



Electoral Systems and Antagonism in Politics: A Case Study of Ghana

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Abstract

Political pundits and civil society organizations have been making clarion calls for the adoption of proportional representation electoral process in Ghana so as to end the perceived antagonism in Ghana's political system. Using a review of scholarly materials, this paper examines the feasibility of the proportional representation electoral system in Ghana. It argues that the most significant aspect of democratic consolidation and development is not entirely about the type of electoral system adopted but the strengthening of the institutions of state. Therefore, by strengthening the institutions of government, the much needed political goods will be delivered to the citizenry, which will go a long way to improve the democratic process and development of Ghana.

Keywords: Proportional representation, Electoral system, Winner-takes-all, Ghana, Political institutions, Democratic consolidation.



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1. Introduction

In every political system, the need for the concerns of the people to be addressed is paramount to its survival; thereby any system that tries to place a limit on its people in the area of expressing their views, opinions, choices etc stands on the verge of destruction. In democratic systems, an avenue that gives citizens periodic opportunities to take part in decisions that affects them is elections- which can only be accepted by all as a true reflection of the will of the people when there is an able institution to administer/conduct and supervise electoral processes. Often, such institutions are known as Electoral Commission or Board of Election.

Election is a formal process by which a population of people selects or chooses representative(s) with the responsibilities and duties to address the needs of that people. In every democratic dispensation, election is not an end in itself; it is rather a means to an end i.e. it provides an avenue for offices to be occupied by people whom the electorates have chosen. Electoral Commissions all over the world encounter challenges in one way or the other. These challenges have caused serious impediments to the realisation of democracy in the world.

According to Pastor (1999):

Democratic transitions are rarely smooth, and a good number are derailed at their moment of greatest promise during an electoral process. The usual explanations for failure are: (1) the incumbent regime refused to give up power; (2) the opposition parties boycotted or protested because they were weak and knew they would lose a free election; (3) the Electoral Commission was biased or was perceived to be biased in favour of one party, usually the incumbent; or more broadly, (4) the country lacked a democratic political culture. These explanations are not mutually exclusive; indeed, most electoral failures are due to some combination of the above, although the precise way in which these explanations interact is not well understood.

When challenges such as these occur, they undermine the whole electoral process and further endanger the administration of the country. It is therefore prudent and salient to address these challenges as they occur so as to safeguard the electoral process from suspicion and destruction. The type of electoral system adopted often determines the political process and the relationship between the political parties and actors in a political system. It is generally perceived that an electoral system that does not offer political actors an avenue of participation in decision making create tension and limits political participation in decision making by members of the opposition parties, which could also affect the developmental process of the country.

In recent times, many of the new democratic countries have virtually ended up with a two party system in which either of two dominant parties has the chance of emerging as a winner in a competitive general election in spite of the presence of other minor parties. This practise emerged after the end of the Cold War, which ushered many developing countries into democratic system of governance through the influence of the United States of America and its western allies. Often the winning party forms government and administer the affairs of government including allocating the resources of the country. This in many cases results in a winner-takes-all system where the winning party appoints their supporters as officials in government to administer the day-to-day functions of government to the detriment of the losing party which forms opposition.

It is generally argued that the winner-takes-all system breeds antagonism between the members of the ruling party and the opposition due to the neglect of the members of the opposition in decision making and allocation of resources. Political pundits maintain that there is antagonism between the ruling National Democratic Congress (NDC) and the New Patriotic Party (NPP) members because of the winner-takes-all system of governance of the country. Presently, a debate is going on about adopting a proportional representation system whereby different political parties can be represented in government. It argued that such system of government will help to address the alleged antagonism between political parties because of the winner-takes-all electoral system.

For instance, there have been several calls in Ghana by some political parties and civil society organisations to adopt the proportional representation form of electoral system. They argue that the proportional representation form of electoral system has the advantages of promoting representativeness, embracing diversity, reducing electoral tensions, strengthening the independence of legislators and finally enhancing democracy. This call has been necessitated by the deep-seated and sharp division inherent in the winner-takes-all or First-past-the-post voting system. Winner-takes-all simply refers to the situation in which a candidate with the most votes, whether or not the majority is achieved, is the absolute winner. In simple terms it means that if a candidate wins a simple majority of votes in a particular constituency it is assumed they have won all the popular votes in that constituency. It is therefore a zero-sum game - a gain for one side entails a corresponding loss for the other side. This system, many proponents of the proportional representation believe is the cause of Ghana's under-development. For instance the People National Congress (PNC) has called for the adoption of the proportional representation as an alternative for the winner-takes-all-system. The party describes the winner-takes-all system as a 'hijack of the governance system'. The Party further claim that the current electoral system in Ghana makes it difficult to harness ideas of all Ghanaians for national development (Bokpe and Darkwah, 2015).

In addition, the bi-monthly publication of the Institute of Economic Affairs, Ghana in its July/ August 2013 Governance Newsletter with the heading *Rethinking the winner-takes-all system* raised similar concerns. They argue that the winner-takes-all system 'threatens to undermine Ghana's constitutional democracy, as elections and access to power have become a means to deprive certain groups from resources and privilege and punish disloyalty'.

As a result of several of these concerns raised against the winner-takes-all electoral system, there is an ongoing debate among social commentators and political pundits on the need to revise Ghana's electoral system. Many of these commentators have called for the replacement of the winner-takes-all electoral system with proportional representation system. The increasing calls for replacing the current winner-takes-all electoral system with a proportional representation system raise a lot of questions on the feasibility of the proportional representation in the Ghanaian democratic process. Therefore, this paper seeks to undertake an academic investigation to ascertain if the proportional representation electoral system can be feasible in Ghana.

Specifically, the objective of the paper is in three-folds: Firstly, to examine the alleged antagonism embedded in the winner-takes-all electoral system of Ghana. Secondly, to investigate the feasibility of the proportional representation electoral system in Ghana; and lastly, to assess if there are other possible factors that may be contributing to the alleged antagonism in Ghanaian politics and offer suggestions to address the problem. The intention of this piece is to argue that the most significant aspect of democratic consolidation and development is not entirely about the type of electoral system adopted but the strengthening of the institutions of state. Therefore, by strengthening the institutions of government, the much needed political goods will be delivered to the citizenry, which will go a long way to improve the democratic process and development of Ghana.

2. Electoral Systems and Democratic Process

Elklit and Reynolds (2002) conducted a research on eight African countries - "how different levels of election administration quality might impact on the perceived legitimacy of the electoral process." It came out that individual experiences related to the conduct of elections appears to have a direct bearing on how the sense of political efficacy develops in individuals, and that this is an important factor behind the development of legitimacy and progression towards democratic consolidation. They identified five factors in analyzing election administration. They include; the organizational structure of Electoral Management Bodies (EMBs), Independence from political forces, internal Electoral management Bodies motivation, Electoral management Bodies staff motivation and lastly EMBs transparency. They argued that the organizational structure of Electoral management Bodies has a direct impact on the electoral process and the results that comes out of it. Important questions like how should the relationship between the head of staff be regulated and who should head the commission were also raised in their arguments. They further claimed that a problem will definitely occur if the commission is composed of representatives of political parties and ethnic groups.

Kerr (2012) also shared similar sentiments. According to him, citizen's perceptions of election quality have a great impact on the performance of election-related institutions. He uses the 2007 Nigerian elections as a case study. When citizens perceive elections as free and fair, they are more satisfied with democracy, more supportive of the ruling government, and more likely to accept the defeat of favoured candidates. It was realized in his research that citizens rely most on their evaluations of the election-related institutions to gauge election quality, relative to partisanship and experience with electoral irregularities. The assessment of the electoral commission's performance is most crucial in their judgments of election quality. He revealed in his research that Nigerians rely more upon their assessment of the electoral Commission's autonomy relative to its capacity when forming their opinions of election quality. The extent, to which the Electoral Commission can independently carry out its functions without interference from government and other political or societal actors, was more important to Nigerians than whether it had the institutional capacity to effectively manage elections.

Maame and Gyekye-Jandoh (2013) focusing on electoral reforms, found that Ghana's gradual democratization was partly as a result of substantial electoral reforms carried out by the EC, which hindered fraud, and bolstered public acceptance of results. They argue that it promoted political stability and contributed to Ghana's first electoral turn over in 2000. Election Management has become one of the most important prerequisites for successful democratic consolidation. This is because an independent and impartial election management has been regarded as "essential in the transition and consolidation of representative democracy." The Electoral machinery must be seen to be impartial and capable of performing its functions. When the electoral machinery fails in its duty of facilitation of free and fair elections the repercussions is the destruction of the public's faith in the whole concept of democratic governance. She identified certain indices for free and fair election and these are:

1. Electoral laws and systems
2. Demarcation of a country into several constituencies
3. Election management
4. The Electoral campaign etc

From the above arguments it can be generally accepted that elections are a crucial part of democratic transformation. It is also true that the type of electoral system a country adopts either enhances or reduces its democratic gains. There are many electoral systems throughout the world and there is little consensus as to which is best for democratic governance and political stability. Countries using any of the systems have their fair share of problems regarding elections and democracy such as inadequate representation in parliaments, lack of accountability and unstable governments. Thus, no one electoral system is a panacea for solving political challenges. Generally, there are two types of electoral systems commonly used in modern democracies and these are the first-past-the-post or the-winner-takes-all and the proportional representation electoral systems.

3. First-Past-The-Post/Winner-Takes-All Electoral System

This is the simplest form of the Single Member District system-A system of selecting one individual to represent a district. The winner-takes-all system allows each voter to vote for only one candidate, and the winner of the election is whichever candidate represents a plurality of voters, that is, whoever received the largest number of votes. This makes the plurality voting system among the simplest of all voting systems for voters and vote counting officials. The plurality and majority single-member district methods are winner-takes-all methods. The candidate supported by the largest number of votes wins, and all other voters remain unrepresented (Lijphart, 2012).

In this system, for a candidate to be declared a winner they are required to garner majority or plurality of the votes. The main purpose of this system is to represent the majority or plurality of voters in a district, and to ensure representation of local geographical areas. The electoral system used for electing parliamentarians in Ghana is the Single Member District type of the plurality system. This means that more than two candidates may compete in a given district. The candidate with the simple majority of votes is declared the winner. It is therefore considered a zero-sum gain such that as one candidate gains the other loses.

There are several advantages to this system among which is better representation for electorates at the district or constituency level. The winner-takes-all system is believed to have the ability to serve the people especially at the district levels because of the idea that each parliamentarian must come from a particular constituency. This idea contrasts with the proportional representation system where the whole country is considered as one district. Given the ethnic plurality of the Ghanaian society many proponents of the winner-takes-all system believe that it helps to reduce tension and further enhance development in that the local voter is able to identify with their parliamentarian so that they could better relate with them and share their challenges. There is a certain value in having your representative in parliament, who is from your area, with an office nearby. A person who is dedicated not just to voting on major party issues, but dealing with issues brought forward by his local constituents, the ones who put his name on the ballot, not just his party's name.

In addition to this the winner-takes-all system ensures that the position of the largest number of voters is represented. Winner-takes-all elections can lead to and reinforce a system of a few political parties, because it is hard for smaller parties to survive. Having fewer political parties can simplify voter choice. It is also argued that the simplicity of the winner-takes-all system makes it welcoming to the very many voters who are unenlightened about the complex and cumbersome nature of the proportional representation system especially in parts of the world that have large rates of illiteracy. There are others who say that the winner-takes-all system has worked for many countries and has recorded little electoral violence and therefore, they go on to say, you do not fix what has not been broken. Relating it to the Ghanaian electoral system, they believe the winner-takes-all system has been in existence for so long a time and it has been able to serve our electoral needs and therefore must not be changed.

Some arguments have also been advanced against the winner-takes-all electoral system among which are: The winner-takes-all system has the potential of leaving up to forty-nine point nine percent (49.9%) of electorates unrepresented in a particular constituency. This challenge of over-representation and under-representation of some constituencies is said to be undemocratic and could breed trouble in future elections.

Secondly, the winner-takes-all system is said to breed divisions, factionalism and does not encourage unity. It deprives certain groups (ethnic minorities, women, opposition political parties) from resources and privileges and punishes disloyalty. Smaller parties may never also get the chance of representation in parliament.

Thirdly, it is believed that the winner-takes-all system could be used by the incumbent government to redraw constituency boundaries also known as gerrymandering for the purposes of gaining undue electoral advantage over other political parties. There is also the chance of pork barrel politics, in which few powerful parliamentarians are able to support each other in using the public purse as a development fund for their constituencies and districts.

4. Proportional Representation Electoral System

According to [Lijphart \(2012\)](#) the basic aim of proportional representation is to represent both majorities and minorities and, instead of over-representing or under-representing any parties, to translate votes into seats proportionally. In this system legislators are elected in multimember districts instead of single-member districts, and the number of seats that a party wins in an election is proportional to the amount of its support among voters. Proportional representation systems come in several varieties, but they all share two basic characteristics. First, they use multi-member districts. Instead of electing one member of the legislature in each small district, Proportional representation uses much larger districts that elect several members at once. Second, which candidates win the seats in these multi-member districts is determined by the proportion of votes a party receives. Before the election, the minimum threshold (the minimum vote required to win a seat) is published by the Electoral Management Body (EMB). The minimum threshold varies from country to country.

So if we have a 275-member district and party 'A' wins twenty percent (20%) of the total votes cast, they receive fifty-five (55) of the two hundred and seventy five (275) seats in parliament. If party 'B' gets sixty percent (60%) of the vote; they get one hundred and sixty five (165) seats and if a third party, probably an independent party wins the remaining twenty percent (20%) they get fifty five (55) seats. The essence of such systems is that all votes contribute to the result, not just a plurality, or a bare majority, of them. Electoral system designers have devised several ways to achieve these proportional results, and so there are three basic kinds of Proportional representation: Party list, mixed-member, and single-transferable vote (also called choice voting).

Most of Western Europe and emerging democracies, especially in Africa, have opted for the proportional representation system. Proportional representation has been widely adopted because it avoids an outcome in which some people win representation and the rest are left out. Under proportional representation rules, no significant groups are denied representation. Even political minorities, who may constitute only 10-20 per cent of the voters, are able to win some seats in these multi-member districts. In Proportional representation systems, nearly everyone's vote counts, with 80-90 per cent of the voters' actually electing someone. At the end, the legislature will accurately reflect the voting strength of the various parties. The proportional representation system has the advantages of reducing the act of gerrymandering, increasing voter participation, enhancing democracy and reducing cost to candidates and their political parties. It has been criticized mainly for its inability to link the voters and their parliamentary representatives. Others also believe that proportional representation is very complex to practice.

5. Feasibility of Proportional Representation in Ghana

The arguments so readily made for the adoption of proportional representation in Ghana can be misleading especially because the challenges that confronts the Ghanaian political system goes beyond just better representation for political parties and racial minorities, fewer wasted votes, higher levels of voter turnout, better representation of women, greater likelihood of majority rule, and little opportunity for gerrymandering. Many of the challenges confronting Ghana's political system are not derived from our electoral system but from weaknesses of our state institutions.

True, the winner-takes-all system has deepened the political exclusion of opposition parties and has further polarized major aspects of our national life, but the question still remains whether or not proportional representation

is the solution to these challenges. The winner-takes all electoral system merely acts as a catalyst to highlight the inherent flaw in the underlying set up of government. That is, the lack of accommodation for the classic principle of the separation of powers. In a true liberal democracy, just as there should always be a separation of legislature and the judiciary, and the executive and the judiciary, there should also be maintained a proper separation of executive and legislature. So as to prevent a conflict of interest between those who execute the law and those who make the law, both arms of government should abide by the separation of powers concept and thus be established independently of each other.

Kerevel (2009) considered voter confidence as a critical factor on the legitimacy of elected officials, support for government policies and institutions and the quality of representation. Electoral Management Bodies with excessive partisan influence or exclusive commissions that limit political input in the administration of elections may lead to a perceived lack of professionalism and impartiality that will make citizens to question the fairness of the election process. Touching on the role of the media, Kerevel (2009) states that the media is likely to publish any problem that arise in the running of the election, such as problems with the voter rolls, inadequate training of polling officials or questionable decisions taken by election commissions that may introduce bias into the election process.

Proportional representation is been practised in many parts of the world and has recorded some defects similar to Ghana's first-past-the-post system. For instance, when it comes to accountability there is the greater chance of parliamentarians kowtowing to the wishes of their political parties than the voters. This is so because it is the political parties that determine the names of individuals on the list and so therefore there is the inclination to support the political party than the voter. A case in point happened in the South African parliament where a bill (protection of state information) was pushed through the National Assembly by the ANC (Africa National Congress), in opposition to public opinion (Sibalukhulu, 2015). In addition to this, the situation where voters are unable to remove parliamentarians in the proportional representation system makes these law-makers unresponsive to the plight of the voters and is also a dent on real representative democracy.

This practise happens because voters do not have a total say on who should represent them and who they should consult when a problem arises in a particular district. For instance in Mozambique there has been a criticism of the proportional representation system for its inability to guarantee the representation that is so desirable for the stability of the political system in the new Mozambique. When this happens there is the likelihood of dissatisfaction and voter apathy among electorates. Institutional failures, weaker checks and balances of the structures of state, high concentration of power on the executive arm of government, corruption and poor accountability measures are generally some of the challenges that confront Ghana's political system. It is questionable to assume that a change in electoral system can resolve the myriad of challenges facing Ghana's political environment.

6. Discussions and Conclusions

Debrah (2011) argued that the success of the Electoral Commission in Ghana could be attributed to the making of the Electoral process transparent, fostering agreement on the rules of the game and asserting its autonomy in relation to the performance of its mandate. He suggested that there should be electoral reforms to overcome challenges posed by delayed adjudication of post-election disputes and executive financial control of the Electoral Commission. This will require the creation of an Electoral court to deal swiftly and impartially with election disputes and a special electoral fund to insulate the Electoral Commission from government's financial manipulation. He further stated that institutional authority is significant for managing the electoral process. To him, the EC of Ghana is to some extent autonomous. He defines autonomy as freedom from external controls and the ability to make rules, regulations and decisions and enforce them on individuals, groups and other bodies. The security of tenure granted to its members by the constitution, their salaries, allowances, pensions and other emoluments for members of the EC charged to the state's consolidated fund, are cases in point.

The financial administration system operating in Ghana is a challenge for the E.C. It is the government that allocates financial resources to the E.C through the consolidated fund. This might create the event of the Electoral commission being manipulated by the government. For example, "The chronic postponements of revision of voters roll in non-election years of 1997, 1999, 2001 and 2006 were as a result of government's unwillingness to release funds for such an important electoral exercise" Debrah (2011).

Lopez-Pintor (2000) also suggests that for Electoral systems to be effective they must be inclusive, sustainable, just and independent. He classified one hundred and forty eight countries (148) countries according to the type of Electoral administration and he came to a conclusion that independent electoral bodies serve democratic stability better than elections run by the executive branch and that permanent Electoral Management Bodies are more cost effective than temporary ones. He basically assessed the operation of ad hoc and temporary EMBs in comparison with permanent independent electoral bodies. His methodology was a combination of thematic and country specific analysis. The import of his research was the different types of EMBs and how they operate. The most significant argument he made was that the independence of the EMBs was very important and that they should not be manipulated by external forces or bodies.

Nanda (2006) in the hypothesis of her thesis examined 'equality, objectivity, proportionality, accessibility, credibility, civic-participation, non-partisan election management body results in conduct of free and fair elections'. She suggested that one of the most important tools for measuring the neutrality of election administration machinery which needs focus is strict enforcement of mode of code of conduct for political parties and the government in power at all levels along with election officials. One challenge she identified was government sponsored advertisements. On the eve of election, the central and state government embarked on an advertisement spree to influence the voters in the guise of providing information to the public. She identified this as a huge challenge in the conduct of free and fair elections in Himachal Pradesh (India). In the lead up to the 2012 general elections of Ghana, the Daily Graphic report of October 1, 2012 had it that the government of Ghana released GHc261,256,525 representing 91.5% of the total GHc286,288,025 the Electoral Commission requested. The amount requested was to fund biometric registration, acquisition of verification equipment, exhibition of the voters register and the conduct of the presidential

and parliamentary elections. The late arrival of the funds and the inability of the government to release the total amount requested had the potential of delaying and disrupting the schedule of the Electoral Commission.

As stated earlier, the challenges facing Ghana's political system has more to do with institutional failures than with a change in electoral system. Since the inception of the fourth republic, the parliament of Ghana and the majority in parliament in particular has always been forced to do the bidding of the executive much to their own dislike. This is so because of the clause in our constitution where majority of ministers must come from parliament. This practice has rendered parliament a complete stooge of the executive and has further made it less critical of the executive arm of government. It has also made useless of the practice of separation of powers and has therefore inhibited parliament from scrutinizing critically all executive dealings with less political lens.

In the light of this challenge a creation of the office of a special prosecutor as practised in other jurisdictions such as Florida in the United States becomes relevant [Nadjari Maurice \(1974\)](#). The presence of the office of the special prosecutor promotes checks and balances in the executive branch, and enhance the legislature's oversight responsibilities over the executive branch. The office of the special prosecutor core responsibility is to act as a watchdog of the executive branch and at the same time to avoid the temptation of being used as harassment tool against the president. It is astonishing to see how EMBs from other countries manage voter education. According to [Macnamara et al. \(2009\)](#), the government of Australia in order to promote democracy was committed to open government based on a culture of engagement, built on better access to and use of government held information, and sustained by the use of effective technology. The emphasis is on 'effective technology'.

The amazing thing in this is that the Australian Electoral Commission (AEC) found knowledge in this and through its Advisory Board on Election Research (CABER) recommended that the commission investigate the potentials for new forms of social media to contribute to the achievement of the objective of the AEC, particularly in relation to engaging young people and other functions that includes; To encourage citizens to enroll to vote; to encourage citizens to maintain their electoral enrolment; and encourage citizens to vote formally in elections. And it worked. The Parliament of Ghana should adopt the practice of 'recall election' as seen in the Congress of the United States, Canada and Switzerland. A recall election is a procedure by which voters can remove an elected official from office through a direct vote before his or her term has ended. This happens when a certain number of voters sign a petition requesting for a recall of a parliamentarian. If enough registered voters sign the petition, the speaker of the legislature announces before the house that the member has been recalled and a by-election follows as soon as possible, giving voters the opportunity to replace the politician in question. This will put parliamentarians on their toes and make them active participants of parliamentary proceedings. They will almost always put the interest of their constituents first because of the likely backlash they might face.

The Institute of Economic Affairs has also identified the institutional deficiencies and challenges such as internal fragmentation and political factional line as factors in the softly reactive manner parliament deals with executive dominance. They have therefore recommended that parliament overcome its own internal weaknesses and reinforce its efforts to hold the executive to account. It can therefore be concluded that the political challenges facing Ghana has more to do with weak institutions and structures than with a change in electoral system.

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