Political Representation in Africa: Towards a Conceptual Framework*

Omano Edigheji**

Abstract

Political representation as a central component of democratic governance is a key challenge in the African quest for democratic development. Accordingly, this article reviews theories of political representation. On the basis of the review and subsequent critique of existing theories, I suggest some areas that require attention from African scholars, civil society, political leaders and policy-makers. I argue that the responsiveness of the political system and public policy to the needs and aspirations of the African people would be considerably dependent on an inclusive system that gives ordinary people a voice in governance and policy choices.

Résumé

La représentation politique en tant que composante centrale de la gouvernance démocratique constitue un défi majeur au processus de développement démocratique. Cet article analyse les théories de la représentation politique. Sur la base de cette analyse et de la critique qui est faite des théories existantes, je propose quelques domaines qui méritent toute l'attention des universitaires des universitaires, de la société civile, des dirigeants politiques et décideurs du continent africain. J'affirme par la suite que la réactivité du système politique et des politiques publiques aux besoins et aspirations des populations africaines dépend de l'instauration d'un système inclusif permettant au citoyen de se faire entendre au niveau de la gouvernance et des choix politiques.

Introduction and background

A distinguishing feature of democratic governance is that the electorate chooses leaders through regular, multiparty and competitive elections, which are seen as the primary mechanisms for political representation. In Africa,

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the success rate in achieving this has been mixed. Often military rule; one person rule; despotic rule; ethnic conflicts (due partly to marginalisation of minority groups); low participation of women, youth and the disabled; weak civil society, and patronage relationships are prominent features of Africa's political space. Africa's political elites use control of government for primitive capital accumulation – looting of the state coffers for personal gains and party political interest, especially by the incumbent party. As a consequence, the contest for political power has been marked by violence, intimidation, bribery and corruption.

The history of political representation in independent Africa has been characterised by election rigging and disputes over the outcomes of elections, leading often to political instability. This sorry state of affairs has been compounded by the absence of the institutions of horizontal accountability, such as independent electoral commissions, that are necessary conditions for proper political representation. And where such bodies exist, with few exceptions like South Africa and Botswana, they lack the capacity to conduct free and fair elections.

At another level, institutions of traditional rulers continued to exist side by side with institutions of elected representatives. This in some cases has led to an ambiguity in the roles of the former and conflicts between both institutions that see themselves as representative of their people. Some would argue that traditional rulers should become irrelevant in a democracy. Coupled with this is the view that they are not accountable and have hindered social and economic development. In fact they are described as parasitic, feeding on the wealth that would have been used for development.

The decentralisation of government in many countries in Africa has meant that regional and local governments have emerged as important arenas of political participation. These levels of governance are providers of basic social services and infrastructure. However, local government councillors and officials lack capacity to meet the new responsibilities being entrusted to them, as well as to represent their people effectively. They also lack the skills and knowledge to set implementable goals, undertake financial planning and human resource development, consult with local communities and promote sustainable development.

Across Africa, there is a low representation of women in decision-making structures and processes in representative organs. As a result, issues that affect women specifically are marginalised in public policy.

In postcolonial Africa, civil society organisations have mushroomed. But these organisations have not been able to fulfill their developmental and democratic roles due to several factors, such as a lack of internal democracy, lack of financial sustainability, inability to articulate their demands, limited re-

search skills and fragmentation. In addition, citizens and citizens' organisations are marginalised in the formulation and implementation of public policies. Hence there are very few deliberative mechanisms for government to dialogue with stakeholders to seek consensus on social and economic policies. Where these exist, they are ad hoc and often lack organisational and research capacities to facilitate consensus on social and economic policies. Consequently, there is an absence of a shared vision of national transformation and lack of credibility of adopted policies. This undermines the development potential of the continent.

Overarching all these issues are the additional problems raised by a currently dominant economic paradigm that is predicated on market liberalism, which conceives of citizens as users, consumers and clients. This paradigm recasts the nature of the social contract between elected representatives and civil servants, especially at local government level, and the electorate. The former basically see their role as that of ensuring economic competitiveness, hence access by citizens to basic services is all too frequently dependent on ability to pay, not on citizenship itself.

It is in recognition of these problems that there is a need by African scholars and policy-makers alike to focus on political representation, with the view of (1) monitoring the state of political representation in the continent, and (2) to engage in advocacy and capacity building to overcome weaknesses in political representation. These are intended to promote the goals and objectives of the Constitutive Act of the African Union (AU) and its programmes, including the New Partnership for Africa's Development (NEPAD).

This paper therefore has the following two main objectives:

- To develop a conceptual framework on political representation;

- To derive operational indicators/variables as a basis for future research and implementation

In order to achieve these objectives, the paper will be theoretical in nature. Accordingly, the first section deals with the origin of the concept of political representation, the second section focuses on definitions, the third section covers the new forms of political representation, the fourth and fifth deal with elections and the nature of electoral system respectively. Section six covers the role of the legislature, the seventh deals with political parties and party funding, while section eight treats representative deliberation and participatory democracy. The nineth section focuses on unelected officials, especially traditional rulers, section ten discusses the political economy of political representation, and the last section summarises some key indicators of

political representation, which it is proposed should be the focus by African political leaders, policy-makers and scholars.

Origin of the concept of political representation

The origin of the concept of representation in western political theory dates back to the later centuries of Rome, when the prince was regarded as the representative of the Roman people as a collective (Dunning cited in Fairlie, 1940a). In the medieval period, both the monarch – that is, the King, the Emperor, the Pope and such bodies as the Cardinals in the Church – and assemblies and councils of qualified citizens in organised communities, were attributed the character of representatives. This meant that representatives were conceived in terms of single rulers and largely hereditary or property-qualified groups. The monarch was the trustee of the people. To a large extent, the trustees/representatives were free to act in a manner they deemed served the national interest. In this early conception, representation did not necessarily entail election of the representative, but either appointment, in the case of a public officer; or inheritance, with a single ruler acting on behalf of all the people and not particular constituencies.

As will be indicated in subsequent sections, the nature of the idea of political representation has changed fundamentally over the centuries. Before discussing the various conceptions of political representation, it is important to re-emphasise the fact that in early times, monarchs and chiefs were conceived as representative, chosen either by appointment or through inheritance. This point is important because, as I have noted earlier, in the first decade of the twenty-first century traditional rulers continued to play a major role in African political system. As a result, in contemporary Africa, traditional rulers and institutions of traditional rulership exist side by side with elected representatives and elected bodies. One key question therefore is what are the tensions and challenges this cohabitation poses for democracy.

Political representation defined

Like most concepts in the social sciences, there is no one definition of political representation. Political representation is a contested concept. There is, however, a consensus on the importance of political representation to democracy. It is seen 'as a key activity, a lifeline or linchpin that connects the citizenry to the government' (Zappala 1999). Some have described it as the hallmark of democracy (Chamberlin and Courant 1983).

Representation is generally recognised as a necessary condition for democracy in practice in an urbanised polity. Thus, J.S. Mill points out:

> The only government which can fully satisfy all the exigencies of the social state is one in which the whole people participate... But since all cannot, in a community exceeding a single small town, participate personally in all but minor portions of the public business, it follows that the ideal type of perfect government must be representative (Mill 1862: 80).

Representative democracy, in the view of Fairlie (1940: 456), is that system of government where the powers of sovereignty are delegated to elected representatives, who exercise them for the benefit of the whole nation. Viewed from this perspective, political representation can be defined as the machinery or process to make democratic government possible.

To a considerable extent, the different conceptualisations of political representation are based on the different interpretations of the relationship between the representative and his/her constituents, as well as the functions of an elected representative. Also, the disagreements centre around how representative institutions are to be composed, the conditions under which they act, and the scope of their authority. How any of these are conceived has different meanings and implications for representative democracy and political representation. These should be of interest in the African context.

One disagreement deals with the nature of representation. The two contending positions are the *politics of ideas,* that is the representation by proxy of citizens' opinions and policy preferences; and the *politics of presence,* that, is the particular interest group being physically present in the legislature (Phillips 1995), so that its composition mirrors various groups in the general population.

The politics of ideas

Within the 'politics of ideas'– which one could also term the politics of absence – the different definitions can be categorised into two broad approaches: the trustee/independence approach, or the delegate/mandate approach.

The first school is termed the *trustee* conception of representation, and places greater emphasis on elite competence. The central thrust of this school is that the representative must exercise independent initiative and discretionary judgment about the public good without necessarily following the expressed wishes of constituents. One classical definition of political representation within this school is by Esmein (cited in Fairlie 1940), who defined

> a representative as one who within the limits of his constitutional power, has been chosen to act freely and independently in the name of the people. He must have full independence of judgment and action in order to fulfill his mission.

The central argument of this school is that the electorate must elect their representatives. But the latter then vote and act freely in accordance with what they think is in the best interest of the society. In this conception, mass or popular participation is subordinated to elite rule, who are considered to be more competent on issues of governance. The role of the mass of citizenry is confined to periodic endorsement of the elites. In his early writings, J.S. Mill, one of the world's prominent political theorists, was a leading proponent of this conservative and elitist school. According to him,

> [It] is not that the people themselves exercise political judgment, either directly or through the agency of instructed delegates, but that they assign this responsibility to the wisest and most virtuous among themselves, who will then serve as independent trustees of the public interest. The many must exercise their judgment 'rather upon the characters and talents of the persons whom they appoint to decide questions for them than upon the questions themselves' (cited in Krouse 1982: 524).

But as Fairlie further reminds us, the nature of political representation also usually involves extensive discussion (p.457). This is conceived as a secondary government in which citizens share in the deliberations indirectly, through the medium of their representatives (Barker 1906). (Deliberative representation will be the subject of detailed discussion in a subsequent section.)

He elaborated on the relationship between the representative and the voter as follows:

> The representative is elected on the ground of general policy which he supports. The elector expresses his attitude towards that policy, not toward individual measures. Apart from such particular pledges as he may give, the representative is bound to a cause, a movement, a party, not to a whole series of individual projects. So long as he is faithful to the cause, he exercises his own judgment.

The argument goes, in representative democracy the principal form of political activity is voting (Krouse 1982: 529). By implication, the role of citizens is confined primarily to choosing political representatives in free and fair elections. In this perspective, because the tenure of the representative is limited, elections become the key mechanism of being held accountable by the electorate. In between elections, the representative can act on his/her judgment.

But this approach has been countered by a second school that is generally termed the *delegate or mandate* conception of political representation. The core position of this school is that the representative must act/vote as his/her constituents would vote if consulted, and therefore the representa-

tive serves as the mouthpiece of the constituents. Underlying this is the principle of instruction from the electorate to the representative. In fact, some political theorists, such as Hilaire Belloc and Cecil Chesterton (cited in Fairlie 1940), see this as the only democratic theory of representation.

This conceptualisation was criticized by McIver (1926) who argued that delegation is not synonymous with representation, a distinction he made on the basis of tenure, accountability and purpose of representation. According to him,

> Delegation involves the choice of men, but representation involves also the choice of measures. Delegation in its completest form... assigns no limitation of tenure and no conditions of the exercise of power. Representation implies both direction and control. Delegation requires the consent of the governed, whereas representation requires the fulfillment of their will. (McIver, 1926 cited in Fairlie 1940: 463).

In contemporary everyday practices, these dichotomies hardly exist or at the very least, are fluid. A representative cannot practically obtain direct instructions on every matter to be decided. Consequently, it is quite impossible to draw a hard and fast line between agents with definite instructions or mandates and representatives empowered to attend to a general task. The mixed nature of responsibilities in practice are illustrated by Fairlie, who quoted Lord Bryce as spelling out the nature and functions of a representative as follows:

> (1) to urge the local demands of his constituency, (2) to consult with other representatives on public affairs, while also in accord with the general views of his constituents, and (3) as a spokesman of his party which holds a majority of the constituency (Fairlie 1940: 462).

Legislative bodies may be composed of representatives who see themselves and act as both a set of agents chosen by different interest groups, and a representative group determining the common interest. At another level, legislative bodies might conceive themselves in mandate/delegate terms, but in actual practice act in the manner that supports the trustee thesis. In contemporary times, most legislative bodies act in this contradictory manner, which partly underlies greater voters' dissatisfaction across the globe, contributing to the apathy with respect to traditional institutions of political representation.

Symbolic representation or the politics of presence

Both of the two approaches discussed – the trustee and the delegate – have one thing in common. They both focussed on what I have termed the *politics of absence*. According to the trustee conception, the electorate vote for their representatives, who are then free to act independently irrespective of

the wishes of the constituents. Under the mandate/delegate conception, the electorate vote for representatives who must vote in accordance with the expressed wishes of the electorate. In neither approach is there an argument that different interest groups within the electorate should be physically present in the representative body. They depend on an assumed trust that a collection of men (or, today, women also) of integrity will be able to represent the will of the community as a whole. This trust in turn depends at least partly on a relatively homogeneous and consensus-driven society. This assumption has made these systems ill-suited as the only concepts of political representation in contemporary societies.

To fill this void, Phillips (1995) has introduced the useful concept of *politics of presence* or what Haider et al (2000) call *symbolic representation.* This means that previously marginalised groups – such as women, people with disabilities and ethnic minorities – should be physically present in legislatures in numbers proportional to their share of the population at large.

Critics point out that direct representation of marginalised groups is mere tokenism, and that the numbers involved would be too small to make a significant impact. But proponents of the *politics of presence* or *symbolic representation* observed that not only does it give legitimacy to government policy and outcome but is also a more efficient and reliable means of achieving representation of minority interests in the policy process. Furthermore, it is argued that politics of presence makes a significant difference because representatives from previously marginalised groups are more aware, sensitive and better suited to represent the interests of their members/constituents than those outside the group. Similarly, they are likely to make legislative and policy agendas more responsive to their needs. As Zappala (1999) has argued in the case of gender:

> ... several studies suggest that gender does influence both representatives and their constituents' attitudes to representation, from style of doing politics to having greater empathy for policies that assist a better balance to work and female. Female parliamentarians are also more responsive to issues of concern to women constituents.

Box-Steffensmeier et al. (2001) have taken this debate further by arguing that the politics of presence enable minority groups to freely define their interests and to defend them publicly in deliberative arenas. In their view, any representative formulation that falls short of this might result in the neglect and dilution of their interests.

But what are the necessary conditions for politics of presence to be an important form of political representation, and also in a way that advances democratic governance? Zappala's study drew our attention to number of

important factors that are pertinent in this regard, which should be applicable to the African context. First, for representation of marginalised groups to make a difference, they need to be represented in sufficient number in order to critically influence the legislative and policy agenda. Second, the nature of the electoral system should be such that it enables them to represent their constituents above party political interests. And, lastly, strategies should be put in place to give them effective presence. The question therefore is in Africa, are marginalised groups such as minority ethnic groups, youth, women, the poor and people with disabilities represented in sufficient numbers in legislative bodies to make a difference. *If not, what factors contribute to ethnic minorities, youths and women not being represented in sufficient number to make meaningful impact in elected bodies*? In the same vein, there is a need to examine whether or not there are strategies in place to ensure effective representation of marginalised groups. For example, are there strategic targets or quota systems to ensure gender equity in parliament? Also, does the representation of women in parliament lead to the engendering of the legislative agenda? If not, what are the constraints? These are some of the questions that have to be addressed in the African context in our attempts to institute and consolidate democratic governance.

Identity politics and political representation

The globalisation of economic, social, cultural and political activities has major implications for how we conceive political representation. In its early conception, representatives represented territories. In other words, territories – constituencies with physical limits - were the basis of representation. But as globalisation has reduced the power of the state, it has engendered the reinforcement of alternative identities. Especially in Africa, where recently formed states attract little loyalty, citizens do not see themselves only in terms of the geographical location of their home, but also in terms of identity of the self. This is particularly reinforced by cultural globalisation. This self can either be in terms of culture, sexual orientation, gender, ethnicity, race and disability. Those identities which were previously discounted as a basis for political representation have consequently become significant. This development has recast the meaning of constituencies in Africa as other continents.Constituencies may no be longer conterminous with territories, since given territories can be composed of diverse citizens with different identities and interests. The consequence is that across the globe citizens are increasingly focusing their interests outside the traditional political spheres and are consequently seeking other channels of political representation. This among others has led to the formation of social movements – ranging from human rights to feminist to environmental movements – not only to advance

their interests but also to be symbolically represented in the traditional arena of political representation, including legislative assemblies.

These developments lead us to question how constituencies are being delineated. Is geographical consideration the main basis of delineating constituencies in Africa? Is identity taken into consideration and is it the basis of representation? In some African legislatures, seats are set aside for specific interest groups; such as for the disabled in Uganda. Should this be the rule?

This has other implications for the way we conceive political representation, leading to the question addressed in the next section: whether there are institutional mechanisms in place for citizens to engage directly in both the legislative and policy processes.

Free and fair elections and the professionalisation of politics

Increasingly, especially towards the close of the twentieth century, what is termed the liberal conceptualisation of democracy became dominant within these debates. In this view, a set of political institutions and practices that gives greater emphasis to elections and the conditions under which they are held, are generally regarded as being necessary to democracy. This means, as one of the leading political scientists of the twentieth century, Robert Dahl argued, that:

> control over government decisions about policy is constitutionally vested in elected officials; elected officials are chosen in frequent and fairly conducted elections in which coercion is comparatively uncommon; practically all adults have the right to vote in the election of officials and have the right to run for elective offices in government; citizens have an effectively enforceable right to express themselves on political matters broadly defined... they also have effective rights to seek alternative sources of information and to form relatively independent associations, including independent political parties and interest groups (Dahl 1994: 25-26).

This liberal conception of representative democracy places greater premium on elections and other broad political rights such as freedom of speech and press freedom. Therefore among social scientists and development agencies, it is today recognised that the primary mechanisms by which political representation is effected in modern times are through scheduled and regular elections in a context of media freedom.

According to one interpretation, which gathered strength with the end of the Cold War, a multiparty system is also argued to be central to democracy. Freedom House, an American non-governmental organisation that monitors the state of democracy in the world, defines democracy in the following words:

> Democracies as political systems whose leaders are elected in competitive multi-party and multi-party processes in which opposition parties have a legitimate chance of attaining power or participating in power (Freedom House 1999).

The Freedom House conception and similar others have recast the meaning of political representation. Representative democracy is not effected by every kind of elections but by multi-party elections. Multipartyism is therefore one of the defining variables of political representation.

But what are the necessary conditions for an election to be free and fair, that is, credible? Igbuzor and Edigheji (2003) identified three conditions, namely: an independent judiciary; an independent, competent and non-partisan electoral body; and a developed system of political parties – all of which must be entrenched in the constitution. In other words, constitutional provisions for an independent electoral commission, an independent judiciary and the formation of political parties are keys to a credible electoral process and outcome. Another necessary condition is the institutionalisation of the role of independent election monitors. Election monitoring is an essential element in legitimatising the outcome of elections in Africa, as it provides a framework to judge an election as free and fair. The question therefore is, are these institutions provided for in Africa?

But this conception tends to give a greater premium to the *professionalisation of politics,* with a strong emphasis on political parties. This approach lost the insight that citizens make democracy. As a result, there is a global trend toward the replacement of citizen democracy by consumer democracy, with citizens conceived as consumers, clients and users. Government services are increasingly commodified, and access is based on ability to pay. Across the globe, civic identity is replaced by consumer identity, cooperation by sectarian conflict, the creation of commonwealth by fights over distribution of private wealth, citizen participation by apathy and disengagement, and everyday politics by career politics. Not surprisingly today, there is a world-wide trend toward a declining public interest in elections, and there is an increasing citizens' disengagement from public affairs and a distrust for government. Division of left-right characterise present days politics. The bitterness of this division limits the scope of citizens to work collaboratively, in partnerships with government, for common social goods. It fosters conflicts among citizens, communities, and organised interests, including political parties. Politics is also conceived only in terms of the struggle over the distribution of wealth rather than the creation of commonwealth.

This is how one of the US's leading political theorists, Harry Boyte, aptly captured the adverse implications for citizens. According to him,

> When politics becomes a property of professional elites, *bureaucrats and consultants*, most people are marginalised in the serious work of public

affairs. Citizens are reduced to at most secondary roles as demanding consumers or altruistic volunteers. Moreover, with the transformation of mediating institutions – *such as civil society think-tanks ...* became technical service providers – citizens lost all stake and standing in public world (Boyte 2004: 4) (Emphasis added).

In the process, as Boyte correctly argued, 'Everyday politics', which refers to citizen efforts, sometimes in partnership with government and sometimes independent of direct ties to government, which renew older, practical ideas of politics as negotiation and work across lines of diverse views, ideologies, backgrounds, and values to accomplish public tasks for the collective good of society, is lost. By so doing the concept of 'politics' (from the Greek word, *politikos*, meaning 'of the citizen') that was dominant before the rise of modern parties becomes a thing of the past. One consequence of these developments is the *statisation* of politics, that is, a statist conception of politics has globally become dominant in current discourse and practices.

Against this critical analysis, in the African context it will therefore pertinent to try to bring *citizenship back-into politics*. This should place an emphasis on cooperative work and deliberative traditions by bringing people together across lines of different parties, racial backgrounds, class divides and other differences – for the common good. The argument therefore is to *destatise politics* in particular, and political representation in general. The point being made is not to do away with representative democracy but an attempt to recast the debate by placing a greater premium on the interaction between 'participatory democracy' and 'representative democracy'.[1] The *depoliticisation* of politics and its *professionalisation* have strong political economy implications that will be discuss later in this paper.

Electoral systems

Given the centrality of political representation to democracy, the nature of the electoral system becomes important. This is because to some degree it determines the effectiveness or otherwise of the representative to represent the electorate. Indeed, it helps to define the nature of the relationship between the representative and the electorate. There are basically three forms of electoral systems: proportional representation (PR), where the electorate votes for a party, and representatives then come from the single party list in proportion to the total national vote for that party. In single member districts the electorate in each district votes for one of a number of candidates and the winning candidate is elected either on a 'first past the post' or other majority system. The third system is a combination of both, with candidates selected both on a constituency and on a list basis. All of these have their merits and demerits, and their variations. Underlining the disagreements about

the electoral system is the degree of representatives' responsiveness and accountability to their constituents.

Proponents of proportional representation argue that as much as possible it enables the participation of all citizens in the activities of governing, and by so doing it generates deliberations and decisions as close as possible to direct democracy, when all the people in society gather such as in people assemblies to deliberate on particular issues. Thus, as Chamberlin and Courant (1983) argue:

> Proportional representation... seeks to provide each voter with a representative who can genuinely represent his/her views in the deliberations and decisions of the representative body... Proportional representation is ideally constituted... for the representation of a wide range of viewpoints and insures that the deliberations about common purposes will be searching, and this in turn will strengthen the legitimacy of the outcomes of the process (Chamberlin and Courant 1983: 720).

Critics argue that PR obscures the link between a representative and his or her constituency. The argument is that voters do not know who they are voting for as they vote for parties rather than individuals to represent them , an argument that resonates in the new South Africa as an example. Under such circumstances, the loyalty and accountability of the representatives is more toward the political party and its leaders rather than the constituency. In fact, they vote according to party discipline rather than in accordance with the interests of specific constituents; and if they defy the party on grounds of conscience or because their constituents disagree with the party line, they can be removed.

Consequently, the argument is made for single member district representation on the grounds that it enables individual voters to know and vote for their representative and to hold them directly accountable. Because of this, the representative is more likely to identify more with his/her constituency. But single member district representation can lead to a situation where a party with fewer votes governs because it won more seats but not more votes. Thus rather than democracy being majority rule, minority dictatorship may arise; and rather than representative decisions, there are unrepresentative ones. Even if the winning party did in fact win more votes in every constituency, say 60 percent, the losers, with 40 percent of the vote, would have no seats at all in the legislature – though 40 percent is a sizeable minority whose views should be heard. Consequently, single member districts representation fail to promote the goal of representative decisions which is an essential element of representative democracy.

Chamberlin and Courant draw our attention to another shortcoming of the single member district, which is that it fails to approximate the ideal of direct democracy. They argued that:

> [This] ideal is achieved by a system that maintains the presence of each individual, albeit indirectly, through all stages of the legislative process. With single member districts, the presence of voters who opposed the elected 'representative' of their own district disappears at the time of the election (Chamberlin and Courant 1983: 719).

But both electoral systems each have their strengths and weaknesses. In order to maximise the former while minimising the latter, a mixed system is advocated by some scholars, in which some representatives represent single districts, and others are chosen from a list to make up the party's representation in the legislature in proportion to the national share of the party's vote (This has been put to greater effect in countries like South Africa). The argument is that a mixed system will enable each voter to know and vote for their own representative, who in turn will be accountable to their constituency but at the same time ensure all interests are represented, leading to the promotion of representative decisions. But at the same time, it enables minority parties to be accommodated in government.

The role of the legislature

One of the important organs of political representation is the legislative arm of government. In fact some have erroneously argued that representative government is confined to the election of members of the legislature, whose role purpose is 'not to govern, but to watch and control the government' (Henry Jones Ford cited in Fairlie 1940: 463), which in this view comprises the administrative, executive and judicial officials. In modern times, however it generally acknowledged that the legislative arms of government perform three important functions - they represent the electorate, make laws, and oversee the executive. They also interact with constituencies and citizens. One area where the legislative organ performs its oversight role is in the area of fiscal management. In most countries, Parliamentary Public Account Committees are established to undertake this function.

The key questions in the African context are whether the legislatures are equipped to develop laws that promote democratic governance and economic development. Also, in the context of *chioceless democracies*, what is the role of the legislative arm in national fiscal management? Do African legislators have appropriate oversight ability (knowledge and skills) to assess policy implementation? Finally, do the African legislators interact with constituencies and citizens? Addressing these questions has been at the centre of

the controversy between the trustee and mandate/delegate conceptions of political representation.

Political parties and party funding

An important imperative for analysing political representation in Africa, as elsewhere, is the conditions for the formation and operation of political parties. For example, many of the imposed constitutions in Africa make elaborate provisions for the operation of political parties. This is clearly demonstrated in the 1999 Nigerian constitution. Although Section 40 of the constitution provides for the right of citizens to assemble freely and associate with others, it also contains a proviso that political parties have to be accorded recognition by the Independent Electoral Commission (INEC). This means that if INEC does not accord recognition to a political party, it cannot operate as one. This provision was actually misused by INEC in Nigeria. It refused to recognise several political parties that applied for registration in 2002. It only registered three political parties plus the already existing three making a total of six. The parties which were denied registration took their case to court and the Federal Appeal Court ordered their registration. That judgment was ignored by INEC. It needed a decision by the Supreme Court (the highest court in the country) before these parties were registered, bringing the number of political parties to thirty today.

Apart from the power given to INEC to accord recognition to political parties, there are other restrictive and stringent provisions on political parties in Sections 221 and 222 of the constitution, which are indeed a threat to political representation in particular and democracy in general.

Section 221 states that:

> No association other than a political party, shall canvass for votes for any candidate at any election or contribute to the funds of any political party or to the election expenses of any candidate at an election.

Section 222 states that:

> No association by whatever name called shall function as a political party, unless – the names and addresses of its national officers are registered with the Independent National Electoral Commission; the membership of the association is open to every citizen of Nigeria irrespective of his place of origin, circumstance of birth, sex, religion or ethnic grouping; a copy of its constitution is registered in the principal office of the Independent National Electoral Commission in such form as may be prescribed by the Independent National Electoral Commission; any alteration in its registered constitution is also registered in the principal office of the Independent National Electoral Commission within thirty days of the making of such alteration; the name of the association, its symbol or logo does not contain any ethnic or religious

connotation or give the appearance that the activities of the association are
confined to a part of the geographical area of Nigeria; and the headquarters
of the association are situated in the Federal Capital Territory, Abuja.

These guidelines were similar to those issued by the National Electoral Com-
mission (NEC) under the General Babangida transition. During that period,
as part of the NEC guidelines, banned or disqualified politicians, that is those
affected by the participation in politics or elections (prohibition) Decree No
25 of 1987 and amended by Decree No. 9 of 1989, were not eligible to hold
an executive position in a political association seeking registration in a politi-
cal party.[2] This way military regimes control who can and who cannot seek
elective position, the latter being especially those with alternative political
views and agendas from the regimes.

Commenting on the implications of these guidelines, Ihonvbere (1999)
notes that:

> Given the experiences of the past, what the 1999 constitution has done is to
> restrict the formation and operation of political parties to the wealthy. It is
> only this wealthy class that can afford the cost of such an exercise... For
> instance, during the last election, we saw a situation whereby only people
> who had money and who could afford to buy votes, were able to contest and
> win elections. In other words, federal government requirements for the for-
> mation and registration is a direct way of encouraging corruption, elite domi-
> nated politics and the continuing marginalisation of persons without con-
> nections with the wealthy in the political process. Indeed the electoral laws,
> disenfranchised majority of the Nigerian people, abrogating their rights to
> freedom of association that is provided for in the same constitution.[3]

These criteria for registration of political parties contrast sharply with those
of South Africa, which are easy and aimed as promoting citizens' rights to
form and belong to political party of their choice. Section 15 of the Electoral
Commission Act sets out the conditions for the registration of political par-
ties as follows:

> The chief electoral officer shall, upon application by the party in the pre-
> scribed form, register such party in accordance with this chapter.
>
> The form shall, inter alia make provision for the following:
>
> The name of the party;
>
> The distinguishing mark and symbol of the party in colour;
>
> The abbreviation, if any, of the name of the party consisting of not more than
> eight letters;
>
> And the constitution of the party.

No party not represented in parliament, provincial legislature or local government body may be so registered unless the application is accompanied by the party's deed of foundation which has been adopted at a meeting of, and has been signed by, the prescribed number of persons who are qualified voters; the prescribed amount, of any; and proof of publication in the Gazette of the prescribed notice of the application. The party's deed of foundation shall contain the prescribed particulars. After a party has been registered, the chief electoral officer shall issue that party with a registration certificate in the prescribed form and publish the prescribed particulars of such registration in the Gazette.

The South African laws are thus more suitable for competitive electoral politics, one of the core conditions of procedural democracy, unlike those of Nigeria that seek to bar competitiveness and electoral freedom.

What I have tried to show with these two examples is that the constitutional requirements for the formation of political parties could either impede or enhance political representation. This is because such provisions set the conditions for the formation and operation of political parties.

Again, in modern times, where money has become a major determining factor, single district representation could enable the rich to dominate the political landscape and by so doing subvert the democratic will of the people. This raises the issues of political party funding, especially in more recent times. Unregulated party funding and campaign finance provide a climate where special interests are more likely to capture elected representatives and subvert the public good.

This is a debate that resonates in Africa, where poverty is widespread, political parties weak and party membership low, and yet – just as elsewhere in the world – without money it is difficult to win elections, even at the local government level. Incumbent officials thus use state resource for party political interests, while at the same time denying opposition parties access to official finance. Commenting on the negative effects of monetisation of the electoral process in Nigeria for example, the International Institute for Democracy and Electoral Assistance (IDEA) notes that:

> Excessive or uneven use of money during electioneering campaigns will interfere with the possibility of all parties and candidates to convey their message to the electorate on an equal basis. Money also undermines democracy as a contest of ideas, because the influence of money on the democratic process can dilute or compromise the genuine expression of the popular will. Any government constituted from corrupted 'money politics' can deny the fundamental tenet of the electoral processes as the expression of the popular will, and cannot guarantee democracy, accountability and transparency.

Furthermore, in some quarters, it is argued that foreign donors and multina-tional corporations are buying political favours through the financing of po-litical parties, some with the aim of ensuring their continued dominance of the African political economy. African individuals and interests groups also finance political parties, with the hope that if their favoured party wins in an election, they will be awarded government contracts or secure policy changes in their favour, and even secure political protection.

Hence, there are calls for party fund-raising and campaign finance re-form. There are a number of proposals. One is that there should be a limit to which individuals and interests groups can donate to candidates and political parties, and to the amount candidates can spend in an election. Another such proposal calls for compulsory state funding for all political parties in order to overcome what Whitehead (2002) refers 'corporate predation', as well as creating an appropriate regulatory environment. It is also suggested that political parties should make the names of their donors public (strangely this is being resisted by most political parties in South Africa, including the gov-erning party, the African National Congress and the main minority party, the Democratic Alliance). More general however, there is a need for an effective rule of law, and a well informed and vigilant electorate.

Another issue of crucial importance in our discussion of political repre-sentation is whether or not political parties in their manifestos actually pro-mote the common good. It needs to be observed that seldom do modern political parties spell out their developmental agendas for citizens to make an informed choice between alternative policy agendas. This is coupled with the fact that it is only a very small number of people, mostly the elite, which find time to read and comprehend programmes of political parties. Increas-ingly, in the developed world there seems to be very little that separates the programmes of competing political parties such as the Republican and Demo-cratic parties in the US, to the extent that one can refer to them as two branches of the same party. The developed countries are now being termed *dissaffected democracies* (Pharr and Putnam 2000) because of the decline of citizens' satisfaction with government performance. In an age of satellite television dominated by talk shows, career politicians have occupied and framed public discourse to the extent that voices of ordinary people have been marginalised. The decline in citizens' confidence in the established de-mocracies, which in part has accounted for the low voters' turnout at elec-tions, brings into disrepute the procedural approach to democracy. But even in context such as Latin America and South Africa with high voters turn-out, especially among the majority poor population, it has not translated their wishes into policy choices that privilege the majority of the population. This

is precisely because elections are not about the content of policy. In most developing countries, including most of Africa, voters make their choices on the basis of primordial factors such as religion, ethnicity, race and personality rather than choices made on the basis alternative developmental programmes.

Furthermore, for political parties to be so defined, they require basic organisational structures with a degree of independence for party officials. What this means is that political parties must have proper structures separated from governmental structures and not personalised by an incumbent prime minister or president, as was the case on the African continent during one-party rule. In other words, political parties to be so defined should not merely be an extension of the State President or Prime Minister's office as the current case in Nigeria where the governing party, People's Democratic Party is an extension of President Obsanjo's office. What is important here is that prime ministers and presidents are temporary compared to political parties that are more permanent and have more longevity.

Representative deliberation and participatory democracy

The limits to procedural forms of democracy, where the only contribution the electorate makes to politics is to vote once every four or five years, have been extensively discussed. 'Representative deliberation', the idea that voters and associations of voters must be allowed to participate in policy debates between elections, is consequently proposed as a necessary complement to proceduralism. J.S. Mill, though a late convert to the idea of mass participation, argued that, while elections were a necessary condition for representative democracy, they were not sufficient. He went on to spell out other conditions crucial for popular government. According to him, representative democracy requires that citizens must learn to participate on a direct and continuing basis. This participation requires a democratic constitution supported by 'democratic institutions in detail... representative democracy... must be supplemented by more participatory forms of political action' (cited in Krouse 1982: 529).

What are these participatory forms? To Mill, local democracy is the principal instrument of representative democracy, without which citizens have little or no opportunity of going beyond voting and political discussion. This therefore is an educative function as it becomes a training ground for citizens in understanding the act of governance. Hence, he argued, voting for representatives is not a sufficient condition for a properly constituted popular government. This tends to recast the debate on political representation from periodic voting for leaders by the electorate, a point I have elaborated upon in an earlier section of the paper.

Robert Dahl (cited in Saward 2000) has elaborated on this further through his emphasis on political equality as a central component of representative democracy. To Dahl, democratic citizens must have a right to a formal say on policies. In this respect, mechanisms are required for citizens to be able to express their preference not only over representatives but also over agenda or policy. He identified special initiatives such as referendums and recalls of representatives as examples. Accordingly, he advocated the constitutional provisions of recall of elected officials and the power to change policies of government as a way of enabling citizens to control the agenda.

As Charney reminds us, theorists of deliberative democracy 'emphasize the importance of a free public sphere separate from apparatus of state and economy, where citizens can freely debate, deliberate and engage in collective democratic formation' (Charney 1999: 1). Quoting Seyla Benhabib, Charney argues that it is through the manifold associational life that comprises civil society that deliberative democracy is made possible. According to him, '... the reason that deliberative model of democracy can dispense with the fiction of mass assembly is that it locates the public sphere within civil society. It through the interlocking net of these multiple forms of associations that anonymous public conversation results'. This approach to deliberative democracy tends to privilege civil society and move away from the dominant statist conception of political representation. It is the centrality of civil society to the understanding of political representation that is useful for our purpose in this paper.

More recently, institutional political economists, such as Evans (1996), have added networks or forums of participation as important variable of political representation. Through participatory structures such as deliberative councils, citizens are able to influence the policy agenda. The reasoning is that citizens and interest groups need to participate in policy making and implementation in order to enhance the quality of such policies and to respond to their needs. The strategic import of consultative and deliberative structures is that they enable competing interest groups to reach compromises and trade-offs on policy issues. It is important to note that deliberative structures can take binding decisions on government, or they can be merely advisory or provide the basis for information sharing. This is what determines their degree of importance. For example, structures that could take binding decisions are of more importance to stakeholders, especially civil society groups, than advisory bodies that can only make recommendations, whose acceptance is at the discretion of government.

Accordingly, African scholars should investigate whether or not there are participatory structures for consensus seeking and dialogue between the state and civil society. Where there are representative structures, are they

statutory and are they inclusive? Who are represented? What is the status of decisions reached at such structures? What is the nature of issues dealt with in such bodies? What are the dominant forms of consultative and deliberative councils in Africa? Can they take binding decisions or are they merely advisory?

Unelected representatives

As noted above, the cohabitation in Africa of elected representatives and traditional rulers poses interesting challenges for an analysis of representation. In Europe or Asia, where traditional leadership structures – monarchies and aristocracies - persist, their role is largely settled and limited. In Africa, the role and powers of traditional leadership are still highly contested, even where they are formally recognised in the constitution and represented in national assemblies. In a number of countries across the continent, such as South Africa, the role of traditional rulers is constitutionally guaranteed. In that country, there is even a constitutional provision for a House of Traditional Leaders, with a specific governance role. In addition, at the local level, especially in rural local governments, traditional rulers serve side by side in the local government council. Some critics fear that these could lead to re-recialisation and re-tribalisation of the South African state and society (Fredriech Ebert Foundation and African Institute of South Africa, 2003). Put differently, traditional rulers playing an active role in democratic dispensations could reinforce primordialism with its potentially adverse effects on democracy. The judgement of the Nebraska Supreme Court in the USA in 1909 provides some point of reflection about the co-existence of elected and appointed officials. In the view of the court,

> 'representative form of government' in a statute providing for the organisation of fraternal associations, required that all of the members of the governing body must be elected by the members of the association; and that an association whose constitution provided for the adoption and amendment of its laws by a body including appointed members of a committee, in addition to elected delegates and officers, did not have a representative form of government (cited in Fairlie 1940: 456–7).

The discussion above raises number of questions, especially regarding the challenges of such developments for democracy. First, what is the relationship between elected representatives and traditional rulers? Second, in the context where traditional rulers serve in elected bodies, whose positions should prevail over policy and legislature process and outcome? Should both have equal weight in policy decisions? Third, what mechanisms are there for traditional leaders and bodies to be accountable to citizens? What are the effects of these bodies for citizens? For example, where does the loyalty of citizens lie - to traditional leaders or elected representatives? Lastly, can we

term countries where elected and appointed officials serve side by side as representative democracies?

The political economy of political representation

Underlining the various conceptions of political representation, be it politics of ideas, politics of presence, identity politics or deliberative democracy, is the idea that elected representatives have relative autonomy over policy choices. Elected officials are said to have relative autonomy over social and economic policy. It is this notion that Johnson (1987) had in mind in his discussion of the role of the state in social and economic transformation. According to him, elected officials and technocrats *ruled* and *reigned* respectively. This means that elected representatives set the broad policy framework while the bureaucrats undertook detailed policy formulation and implementation.

But the relative autonomy of elected officials is now a thing of the past both in the developed and developing world. In the former, special interests have captured the political space and elected officials are expected to do their bidding. In the latter, the situation is worse, especially in the context of heavy foreign indebtedness, dependence on foreign aid and a globalising world where there is a tendency for the convergence of policy towards market fundamentalism. In fact, in the context of globalisation, international development agencies such as the World Bank and the International Monetary Fund pressured developing countries to liberalise their economies in order to become globally competitive and to be integrated into the global political economy. This policy approach has dominated policy and discourse, especially in developing countries.

This approach tends not only to privilege technocratic efficiency over the relative autonomy of elected representatives, and by so doing constrain and limit the range of policy choices available to elected officials. As Swyngedouw has persuasively argued,

> The propagation of this globalisation ideology has become like an act of faith. Virtually each government, at every conceivable scale of governance, has taken measures to align its social and economic policy to the exigencies and requirements of this competitive world (dis)order and the forces of a new 'truly' free-market-based world economy. In the light of the real or imagined threat of owners of presumed (hypermobile) capital that they might relocate their activities, regional and national states feel increasingly under pressure to assure the restoration of a fertile entrepreneurial culture. Fiscal constraint has to be exercised, social expenditures kept in check, labour markets made flexible, environmental and social regulation minimised, etc. This, then, is heralded as the golden path that would lead regional and national economies to the desired heaven of global competitiveness and

sustained growth... National political elite, both left and right, finds in these arguments an excuse to explain away their inadequacy to link political programmes with an increasingly disenfranchised and disempowered civil society (Swyngedouw 2000: 66).

In the African context, Mkandawire (1999) has authoritatively argued that these are *chioceless democracies* as African political elites are presented with a *fait accompli* over the policy path they have to follow. Consequently, in Africa, like elsewhere, elected representatives are unable to respond to the needs of citizens. Instead they are preoccupied with the provision of corporate welfare, creating conditions conducive for the investment community. The contention of Abrahamsen is appropos at this junction. According to this writer,

> Although democracy may, at least initially, have expanded the room for political expression, particularly in terms of a more critical press and opportunities for social and industrial protest, the political influence of Africa's newly enfranchised citizens has been highly limited. In particular, demands for socio-economic improvements by the poorer sections of the population have been effectively ruled out a priori... In this sense, these are exclusionary democracies: they allow for political parties and elections but cannot respond to the demands of the majority or incorporate the masses in any meaningful way (Abrahamsen 2000: 133–34).

Hence, Abrahamsen described these as exclusionary democracies, which means that political representatives are unable to respond to the needs of the majority of the continent's population. There is no better way to express this than the fact that majority of Africans lives are mired in poverty, homelessness, diseases, and without access to basic physical and social infrastructure. The implication of the above is that Africa combines the characteristics of chioceless and exclusionary democracies. This policy framework has changed the balance of power over policy choices against elected officials in favour of bureaucratic elites. In the view of Mkandawire,

> ... in current practice, the formulation and implementation of policies is carried out completely oblivious of the demands of good governance and long-term economic development. Indeed policies are often introduced in isolation from the considerations of political stability or the legitimacy of the authority of elected bodies (Mkandawire 1999: 123).

In addition, this development has led to what I have described elsewhere is the *disembodiment* of the African state (Edigheji 2004). By this I mean that unlike in other contexts, where the political elites and bureaucratic elites share a joint project of national transformation, which accounts for their development success, in the African context the bureaucratic elites are more

loyal to international development agencies that dictate the policy paradigm than to elected officials. This has adverse implications not only for development outcomes but also for democratic governance in Africa. The technocratic approach makes elected officials accountable to bureaucrats rather than the other way round.

As Mhone and Edigheji (2003) have observed, market fundamentalism that has been the pervasive policy paradigm in the context in the last two decades, also conditions the scope and impact of deliberative democracy. This is because most policies, especially, macroeconomic ones, are ruled out of the purview of deliberative and consultative processes and structures.

The implication of this analysis is that the effectiveness or otherwise of elected officials is considerably determined by the political economy of political representation. Consequently, it is proposed that greater attention needs to be paid to the political economy of Africa and its consequences for political representation.

Conclusion

We can draw some conclusions from the foregoing discussion.

- A political representative is one who acts on behalf of the represented. The latter elect the former, who in turn is accountable to them.
- Elections, and more recently multiparty elections, are a key mechanism for effecting political representation.
- Other mechanisms for effective political representation, especially to enhance citizens' participation, include the constitutional provisions of special initiatives, including referendums, the right of citizens to recall, and the right to revise public policy.
- The nature of the electoral system is an important variable that impacts on political representation. The key factor here is an electoral system that ensures representative democracy. Among other things, it should balance the representation of minorities, combining both the *politics of ideas* and the *politics of presence*.
- The constitutional provisions for the formation and regulation of political parties can be very significant. As I noted earlier, political representation flourished in the context where citizens are free to join and form associations of their choice, including political parties.
- And closely related to the above, are constitutional provisions for an independent electoral commission and an independent judiciary as foundations for free, fair, peaceful and credible elections. Closely related to this point is whether or not a climate is created for independent election monitors to do their work.

- The regulation of party and campaign finance requires attention in any project that aims to strengthen political representation.
- The role and function of the legislative organ needs critical scrutiny.
- What informs the choice of elected representatives in Africa? Is it primordial factors, is it identity or it is programmatics? All of these factors require proper interrogation.
- Local participation, especially because of its educative role, needs to be examined.
- The roles and functions of civil society as a new form of political representation require critical interrogation.
- Traditional rulers and their political roles require critical examination. In addition, the relationship between elected representatives and traditional rulers in Africa requires an interrogation.
- The state of press freedom should be incorporated into the analysis.
- The role of the representative and his/her relationship to constituents require evaluation. For example, does the representative consult with the constituents and are the views of the latter taken into consideration in the legislative and policy arena?
- The existence of networks and processes for citizens and civil society organisations to participate in public policy is an essential component of political representation. This therefore takes the debate beyond proceduralism, which has been the focus of liberal democracy. Key issues to be explored here include whether or not there are structures and networks of participation between the state and civil society. Where there are structures, are they statutory? Who is represented, and are issues arrived at in deliberative forums influencing government policies? Do societal actors in those bodies have the capacity for meaningful and constructive engagement? These are all issues that require the attention of African researchers, political leaders, policy-makers and civil society activists.
- It is important to note that the context of the continent's political economy conditions the impact of political representatives. Consequently, in Africa, research needs to focus on the nature of this political economy, and how it impacts on political representation.

Notes

1. Thanks to Harry Boyte, whose interactions with me over the last two years have sharpened my understanding of these issues.
2. For details of the guidelines for the registration of political parties during the Babangida dictatorship, see Momoh and Adejumobi (1999).
3. Ihonvbere, 1999, cited in Falana (2000).

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