function of serving as the umpire in the electoral process of any state (Olaniyi, 2017). Given this important role, EMBs are ideally expected to be neutral and independent from any electoral stakeholders-political executive, legislature, political parties, the electorate, judiciary, political party agents and election observers just to mention a few (Olaniyi, 2017). While the frequency of elections has generated a sense of optimism for multiparty politics in Africa, a worrying trend of increasing election-related violent conflict that threatens democracy, peace and stability have emerged (Adolfo, 2013). For instance, reports by many independent election observers on controversial election results that have led to serious post-election violence such as the highly contentious presidential elections in Kenya (2007), Nigeria (2007) Zimbabwe (2008) and Cote d'Ivoire (2010) have shown that the EMBs were complicit in the irregularities. It is therefore of no surprise that a recent United Nations Economic Commission for Africa report has described the overall performance of EMBs in Africa as uneven (Adele-Jinadu, 2014). The factors that propel such violence are multifaceted and diverse ranging from flawed or failed elections to structural issues such as poor electoral governance by responsible electoral bodies, exclusionary political practices, the socio-economic uncertainties of losing political power and the challenges associated with partial democracies, to name but a few (Adolfo, 2013).

To begin with, it should be understood that elections are about power and they designate who will control power and lead the

community. As such, there are many conundrums electoral management bodies (EMBs) face in many parts of Africa in organizing elections. In most of the elections so far held in Africa, cases of intimidation of EMBs officials are reported to be common, especially by the security forces, party cadres and senior government officials among others. This has led to tensions high enough to affect electoral management (Adele-Jinadu, 2014). For instance, Nigeria's Independent National Electoral Commission (INEC) managed to oversee a hotly contested Nigerian presidential election in 2015 between the People's Democratic Party of incumbent President Goodluck Jonathan and the All Progressives Congress of Muhammadu Buhari, a former military ruler, many feared the worst. The INEC chairman, Attahiru Jega, after being forced to postpone the elections for six weeks, was under heavy pressure from politicians to resign but resisted. However, analysts breathed a sigh of relief when Mr Jonathan quickly accepted the election results, conceded and congratulated his opponent, President Buhari. Many hailed the development as "historic" for the country and Africa (Musau, 2016). In Africa's most populous nations, elections have always been marred by violence and intimidations of EMBs officials, often fuelled by allegations of vote-rigging with all the blames being directed at the EMBs.

Secondly, in any liberal democracy, the constitution and electoral laws of the state always guarantees the independence of its election management Body (EMB). This is true for many African states, however, even though various EMBs have had independence conferred on them at the point of establishment, experience has revealed that over the years, this status has been mortgaged by different external interest (Olaniyi, 2017). For example, in East African, all the Electoral Management Bodies are constitutionally independent of the executive and the legislatures (Makulilo et al., 2016). However, their independence in law has not secured independence in fact as it has become clear that even where the process is seemingly ratcheted and elaborate the opportunities for manipulating the electoral management bodies still exist and this is partly attributed to the role of the executive in the appointment of EMBs officials or officers. Kenya has a very elaborate process of appointing the Commissioners of the Independent Electoral and Boundary Commission (IEBC), complete with parliamentary scrutiny and approval. Unfortunately, this has neither guaranteed integrity nor independence of the Commission from political manipulation (Makulilo et al., 2016). For example, in the period following the 2013 general election, Kenya's Independent Electoral and Boundaries Commission (IEBC) constantly become the target of the opposition critics during a protest demanding that it should be disbanded for lack of impartiality (Musau, 2016). This is because the entire nine-member commission is appointed by the president, therefore, opposition critics wanted a change in the composition of the IEBC. The powerful body which oversees elections ensures voter lists are up to date and supervises counting (Musau, 2016). Similarly, In Rwanda, the seven-member Council of

Commissioners in charge of elections are appointed through an order prepared by the Cabinet and signed by the President. As such, it is not clear how the commissioners are identified and selected thus putting the impartiality and independence of the EMB in question (Makulilo et al., 2016).

Thirdly, members of EMBs will be better placed to carry out their duties impartially and make bold even unpopular decisions if they know that they cannot be removed from office arbitrarily and without due process. This usually requires that their tenure should be clearly spelt out and the conditions for dismissal also indicated in advance (Fombad, 2016). In Kenya, EMB members serve for 6 years and are not re-eligible for re-appointment. In South Africa, the commissioners serve for 7 years and may be re-appointed for only one further term and in Zimbabwe, they can serve for 6 years with the possibility of re-appointment for one further term (Fombad, 2016).Furthermore, the EMB member's security of tenure and immunity from any harassment, ranging from salary cuts to malicious prosecution, will enable them to carry out their work with a lot of impartially, professionally, and without fear or favour, and to resist political pressure. On the contrary, the EMB members may be less confident about taking decisions which are unpopular with the executive branch or the legislature if they know that they may be removed from office, or have their salaries and conditions of employment reduced, without due process of law (Dunne et al., 2012). In Africa, even where EMBs are entrenched in the constitution, the executive and legislature have sometimes used the process of enacting electoral laws to whittle down or frustrate the powers of EMBs. For example, in Nigeria's Electoral Act of 2010 as amended, at sections 31(1) and 86(1) contains provisions that reduce the oversight and supervisory role of Independent National Electoral Commission (INEC) in party political nomination processes. This is in apparent violation of the provisions of paragraph 15(c) of the Third Schedule of the Constitution of the Federal Republic of Nigeria of 1999 (Adele-Jinadu, 2014). Similarly, the Independent Electoral and Boundary Commission in Kenya was under constant threat of disbandment after the 2013 general election which was perceived by the Opposition leader and former Prime Minister Raila Odinga to be shrouded with irregularities despite the call by the electoral commission's chairman, Issack for the opposition to provide evidence on the alleged corruption and biasness (Odula, 2016). However, following a series of protest by the opposition, the EMB was eventually disbanded prematurely through a bi-partisan approach in Parliament.

Furthermore, the substance of elections principles in different countries in Africa mainly requires the EMBs to have high integrity in holding the processes of general elections. The electoral integrity refers to a set of a value system that the legislation aims to produce democratic, just and trustworthy elections with legal certainty. In this regard, the EMBs are bound by the norms and ethics as the basis to produce democratic elections with high integrity and as such are not

allowed to work with any parties and/or electoral candidates to commit electoral fraud (Nugroho, 2017). Integrity and acceptance of election results depend to a large extent on the legal framework within which the elections are organised and managed by the EMB officials. Yet the challenge in Africa is usually to develop a legal framework that prevents the EMB, which organises and manages the electoral process from being captured, controlled and manipulated by governments whilst allowing it to operate in a manner that it can gain public confidence in electoral justice, electoral democracy and constitutional governance (Fombad, 2016). Moreover, the actors of electoral misconduct potentially come from the parties which have authority or interests in elections either the EMBs or the electoral participants (the parties and/or the candidates) and these electoral misconducts include doing administrative manipulations during the voters' registration, making electoral policies or rules that give detrimental or beneficial to certain parties, candidates or voters, taking sides to certain parties, doing personal intervention on the process and/or the result of the election and being involved in the transactions contain of materials or money for personal gain (Nugroho, 2017). In Kenya, the IEBC's handling of the Kenyan general election of 2017 drew scrutiny as the Kenyan Supreme Court invalided the first Presidential election's results due to voting irregularities (Tamura, 2017). Former IEBC commissioner Roselyn Akombe also issued a statement declaring that the second Presidential election would not be fair (Ogolla, 2017). Just before making this statement, she resigned and fled to the United States out of fear for her life (Dixon, 2017). Similarly, Zimbabwe is a more stereotypical case where the system has been rigged in a variety of ways to stop the opposition from gaining a foothold, thus making it impossible for them to receive the majority. Initially, the electoral system was used to curtail political opposition: Mugabe switched from proportional representation to first past the post (FPTP) and in the 1990s, ZANU-PF managed to wrap up almost every seat in parliament. However, when the Movement for Democratic Change harnessed urban Shona votes alongside their Ndebele core from 2000 onward, they were able to break through the FPTP barrier. This led the ZANU state apparatus to turn to a more systematic program of political intimidation, harassment, murder and electoral manipulation (Reynolds, 1999).

Equally, closely tied to the issue of the effectiveness of Elections management is the EMB's ability to autonomously manage its budget. If funding of the EMB is delayed or is conditional, this can severely undermine the integrity of an election process (Dunne et al., 2012). While an EMB must be subject to the same standards of financial integrity as other public institutions, the timely allocation of adequate financial resources must be protected from possible political manipulation. The EMB should have two budgets: the budget for the funding and maintenance of the institution, such as infrastructure, capital assets, running costs and permanent staff, which is aligned with the usual budget processes; and an operational budget for conducting specific electoral event

(Dunne et al., 2012). Furthermore, beyond the construction of effective and transparent electoral systems, democracy-building entails inculcation of democratic values, which rests on a strong civic culture (African Governance Report III, 2013). While the EMBs bear the responsibility of voter education in most states, often backed by Civil Society Organisations (COSs), their activities are always constrained due to low funding. For instance, in Malawi, the Electoral Commission admitted that it is underfunded and so relies heavily on the CSOs, while playing a coordinating function (AGR III Malawi Country Report 2012). Yet the CSOs tend to concentrate their programmes in urban centres, which offer better facilities and transport, but it is the rural areas that have a greater need for voter education, owing to lower literacy rates there (International IDEA, 2006).

However, despite the flaws in managing elections in Africa, some selected EMBs have conducted what the international community has considered as being a free, fair and peaceful election. For Instance, Botswana and South Africa are some of the few African countries that have since independence in 1966 and 1994 respectively maintained a liberal multiparty democracy marked by regular free, fair, peaceful and competitive elections (The Economist, 2004). Additionally, the Freedom House survey of the state of freedom concerning elections, political rights and civil liberties has consistently placed Botswana and South Africa as the top performers in Africa (Freedom House, 2015). It has been argued that this success has been largely due to the quality of the leaders it has had since independence and the goodwill they have had towards EMBs to ensure they deliver a successful elections, starting with the first leader, Sir Seretse Khama who died in office and the two who came after him, Sir Ketumile Masire and Festus Mogae, 60 both of whom served two terms and retired graceful and with dignity (Commonwealth Expert Team, 2014).

VII. CONCLUSION

Based on the analysis carried out above, it should be acknowledged that election management bodies (EMBs) constitute one of the most important institutions needed to sustain Africa's fledgling transition to democratic and constitutional governance. In this respect, it is now generally accepted by all stakeholders that credible election management bodies (EMBs) provide the best prospects for promoting electoral justice, not only in terms of ensuring a fair and just outcome but also in acting as an effective institution to prevent, mitigate and resolve disputes that may arise from the electoral processes (Fombad,2016). However, there are several overarching issues learned from this critical analysis of EMB's operations in Africa which continue to be a bottleneck to its effective operations. The issues are viewed to multifaceted and diverse ranging from structural issues such as poor electoral governance, exclusionary political practices, the budget uncertainties and the challenges associated with partial democracies, to name but a few. It should be noted that enacting good electoral laws in the country is not enough to

tame EMBs to ensure free, fair and peaceful elections as the case of Kenya which has a very elaborate process of appointing the Commissioners of the IEBC, complete with parliamentary scrutiny and approval but has not neither guaranteed integrity nor independence of the Commission from political manipulation. Free, fair and peaceful elections are possible where mandated institutions can ensure the integrity of the electoral process. Similarly, as the political crises in Kenya (2007/2008), Zimbabwe (2008) and Zambia (2016) demonstrate, electoral violence is more likely to occur when the electoral process lacks integrity when there is a perceived critical departure from the accepted rules that govern the process(Maendeleo Policy forum, 2015). Lastly, as elections are increasingly becoming more and more competitive, with a risk of violence where there is a perception of fraud, there is need to design credible and legitimate electoral processes managed by competent EMBs for political stability and the deepening of constitutionalism.

VIII. RECOMMENDATION

In the perspective of local and institutional politics, the EMBs in Africa are vulnerable to be influenced by the dynamic trends of political interests of regional head candidates. As such, the interest dynamics can bring the EMBs into the circle of pragmatic interests, whether the violations are in the forms of electoral crimes, electoral administration abuses, and breaking of the EMBs ethical code. Therefore, the following are fronted as recommendations to help in ameliorating the situation;

- First, the EMBs need to collaborate with other institutions and stakeholders in discharging their mandate during elections management, including political parties, civil society organizations and state agencies like ministries and the police. They should strive to create a framework for mutually cooperative links based on professionalism and impartiality, enabling them to iron out any disputes during the electoral process, thus strengthening electoral administration and management as investments for consolidating democracy in Africa.
- Secondly, Public confidence in the EMB is very important at the national and local level. Therefore, the EMB needs to create and maintain a constant dialogue with politicians who matter at the national level to increase the level of trust in EMBs ability in managing elections. Experience from Kenya's 2013 elections showed that while presidential results can be contested, the issues over which petitions were filed for lower-level elections had few contests with the EMB itself.
- Lastly, with regards to Legal and institutional framework of electoral environment, the EMBS should immediately act to establish a formal mechanism to facilitate the collaborative review and reform of electoral laws, more so in line with the recommendations of various election observer

missions immediately after elections to avert future uncertainty. Furthermore, the EMBs should work closely with Parliament to improve the timeliness of the review, adoption and publication of electoral reforms to allow candidates, voters and other stakeholders' sufficient time to familiarise themselves with the new laws and to conduct effective civic and voter education.

ETHICS

Ethics were observed in this paper by acknowledging all the sources used in the paper and all the citations were duly referenced.

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