

The Challenges of Election Observation in Africa

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ABSTRACT

Elections in Africa bring democracy to a close combative consciousness often because political offices hold financial luster and many engage in politics for the gains inherent in it. Arising from this, politicians show extreme urgency, interest and intensity to occupy offices. Electoral malpractices feed on this desperation with attendant conflict that follows elections. Aware of this and the drive to assist in attaining credible and fair elections, election observation groups put up some level of intervention to discourage elections manipulations. In Africa however, this process has faced a number of challenges. The need for this paper arises from the just concluded general elections in Nigeria and the challenges that the international observers faced. The primary source of this work therefore is through the observatory research methodology where participants are observed directly. Also studies of election observations in some selected African states are used as secondary source of engagements. Findings reveal that the challenges faced by international observers of African elections are both the reflections of the nature of politics in Africa and the observers' political culture and orientation.

Keywords: Elections, Observation, Monitoring, Challenges, Africa.

INTRODUCTION

The result of the global electoral observation objective is a contemporary discourse in political research, this process is a little above two decades in Africa. The need for election observation is not necessarily a confirmation that elections will go wrong or suspicion that elections will not go well in states of operations. Rather, it is to be seen as part of electoral process. This of course nullifies the belief that election observations are only desirable in Africa where electoral institutions are seemingly underdeveloped. This not to overlook the peculiar socio-cultural milieu under which African political system operates. Individuals who partake in politics and promote democracy in most African countries have perfected ways to see politics as business and thereby raising the stakes. But as military coups have eroded democracy in Africa so is manipulation of election results eroding freedom to choose who people wish as their leaders. Many countries initially denied any utility of election observation and monitoring and quipped that the practice will undermine national sovereignty. But the collapse of the Cold War led to some openness and political accommodation which de-criminalized election observation. In 1989 alone Judith Kelley (2012) observed that 30 percent of elections were observed and by 1991, the percentage had increased to 46. This rise shows that nations had started to see election observation has purely civil and not an attempt to undermine any nation's integrity. Kelley adds: "Election monitoring continued to spread because external actors increased democratic conditionality and because the stigma associated with not inviting monitors motivated even cheating governments to invite monitors to avoid an automatic stamp of illegitimacy."

However, observers were also careful not to issue very damning report about a nation's electoral process in order not to discourage them. So, only four (4) negative reports were issued in the 1990s but this number continued to increase from 2000 when 16 negative reports were issued. Technology and statistical methods have emboldened international observers to become more critical of elections. (Kelley, 2012:60)

Even when not invited, international election observation groups show willingness to observe elections in their domain of interest. Observation election is becoming part of customary international as it goes now with the global demand for periodic elections in every member state of an international organization. For instance the African Union's African Charter on Democracy, Governance and elections obligates nations in the continent to hold periodic elections and such elections must be monitored and observed. Other international organizations have this form of provision in their statutes for promotion of democracy.

Election Monitoring and Observation are two essential tasks which occur in the course of an electoral process. The two terms, though mostly used interchangeably, have two unique meanings. An election monitor has a role to play in the particular administration of elections while an observer does not. Basic conscientious and independent observation of the electoral procedures has grown to be an essential component of the democratic process. It plays a role in the reliability as well as neutrality of elections through the provision of basic information regarding the electoral process. Election observation and monitoring have increased voters' trust both in the electoral process and the body managing the elections. The presence of monitors and observers could discourage or perhaps prevent violence or maybe intimidation and manipulation or cheating during elections.

Election observers however encounter certain challenges in the process of their assignment and these challenges vary according to different contours given the peculiarities of societies and states. Some of the challenges of election observers are inadvertent especially when the capacity to surmount them is beyond the host state. Other challenges are deliberately created by some election actors who see electoral observers as clog in the wheels of their nefarious scheme. Some of the challenges are herein identified.

INFLUENCE OF TECHNOLOGY ON ELECTION IN AFRICA

In a democratic society there should be optimal use of election as the only means to change a government in a manner that complies with lay down procedure and international standards. Most sovereign countries are characterized by pure democratic values where people express their right to choose a leader whom they believe can be tasked with the destiny of their nation by conducting an election (Ahmed, A. M. & Usman, M. , 2015). Nevertheless, a variety of creative techniques have been employed by election management bodies around the world, most of which are now considered as the best method for enhancing election management and performance. The electoral reforms adopted include the use of ICTs, the introduction of more open and inclusive procedures, the institutionalization of the organization, improvements to the legal system and the enhancement of ties with external parties. Mostly as result of this approach, the changing successes of a number of election management bodies in recent years have also seen a great deal of progress in the way they plan, coordinate, administer and execute elections in the past few years. No relegation may ever be made to the significance of information and communication technology in human communities. In recent times, the use of information and communication technology has become unavoidable and necessary for the operational activities of organizations and societies (Kroeker, K., 2010). ICT is an area of work and research that involves technology such as laptops and desktops, applications, peripheral devices, and internet connectivity mainly for information processing and networking functions. This conception reflects the fact that ICT requires the use of computer technology for both public and private use to interpret data (Kroeker, K., 2010). The resort to the use of ICT has been informed by the tides of unreliability that is ascribed to manual election procedure which often make multiple voting and election result manipulations possible. Although, most African states are making efforts to make adequate use of modern technology to assist electoral system, there have been noticeable imperfections in the attempts. The ongoing general elections in Nigeria is a perfect case study when the Bimodal Voting Accreditation System (BVAS) is not well synchronized with the INEC Results Election Viewing Portal (irev) thus forcing the electoral commission to revert to manual transmission of election results – a practice the commission promised she had jettisoned. This and many instances in the past inform the view that Africa has not yet met international

standards for the provision of an effective, efficient and universally accepted electoral system of democracy (Esan, A., O. & Ayeni, T., B. 2017).

Although the fundamental principles of elections have generally stayed the same, there has been an exponential increase in the use of Information and Communication Technology (ICT) in election management in the last 20 years. The reliance on digital technology by Electoral Management Bodies (EMBs) to improve the legitimacy of the election system and the credibility of electoral results has become critical in modern elections around the world. Such emerging technologies are widely implemented in the areas of biometric voter registration and accreditation, electronic verification and voter authentication, smart voting card issuance, and the use of Geographic Information Systems (GIS) to delineate voting boundaries and geo-referencing of current and/or newly developed polling stations, advanced databases of register of voters and development of electronic voting machines and mobile applications for the electronic collation and transmission of election results (Esan, A., O. & Ayeni, T., B. 2017).

Election observers everywhere have challenges with monitoring and observing technological based elections, this is because the process of configuration of electoral machines is a solemn responsibility of the sovereign state and election observers are not usually consulted at this level of engagement. International observers could have helped in the process of application of technology during elections but this is largely limited by the tendency of the host state to appear to have abdicated her political independence to external body. Otherwise, at this level certain faults and discrepancies could have been noticed and corrections could have been possible. The recent elections in Nigeria reveals lack of competence in the applications of the election techs that were deployed especially when the INEC encountered the same problem in all the elections. What complicates this is the fact that election observers do not often see lack of competence as the cause of inappropriate use of these technologies; therefore any mis-usage is going to be counted as part of the observation and this eventually impact negatively on the observers' assessment of the election. The 2002 election in a Bulawayo district in Zimbabwe is a case in view, here, when international observers noted that the card reader machine being employed was not able to capture voters' registration due to the fact that the election officer did not know how to use it. The voters were captured manually and votes were casted without verification of voter cards. Electoral observers' report of the election was based on the non-use of the card reader but not based on the plausibility of alternative techniques.

This brings the debate to another challenge of the international observers in election monitoring in Africa, that is the over reliance on technological input in election. Most damning election reports by international observers are based on hitches by deployment of machines. The attempt by host state to use conventional electoral system as alternative is usually frowned at and the observers will conclude that as a disorder in the electoral process. However, technology is a tool and not an end in itself. Perhaps the degree to which technology is applied at a given time in an election system in a given country is directly linked to the level of synergy between the technologies and the electoral officers. In Africa, this has not reached a level of perfection.

The various complexities of any country's use (or non-use) of technology are largely dictated by its economic, political, and socio-cultural context. None the less, the use of technology needs basic understanding, namely:

1. Take a comprehensive view of technology – Technology is just an instrument and therefore not an end in itself. The electoral sense in which technology is used is important to analyze carefully.
2. Consider the effect of the implementation of new technology. To determine the impact of the transition on all stakeholders, an assessment is required. The transition process needs to be closely monitored once the system is implemented to ensure that complications do not arise and that all tasks are carried out efficiently.

- Maintain accountability when introducing emerging technologies and ensure ethical conduct;
1. Consider security issues related to digital technologies-It is important to prevent unauthorized persons from accessing, manipulating or downloading sensitive electoral details.
 2. Verifying the accuracy of the findings obtained by the use of technology – There must be ways to confirm and check that the data is correctly collected and that the technical systems are trustworthy.
 3. Ensure the system output's legal ownership, as well as the system itself, by ensuring that technology usage is compliant with current electoral law (Opportunities and Challenges, 2018).

The deployment of technology for elections and election monitoring has faced some restrictions even in advanced democracies, for instance, in the wake of 2016 general elections in the United States, the United States claim that the Russian interference in that year's election was due to cyber access which Russia was said to have to the US election portals. After this event, many countries have been using restricted technology in the conduct of their national elections. But because Africa is a later arrival to this technology, she is still going through a teething stage of technological interventions in her election which include full scale usage of technology and unmindful of the danger. African countries are yet to understand that virtually all cyber communication sites can be hacked and that is what informed the restricted usage in national elections. Although embracing new technology in election conduct and monitoring is necessary, the uses of local internet servers are often advised for protection.

In view of the rising adoption of technology worldwide, including by EMBs in Sub-Saharan Africa in recent decades, there should be a working synergy between election observer groups and electoral commissions of host states before, during and after election so that together they can work on observable threats to the elections. This will also prevent general and sweeping conclusions where the technologies have hitches.

POLITICAL CULTURE AND UNDERSTANDING OF ELECTION OBSERVERS IN AFRICA

Political culture here refers to general regular response of a people to a political process. What constitutes culture is often a product of history, customs, traditions etc., and its outcome, and all societies develop their views and ideas in a focal manner, that is, without being tutored. Political culture impacts on election monitoring because representatives of observers have their model of political socialization which acts as stimulus to which they respond. There are almost about four categories of international observers of African elections, at the global level, we have the UN Electoral Assistance Division (UNEAD) which is a division of the UN Department of Political Affairs (UNDP), there are some regional organizations like the European Union Elections Observation Missions, the African Union Election Observation Missions, the Commonwealth Observer Group who all play the function of observations of periodical elections, referendums and plebiscites in different countries. The ECOWAS have also moved election observation to the core of its mandate since the early 2000 (Baba, I. 2015).

Regional and sub-regional election observation groups in Africa have had poor showing in their reportage of elections across the continent especially when their reports are not always running in line with the observation of external groups. For African observers, there is a context which credits what others may see as failure in the process of election observation. Political orientation of African observers presents a different paradigm which makes it unlikely for them to see certain electoral malfeasants. For instance, many election observers of African descent are usually former presidents who were elected in their countries through questionable victories and that background may impact on their judgment relating to what they perceive as wrong or right. This failing has been the basis of the limited invitation of observers of African creed to international election observations outside the continent; this is because elsewhere, African democratic advancement is still view as substandard (Roskin, 2014). External observers believe that most

African leaders are beneficiaries of either military incursion in politics or manipulated electoral process. But at a stage, it became imperative that African institutions should develop credible election observation mechanism, this movement is important because, in the future, international observers and donors will hand over responsibility for election observation to Africans, who will choose their own approach in light of their thorough understanding of the African context (Roskin, 2014).

The 2002 election in Zimbabwe was a watershed in the capability of Africans to push for credible election observation. In that year, Western observers lamented and reported vast irregularities during the elections, but African observers gave divergent report of the election. The external observers felt Africans were biased but the Africans concluded that Western dislike for Mugabe had substantial influence on the reports of their election observation. Another example was the 2005 election in Togo which ECOWAS observer group adjudged fair and credible. This provoked international cynicism about measurement and models of the Sub regional electoral observation techniques that was not able to detect the wide spread malpractices that took place during the elections.

The main issues facing African observers have summed up as poor observation methodology, conflicts of interest, inexperience and the absence of, or poor exposure to contemporary election monitoring technologies. Western observer institutions have noted these gaps and they have consistently developed workshops and trainings for Africans to keep them up to date with modern techniques in election monitoring. However, when the political culture of host state conflicts with that of the international observers, there is the tendency to have divergent ideas as to what makes unbiased observation. This observation is pungent when one observes that most African election observers give positive reports about elections in Africa where other international observers detect categories of election malpractices. On the other hand, Western observers also give credit to elections from advance countries even when there are reason to be harsh, they tend to explain it as part of fair electoral process. An instance of this was the 2004 delay of the US election result because of the Florida voters' miscalculations. This was seen as vintage of western democracy and virtually all international observers were patient to see the delay to a conclusion before writing their reports.

SECURITY AND ELECTION: THREAT ANALYSIS

In reality, ensuring equal protection during an electoral process is crucial to preserving the trust and commitment of the participants to an election. Thus, security is both crucial to the aim of an election and it as an indispensable part of the democratic process. The theoretical connection between election and violence is not hard to locate. Election is a process to seek legitimate authority but election must be free and fair to wear the toga of legitimacy otherwise it removes credibility from the process. The absence of credibility is the shortest distance to anarchy and insecurity (Democracy Conflict, 2006).

For election observation, the atmosphere of chaos is a total encumbrance on the assignment of observers. Apart from the fact that violence sets limitation to the works of election observers, it is also a proof of a wrong doing during the election either by the losers or the winners. The mandate and scope of election observation cut across transparency, building consensus in high diversity environments, strengthening democratic processes, and encouraging public participation. At every stage of this mandate, there is a potent threat waiting to derail the electoral process (Höglund, & Anna, 2010).

The work of election observers and security only intersect at the point of impact on their job, security analysis forms substantial part of their reportage, especially when it becomes a major infraction on their duties. The presence of international observers may deter violence promoters from acting but observers have no capacity to prevent violence pre, during and post elections. This brings us to the theoretical difference between election observation and monitoring. Elections monitors have capacity to diffuse election violence if they put adequate mechanism in place or can report observation that will prevent violence during elections.

The work of election monitors put them in a stead to influence process of election because they are part or report to an agency in charge of election in their country. This contrasts with the work of election observers whose agency has no responsibility in election organization of the country they observe.

Some of the prelude to violence or insecurity during election are not in the glare of election observers, for instance, manipulation of election results begins with bribing of electoral officers who must have been paid before the election, except election observers are familiar with the terrain and the local system, they are not likely to observe the operationalization of bribing during elections, But can witness its extrapolation, when the manipulation becomes evident in the inconsistency of outcome of elections. Generally, election time threats and intimidation techniques have been established as huge encumbrances to the work of election observers but this challenge is not limited to African political system, proven democracies such as India have to deal with bribery situations, prejudice and different types of intimidation tactics related to elections (Kumar, 2015). The following have been classified as harbingers of electoral violence in most African states:

1. Forcing voters before voting, such as threats of physical damage, loss of jobs or training opportunities, and other physical or economic threats;
2. Forcing people to attend campaign gatherings, rallies, marches, protests or other activities, or not join them;
3. Forcing a polling officer or interfering with electoral workers independence or impartiality (Kumar, 2015)
4. Snatching of electoral materials
5. Thugs invasion of election centers to cause violence, maim or even kill etc.

Violence is a potent threat to election observations, it could be accidental and not necessarily targeted at observers and it could be intentional to prevent coverage and reportage of various misdemeanors (Höglund, & Anna, 2010).

CHALLENGES TO OBSERVATION AND UNDERSTANDING ELECTORAL DELINEATIONS

The work of electoral observers sometimes is comparable to the operation of International Agency for Atomic Energy (IAEA), in the sense that the IAEA investigates nuclear site of a nation under the guidance of the claim of that state. In other words, the IAEA goes to where a state claims her nuclear sites are. In the same manner, international election observers go to election delineations on the claims of the country's information about its election constituencies. Even when declaration of election spots is transparent, election observers cannot go to every polling station in a country. What observers do is to weigh the relative importance of different part of the electoral process and decide where to go, most often the decision and selection about where to go may not fit standardized assessment of the process. International observers select areas that are critical to the election and choose them as variables of the election and as such a clever local electoral body can always predict their selection and may therefore present a façade. Again because election observers are either badged or labeled – they are not engaged in covert operation, so they can be easily identified. Both electorates and election officers behave in a regulated manner when they know that international observers are around. In other instances, it has been observed that hostile states can make logistic and access to election spots difficult for observers. Two instances underscore this observation, namely the general election in Belarus in 1996 and the general election in Zimbabwe in 2002. In the two cases the incumbent administrations made concerted effort to frustrate the international observers for the elections in the respective states (OSCE/ODIHR, 2013).

REGISTRATION AND CONTROL OF OBSERVERS

The Declaration of Principles for International Election Observation and the Code of Conduct for

International Election Observers establish the basis for credible international election observation but it is also problematic for quality control of election observation process. The declaration which was commemorated at the UN on Oct. 27, 2005, and is now endorsed by 55 intergovernmental and international organizations has made it more possible for election observation groups to be registered but many of them escape surveillance and radar of quality control. Although the declaration laid down fundamentals of election observation, it is not clear on assessment of quality of observation, thus providing a leeway for caricature observation and jumping of the techniques and procedures.

In recent times, issues have been raised about funders of election observation and their mission in the countries they observe. And this is linked to the quality control debacle that the election observation declaration created by the oversimplified criteria for qualification. Some funders who have ulterior motive use this window of providing election assistance to interfere in domestic affairs of the country they claim they are observing.

Related to the above is the fact that some international observer groups have moved substantially away from election observation to election monitoring when they wish that their recommendations are followed and they also want to supervise how these recommendations are applied. This often places the observers in position of advocacy for tangible advancements in the electoral process of host country. Further, the recommendations of international observers, if not handled carefully, may be perceived by the host state as reform agenda of the observers and there is tendency to see that as undermining the host state's political independence. However, this fear of being accused of interfering in the internal political process of host state should not debar election observers from following up progress of their recommendation in the host state. The observers can also make this process transparent by following the ground rules for election observation follow ups. One step toward attaining this seamlessly is to encourage host state to see the recommendation as introduction of international standard to the host's electoral process. The best way for international observer groups to implement their recommendations of election observation is to bring such recommendation to the notice of international treaty-monitoring bodies such as the U.N. Human Rights Committee and the International Covenant on Civil and Political Rights (ICCPR), who have the mandate to track progress of election observation reports. The attempt for observers to use internal instrument to ensure compliance will be counter-productive (Kadima, 2000).

International election observers sometimes can tell ahead if their election observation can have any effect on the electoral process of a host country or not. The response of a country to previous election evaluations often shows the degree to which a state's electoral process is amenable to changes. Most African states have been found to be near incurable of election manipulation because of the high stakes attached to political offices in the continent. During elections, most African states appear to be preparing for war rather than elections. Movements are restricted; schools and public utilities are shut down while the military of the state is called out to enforce peace. The elections in Madagascar in 1999, Zimbabwe in 2002, Democratic of Congo in 2006, Nigeria in 1993 etc nearly pushed these countries to civil wars. International election observer groups sometime do not give full report of what they actually observed just to de-escalate possible tension. Debates however have trailed this approach as observers claim that this often gives legitimacy to government not elected by the people and the result is usually further escalation of the extant tensions.

CONCLUSION

When international election observers set out of their domain, they often have one goal, that is, to be pro-democracy. This mission is largely dictated by a fulfillment of one of the fundamentals of the Universal Declaration of Human Rights and it is also driven by the belief that democracy offers the best chance for man to have a say in how he is being governed. The work of observers is relatively easy when they go to advance democracies to work, there; they are not confronted with bellicose electoral process. In advance

democracy, politics and elections are not built on trenchant foundation which sees everyone becoming combative and desperate as in other climes. And where you have exceptions, like Donald Trump in the United States, the system and institutions take care of their misdemeanor that is inimical to the political system of western democracies. What to observe in the elections of western countries may not be more than voters turn out given the aggregation of registered voters, accredited voters and the eventual voters that actually voted. The very nature of politics in Africa requires the utter vigilance of international observers who need to follow electoral process before, during and after the elections. Each of these stages presents its peculiar interest and conflict and election observers must have grip of their complex intricacies.

To observe election in Africa, observers should know that they are coming to where election could lead to war and even to division and separation of state system. This awareness however, should not hamper the work of observers rather it should strengthen it by balancing their duty as unbiased observers with that of not disintegrating a nation with observation.

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