



**HOFA: African Journal
of
Multidisciplinary Research**

**Vol. 2, NO. 1
May, 2019**

Editor-in-chief: Rev. Fr. Dr. Dominic Obielosi

**THE THEORY AND PRACTICE OF ELECTORAL
PROCESSES IN A DEMOCRATIC TRANSITION:
A COMPARATIVE STUDY OF NIGERIA AND
SOUTH AFRICA (1999 -2004)**

Dr. Ifedi Francisca

Department of Political Science and International Relations

Godfrey Okoye University, Uguwuomu- Nike

Enugu State, Nigeria

Email: frannyoby@yahoo.com

Abstract

Democratization process has become the global demand of the present century. The Millennium Development Goal (MDG) gave credence to this development. Nigeria and South Africa have had checkered history of dictatorship under military rule and obnoxious apartheid policy respectively. Both countries embraced the current wave in the 1990s. The exploration of this development is our central focus. To do this, the paper examined the following: the relationship between type of electoral system and the conduct of elections in Nigeria and South Africa; and the efficacy of majoritarian and proportional representation systems as applied in both countries. Our findings indicated that majoritarian system accounted for electoral irregularities while proportional

representation contributed to wide acceptance of polls. The data were generated from the secondary source. We recommended the adoption of the proportional electoral system as practiced in South Africa and absolute constitutionalism for both countries so as to engender the principles of rule of law.

Keywords: Theory, Electoral process, Democratization, Transition.

Introduction

Political transition to engender democracy is the current trend in Africa, with a view to integrating into the global wind of democratization process. Election in the modern time is seen to be the panacea for representative democracy. The quality of the electoral process determines the acceptability of the democratic transition of a state and so provides for the legitimacy of the emerging government.

In Africa, modern electoral history is an early twentieth century phenomenon. The late 1980s and early 1990s in the continent were characterized by a general quest for plural politics and multi-party electoral competition. The pattern and course of the democratic process differ among African countries.

Nigeria and South Africa are two very important countries in Africa treading the path of democracy. Both countries operate under multi-ethnic and multi-lingual climate. Both of them also have

come out of protracted military rule and apartheid policy respectively. In the period, 1999 -2004, elections have been conducted twice in Nigeria and South Africa - Nigeria in 1999 and 2003 and South Africa in 1999 and 2004.

In this paper therefore, the major task centres on the examination of relationship between the Nigerian and South African democratic transition programmes and to compare critically the performance of elections in both countries. The accomplishments of these objectives is derived by these interrogations: is there any direct relationship between types of electoral system and the conduct of free and fair elections in Nigeria and South Africa in the course of their transition programmes? And did proportional representation electoral system produce more favourable electoral results than majoritarian electoral system in Nigeria and South Africa?

Theorizing Democratic Transition

Democratic transition in Africa today is a response to the global demand, especially after the signing of the Uruguay agreement in the 1990s. Since the agreement came into being, globalization and its facets like democracy was declared to be the in-thing and the order by which the modern states must organize their government. Thus, countries in the developing world, especially African and Latin American states were compelled to embrace the democratization process.

Theorizing on democratization process, Joseph Richard, an acclaimed democratization theorist provided an insight on the theory that will likely guide the democratization process in developing world. According to him, “most of the political systems emerging from the transition from authoritarian rule, with the ending of the cold war, were likely to be hybrid entities: part-free and part-unfree”.

He proceeds further to show that most of African states that are embracing the democratization wave today would likely be semi-democratic or semi-authoritarian in nature. A useful notion he said, is that many of them would likely be liberalized autocracies.

Lending his voice to the theory, another purist of the theory, Larry Diamond, has developed a typology of contemporary political systems that distinguishes pseudo-democracies from electoral democracies and liberal democracies. To him, many African countries, because they have not created electoral system that function efficiently and fairly cannot be considered electoral democracies as is the case with many of their Latin American counterparts. Liberal democracies, the author argued, as cited in Joseph (2000:106), “fully guarantee all the rights and liberties of a democratic order, while their core institutions function according to constitutional stipulations. No corporate group, such as the military, is able to exercise a monopoly veto over the operations of these institutions, whether overtly or covertly”

In the view of Richard Joseph, modern political scientists have

developed two senses or rules that guide the democratization process. These are, the two-turnover and the “only game in town” rules. In the latter are found the analytical categories that give explicit explanation to the democratization question.

The “only game in town” rule Richard Joseph postulated, is derived from the writings of Juan Linz and Alfred Stepan who contend that democratization is enshrined only when democracy becomes the only game in town. By this they mean that political actors abide by the rules and norms of democratic procedures, and only seek to resolve their differences by constitutional means.

The engagement of the theory in the Nigerian and South African context would mean that the political gladiators from the two countries would not resort to political thuggery and other forms of electoral malpractices against their opponents. Even cultural diversities or more accurately cleavages would not resort to violent conflict to resolve their political disputes. Equally, political actors would find it difficult under such scenario to beckon on the military and/or ethnic militia to intervene to snatch power from their adversaries; hence, the theory recognizes constitutionalism as the *prima facie* for the deepening of democracy in Africa especially, Nigeria and South Africa where the history of gross violation of rule of law and abuse of fundamental human rights remain inelastic in the pre-nascent Nigeria democracy (before 1999) and during the obnoxious apartheid government in South Africa

Typology of Electoral System and Poll in Nigeria and South Africa

On the path to democratization process, the constitutions of the two countries provided for the nature of their electoral processes. For instance, in Nigeria, the 1999 Constitution recognized the Independent National Electoral Commission (INEC) as the sole body responsible for the conduct of electoral polls into the national and state seats which comprise the presidential election, National Assembly polls and the election of the State Governors, as well as the State Assemblies.

Similarly, the Constitution of Republic of South Africa recognized the Independent Electoral Commission (IEC) as the body entrusted with the responsibility of conducting election into all the levels of the government.

In terms of the electoral system as it affects the two countries, the known common ones inter alia: Proportional Representation (PR); majoritarian/plurality or first-past-the-post system and mixed system.

PROPORTIONAL REPRESENTATION

This system is widely practiced in South Africa. The South African National Assembly consists of 400 members. Two hundred members are elected from national party lists; the other 200 are elected from party lists in each of the nine provinces. The National Assembly chooses the president of South Africa after each election.

However, the discernibility of the system can be captured: candidates are usually elected based on the total percentage of votes cast for their party. The basic element of proportional representation is a systematic effort to match representation with the amount of popular electoral support in terms of the percentage of votes scored by various parties and groups. The main models of proportional representation include, party list, single transferable vote and single non-transferable vote.

Party List: in party list, voters choose from among party lists, and seats are awarded in proportion to the vote received by each party.

Single-transferable Vote (STV): it employs a ballot that allows the voter to rank the competing candidates in order of preference. When the ballots are counted, any candidate receiving the necessary

“Drop quota”
$$\frac{\text{total votes} + 1}{\text{total seats} + 1}$$

of first preference votes is awarded a seat. In the electoral calculations, votes received by a winning candidate in excess of the quota are transferred to other candidates according to the second preference marked on the ballot. Any candidate who then achieves the necessary quota is also awarded a seat. This process is repeated, with subsequent surplus votes also being transferred, until all the remaining seats have been allocated.

Single Non-transferable Vote (SNV): voters cast their votes and, as under plurality rules, candidates with the most votes are elected. However, voters can only select one candidate in multi-member

constituencies.

National Assembly seats: Seats in the National Assembly are allocated by means of a two-stage procedure that combines two methods of proportional representation. In the first stage, the seats in each province are apportioned according to the largest remainder method. In each region, a quota of votes per seat is determined by dividing the total number of votes cast in the region by the number of regional seats, plus one. The result plus one, disregarding fractions, becomes the quota of votes per seat for the region. To determine how many seats each party will receive in the region, its total number of votes is divided by the quota of votes per seat. This will produce a whole number, which is the number of seats initially allocated to the party and a surplus or remainder. Once this calculation is performed for all parties, the sum or aggregate number of allocated seats is obtained. If this total is smaller than the number of regional seats, unallocated seats are awarded to the parties according to the descending order of their remainders. The seat distributions from all provinces are aggregated at the national level, to obtain the number of regional list seats allocated to each party.

The second stage begins with the proportional distribution of all 400 seats in the National Assembly. This distribution is derived from the same pattern of the regional process. In addition to the process, when the total is smaller than the number of seats in the National Assembly, unallocated seats are awarded to the parties according to

the descending order of their remainders, up to a maximum of five seats. Any remaining seats are awarded to the parties following the descending order of their average number of votes per allocated seats.

The regional list seats won by a party are then subtracted from the total number of seats allocated to that party's list, and the remaining seats are filled by the candidates on the national list in the order determined before the election. In the event a party does not present a national list, the seats allocated to it at the national level are filled from its regional lists. The largest remainder method of PR is also used to elect members of the nine provincial legislatures.

Table A: Overall Result of the 1999 National Assembly Election in South Africa

S/N	Party	Votes	Seats	%
1	ANC	10,601,330	266	66.4
2	DP	1,527,337	38	9.6
3	IFP	1,371,477	34	8.6
4	NNP	1,098,215	28	6.9
5	UDM	546,790	14	3.4
6	ACDP	228,975	6	1.4
7	VF/FF	127,217	3	0.8
8	UCDP	125,280	3	0.8
9	PAC	113,125	3	0.7
10	FA	86,704	2	0.5

11	MF	48,277	1	0.3
12	AEB	46,292	1	0.3
13	AZAPO	27,257	1	0.2
14	AITUP	10,611	0	0.1
15	GPGP	9,193	0	0.1
16	SOPA	9,062	0	0.1
Total		15,977,142	400	100

Source: <http://www.icesouthafrica.com/1999election/results>.

Table B: Differences in National Assembly Seat Distribution Among Parties

S/N	Party	%of votes won	% of seat allocation	Difference	Remarks
1	ANC	66.4	66.5	0.1	More
2	DP	9.6	9.5	0.1	Less
3	IFP	8.6	8.5	0.1	Less
4	NNP	6.9	7.0	0.1	More
5	UDM	3.4	3.5	0.1	More
6	ACDP	1.4	1.5	0.1	More
7	VF/FF	0.8	0.75	0.05	Less
8	UCDP	0.8	0.75	0.05	Less
9	PAC	0.7	0.75	0.05	More
10	FA	0.5	0.5	0	-

11	MF	0.3	0.25	0.05	Less
12	AEB	0.3	0.25	0.05	Less
13	AZAPO	0.2	0.25	0.05	More
14	AITUP	0.1	0	0.1	Less
15	GPGP	0.1	0	0.1	Less
16	SOPA	0.1	0	0.1	Less

MAJORITARIAN/PLURALITY OR FIRST-PAST-THE-POST SYSTEM

In this system, whoever among the contestants in an election that scores the highest number of votes is declared elected. Main models include: Alternative Vote and Two-Round Vote (TRV).

Alternative vote or instant Run-off: In this system, voters indicate an order of preference among candidates. If no candidate obtains a majority outright, the last-place candidate is removed, and the associated second-choice vote is added to the totals of the remaining candidates. This process is repeated until a candidate secures a majority.

Two-Round Vote: A run-off election is held between the two top vote getters in order to ensure that the winner obtains a majority of votes cast.

Nigeria operates absolute majority system at the executive level (presidential and gubernatorial polls) and plurality or first-past-the-post system at the legislative level. In the absolute majority system, candidates are elected with a majority, that is, more than 50% of

votes cast while in the first-past-the-post-system, the candidate that obtains more votes than any other candidate is elected, even if that person only won a minority of votes cast. For instance, if candidates A, B, C, scored 15, 001, 15,000, 14,500 respectively, A is declared the winner. Here, he beats his nearest opponent by a single vote in spite of the fact that B and C collectively scored 29,500 votes. In a sense, A could be said to have been elected on minority votes and thus governs with minority support.

This system is disproportional in its distribution of seats, since it tends to strengthen the dominant parties and hurts small ones. This is because, a small party with its votes spread out all evenly geographically, will have only a small number of votes in each district and may not have enough in any one district to achieve a plurality and win there. Through the process, it is possible for a particular party to win all the seats in a constituency since its candidates are likely to score the same number of votes. This is the case, for instance, in 2003 National Assembly Election in which PDP won almost all the seats as shown below.

2003 National Assembly Election Results

Table C: Result of Senate Election

S/N	Name of party	Senate districts won	Votes scored	%
1	AD	6	2,828,082	7.24
2	ANPP	27	8,091,783	20.73
3	APGA	0	429,073	1.09
4	APLP	0	14,004	0.03
5	ARP	0	9,138	0.02
6	BNPP	0	6,782	0.01
7	CPN	0	7,296	0.01
8	DA	0	6,476	0.01
9	GPN	0	4,722	0.01
10	JP	0	28,887	0.07
11	LDPN	0	5,419	0.01
12	MDJ	0	6,468	0.01
13	MMN	0	3,393	0.01
14	NAC	0	4,392	0.01
15	NAP	0	7,620	0.01
16	NCP	0	148,157	0.37
17	ND	0	14,527	0.37
18	NDP	0	459,462	1.17
19	NMMN	0	3,914	0.01
20	NNPP	0	11,533	0.02

21	NPC	0	12,224	0.03
22	NRP	0	13,227	0.03
23	PAC	0	140,854	0.36
24	PDP	76	25,585,538	65.55
25	PMP	0	50,765	0.13
26	PRP	0	204,929	0.52
27	PSD	0	10,482	0.02
28	PSP	0	117,295	0.30
29	UDP	0	13,960	0.03
30	UNPP	0	789,705	2.02
	Total	109	39,030,107	

Registered votes: 60,823,022

Table D: Result of House of Representatives

S/N	Name of party	Federal constituencies won	Total Votes Scored	%
1	AD	34	2,711,972	9.28
2	ANPP	96	8,021,531	27.44
3	APGA	2	397,147	1.36
4	APLP	0	12,936	0.04
5	ARP	0	8,746	0.03
6	BNPP	0	5,703	0.02
7	CPN	0	6,738	0.02
8	DA	0	6,096	0.02
9	GPN	0	4,257	0.01
10	JP	0	27,751	0.09
11	LDPN	0	4,966	0.02
12	MDJ	0	11,175	0.04

13	MMN	0	2,816	0.01
14	NAC	0	4,430	0.02
15	NAP	0	6,531	0.02
16	NCP	0	140,401	0.48
17	ND	0	21,854	0.07
18	NDP	1	561,161	1.92
19	NMMN	0	3,154	0.01
20	NNPP	0	8,779	0.03
21	NPC	0	10,687	0.04
22	NRP	0	13,500	0.05
23	PAC	0	137,328	0.47
24	PDP	223	15,927,807	54.49
25	PMP	0	29,100	0.10
26	PRP	1	222,938	0.76
27	PSD	0	10,889	0.04
28	PSP	0	96,550	0.33
29	UDP	0	12,695	0.04
30	UNPP	2	803,432	2.75
	Vacant	1		
	Total	360	29,233,070	

Source: <http://www.inecnigeria.com/2003election/result/html>.

Table E: Differences in Senate Seat Distribution among Parties.

S/N	Party	% of votes won	% of seat allocation	Difference	Remarks
1	AD	7.24	5.51	1.73	Less
2	ANPP	20.73	24.77	4.04	More
3	APGA	1.09	0	1.09	Less
4	APLP	0.03	0	0.03	Less
5	ARP	0.02	0	0.02	Less
6	BNPP	0.01	0	0.01	Less
7	CPN	0.01	0	0.01	Less
8	DA	0.01	0	0.01	Less
9	GPN	0.01	0	0.01	Less
10	JP	0.07	0	0.01	Less
11	LDPN	0.01	0	0.01	Less
12	MDJ	0.01	0	0.01	Less
13	MMN	0.01	0	0.01	Less
14	NAC	0.01	0	0.01	Less
15	NAP	0.01	0	0.01	Less
16	NCP	0.37	0	0.37	Less
17	ND	0.37	0	0.37	Less
18	NDP	1.17	0	1.17	Less
19	NMMN	0.01	0	0.01	Less
20	NNPP	0.02	0	0.02	Less
21	NPC	0.03	0	0.03	Less
22	NRP	0.03	0	0.03	Less

23	PAC	0.36	0	0.36	Less
24	PDP	65.55	69.72	4.17	More
25	PMP	0.13	0	0.13	Less
26	PRP	0.52	0	0.52	Less
27	PSD	0.02	0	0.02	Less
28	PSP	0.30	0	0.03	Less
29	UDP	0.03	0	0.03	Less
30	UNPP	2.02	0	2.02	Less

Table F: Differences in House of Representative Seat Distribution among Parties.

S/N	Party	% of votes won	% of seat allocation	Difference	Remarks
1	AD	9.28	9.44	0.16	More
2	ANPP	27.44	26.66	0.78	Less
3	APGA	1.36	0.55	0.81	Less
4	APLP	0.04	0	0.04	Less
5	ARP	0.03	0	0.03	Less
6	BNPP	0.02	0	0.02	Less
7	CPN	0.02	0	0.02	Less

8	DA	0.02	0	0.02	Less
9	GPN	0.01	0	0.01	Less
10	JP	0.09	0	0.09	Less
11	LDPN	0.02	0	0.02	Less
12	MDJ	0.04	0	0.04	Less
13	MMN	0.01	0	0.01	Less
14	NAC	0.02	0	0.02	Less
15	NAP	0.02	0	0.02	Less
16	NCP	0.48	0	0.48	Less
17	ND	0.07	0	0.07	Less
18	NDP	1.92	0.27	1.65	Less
19	NMMN	0.01	0	0.01	Less
20	NNPP	0.03	0	0.03	Less
21	NPC	0.04	0	0.04	Less
22	NRP	0.05	0	0.05	Less
23	PAC	0.47	0	0.47	Less
24	PDP	54.49	61.94	7.45	More
25	PMP	0.10	0	0.10	Less
26	PRP	0.76	0.27	0.49	Less
27	PSD	0.04	0	0.04	Less
28	PSP	0.33	0	0.33	Less
29	UDP	0.04	0	0.04	Less
30	UNPP	2.75	0.35	2.2	Less

In the election into the Senate, the bigger parties namely, PDP and ANPP were allocated proportionately more seats than the percentage of votes, which their candidates score, entitled them to. The difference in their favour was as much as 4%. In contrast, the smaller parties were allocated no seat at all even when they scored as much as 2.02% of the votes. This was the case for UNPP. In the case of the AD, it was allocated 1.73% less number of seats than it was entitled to, given the percentage of votes, which were scored by its candidates.

Analysis

From table B above, the difference between the seats allocated to the dominant party and other parties in South Africa is less than 1 percent. This implies that all the major parties that took part in the election had fair representation.

In Nigeria, the situation was entirely different. This is because, from table E and F, the dominant party was allocated almost all the seats even when it was clear that it had no majority votes. This feature seems to inform the opinion of the adherent of proportional representation when in their criticism of the majoritarian system infer that majoritarian system is disproportional in its distribution of seats, because it tends to strengthen the dominant parties and hurts the small ones. In the Nigerian experience, especially from 1999 – 2004, the incessant legislative conflict in the National Assembly could be attributed to the demerit of the first-past-the-post system

Conclusion

This study has demonstrated the transition processes adopted in Nigeria and South Africa in the bid for their democratization process. From the available data presented and analyzed, certain remarkable experiences were identified. For instance, on the relationship between the type of electoral system and the nature of the election in both countries, it was observed that simple plurality system which Nigeria operates account for the contentious nature of election results, while the proportional representation is responsible for more acceptability of election results in South Africa.

The Implication here, is that the majoritarian or first-past-the post system is not very healthy for the electoral process because many political parties that participated in the exercise may be denied presence in the government.

On this premise, we recommend therefore, the following: that Nigeria should emulate the proportional electoral system of the South African type. That both countries should adopt absolute constitutionalism. Through this, the government of the two countries would be run on the principles of rule of law as laid down in their constitution. This is in tandem with the game in town rule as demonstrated in the theoretical framework.

References

Diamond, L., Linz, J.J, and Lipset, S.M., (1989), *Democracy in Developing Countries*, Boulder: Lynne and Rienner.

Diamond, L. et al. Ed. (1997), *Consolidating the Third Wave Democracies*. London: The Johns Hopkins University press.

Joseph, R. (1991), *Democracy and Prebendal Politics in Nigeria: The Rise and Fall of the Second Republic*, Ibadan: Spectrum Books Limited.

Joseph, R. (2000), "A Democratic Nigeria and the Challenge of Leadership in Africa". *Nigerian Journal of International Affairs*, Vol. 26, No 2.

<http://www.icesouthafrica.com/1999election/results>.

<http://www.inecnigeria.com/2003election/result/html>.