

INNOVATIONS

Midwifing Democradura or Democracy? Narrating the Administration and Performance of the Election Umpire in the post-dictatorial State of The Gambia

O.O. Ayeni

Department of Public Administration,

Obafemi Awolowo University, Ile-Ife, Nigeria

Corresponding Email : ooayeni@oauife.edu.ng

Abstract

Democratic recession across the continent of Africa has created multiple effects on public governance. Central to the entrenchment of democratic projects and public governance is the election management body. The viability of this institution is expected to lay a foundation for good governance in any democracy. This study, therefore, examines the statutory roles of IEC in elections in The Gambia and assesses the performance of IEC in election administration. It employs primary and secondary data. The total population for the study is two hundred and five thousand, one hundred thirty-nine (205.139) respondents, out of which five hundred and forty-four (544) sample size was taken using a multistage sampling technique. In the first stage, a purposive sampling method was used to select election-related Institutions such as IEC, APRC, UDP, NRP, PDOIS, GDC, Ambassadors of Peace, WANEP and Talinding South Ward Polling totaling 205.139. In the second stage, the respondents were randomly chosen through the balloting process. In doing this; 20% of the total senior staff from each institution above were selected to ensure equal representation. This population included 50 staff at Independent Electoral Commission's (IEC) Head Office, 33 supporters of Alliance for Patriotic Reorientation and Construction (APRC), 35 supporters of United Democratic Party (UDP), 11 supporters of National Reconciliation Party (NRP), 10 supporters of Peoples Democratic Organisation for Independence and Socialism (PDOIS), 11 supporters of Gambia Democratic Congress (GDC), 10 members of the Ambassadors of Peace, 8 members of West Africa Network for Peace Building (WANEP) and 376 voters of the Talinding South Ward polling number 544. The study, therefore, concludes that voter understanding has increased through institutional awareness programmes and that the performance of the election management body in the Gambia has not been done as expected but has shown greater commitment to democratic management in the country.

Keywords: 1.Election 2.Election Administration 3. Democracy

Prolusion

Narrative among the locals in the Gambia is diverse and consider primitive atavism but plays prominent roles in the governability and leadership succession of the country. It is believed that the democratic recession between 1994 and 2016 should be attributed to the idiosyncrasy of Yaya Jammeh that obstructed the democratic trajectory and eroded the gains and values of democracy the country so far inherited. The contestation of the validity of the narrative may not be sacrosanct but it unmask the way the military junta of Yaya Jammeh created a system of beliefs mired in ignorance and backwardness. Whichever way you look at democracy, either from majoritarian and consensus models, it has played key roles in public governance for centuries. However, the

longtime military rule in the country appears to have weakened all democratic institutions and infiltrated democratic behaviours that the election management body strives to rectify since 2016. This position is strengthened by the highest number of political apathy and social deviance in the country. However, it is pertinent to state that the management of elections requires necessary attention for the advancement of democracy and good governance. The focus of this paper is not to validate the narrative of the locals but to investigate the performance and neutrality of the election management body in the face of a dictator like Jammeh. Jammeh is a pompous, loquacious leader who was not civil even in the so-called civilian government under his watch but consistently believed that the whole country is his pocket and he did not spare any ethnic group including his ethnic group (Jola) in his dictatorial escapade. After 22 years of his draconian rulership, the 2016 election was conducted after the rejection of 2012 polls by the opposition in the country under the supervision of many international observers including 56 observers from 27 EU Member States, as well as from Norway and Switzerland. They were drafted on the invitation of The Gambia Independent Electoral Commission to assess the entire electoral process by the international and regional obligations and commitments to genuine and transparent elections and the laws, (EU, 2017). Arguably, a system under the authoritarian regime for more than two decades would experience institutional failure or fragility and if not addressed may erode values embedded in democracy because of the impacts it may have on democratic institutions such as the Election Management Body. The Gambia was a peaceful small nation in the West Africa sub-region, but in dearth need of development before the 1994 coup that brought Yaya Jammeh to power. He came with a lot of energy, vigor, and determination which characterized the uncommon development of the Asian Tigers. Between 1994 and 2016, there was an acute democratic gap and many gains of the nation under President Dawuda Jawara were lost as democracy in the real sense of it was put in limbo because of his inability to build strong institutions towards nation-building. This was evident in monumental corruption, institutional weakness, violation of the Fundamental Human Rights and a crisis of confidence or legitimacy became very rife (United States Department of State Bureau of Democracy, Human Rights and Labor 2019). Elections go beyond one-man-one-vote and its administration must be seen as such. The processes of election include voters' registration administration, voters' education, electoral monitoring, and reporting, etc and competent election management body to administer these. To ensure a free and fair election, all these must be put to test. In the case of The Gambia, election administration has been perceived by critics as one that lacked merit due to several administrative and procedural gaps surrounding the appointments and composition of electoral staff and their procedures for carrying out basic electoral processes such as electoral education, registration, monitoring and reporting (Commonwealth Election Observer Group, 2006)

Suffice to say that the credibility of the electoral umpire in The Gambia has been put to test severally by the 1997 Constitution which empowers the president to solely appoints the staff of the commission and attendant of inconsistencies evident in counting, tabulation and announcement errors that encapsulated the 2016 general election, parliamentary election in 2017 and councilors' election in 2018. The inconsistencies are attributed by Election Observer Mission (2017) to lack professional knowledge of the election management body's staff due to inefficient poll workers in the field which was admitted by the independent Electoral Commission in its press release in December 2016. This study is to examine the statutory roles of IEC in election administration in The Gambia and assess the performance of IEC in election administration in the 2016, 2017 and 2018 election circles in The Gambia.

Election in Perspective

Election as a concept has not enjoyed universal definition. It varies greatly across nations and states. Notwithstanding, the end product of election is the choosing of leaders by giving democratic justification and legitimacy (social choice theory) but fall short of fully justifying collective decisions that form the nuclei of deliberative theory (Chung and Duggan, 2020). In his research on "The State and Election Administration in Nigeria", Afolabi (2014), indicates that elections are forms of the decision-making process where voters vote for people who occupy their formal offices.

In this connection, an election is meant to represent the wishes (decision) of people who carefully select between opponents, in a leadership contest within a geopolitical environment. An election is also being referred to as a procedure that aids people in an organisation or community to elect position holders. This asserts that election is procedural because it is a combination of systematic activities that are interrelated. For Dahl (1971), elections are means of pressurizing office holders to be responsive to electorates by voting them in/out in a fairly competitive race. Thus, the ability to regain one's seat is left to the ability of the candidate to fulfill his/her electoral mandates. Elections generally occur in two main ways; direct and indirect ways (Mozaffar, (2002), but generally organised and conducted by election management bodies which are to be seen to be independent and impartial in the conduct of elections. The election umpire is sacrosanct in any democracy. A government can only be installed by a state when the contract reflects the wishes of the citizens through the instrumentality of a free and fair election. This can only be achieved when elections provide the opportunity for yesterday's winners to become today's losers, and for yesterday's losers to become today's winners by following rules and procedures in the constitution/composition of the election management body, voter registration, candidate nomination, balloting, counting, the announcement of results, voter education, training of electoral officials, registration of political parties and supervision of party nomination congresses (Jinadu, 1997).

It is therefore sacrosanct to say that for elections to make a necessary impact in public governance, citizens must be properly educated on the issues of election and electoral processes that occupy our segment. In the view of the Wisconsin Election Commission (2018), the conduct of elections involves several players that make sure that it is implemented accordingly. These include election officials such as municipal clerks, chief election inspectors, election inspectors, greeters, and tabulators, etc. Election stakeholders comprise registration officers, Special assistant voting staff, compiler, and greeters who make sure elections are credible and legitimate. To Sani (2015), election when looking at a liberal philosophy perspective, it is a process of selecting leaders but only seen to be democratic if free, inclusive, and policy base. This is because the two main troubling concepts around elections are the issue of legitimacy and credibility. Legitimate elections are ones accepted by most stakeholders while a credible election is the one considered free and fair. It is very difficult for a credible election not to be legitimate and also rare for a legitimate election not to be credible. The common practice in most African states is the lack of credible elections which is always occasioned by porous election administration and the refusal of the election stakeholders to observe extant laws of the electoral process. It is pertinent to observe that one of the major impediments to the advancement of good governance in The Gambia is democracy without credible elections which were very rife in 22 years of President Jammeh's Administration. Differently, when elections are free and fair, African leaders, most especially the incumbents discredit the elections because it goes against their expectations. The pattern of political leadership was aptly captured by Baker & Grayson (2018). They opined that:

Since the rise to power of autocratic leaders across Africa in the early years of independence, artists, filmmakers, novelists, poets, photographers and songwriters have been preoccupied with the compelling figure of the dictator, placing him at centre stage in their work. Their concern with the question of dictatorship requires little speculation, for African dictators and their regimes have defined the post-colonial period in Africa. Within a decade of independence, nearly all African states had evolved into dictatorships or single-party regimes, and the consequences of their autocratic regimes are still felt across the African continent today.

Leaders such as former Ivorian Leader, Lauren Bagbo, Raila Odinga, Yayah Jammeh, and Domingos Simoes Pereira of Guinea Bissau have used this tactic to trample on the collective will of their people at a different time. The Wisconsin Election Commission (WEC) (2018) opined that election credibility depends on election municipal clerks, chief election Inspectors, election inspectors, greeters, and tabulators with the use of media and social media. The capability of these officials and the effective and balanced use of media make elections quite successful.

According to Dauda, Ahmad, and Keling, (2019), an election is a way of choosing leaders who are credible and can stand in defence of public interests. The election administration must be free and fair because it determines leadership acceptability and legitimacy. The credibility of elections depends on the level of competency, independence, and fairness of both the electoral staff and processes. It is therefore sacrosanct to say that for elections to make a necessary impact in public governance, The validity of election results, the credibility, and integrity of its officials' ineffective information sharing must be guaranteed (Radix Management Consulting, 2016).

Election Administration

Election administration as a process ensures people access to their rights and responsibilities. This according to IDEA (2002), includes expanding an individual's rights to voter's cards, to associate, to speak, vote, and freely compete in elections and decision-making processes. Equal competition allows election laws to promote women, the disabled, and youth participation through proportional representation or nominations. However, the obstacle to this demand is that African traditions strongly militate against women's equal representation and as such cut down their number.

Notwithstanding, the international standards for election administration look to the extent that national laws such as the constitution and the election laws ensure election or appointment of women and disability is promoted (IDEA, 2002) and Lucilia, 2006). In their submission Kimball, Kropf, and Battles (2006), look at election administration as a politicized exercise in which various parties compete for dominance. This makes it highly suspicious because each party tries to have its ways out by bringing in reforms that would increase its chances of winning. Thus they suggest for nonpartisan election administration entity as the means to an end.

The problems associated with the election administration are not peculiar to the developing countries of Africa as experiences in many developed countries have revealed. It was noted by Hill (2012), with the rise in awareness of the importance of election administration after the presidential election of 2000, both federal and state governments have been working to improve the now obvious flaws in the electoral process. In 2002, Congress passed the Help America Vote Act, or HAVA, which requires states to make changes in election administration to improve their voting processes. The changes include better polling places, access for disabled voters, statewide voter registration lists, and punch-card voting system replacement. These enhancements to the electoral system have entailed the investment of large amounts of money, with HAVA originally

authorising a total of US\$3.9 billion, and about US\$1.5 billion appropriated for each of the fiscal years 2003 and 2004.

In analysing the impact of elections administration on Nigeria's democratization process'' Omotola,(2010), argues that weak and ineffective election administration processes are caused by the absence of institutional, administrative, and funding autonomy. This exposes election management to government exploitations. Thus, argues that democratic, free, and fair election administration only occurs under an independent, competent, and impartial election management body that ensures unilateral lawmaking, law implementation, law adjudication.

As discussed above, funding of the election management body is one of the major steps toward ensuring effective election administration in Nigeria but is not certainly limited to this. For example, on the 28th of August 2007, a 22-member Electoral Reform Committee was set up by the late President Yaradua to examine the entire electoral process to ensure that the quality and standard of our general elections deepen our democracy. It was, therefore, reported that the major problem of election administration was not funding but the appointment and the composition of the election management body. In most African countries including the Gambia, the power to appoint members of the election management body resides in the incumbent president and is always used to the advantage of his political party. This is very pertinent and capable of making a mockery of any election administration irrespective of clime and how well-funded.

Similarly, James (2011) corroborates Hill by declaring that election administration is a process of executing electoral reforms. Such reforms whether directly implemented by the government itself or its appointed election management are often influenced politically. This is seen in the way elite /state/government/party runs election managements reforms are directed towards self – perpetuations as compared to the independent runs however the problem with most African election managements bodies like the Gambia is that they are not fully independent in terms of finance, and appointment thus curtailing their independent. This is to say that laws governing elections hardly escape bastardization from the executives or elites' system of election management.

It is indeed clear that disabled people are strongly under-represented in decision-making institutions in Africa including the Gambia where there is only one disabled representative in the National assembly (Presidential National Assembly member nomination 2017). Also, it measures the extent to which an election was violence-free. For example, the non-existence of armed threats against opponents or use of extreme militant groups against opponents, absence of fear, and violence. And finally, the global standards gauge processes of election administration on the level of openness, free and fair (IDEA, 2002, & Sani, 2015). The liberalist standards gauge base on personalistic views on the quality of elections.

However, election administration quality anchored on legitimacy and credibility looks at whether or not the processes and procedures leading to voting are harsh, opponents are unnecessary arrested, there is clarity of issues and the election commission is trustworthy, capable and the final results acceptable and certified by most candidates and international experts observing election administration processes (IDEA, 2002 & Sani, 2015). Election administration or management may not have a universally accepted definition, but certainly requires consistent reformation that will bring to bear innovation and new experiences that ensure accessibility of all relevant stakeholders to necessary inputs for the consolidation of democracy not only in the Gambia but the developing countries of Africa.

Performance Assessment of Election Administration Institutions

The performances of election management as mentioned by WANEP (2018), primarily include its ability to ensure elections are peaceful, free and fair. For an election to be free and fair, the election management must be seen to be very effective in carrying out its basic functions. Therefore, the metric for measuring election quality is anchored on the functionality of the Election Management Body.

There are several metrics used to determine the performance of an election management body. It may depend on the effectiveness of the voting machines, (Caltech/MIT, 2001b). This is because machines' inability to detect fraud or read names often have serious implication on election performance. It may also be measured in line with national and international laws for democratic elections such as inclusiveness of the election IDEA, (2002). Elections observers that measure election quality based on domestic laws strongly observe the level of implementation of such laws. In the case of The Gambia, such observers take note of the execution of Sections 42- 49 of the 1997 Constitution and Section 105 of the 2015 Election Amendment Acts which bequeathed huge electoral roles to IEC (Gambia: 1997)

Other determinants may be the extent to which voters, politicians and the media are free or the level of accuracy of the voter list, and the openness of the exercise to the international and domestic observers, and the free and fairness of counting and tabulation of votes; and the effectiveness of complaints and appeal process, (ODIHR, 2005). For Wall et al (2006) some time the election quality is anchored on the effectiveness of the means of identifying voters, nominating, voting, counting and tabulation of results.

Graham (2004-2006,) also argues that voter education performance depends on the effectiveness of the poll workers in enlightening voters: during voting, polling stations, queuing, ballot drums, toilet facilities, and types of ballots, while voter registration quality is anchored the principles of free and fair electoral participation. Stewart, Berinsky, Lenz, Alvarez, Ansolabehere, and Hall, (2008), submit that election quality is determined by how its statutory roles are performed. It includes the level of appropriateness of the voter registration, balloting, validation, counting and tabulation processes as well as the functioning quality of the analysing technology.

Organisation for Security and Co-operation in Europe (2012) also indicates that:

The execution of free and fair electoral exercise ensures accurate voter records and lists, ensure of law, ensures the preservation of the rights of the minorities and marginalised groups like women and disable ensures assignment of unique identity and residential address ensures maintenance of updated voter registers and lists, and ensures supplementary registration is done etc (Pg 11-49).

It is also argued that the effect of the voter awareness success depends on the quality of voter education strategies, policies, and programmes, (Election Commission of Nepal, 2013/2014). Makulilo, et al (2015) also held the view that election performance is determined by measuring the level of impartiality, transparency, credibility and competency of the election administration. This includes how voters have been sensitised and registered, how election-day registrations are handled, the accuracy of the voter registration list, the transparency of the procurement process, and the recruitment process of the election staff and other legal obligations (Jega, 2015). Going by the IEC assessment report, the success of an election administration can be determined by how it conducts presidential, national assembly, local government, and chieftaincy elections as well as by-elections and referendums.

To IDEA (2012), election integrity assessment focuses on the manner certain issues like universal suffrage, political equality, professionalism, impartiality, and transparency and awareness are being promoted.

Theoretical Explanation

This paper is anchored on social choice theory. It is a principle of common social choice that is realisable by combing individual values, interests and welfare needsthrough an electoral or voting system.It is not a single theory, but a cluster of models and results concerning the aggregation of individual inputs (e.g., votes, preferences, judgments, welfare) into collective outputs (e.g., collective decisions, preferences, judgments, welfare). According toDryzekand List (2003), the theory is pioneered in the 18th century by Nicolas de Condorcet and Jean-Charles de Borda and in the 19th century by Charles Dodgson (also known as Lewis Carroll), the social choice theory took off in the 20th century with the works of Kenneth Arrow, Amartya Sen, and Duncan Black. Its influence extends across economics, political science, philosophy, mathematics, and recently computer science and biology. Apart from contributing to our understanding of collective decision procedures, the social choice theory has applications in the areas of institutional design, welfare economics, and social epistemology.

The voting system or electoral system is a system that contains a set of rules that must be observed for a vote to be considered valid and how votes are tallied and aggregated to yield a final result. This is achieved by structuring optimal rules in which people surrender their test for a general test as can be seen in general decision-making processes of various social groupings including communities and states. In a constitutional democracy, the social choice theory has been the fabric for fair play and equal participation in voting (Arrow, 1921). This explains that modern social choice theory (general approach and majority rule or majority voting) acknowledges popular choice or common decision making that is affected by individual diversities in terms of needs, values, interests, opinions and as such a general rule that is needed to cater for all and underlines their performance.

Methodology

This study covered the whole of Kanifing Municipal Council (KMC). Data collection was concentrated on Independent Electoral Commission (IEC) Head Office, four political parties Head Offices, two civil society organisations' Head Offices and one electoral ward. Kanifing Municipal council was chosen because it was the biggest and the most congested administrative area of the Gambia with a population of about 382.096 people (Gambian Bureau of StatisticsGBos, (2013) and 199.957 voters (The Gambia, 2019). It was also a metropolitan center where political activities were intense and where IEC, various political parties, Civil Society Organisation headquarters and Talinding South Ward Polling Number 205139 are located.

IEC was formed in 1996 and was located in Kanifing Industrial Area with five commission members appointed by the president. Alliance for Patriotic Reorientation and Construction (APRC) was formed in 1996 and was located in MDI Road, Kanifing. United Democratic Party (UDP) was formed in 1996 and was located in Manjai. Peoples Democratic Organisation for Independence and Socialism (PDOIS) or Foroyaa was formed in 1987 and was located in Serekunda. National Reconciliation Party (NRP) was formed in 1996 and was located in Kairaba Avenue. Gambia Democratic Congress (GDC) was formed in 2016 and is located on Kairaba Avenue. Ambassadors of peace were formed in 2001 and are located at Westfield. WANEP was formed in 1996 and was located in Kairaba Avenue. Talinding Southward polling number 205.139 was created in 2016.

The total population for the study is two hundred and five thousand, one hundred thirty-nine (205.139) respondents, out of which five hundred and forty-four (544) sample size was taken using a multistage sampling technique. In the first stage, a purposive sampling method was used to select election-related Institutions such as IEC, APRC, UDP, NRP, PDOIS, GDC, Ambassadors of Peace, WANEP and Talinding South Ward Polling totaling 205.139. In the second stage, the respondents were randomly chosen through the balloting process. In doing this; 20% of the total senior staff from each institution above were selected to ensure equal representation.

This population included 50 staff at Independent Electoral Commission’s (IEC) Head Office, 33 supporters of Alliance for Patriotic Reorientation and Construction (APRC), 35 supporters of United Democratic Party (UDP), 11 supporters of National Reconciliation Party (NRP), 10 supporters of Peoples Democratic Organisation for Independence and Socialism (PDOIS), 11 supporters of Gambia Democratic Congress (GDC), 10 members of the Ambassadors of Peace, 8 members of West Africa Network for Peace Building (WANEP) and 376 voters of the Talinding South Ward polling number 544. These people were selected because they have knowledge of election matters and understood the constraints associated with election administration processes.

Data Analysis

Citizens’ Perception on the Statutory Role of IEC in the Gambia

This section presents a statistical response and analysis of the administered questionnaire to examine the awareness of the citizens on the statutory roles of the Independent Electoral Commission (IEC) and to assess the performance of the Independent Electoral Commission in election administration in the Gambia.

Table 1. Showing Citizens’ Opinions on the Awareness of the Statutory Roles of the IEC

	Description	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree	Total
1	I am aware that there are laws regarding elections in The Gambia.	52 (73.24)	18 (25.35)	1 (1.41)	-	-	71 (100)
2	I am aware that the laws call for the existence of IEC	32 (45.07)	37 (52.11)	1 (1.41)	1 (1.41)	-	71 (100)
3	I am aware that the constitution allows IEC to carryout all election matters	40 (56.34)	28 (39.44)	3 (4.23)	-	-	71 (100)
4	I am aware that this law allows IEC to freely and fairly educate voters, register voters and monitor elections	39 (54.93)	29 (40.85)	2 (2.82)	1 (1.41)	-	71 (100)
5	I am aware that this law prohibits IEC from being biased	26 (35.71)	38 (53.52)	1 (1.41)	4 (5.71)	2 (2.86)	71 (100)
6	Total Score	1323	750	32	18	2	2125
7	Average score	(62.3)	(35.3)	(2.1)	(1.5)	(0.01)	(100)

Source Fieldwork, 2021

In gathering data on the awareness of the laws regarding elections in the Gambia and the result indicated that (98.59 %) 71 of the respondents agreed to know this law while (1.41%) 1 remained undecided. Also, their perceptions were collected on their level of acquaintance with the law calling for the establishment of IEC, and the responses indicated that 97.44% of the respondents accepted their awareness of law while (1.41% 1 didn't support either side and (1.41 %) of the respondents 1 denied the assumption. Similarly, on the citizens' awareness of the constitutional mandates of IEC, (95.78%) 68 of them agreed that they are aware while (4.23%) 3 sat on the fence. In the same vein, respondents were further asked whether they knew that these laws call for IEC to freely and fairly educate voters, register voters and monitor elections, the responses revealed that majority (95.78 %) 68 of the respondents accepted to be aware of such laws while (2.82 %) 2 were undecided and (1.41%) 1 disagreed.

Finally, when put to respondents whether they were aware that there was a law that prohibits IEC from being biased, about (89.23%) 64 of the respondents agreed to know about it, (1.43 %) 1 was undecided, (8.57 %) 6 disagreed. From the data analysed above on the citizens' awareness of the constitutional responsibilities of IEC, the result demonstrated that an average of (83.1%) 59 respondents are aware of such laws that established IEC and authorised it to conduct all elections and ensure they are free and fair. This role includes voter education, registration and monitoring as well as prohibited it from being biased. This high public awareness rate implied that IEC may be carrying out voter and civic education programmes.

These findings corroborated with the views of Riker and Ordeshook (1968), Jenings (1999), Blais (2000), and Verba (2004), that voter understanding is increased through institutional awareness programmes and policies as well as conduction of citizenship education at national and school levels. Wall et al (2006), view also agreed with the findings that citizens' awareness is high when the election management body informs voters constantly and consistently on how to achieve integrity in elections. This is also corroborated by Stewart et al (2008) that voters' knowledge of statutory functions of election management body is maximised when all the processes are made known to voters. It also agreed with the works of Gerber, Donald, and Christopher (2008), and Achen, and Richard (2011) findings that voter knowledge increases when voters are informed by election management bodies. It is also in agreement with Braconnier et al (2013), findings that campaigning and home registration visits increased new registrations by 2.4 percentage points (14%) and 4.7 percentage points (26%) respectively. Similarly, the findings of Makulilo et al (2015), opines that voter awareness rises when election management bodies conduct their constitutional and statutory requirements of being impartial, transparent and credible in election administration. This result also concurred with Radit (2016) findings that voter awareness increases with the proper use of sensitisation methods. It also agreed with Saithy's (2017) findings that informative and financial support given to local electorates increases their understanding and actions such as the diaspora support given to the Gambians during the 2016 election to kick Jammeh out of power. The finding is also in line with the constitutional requirement as stipulated in section 43-49 of the 1997 constitution which stipulates that;

IEC statutory functions should be to freely and fairly administer the registration of voters; conduct elections and referenda; conduct the elections of the Speaker and Deputy-Speaker of the National Assembly; registration of political parties; the conduct of nomination of candidates; and the announcement of election results (The Gambia: 1997).

Birch (2017), avows in his theory of participation "that voter involvement increase with increase awareness of his/her civic duty and self-expression. The result is also in agreement with WANEP

(2018), 'that voter choice and participation increase when oriented'. These assumptions are also in line with the view of the Programme Coordinator at Ambassadors of Peace, who stated that IEC has been embarking on massive voter and civic awareness campaigns. In an interview with him, he posited that:

IEC is indeed politically educating the public because they often carried out nationwide sensitisation programmes, sponsored election-related radio, television and newspaper programmes and other activities.

This position was further advanced by Etika et al (2019), who believe that voter awareness campaigns conducted by election stakeholders through social media platforms, billboards, posters and pamphlets increase voters' knowledge and interest in candidates. The result also corroborated with Brown et al, (2019), views that voter awareness is better enhanced when regularly given electoral information in the form of notices, announcements, and distribution of materials. It is also in line with the views of Davidson and Wilkey (2019), that voter awareness and participation in elections is enhanced with access to social media. The findings also corroborated with Brace's (2019), view that provision of geographical information to voters about voting processes, locations, and materials, improves voter awareness rate.

The Performance of Independent Electoral Commission (IEC) in 2016 Presidential Election Administration in the Gambia

In assessing the performance of IEC in administering elections in the Gambia, respondents were asked to rate whether IEC conducts regular voter sensitisation campaign and the test results revealed that 63.14% (45) of the respondents agreed that there was regular sensitisation, (28.17 %)20 of the respondents disagreed, and (8.45%) 6 never support any. Again, opinions were elicited on whether IEC showed professionalism in conducting elections and about (80%) 57 of the participants accepted that it was professional but 4.23% (3) respondents were neutral while (15.49%) 11 described it as unprofessional.

Moreover, as stated below, when asked whether the 2016 elections were peaceful as a result of IEC and security agencies performances, responses showed that about 78.87% (56) agreed that they were able to make it peaceful, while (7.04) 5 of the respondents were unsure and (15.09%), 10 disagreed that there were violence-free elections. Similarly, the responses obtained when respondents were asked whether voter education was done in a clear language, indicated that (80.29%) 57 of the respondents agreed that it was clear, while (5.63%) 4 were neutral and (14.09%) 10 respondents denied it was clear.

Table 2 Showing Respondents' Views on the Performance of IEC in Election Administration

	Description	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree	Total
1	IEC conducts regular voters sensitisation campaigns	22 (30.99)	23 (32.39)	6 (8.45)	17 (23.94)	3 (4.23)	71 (100)
2	IEC are very professional in the conduct of election	21	36	3	10	1	71

		(29.58)	(50.70)	(4.23)	(14.08)	(1.41)	(100)
3	IEC in conjunction with the security apparatus ensure peacefulness and fairness during campaigns and election	20 (28.17)	36 (50.7)	5 (7.04)	7 (9.86)	3 (4.23)	71 (100)
4	Voter education activities are done in understandable languages by the citizens	22 (30.99)	35 (49.3)	4 (5.63)	8 (11.27)	2 (2.82)	71 (100)
5	The time allocates to campaigning allows voters and candidates to share viable information	-	54 (76.1)	4 (5.63)	13 (18.57)	-	71 (100)
6	Voter educator's fairly carryout voter sensitisation programs.	19 (26.76)	31 (43.66)	9 (12.68)	8 (11.27)	4 (5.63)	71 (100)
7	The voter registration list is accurate and contains names of only voting-aged voters	19 (26.76)	33 (46.48)	9 (12.68)	5 (7.04)	10 (14.08)	71 (100)
8	IEC ensures registration frauds are controlled	17 (23.94)	38 (53.52)	7 (9.86)	9 (12.68)	-	71 (100)
9	There is scrutiny of the electoral roll after registration	18 (25.35)	34 (47.89)	8 (11.27)	9 (12.68)	2 (2.82)	71 (100)
10	IEC obeys rule of law in the conduct of their mandates	30 (42.25)	30 (42.25)	5 (7.04)	6 (8.45)	-	71 (100)
11	Voters and political party registration processes are transparent	22 (30.99)	34 (47.89)	4 (5.63)	8 (11.27)	3 (4.23)	71 (100)
12	The monitoring process covers pre, during and post-election activities	25 (35.21)	33 (46.48)	6 (8.45)	5 (7.04)	2 (2.82)	71 (100)
13	Voters have access to voting sites and marbles	32 (45.07)	31 (43.66)	1 (1.41)	4 (5.63)	3 (4.23)	71 (100)
14	Counting, tabulation and announcement of results are open and acceptable.	25 (35.21)	33 (46.48)	6 (8.45)	5 (7.04)	2 (2.82)	71 (100)
15	Electoral defaulters are charged for their actions	15 (21.3)	26 (36.62)	8 (11.27)	19 (26.76)	3 (4.23)	71 (100)
16	Equipment and materials are sufficient and arrive early during elections	25 (35.21)	33 (46.48)	3 (4.23)	8 (11.27)	2 (2.82)	71 (100)
17	Total score	2324	2700	352	423	40	5859
18	Average score	(39.8)	(46.4)	(6.02)	(7.24)	(1.0)	(100)

Source:Fieldwork 2021

Furthermore, respondents perception was sought on whether the time for the campaign was enough for voters and candidates to share viable information and it was uncovered that (76 %) 54 of the respondents supported that the time was enough, (5.63 %) 4 failed to support either side while (18.57 %) 13 were with the opinion that the time wasn't sufficient. In addition, respondents were with the opinion that IEC fairly carried out voter education, the responses indicated that (70.42%) 40 of the respondents agreed that it fairly carry out voter sensitisation but (12.68%) 9 failed to support any side, while (16.87%) 12 didn't accept it was fairly done.

Again, when respondents were asked to judge whether the voter registration list is accurate and contained names of only qualified voters. The majority (73.23 %) 52 of the respondents did agree registration list was accurate and had only eligible voters (12.68 %) 9 were unsure, while (14.08 %) 10 of the respondents were not convinced of its accuracy. In seeking the views of respondents on the performance of IEC in controlling registration fraud, the responses obtained indicated that (77.46 %) of the respondents, 55 acknowledged that IEC controlled such frauds, (9.86%) 7 sat on the fence, while (12.68 %) 9 regarded it as untrue.

Furthermore, the respondents were asked to show their level of approval to the statement that IEC scrutinised electoral rolls after registration and the majority of the respondents 73.24% (52) accepted that there was scrutiny, but (11.27%) 8 had contrary position and (15.5%) 11 disagreed. Again, when asked to indicate their level of acceptance to the statement that IEC obeyed rule of law in the conduct of its mandates and responses collected indicated that the majority of the respondents, about (84.5 %) 60 agreed that IEC obeyed rule of law, while (7.04%) 5 remained silent and (8.45%) 6 were with the opinions that laws were not respected by IEC in carrying out its constitutional responsibilities.

In addition, respondents were asked to show their level of approval with the statement that voters and political party registration processes were transparent and the result confirmed that (78.88 %) of the respondents 56 accepted that it was transparent, (5.63%) 4 remained undecided, (15.5 %) of the respondents 11 disagreed that it was transparent. Also, when it was put to respondents whether the monitoring process covers pre, during and post-election activities, their responses indicated that (81.69 %) 58 of the respondents agreed that all the election cycles were monitored, (8.45%) 6 remained neutral, while (9.82%) 7 disagreed. Again, the responses received when respondents were to show their approval level to the statement that voters have access to voting sites and marble indicated that majority (88.73 %) 63 of the respondents accepted that there was, (1.41) remained neutral, and (9.86 %) 7 disagreed.

Furthermore, when asked whether the counting, tabulation and announcement of results were open and acceptable. About (81.69%) of participants 58 accepted it was, (8.45%) 6 were unsure and (9.86 %) 7 didn't accept the statement. Also, attempts were made to elicit the views of respondents on whether or not electoral frauds were controlled and the findings demonstrated that slightly above half (57.92%) of the respondents 41 agreed that fraud was controlled but (11.27%) of the respondents 8 were undecided and (30.99%) of the respondents 22 didn't accept.

Finally, respondents views were collected on whether equipment's and materials were enough and arrived on time during elections and the result suggested that majority ie (81.69 %) of the respondents 58 supported the statement, (4.23 %) of the respondents 3 failed to take side while (14.09%) of the respondents 10 disagree. The findings analysed above on the performance of IEC in election administration, demonstrated that most participants (86.2%) accepted that it had positively ensured regular sensitisation, peaceful and fair campaign and election, clear voter education activities, time was enough for electoral activities, voter educators were fair, voter register was accurate, registration was non-fraudulent and scrutinised, IEC personnel followed rules, voters and party registration were transparent, monitoring covered all the three cycles of

the election, voting sites and marbles were accessible, counting, tabulation and announcement of the result were opened and acceptable, electoral defaulters are punished, election equipment's and materials were enough and present on time.

These findings concurred with Caltech's (2001) findings that election quality increases with the increased use of excellent technology by the election management. It also agreed with Walle (2006), who views that positive administrative functions of an election house include identifying voters, coordinating election nominations, polling, counting and tabulating the results in a fair, open and transparent manner. It also corroborated with Commonwealth Election Observer Group Report, (CWEGR) (2006), which reports that the election performance quality increases when coordinated by an Independent Election Management body.

The results also corroborated with Stewart (2018), who views that positive electoral performance occurs when basic electoral processes are done according to law. It also corroborated with Rauch's (2016), results that successful election administration occurs when there are flexible electoral registration opportunities such as non-requirement of photos, election day registration, provisional and absentee voting. The result also agreed with IEC's conclusions that effective election management registers great successes such as the IECs tremendous achievements in conducting the 1997-2018 electoral exercise. The findings also concurred with Braconnier, Dormagen & Pons (2017), the result that voter registration number and success rise when management provides easy opportunities for people to register. The result also concurred with WANEP (2018), finding that elections are successful when most of the processes are error-free. It also agreed with Rafael, Bruno, & Micheal, (2019) conclusion that elections are successful if an election management body can monitor social media threats through soft wire devices.

It also agreed with Kalisa, LaVine, Jarboe, Masterson and Montjoy (2019), claim that successful elections occurred when election management ensures: voting messages are clear, deliver to voters in their languages and their communities, the poll workers are neutral, there is national and information sharing centre, there is intelligence sharing centre with security forces, there is the use of detective and protective devices like Albert sensors, scanning machines.

The finding also agreed with Montjoy, (2019), views that an election performance is regarded smooth or positive when elections laws are less restrictive, and the election management body constitutes both appointed officials and political parties representatives. This is also supported by LaVine and Jarboe (2019), who views that election success increases with increased availability of assistance to voters such as language access.

The above position was also supported by the Programme Coordinator of Ambassadors of Peace (2019) who posits that IECs conduct of elections was quite positive or fair. According to him, "IEC administered the 2016 elections well because they had successfully carried out most of the electoral processes and procedures in a free, fair and transparent manner. The only concern is that I had seen few instances in which foreign nations owned voters' cards. This suggested that registration fraud may have occurred but concluded that the general electoral atmosphere was "free and fair. These findings disagreed with the hypothesis that IEC's functions / performances were not positively administered because the majority of the respondents are of such opinion."

Conclusion

Pieces of evidence from this study have revealed that the Election Management Body's capacity in carrying out its constitutional responsibilities in The Gambia still needs to be strengthened to operate in line with the global best practices. However, this study examines election administration in the Gambia from 2016-2018 and revealed that it was positively administered

because the hypothesis analysed linked IEC to positive performance or administration which includes: regular sensitisation, peaceful and fair campaign and election, clear voter education activities, provision of enough time for electoral activities, the neutrality of voter educators, provision of the accurate voter list, insurance of non-fraudulent registration with scrutiny, IEC following of rules, insurance of transparent voter and party registration, monitoring of three cycles of the election, provision of acceptable voting sites and marbles, provision of open and acceptable counting, tabulation and announcement procedures, insurance of punishment for electoral defaulters, and provision of enough types of equipment and materials on time. . This means that most things were implemented according to law.

Also, the result revealed that the public awareness level on statutory laws was very high. This implied that IEC had effectively executed its constitutional obligations which according to sections 43 to 49 of the 1997 constitution are to freely and fairly conduct voter registration, voter education, electoral monitoring, the nomination of candidates, registration of parties, organisation of campaign programs, conduction of nominations, elections of the speaker and deputy speaker, the announcement of election dates, places, conduction of presidential, national assembly, and local government elections, party elections, constituency boundary demarcations, the announcement of results, counting, protection of political material and infrastructure (S.42-49, p.36 of The 1997 Constitution of The Gambia)

The study result also demonstrated that IEC had no major challenges. However, the results of this study showed that IEC was not independent in terms of appointments. The result also indicated internet availability, connectivity and financial adequacy remained a challenge for IEC. In conclusion, this thesis concentrates on Independent Electoral Commission and Election Administration in The Gambia.

Recommendations

The results from this study have indicated a very positive national awareness level however there should be the establishment of a national information-sharing forum that would enable IEC to instantly share any information regarding its roles for everyone to access. This can be in the form of Short Message Services (SMS) or short audios send through WhatsApp, Facebook page, and blogs, etc informing the public so that those that could not know or don't know can easily know as suggested by Masterson (2019), that the best way to spread electoral information is by creating and sharing information through the national election infrastructure sharing centre and Kalisa, (2019) who indicated that voter awareness campaign can be enhanced using Short Message Services (SMS), and social media like Twitter, Instagram, LinkedIn, etc.

Also, from the study results, it was clear that IEC had exceptionally performed or administered its roles yet there was a need for the purchase of more election equipment and getting them to poll workers on time to make the process easier. This is in agreement with Davidson and Wilkey (2019), that participation in election exercises is enhanced by using equipment such as iPads, E-pollbooks and run by an independent management body. Therefore, there is a need for IEC to be independent of the government.

This study showed that generally IEC didn't have challenges however, there was a need for available internet connectivity between IEC offices. There was also the need for the independence of the IEC in terms of its functions. These demands concurred with the recommendation of the EUEOM (2017), that IEC should be independent, in terms of appointment, finance and functions.

Reference

1. Achen, C. H., & Richard, S. (2011). *Learning norms and taking sides: Voter turnout in multi-level systems*. Oxford: Oxford University Press
2. Afolabi, O. S. (2014). *The state and election administration in Nigeria*. *The Nigerian Electoral Journal*, 6(2), 93-121.
3. Alvarez, R. M., Ansolabehere, S., Berinsky, A., Lenz, G., Stewart III, C., & Hall, T. (2008). *Survey of the performance of American elections: Final Report*.
4. Arrow, K.J (1921). *History of Social Choice Theory*, in *Stanford Encyclopedia of Philosophy* (2020). Stanford University.
5. Baker, C. & Greyson, H. (2018). *Dictatorship: Cultural Representations of Postcolonial Power*. The UK, International Academic Publishers.
6. Braconnier, C., Dormageny, J.Y., & Ponsz, V. (2017). *“Voter Registration costs and Disenfranchisement: Experiment Evidence from France”*.
7. Birch, S. (2017). *“Democratic Norms, Empirical Realities and Approaches to Improving Voter Turnout”* Res Publication, Pg. 24:9–30 .
8. Blais, A. (2000). *To vote or not to vote?: The merits and limits of rational choice theory*. The University of Pittsburgh Pre. Blais, A. (2006). *“What are voters turnout”?* *Annual Review of Political Science* 9: 111-125.
9. Brown, M., Hale, K., & King, B. A. (2019). *The Future of Election Administration: Cases and Conversations* (p. 266). Springer Nature.
10. Brace, K. (2019). *Using GIS to Improve Accuracy and Efficiency in Election Administration*. In *The Future of Election Administration* (pp. 211-220). Palgrave Pivot, Cham.
11. Caltech/MIT (2016) *“Voting Technology Project. An Assessment of The Reliability of Existing Voting Technology”*.: Multi-disciplinary, a collaborative project of the California Institute of Technology-Pasadena, California 91125 and the Massachusetts Institute of Technology-Cambridge, Massachusetts 02139. Retrieved from dspace.mit.edu .
12. *Common Wealth Election Observer Group Report, (CWEOGR). (2006). Gambia Presidential elections: Final Report, Commissioned by Commonwealth Election Observer Group, Banjul, The Gambia.*
13. *United States Department of State Bureau of Democracy, Human Rights and Labor (2019). Gambia Reports on Human Rights Practices for 2019.*
14. Chung, H., & Duggan, J. (2020). *A formal theory of democratic deliberation*. *American Political Science Review*, 114(1), 14-35.
15. Dahl, R. (1971). *Polyarchy: Participation and Opposition*, New Haven: Yale University
16. Dauda, M., Ahmad, M. Z., & Keling, M. F. (2019). *Mechanism towards a free, fair and credible election in Africa: challenges to electorates and other actors of the electoral process*. *e-Bangi*, 16(8).
17. Davidson, D., & Wilkey, T. (2019). *The Future of Election Administration: In Brown et al (eds). Reflections on the creation and implementation of voting system guidelines p. 23*
18. Dryzek, S.J and List, C. (2003). *Social Choice Theory and Deliberative Democracy: A Reconciliation*. The UK. Cambridge University Press.
19. *Election Commission of India. (2016), International Conference on Voter Education For Inclusive, Informed & Ethical Participation 19th-21st October, New Delhi, India.*
20. *Election Commission Nepal (2013) An Assessment of The Voter Education Programme: Final findings, published in UNDP Electoral Support Project, Chakupat, Lalitpur, Nepal.*
21. *Election Commission Nepal (2014) An Assessment of The Voter Education Programme: Final findings, published in UNDP Electoral Support Project, Chakupat, Lalitpur, Nepal.*
22. Etika, D.N., Nyong, S, & Agbor, F.A, (2019). *Forms of Political Campaign by Electioneering Candidates in Nigeria: A Study of 2019 Governorship Election in Cross River State.*

International Journal of Emerging Trends in Information and Knowledge Management, Vol.2, Issue 1.

23. *European Union Election Observer Mission (EUEOM). (2017). Gambia National Assembly Elections: Final Report, Commissioned by European Union Election Observer Mission, Banjul, European Union.*
24. Gerber, A. S., Green, D. P., & Larimer, C. W. (2008). Social pressure and voter turnout: Evidence from a large-scale field experiment. *American Political Science Review, 102(1)*, 33-48.
25. Hill, S. A. (2012). Election administration finance in California counties. *The American Review of Public Administration, 42(5)*, 606-628.
26. *Global Commission on Elections, Democracy and Security. (2012). Deepening democracy: A strategy for improving the integrity of elections worldwide. Kofi Annan Foundation.*
27. IDEA. (2002). *International Electoral Standards: Guidelines for reviewing the Legal framework of Elections.*
28. James, T.S. (2011). "Only in America? Executive Partisan Interest and the Politics of Election Administration in Ireland, the UK and USA" *Journal Contemporary Politics, 17(3)*.
29. Jega, A (2015), "My experience in conducting 2015 Polls". Lagos; Vanguard Newspaper, October 30, 2015).
30. Jinadu, L.A (1997). "Matters Arising: African Elections and the problem of Electoral Administration." *African Journal of Political Science, 2 (1) 1-11.*
31. Makulilo, A., Ntaganda, E., Away, F., Sekaggya, M., & Osodo, P. (2015). "Election Management Bodies in East Africa: A comparative study of the contribution of electoral commissions to the Strengthening of democracy. A Review by AfriMap and the Open Society Initiative for East Africa". *Political Science and Policy Studies. 1(1)34.* Open Society Foundation Publishing.
32. Mozaffar, S. (2002). "Patterns of Electoral Governance in Emerging Democracies". *International Political Science Review, 23 (1) 85-101.*
33. *Organisation for Security and Co-operation in Europe (OSCE)(2012). Handbook for the Observation of Electoral Regime; OSCE.*
34. Omotola, J. S. (2010). "Elections and Democratic Transition in Nigeria under the Fourth Republic." *Oxford Academic, African Affairs, Oxford University Press.*
35. *Office for Democratic Institutions and Human Rights, (ODIHR)., (2005). Election Observation. ODIHR Publishing, Al. Ujazdowskie 19, 00-557 Warsaw, Poland Retrieved from www.osce.org*
36. *Programme Coordinator Ambassadors of Peace, (2019). Interviewed on December 5, 2019, at Peace Building, Kanifing.*
37. *Radix Management Consulting LTD. (2016). Evaluation of The Cumulative Result of The Voter Education Programme: Final Report, commissioned by The Democratic Governance Facility (DGF), Uganda. Author. Retrieved from: www.radixconsults.com*
38. Sani, I. (2015). *Electoral Governance: Understanding the Democratic Quality of Elections in Nigeria (Ph.D. Thesis, Politics, University of Edinburg).* Retrieved from www.academia.edu
39. Verba, S. (2004). "Political equality: What do we know about it"? In Kathryn (ed.) *Social Inequality Journal*, pp. 635-666
40. Wall, A., Andrew, E., Ayman, A., Carl, W. D., Joran, R. & Sara, S. (2006). *Electoral Management Design, : International Institute for Democracy and Electoral Assistance. Handbook, Stockholm, Sweden.*
41. *West Africa Network for Peace (WANEP). (2018). CSO -Coalition on Elections- The Gambia. Preliminary Statement: May 12, 2018, Local Govt Elections, The Gambia. Retrieved from www.allfrica.com.*