

# The State Of Democracy In Africa With Special Reference To Nigeria, Kenya, And Zimbabwe: Current Trends And Needs In The Advocacy Space

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## Abstract

The crumbling of the Berlin Wall, the collapse of communism in Eastern Europe, and the disintegration of the Soviet Union have to a great extent motivated opposition African leaders to push for democracy on the continent. They had become tired of military rule and inept civilian governments that had already failed the masses. One-party systems and authoritarian governments have been the mode of governance since independence. Thus, the quest of progressive African leaders to hunger for democracy and the ideal system of governance it offered was very appealing. Unfortunately, defining democracy is not as straightforward as it appears, especially as it relates to African countries. This leads to two very important questions as suggested by (Ottaway, 1997); What is democracy? And how can African democracies be measured? Are they true democracies in Africa or liberal states? The state of democracy in Nigeria, Kenya, and Zimbabwe, in West Africa, East Africa, and Southern Africa respectively, will be examined. These three countries were former colonies of the British. Can Africa possibly have a homegrown democracy that suits its unique characteristics? Especially in the light of the heterogeneous mix of people in most African countries, where tribe and ethnic divisions influence and cloud the way citizens of the same country think, behave, and perceive issues of national interest, including governance of the country. How do you get Africans to see their nation first before their tribe and ethnic group? Putting the well-being of the Nation first is what many African countries have failed to do. Nepotism, tribalism, and godfatherism play a fundamental role in selecting those in governance, not really minding if there are better competent people to do the job more efficiently. This article rather than looking at whether the countries in question have **enough democratic content** to be called a democracy or semi-democracy, would follow the suggestion of (Baker, 1999) and look at the **nature of the content of democracy**, by way of democratic auditing. "Democracy is a continuous process that can be considered as a means to an end and not an end in itself. It is the fruits of democracy that Kenyans deserve and not simply the status of being a democratic country", (Nyadera, 2020). This statement also applies to both Nigeria and Zimbabwe. The question is are the citizens enjoying the fruits of Democracy? If we say that there is democratic governance in these three countries in question.

**Key Words:** Governance, Good Governance, Democracy, Elections and Suffrage, Representative Democracy, Democratic Auditing.

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## I. Introduction

This article starts off by defining pertinent terms and phrases so that the meaning of what the author wants to convey is clear to the reader.

### Governance

Governance according to (Bevir, 2012), is the process of making and enforcing decisions within an organization or society. It is the process of interactions through the laws, social norms, power (social and political), or language as structured in the communication of an organized society.

Good governance is the process of measuring how public institutions conduct public affairs, manage public resources, and guarantee the realization of human rights in a manner essentially free of abuse and corruption and with due regard for the rule of law. Governance in this context can apply to corporate, international, national, or local governance as well as the interactions between other sectors of society.

### Democracy

According to the Merriam-Webster dictionary, Democracy is a form of government in which the supreme power is vested in the people and exercised by them directly or indirectly through a system of representation usually involving periodically held free elections. It is a government by the people, the rule of the

majority.

According to the Parliamentary Education Office of Australia, a democratic society is one that works towards the ideals of democracy which are:

- Respect for individuals, and their right to make their own choices
  - Tolerance of differences and opposing ideas
  - Equity- valuing all people, and supporting them to reach their full potential
  - Each person has freedom of speech, association, movement, and freedom of belief
  - Justice- treating everyone fairly, in society and in court
- Some forms of democracies include:
- **Parliamentary Democracy:** The people elect representatives to a parliament who then choose a prime minister to govern the country.
  - **Presidential Democracy:** The people elect a president who serves as president and head of government. This is the American system of Government.
  - **Constitutional Democracy:** The people elect representatives to make laws and govern according to the Constitution.
  - **Representative Democracy:** The people elect officials to create and vote on laws, policies, and other matters of government on their behalf. In this manner, representative democracy is the opposite of direct democracy, in which the people themselves vote on every law or policy considered at every level of government.

**An Election** is a formal group decision-making process by which a population chooses an individual or multiple individuals to hold public office. Elections have been the usual mechanism by which modern representative democracy has operated since the 17th century (Bernard, 1997).

### **Suffrage**

Suffrage deals with the question of who may vote in elections. The electorate does not generally include the entire population; for example, many countries prohibit those who are underage from voting. All jurisdictions require a minimum age for voting.

### **Democratic Auditing**

According to (Baker, 1997), democratic auditing is the systematic qualitative assessment of the performance of a regime's many parts against agreed democratic standards. In other words, how democratic are its various components? How well do its various institutions perform?

(Baker, 1997) in writing the audit questions examines:

1. The electoral process
2. The openness and accountability of the government
3. Civil and political rights
4. The democratic society: National consciousness and feeling of nationhood amongst the citizens

### **Democracy in Nigeria**

The geographic expression called Nigeria came into being by the amalgamation of the Northern and Southern protectorates in 1914, mainly because of administrative purposes, by the British colonial masters. The Federation of Nigeria was granted full independence on the 1<sup>st</sup> of October 1960 under a constitution that provided for a parliamentary government and a substantial measure of self-governance of the country's three regions. From 1959 to 1960, Jaja Wachuku was the First Nigerian Speaker of the Nigerian Parliament, also called the "House of Representatives" (Enang, 2022). The Nigerian political class, that were mainly Western educated, took over from the colonial masters when they left and unfortunately maintained the colonial economy. "Political parties were formed along ethnic lines" while the "political class politicized the ethnic divide". This led to the "politics of bitterness and winner takes all," instead of tolerance (Omamuyovwi, 2021). Political crises degenerated into a military coup by young military officers in 1966. This was the beginning of coups and counter-coups in Nigeria. Democracy was restored again in 1999 when President Obasanjo a former military head of state, became the commander-in-chief. Ediba

(2020) argues that due to the long intervention of the Military in the Nigerian political scene, the culture of mismanagement of the country's resources and the denial of fundamental human rights of the citizens were

grossly accentuated. He goes on to say that “Nigeria witnessed in place of transparency and accountability, the erosion of the rule of law, independence of the Judiciary and complete subordination of the structures of the state to the whims and caprices of the Military rulers”. He concludes that the military was a big hindrance to Nigeria’s socio-economic development by institutionalizing endemic corruption. All this resulted in weak institutions in Nigeria. This state of affairs has continued into the various democratic regimes, so much so that despite the huge petrol dollars the country has earned, things are not the way they should be for the common Nigerian, in terms of social infrastructure and welfare. Poverty is still rife and Nigeria is bedeviled with crises, a lack of basic infrastructure, and no adequate social welfare net to catch the poor.

There is heightened agitation for resource control, and agitation to break away by different ethnic groups who feel marginalized. The Boko Haram, Niger Delta Militants, Fulani Herdsmen, and unknown gunmen are busy kidnapping, maiming, and killing people, and this is a big threat to the security of the nation. The high price of fuel and very high cost of living, rising unemployment, high crime rate, and high rate of inflation, are some of the issues Nigeria is battling with. Nigeria is a very ethnically diverse country with 371 ethnic groups, the largest of which are the Yoruba, Hausa, and the Igbo. (Vanguard, 2017). There is no lingua franca binding the nation. English is the official language used. Unfortunately, Nigerians have not been able to find strength in diversity. Instead, politicians have used this diversity for selfish political gains, further dividing Nigerians into ethnic and tribal lines. The National Youth Service Corps, introduced by the then Head of State, General Gowon after the civil war was geared at integrating university graduates from different tribes of the federation. This was to be achieved by making them serve the nation, for one year, in a state that is not their state of origin. By so doing, they would get to learn more about other tribes and ethnic groups. Some would even marry each other during their service year. Right now, Nigerians have cleverly learned how to influence the posting of their children to the state they want, thereby defeating the whole purpose of the exercise. The Federal Character principle as enshrined in the 1999 constitution seeks to ensure that “Government activities and Institutions must reflect the diverse ethnic groups that constitute the geographic expression called Nigeria” (Omamuyovwi, 2021). As laudable as this policy is, it has often been used to promote mediocrity in the system.

Obasanjo under the emergence of democracy in Nigeria in May 1999 ended 16 years of consecutive military rule. He inherited a country suffering economic stagnation and the deterioration of most democratic institutions (Enang, 2021). Obasanjo under the People’s Democratic Party ruled for eight years. This was followed by Musa Yaradua/Goodluck Jonathan from the same party. Between the two of them, the People’s Democratic Party ruled for 8 years, as Johnathan finished off Yaradua’s tenure because he died two years into office. Then the nation had a change of guard, The All Progressives Congress came into power with Mohammad Buhari. He ruled for 8 years and handed over to Bola Ahmed Tinubu from the same party in 2023. There is still a lot of tension and an uneasy calm as opposition parties head to the Supreme Court after losing at the election petition tribunal on the 6<sup>th</sup> of September 2023.

### **Democratic and Electoral Practices in Nigeria**

Nigeria is a Federal Republic that comprises 36 states and the Federal Capital Territory, with Abuja as the Capital. The Federal Government consists of the Legislature, Executive, and Judiciary, which are independent of each other and derive their powers from the 1999 constitution of the Federal Republic of Nigeria. Nigeria is a Federal Presidential, representative democratic Republic. Nigeria holds elections every four years. Since the dawn of democracy in 1999, Nigeria has held elections in 1999, 2003, 2007, 2011, 2015, 2019, and 2023.

Elections are an essential ingredient in any democratic process. It serves as a measure of democracy. Thus, “the democratic quality of elections or electoral integrity becomes a critical concern for democracies” (Idowu, 2022). According to (Katz, 1997), elections are the defining tool of democracy. Elections must take place at certain given periods, as determined by the state, and must be free and fair. By so doing, the incoming government gains legitimacy in the eyes of the citizens and is seen by all as the government that was chosen by the citizens.

In Nigeria, like in most African countries, the quality of elections is compromised, most of the time. “In Nigeria, incidents such as voter intimidation, voter inducement, low citizen participation, partisanship by security personnel, abuse of incumbency, journalists’ harassment, and operational deficiencies still beset the country’s elections. Other malfeasances with Nigerian elections include lack of public communication and information (citizen engagement); violence; systematically muffling the judiciary; and conflicting and late rulings on electoral disputes, among others”. EU EOM, EU Election Observation Mission presents Final Report (2019). The role of the Electoral body that is charged with conducting free and fair elections, is very crucial. In Nigeria, The Independent National Electoral Commission (INEC) has the task of performing this onerous task. Most Nigerians believe that INEC dances to the tune of the incumbent leadership and have little or no confidence in

it. When, however, the Buhari administration said it would introduce a new electoral act that would be more transparent, the general public was elated and decided to turn out and make their votes count. The Electoral Act of 2022 was thus enacted and promised to deliver a transparent, free, and fair election, devoid of all the usual manipulations that had plagued previous elections.

“The Electoral Act 2022 is a law that regulates the conduct of Federal, State, and Area Council elections in Nigeria. It repeals the Electoral Act No. 6, 2010, and introduces innovations such as the use of card readers and other technological devices in elections and political party primaries, restriction of the qualification for elective office to relevant provisions of the constitution, and limit of campaign expenses. The law was signed by President Muhammadu Buhari on 25th February 2022” (Electoral Act, 2022). Despite all the planning, and innovation that went into the presidential elections, one can say that elections were keenly contested and controversial in Nigeria. The transparency INEC had promised was far from visible. In Nigeria, the presidential election comes first and sets the tone for the others. 18 Political parties fielded candidates for the presidential and vice-presidential posts. The top contenders were:

- ✓ APC- The All Progressives Congress
- ✓ PDP- Peoples Democratic Party
- ✓ LP-Labour Party
- ✓ NNPP- New Nigeria Peoples Party

1. Mr. Ahmed Bola Tinubu- 70 years old: APC Presidential candidate
2. Alhaji Shettima Kashim- 55 years old: APC Vice-presidential candidate
3. Alhaji Abubakar Atiku-75 years old: PDP Presidential candidate 4, Mr. Okowa Arthur- 63years old: PDP Vice-presidential candidate
5. Mr. Obi Peter Gregory- 61 years old: LP Presidential candidate
6. Baba Ahmed Yusuf Datti- 53yrs old: LP Vice-Presidential candidate
7. Alhaji Musa Rabi Kwankwaso- 60 years old: NNPP- Presidential candidate
8. Bishop Issac Odir Idahosa-57 years old: NNPP Vice-Presidential candidate

This election was very important for young Nigerians, due to the current economic difficulties, insecurity, and fallout from the End Sars movement, which saw a lot of young people losing their lives. Young people and many Nigerians had just gotten tired of the old way of doing things and wanted a change of guard. They wanted somebody with a known track record of honesty, transparency, frugality, and being able to deliver on his promise. Most of the political candidates were old guards who were basically recycled. This was why Peter Obi seemed to sweep Nigerians off their feet. According to the NOIPolls<sup>1</sup>, they used almost the exact same methodology that they used in previous Presidential Polls in 2011, 2015, and 2019. The front-runner that was identified by the polls in all the past Presidential Polls, ended up winning the elections.

In 2023, the NOIPolls said: “Our 3rd and Final Poll result in February 2023 reveals that Mr. Peter Obi of the Labour Party (LP) remains in the lead, with Asiwaju Bola Ahmed Tinubu of The All Progressives Congress (APC) and Alhaji Atiku Abubakar of the People’s Democratic Party (PDP) both trailing him. Dr. Rabi Kwankwaso of the New Nigeria Peoples Party (NNPP) emerged as the lone outsider. Mr. Peter Obi leads, with 21% of registered voters proposing to vote for him if the presidential election were to be conducted today; and 13% proposing to vote for Asiwaju Bola

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<sup>1</sup> **NOIPolls** are the foremost country-specific opinion polling, and research organization in West Africa, giving Africa a voice to support decision-making.

Ahmed Tinubu who fell in second place. Alhaji Atiku Abubakar was third with 10% and Dr. Rabi Kwankwaso was a distant fourth with 3% of voters proposing to vote for him”.

Elections in Nigeria have always been violent and this one was not an exception. The ethnic violence and hatred between the Yorubas and the Igbos were at their highest. It was most prominent in Yoruba land where the Yorubas felt that the Igbos were trying to take over Lagos, especially. Igbos were threatened and warned not to come out to vote unless they were voting APC. Nwangwu (2023), listed five major things that marred the 2023 presidential elections in Nigeria:

1. Violence marred elections in Lagos, Delta, Kogi, and Kano States. Violence was also recorded in Enugu and Ebonyi States. The EU election observation mission in Nigeria said that “obstruction and organized violence limited the free expression of the will of the voters, despite efforts by civil society to promote democratic standards”, European Union Election Observation Mission Nigeria (2023).

2. Voters’ suppression- Hoodlums or “area boys” sprung a surprise attack on registered voters who were queuing up either to be accredited or cast their vote. By so doing, the process was brought to an abrupt halt as voters ran for their lives. During the process, ballot boxes were snatched or the BVAS machine was not used for accreditation. Nwangwu (2023), describes it as a “deliberate disenfranchisement of eligible voters, this is a strategy designed to influence the outcome of an election by discouraging or preventing voters from voting”. This was rampant in Lagos during the governorship and National Assembly elections. The ruling party APC was not going to let Lagos State go to another party as it had done in the presidential election. Abia, Borno, Delta, Edo, Enugu, Kaduna, Kano, Kebbi, Kogi, Nasarawa, Ogun, Sokoto, and Rivers States also recorded voter suppression.

3. Ethnic politics- Ethnic tension came to a boiling point, especially in Lagos where the Labour Party won the presidential election. This was unthinkable, how could Peter Obi beat Ashiwaju Tinubu who was a one-time governor of Lagos and a kingmaker in Lagos state? The Labour Party because its candidate Obi was Igbo, was perceived to have been supported by Igbo traders who had rallied around him and voted for him. “Some APC members like Musiliu Akinsanya (popularly known as “MC Oluomo”) threatened Igbo voters in Lagos State. Akinsanya is the chairman of the Lagos State Parks Management Committee, a Lagos State agency. Even after the elections, it is on record that the speaker of the 10<sup>th</sup> Lagos State House of Assembly, Honorable Obasa in his acceptance speech said that laws on property and business ownership would be made to favor the Yoruba to protect the interest of the indigenes. Stating that Lagos is a Yoruba land and not a no man’s land. This could not possibly be a coincidence as Igbos are the main ethnic group that invests in property and do business on a large scale in Lagos.

4. Low voter turnout- Over 93 million voters registered, but only a little over 25 million voted in the presidential election. Most people did not feel their vote would count. There was a lack of trust in INEC being a fair umpire and doing the right thing. The voting process was too cumbersome because most times the INEC officials would not come in time or if they did, the materials would not be there or like this time around the BVAS machine will not be working and instant transmission of results to the INEC portal will not work, meaning that what is transmitted at the end of the day can be tampered with.

5. Technology- Most people in Nigeria were very hopeful that the BVAS machine for accreditation and live transmission of results to the INEC viewing portal would put an end to election manipulation in Nigeria. Unfortunately, despite all the money spent by the government, and all the training the INEC staff went through, it was back to the status quo of manual transmission.

### **Legal Issues Arising**

Jibrin Okutepa, SAN (2023), makes it clear that “Nigeria as a nation cannot develop democratically, socially, politically, and economically if we always choose to circumvent our laws whimsically and capriciously to achieve a predetermined outcome. No society that does not follow its own laws, rules, and regulations can grow and develop. Where the rule of law operates, whimsical individuals’ ways of doing things must give way. Jibrin Okutepa, SAN makes it very clear that electronic transmission of results was mandatory under the Electoral Act of 2022. This is basically for transparency of the whole electoral process.

The provisions of Section 60 (4) (5) of the Electoral Act, make the following provisions: 60 (4) states that the presiding officer shall count and announce the result at the polling unit. Clause 38 of the Regulations and Guidelines for the Conduct of Elections, 2022 which stipulates thus:

Upon completion of all the Polling Unit voting and results and procedures, the Presiding Officer shall:

- (i) Electronically transmit or transfer the result of the Polling Unit, directly to the collation systems as prescribed by the Commission.
- (ii) Use BVAS to upload a scan of the EC8A to the INEC Result Viewing Portal (IREV), as prescribed by the Commission.

He goes on to point out why the 2010 electoral law was repealed. “It is without a doubt that the repeal of the Electoral Act, 2010 (as amended) and the enactment of the 2022 Act, with all the innovations embodied in it, including the introduction of Bimodal Voter Accreditation System (BVAS), the lawmakers intended that our

electoral system be enhanced, transparent and credible, beyond what the situation in the past was". He concludes that there is a need for the Citizens that are to be governed to have no doubt in their minds that their leaders got there by the rule of law. "Democracy is a game of numbers but let those who are to be rewarded with the trophies of the game be seen to have won the games within the rules and regulations set by the referees in the game. Let those awarded the trophies of democracy be seen to have won the game within the ambit of the rules of the game."

2. Another legal issue also arose from the provision of the constitution which requires that before a person is declared the winner in a presidential election, he must win 25% in the Federal Capital Territory, as stated below:

Section 134(2)(b) of the 1999 Constitution (as amended) is clear and unambiguous, direct and simple.

Olisa Agbakoba, SAN (2023), explains that to be declared Presidential winner, a candidate must secure at least 1/4th (25%) of votes cast in 2/3rd of the entire 36 States of Nigeria (that is in 24 states). Also, the candidate must also secure not less than 25% of the votes cast at the FCT.

Resort to Section 299 (which states that the FCT is to be treated as a State in Nigeria), is a general provision that has no bearing on Section 134. A general provision cannot override a specific provision. Section 134(2)(b) is a specific provision on the conditions for the declaration of a candidate and the presidential winner at the polls.

Although President Ahmed Bola Tinubu has been sworn in. He and his vice are both Muslims. There is an unwritten rule that the two highest officers in the land will not come from the same religion. Religion is a very thorny issue in Nigeria. This was one of the main reasons Mr. Bola Ahmed Tinubu did not run in 2015 as Buhari's vice presidential candidate. There is a big legal tussle going on between him and the two main opposition parties at the election Tribunal. They are calling for the elections to be cancelled saying that the results that were announced were wrong and that there was a lot of voter aggression that disenfranchised a lot of legible voters and many votes were not counted. Above all the rule of law as to the transmission of results and 25% to be won at the FCT, was not taken into consideration before the INEC chairman announced the winner in the very early hours of the morning when results had not yet finished coming in from all the states.

### **The ruling of the Five Man Panel on The Presidential Election Petition Tribunal (PEPT), led by Justice Haruna Tsammani on the 6<sup>th</sup> of September 2023**

The PEPT delivered a 13 hours judgment on the election petition of Alhaji Atiku Abubakar (PDP), Mr. Peter Obi (LP), and Allied Peoples Movement (APM) against Mr. Bola Ahmed Tinubu the newly elected President of Nigeria, Mr. Bola Ahmed Tinubu's victory was upheld by the panel. They said that all the petitions were devoid of merit. The two main legal issues in dispute are, the electronic transmission of results and 25% of FCT votes; they held that INEC has the liberty over the electronic transmission of results or not and that the Federal Capital Territory (FCT) is not treated specially in the election. All other petitions; the Vice- Presidents double nomination, the forfeiture from drug offenses is not criminal and although Tinubu was convicted, he was not banned from entering America, and the Labour party failed to list all the polling units in the over 4,000 blurred election results, were likewise dismissed. The Labour party the Peoples Democratic Party rejected the verdict and will appeal to the Supreme Court. Labour party is saying that the verdict does not reflect the will of the people. Nigerians are still watching the whole political scene. The dust has not yet settled. Meanwhile, the security apparatus has warned the citizens seriously that they are ready to deal decisively with anyone who wants to disturb the peace of the land. More is yet to unfold as the aggrieved parties head to the Supreme Court.

### **Democratic Practice and Elections in Kenya**

Kenya is a country in Eastern Africa that was colonized by the British for 150 years. (Nyadera et al., 2020). The country like most countries in Africa is made up of many different tribes with linguistic and religious differences. There are 45 different ethnic groups in Kenya. Nyadera et al., 2020. There are three main language groups in Kenya and the tribes are divided along these linguistic lines. They are the Bantus, Nilotes, and Cushities. The Bantus make up 70% of the population. The Kikuyu are from the Bantu family and are the largest ethnic group in Kenya. They are followed by the Luhyas and then the Luo. Mbuvi, 2020. According to Sheriff, 1985, the colonialists exploited them, treated them like second-class citizens in their own land, and disenfranchised them in their own country. The Mau Mau rebellion in 1952 arose as a result of this European oppression, which finally led to independence in 1963.

Kenya adopted a Westminster Constitutional model and negotiated with political representatives from Kenya and the British foreign office at Independence. Jomo Kenyatta of the KANU (Kenya African National Union) became the first Prime Minister of Kenya and the Queen still remained the Head of State. In 1964 the KANU-led government changed the country to the Presidential system of government (Muigai, 2004). Jomo Kenyatta became the President and Oginga Odinga became the Vice-president. The assassination of Tom Mboya a government minister led to serious ethnic clashes and unrest. This in turn resulted in the banning of the Kenya People's Union party and the arrest of the Vice-president, Mr. Oginga Odinga. This meant that come election time in 1974 there was only one party; KANU. Moi got re-elected. Meanwhile, six opposition leaders formed the Forum of Democracy FORD, in a bid to restore the country to a multiparty system, but the government of the day outlawed the organization and arrested the members. After Kenyatta's death in 1978, his deputy, Daniel Moi succeeded him and Kenya became a one-party state in 1982 by the announcement of the National Assembly.

In 1991, KANU re-introduces the multiparty system and Moi was re-elected under this system in 1992. After the death of Odinga, the main opposition leader, in 1994 United National Democratic Alliance was formed, by opposition parties, but the various groups were not really able to reach a consensus. After a very controversial election, Moi was re-elected in 1997. His main position comes from the former Vice-president Mwai Kibaki and Raila Odinga, son of Oginga Odinga. The jinx, was, however, broken in the elections of 2002 Mwai Kibaki won the election and ended the 24-year rule of Moi and the KANU. BBC News, 2022. The 2007 election was a watershed election. The election was hotly disputed and led to very serious crises. This crisis only pointed to the fact that the constitution was inadequate and it had given room to dictatorship. This was because the president had the ability to make amendments as he liked. The crisis was so bad that it was feared that a civil war would erupt at any moment if something was not done immediately. The late Secretary General of the United Nations, Kofi Anan, and the United States brokered a peace deal that led to the formation of a coalition government in 2004. This post-election violence motivated the coalition government to design a new constitution for the country that would be more inclusive, with fair representation for women and youth and the decentralization of resources. According to the Freedom House Report, Kenya has moved from "not free" to "partly free" (Nyadera et al., 2020). Democracy in Kenya, like in most African countries, is riddled with corruption, ethnicity, tribalism, nepotism, exclusion of the opposition, and weak institutions that are not truly independent enough to function properly. The 2010 constitution tried to address some of these issues and as the democratic process is an ongoing learning process Kenya still has more job to do.

"The 2010 Constitution of Kenya is the current constitution of the Republic of Kenya. It was written by the Committee of Experts and replaced the 1969 constitution. It was presented to the Attorney General of Kenya on 7th April 2010, officially published on 6 May, and subjected to a referendum on 4 August 2010. The new Constitution was approved by 67% of Kenyan voters and promulgated on 27th August 2010." The Constitution established a presidential system of government with a bicameral legislature and a devolved system of 47 counties. The constitution requires a candidate to at least win a majority of 50% plus one of the votes cast at the national level and also at least 25% of votes in 24 counties (there are 47 counties in Kenya) The Constitution of Kenya, 2010.

Uhuru Kenyatta, the son of Kenya's first president, won the 2013 election and his main opponent Raila Odinga went to court to challenge the election but it was thrown out by the Supreme Court. The 2017 elections had to be held twice that year, as the results were challenged. It was first held in August, and the re-run in October. At the end of the day, Kenyatta's victory was upheld. The most recent election held in 2022, saw Deputy President William Ruto of the UDA party win by a narrow margin of 50.5 a%, while Raila Odinga of the ODM party got 48.85%. Odinga challenged the results, but the Supreme Court overruled his petition. This time around the election observes adjudged the election to be largely peaceful and transparent.

### **Democratic practice in Kenya**

Democracy in Kenya has come a long way since independence, especially with the implementation of the 2010 constitution. There are still some challenges that prevent the Kenyan people from enjoying the full dividends of democracy. Some of these challenges are:

1. Ethnicity: Kenya is made up of large and small ethnic groups, where it is possible to win an election by large communities, teaming up with some other smaller communities, while totally ignoring others. (Weber, 2009) refers to it as a tyranny of numbers. Ethnic identity plays a very big part in Kenyan politics, and the political stalwarts maximize this factor. Ethnicity is used in winning elections, and resource sharing and determines what decisions will be taken or not taken. This marginalizes a lot of smaller ethnic communities who were not relevant in the securing of an election success. It is so obvious that ethnicity is so divisive, yet the

political elite thrive in this game of divide and rule for their own selfish reason. This leads to insecurity, violence, maiming and killing of innocent citizens, skewed development, and hatred among the people of the same country. National identity is put on the back burner as Kenyans see their ethnic group first before their Kenyan nationality. Ethnicity even makes those who are defrauding the nation get supported back into the office, simply because the person in question is from the same ethnic group. According to (Edgell & Elischer, 2022). Young Kenyan University Students, the Future of Kenya “Our findings demonstrate that although Kenyan university students aspire to move beyond ethnic politics, ethnicity often shapes their view of their fellow citizens and government action.”

2. Land is a very complex and emotional issue in Kenya. A community’s social, cultural, and spiritual identity is all tied up in the land. This is the case for all the tribes in Kenya. It is even more so, for the very small marginalized tribes. It is also a means of sustenance for the community. Therefore, the government taking community land, that has been handed down to them from generation to generation is seen as a total disregard for their customary rights and their very existence and breeds deep-seated grievances. Politicians have managed to use smear campaigns so much so that the manifesto of what they plan to do when in office is relegated to the background. They have even gone as far as using international public relations outfits, like the famous Cambridge Analytics to do their dirty deeds.

3. Weak institutions are the bane of many African nations, and Kenya is no exception. Institutions charged with election management, police and security agencies, the judiciary, and media houses suffer a lot of interference from various interest groups. They are not allowed to do their work the way they should, and for democracy to work this outside interference has to totally stop. Especially from the executive arm of government. These institutions should not be bought over to do the bidding of any interest group.

4. Fake News; Article 19 of the Universal Declaration of the Human Rights of 1948 gives individuals freedom, of expression and opinion. Unfortunately, this has been grossly abused by the publication of information that has been deliberately falsified or half-truths. The aim is to cause confusion and fan already existing grievances. Social media, like Facebook, Twitter (now X), blogs, etc. are able to spread false and distorted information like wildfire. With one click of a button, the news has gone viral all around the country and even internationally. Some media organizations like Cambridge Analytica are sometimes employed to spread a well-thought-out smear campaign of political opponents. In the Kenyan 2013 and 2017 general elections, fake news was used on a very large unprecedented scale than was normally the case

The provisions of the 2010 constitution have served as a means of righting so many wrongs in Kenyan society:

A. For the first time in the history of Kenya the opposition has the ability to challenge election results. According to (Nyadera. et. al., 2020). The opposition went to the Supreme Court in 2013 and 2017, and this can solely be attributed to the enactment of the 2010 constitution. Although in 2013 the case was thrown out for lack of merit, in 2017 the court nullified the elections and ordered a rerun of the elections because there was evidence to show that the elections were not free and fair. In the last general elections in 2022, this right was also exercised. This is a big feat because prior to the 2010 constitution, the opposition parties did not have a voice.

B. According to (Kanyinga, 2016), devolution can be seen as “democratic decentralization”. Under the new constitution, Kenya is now devolved into 47 counties for administrative purposes. The county commissioner is posted to each county to serve as a collaborative link with the county government and National Government. The County is led by a directly elected governor and legislative assembly. Githinji, (2021) states clearly the objectives and principles of devolution in Kenya as follows:

### **Objectives of Devolution in Kenya**

Article 174 of the Kenyan Constitution says the objectives of devolution in Kenya (or the objectives of the devolved government in Kenya) are to:

1. Promote the democratic and accountable exercise of power; foster national unity by recognizing diversity;
2. Give powers of self-governance to the people and enhance the participation of the people in the exercise of the powers of the State and in making decisions affecting them;
3. Recognize the right of communities to manage their own affairs and to further their development;
4. Protect and promote the interests and rights of minorities and marginalized communities;



5. Promote social and economic development and the provision of proximate, easily accessible services throughout Kenya;
6. Ensure equitable sharing of national and local resources throughout Kenya;
7. Facilitate the decentralization of State organs, their functions, and services, from the capital of Kenya; and
8. Enhance checks and balances and the separation of powers.

### **Principles of Devolution in Kenya**

County governments established under the Constitution should reflect the following principles:

1. County governments should be based on democratic principles and the separation of powers;
2. County governments should have reliable sources of revenue to enable them to govern and deliver services effectively; and
3. No more than two-thirds of the members of representative bodies in each county government should be of the same gender.

The 2010 constitution states that all land in Kenya belongs to the people of Kenya collectively as a nation, as communities, and as individuals. Land is classified as public, community, or private. The legitimacy of customary land tenure was a critical step forward in instituting reforms in land governance, land use, land ownership, and customary land tenure in Kenya. Section 63 of the 2010 constitution takes adequate care of the interests of communities and their rights to their lands. This land issue has brought about deep grievances for many communities who feel cheated and marginalized.

- (1) Community land shall vest in and be held by communities identified on the basis of ethnicity, culture, or similar community of interest.
- (2) Community land consists of:
  - (a) Land lawfully registered in the name of group representatives under the provisions of any law;
  - (b) Land lawfully transferred to a specific community by any process of law;
  - (c) Any other land declared to be community land by an Act of Parliament; and
  - (d) Land that is:
    - (i) Lawfully held, managed or used by specific communities as community forests, grazing areas or shrines;
    - (ii) Ancestral lands and lands traditionally occupied by hunter-gatherer communities; or
    - (iii) Lawfully held as trust land by the county governments, but not including any public land held in trust by the county government under Article 62 (2).
- (3) Any unregistered community land shall be held in trust by county governments on behalf of the communities for which it is held.
- (4) Community land shall not be disposed of or otherwise used except in terms of legislation specifying the nature and extent of the rights of members of each community individually and collectively.

The state of Democracy in Kenya has greatly improved, as the 2010 constitution is doing its best to sort out the thorny issues that have prevented Kenya from enjoying the dividends of democracy. The lives lost, and resources mismanaged on the way to achieving true democracy are substantial. Devolution has led to more representation of ethnic minorities, women, young people, people with disabilities, and different interest groups with divergent views. These different people can all be heard and their views considered. The government is more responsive, but there is still room for improvement so that this do-or-die quest for power will be a thing of the past.

### **Zimbabwe's Road to Democracy**

The British South Africa Company (BSAC) under Cecil John Rhodes, in 1890 started colonial rule in Zimbabwe (Southern Rhodesia). There were two forms of government, one was run by the white colonial masters another was run by the natives under the supervision of the colonial masters. A dual system of government existed. "Responsible government" was created in 1923 by the white settlers, who took over from BASC and still maintained the dual system of government. The natives were "denied a real opportunity to participate in and appreciate the democratic processes that were evolving".

Under the auspices of the new colonial government. Harold-Barry, 2004 the unilateral declaration of independence from Britain by Prime Minister Ian Smith, in 1965, contributed to Zimbabwe not getting its independence in the 1960/s when most African countries were getting theirs. He had an ulterior motive for doing this. According to, Erin, 2009, he did not want the natives who were in the majority to be given independence and the reins of government, by the British. As far as he was concerned the Rhodesian Front, his party, was the one that was meant to be in charge of governing the country. A constitutional conference was held in London in September- December 1979. This resulted in the Lancaster agreement. This agreement ended all armed conflicts and guerrilla wars of the freedom fighters, nullified the unilateral independence of Rhodesia Zimbabwe by Ian Smith's UDI government, and agreed for the British to temporarily take over the reins of government, in order to midwife Zimbabwean independence. The Lancaster House Agreement was signed on December 21, 1979. Lord Carrington and Sir Ian Gilmour signed the Agreement on behalf of the United Kingdom, Bishop Abel Muzorewa and Dr Silas Mundawarara signed for the Government of Zimbabwe Rhodesia, and Robert Mugabe and Joshua Nkomo for the Patriotic Front." Under this agreement, the new House of Assembly was to comprise 100 members, of whom 80 would be elected on a common roll by every adult citizen. The remaining 20 members of the House of Assembly were to be elected by the 'white roll' comprising those people (mostly white) who had previously qualified to vote. Lord Soames was appointed Governor with full executive powers. The first General elections were held in Southern Rhodesia between 14 February and 4 March 1980 to elect the members of the House of Assembly of the first parliament of the independent Zimbabwe. Independence was granted to Zimbabwe, on the agreed terms of the Lancaster Constitution, when Robert Mugabe of the African Union-Patriotic Front ZANU- PF, won a majority of the seats in what was adjudged by election observers to be mostly free and fair. Independence was granted to Zimbabwe on the 18<sup>th</sup> of April 1980. He became Zimbabwe's first prime minister.

### **Elections and democratic practice in Zimbabwe**

Zimbabwe is a unitary, democratic, and sovereign republic. It is amongst the one-party states where liberation movement parties have been in power for a long time since Independence. Others are Mali, Chad, and South Africa. It is a landlocked country in Southern Africa. It is a country with approximately 15 million people, UNFPA Zimbabwe, 2022. Zimbabwe's largest ethnic group is the Shona, who make up 80% of the population, followed by the Northern Ndebele and other smaller minorities. Zimbabwe has 16 official languages, with English, Shona, and Ndebele the most common. Constitution of Zimbabwe, 2013 as amended in 2017.

Canaan Sodindo Banana was a Zimbabwean Methodist minister, theologian, and politician who served as the first Ceremonial President of Zimbabwe from 1980 to 1987 (ZANU) In 1987, he stepped down as President and was succeeded by Prime Minister Robert Mugabe, (ZANU-PF), who became the country's Executive president by amendment No. 7 (Act 23 of 1987) which abolished the system of a Ceremonial President and a Prime Minister and introduced the Executive Presidency. He stayed 29 years and 325 days in office. He left office on the 21<sup>st</sup> of December 2017, after a military coup. Emmerson Mnangagwa (ZANU- PF) former Vice President to Mugabe, became President in 2018 and was re-elected for another 5 years term in 2023

Electoral fraud, irregularities, corruption, vote buying, citizen disenfranchisement, result manipulation, violence, and killings have marred most of the elections in Zimbabwe. In fact, as Sakarombe, 2023 puts it "Elections in Zimbabwe have been marred by electoral irregularities and have been contested". This controversial issue in turn has resulted in some researchers believing that democracy is unattainable. Elections in Zimbabwe since early 2000 to 2013 were characterized by the extreme violence of citizens- "Operation makavhotera papi" which means **where did you put your vote?** Characterized the 2008 violent elections. The 2018 election was dubbed "Blood Wednesday" by Sakarombe, 2023. Zimbabwe. 2018 elections saw the death of civilians and open fire in Harare CBD. Jackmachisi and, Nyadombo, 2023. In Zimbabwe, like in many African countries, elections connote, violence, loss of lives and property, intimidation, and a lot of uncertainty.

As the election approaches a lot of intimidation goes on to scare people from coming out. During the election itself, there were a lot of violent acts at the polling units. As if that is not enough there is also post-election violence. Due to all this violence and irregularities, many people have lost faith in the electoral process and as such are not willing to waste their time going out to vote, Sithole and Motsi 2014. Most Zimbabweans have lost hope in the electoral processing of the country,

Especially the youths who are refusing to register to vote. They feel that those who liberated the country feel entitled to continuously be in positions of leadership and power. Thus, effectively disenfranchising those who did not fight in the Liberation struggle, Jackmachisi and, Nyadombo, 2023. Zimbabwe has not been able to have a smooth transition of power through the use of the ballot box.

The 2023 election in Zimbabwe was likened to that of 2018. It was between the same Presidential candidates, Emmerson Mnangagwa and Nelson Chamisa of ZANU-PF party.

President Emmerson Mnangagwa got 52.6 percent to defeat Nelson Chamisa. Garber, 2023. He will serve a second term of five years. This means ZANU-PF party, which has controlled Zimbabwe since independence in 1980, is still in power. They also won 136 of the 209 contested National Assembly seats. Garber, 2023. Zimbabwe invited international observers from the African Union (AU), Commonwealth, European Union Observation Mission (EUOM), South African Development Commission (SADC) and Carter Center. They made the following observations, SADC being the most vocal unlike in the past:

1. Many polling stations did not open on time, some did not open at all
2. Late arrival of election materials or none arrival of such
3. They observed that the delays were almost exclusively in areas that traditionally supported the opposition, especially the major cities of Harare and Bulawayo.
4. Zimbabwe Electoral Commission (ZEC) was not transparent enough as to its readiness for the election.
5. Forever Associates Zimbabwe (FAZ) that was credited as a local observer for the ruling party were outside polling stations collecting personal information from voters. This was seen as a form of intimidation because who you voted for would be known.
6. Police raids on Zimbabwe Election Support Network (ZESN) and Election Resource Centre (ERC) two organizations collating the results of the elections independently. Their members were arrested but later released.
7. SADC delegation, headed by former Zambian Vice President, Nevers Mumba said that “some aspects of the Harmonized Elections, fell short of the requirements of the Constitution of Zimbabwe, the Electoral Act, and the SADC Principles and Guidelines Governing Democratic Elections (2021).”
8. Cross-checking the result announced by ZEC is made almost impossible by the absence of another independent tabulation.

Although Mnangagwa won by 52.6% as opposed to 50.8% in 2018, in the Zimbabwe 2023 election the number of people who turned out decreased from 85% to 68%.

As much as elections are not the be-all and end all of democracy but it is a big indication of how leadership is willing to obey the rule of law, eschew corruption, and uphold justice in society. Zimbabwe has some very thorny issues like the Land Issue; how to equitably redistribute the land between black farmers and white European farmers who had previously enjoyed better political and economic powers. The Land reform program was intended to alter the ethnic balance of land ownership (Al Jazeera Inside Story, 2020).

According to the World Bank Zimbabwe is endowed with abundant mineral and natural resources, if managed properly will help it to achieve its developmental goals. Real GDP growth is estimated to have slowed to 3.4% in 2022 from 8.5% in 2021 on the back of worsening agriculture conditions and macroeconomic instability World Bank Overview, 2023. This review also highlights some key developmental challenges:

1. Poor cyclical agricultural production and elevated food prices.
2. Persistent inflation,
3. High dependence on low-productivity agriculture,
4. Slow structural transformation,
5. Intermittent shocks like drought, natural disasters,
6. The COVID-19 pandemic

All these have contributed to the high rate of poverty and vulnerability in Zimbabwe.

### **Democratic Audit of Democracy in Nigeria, Kenyan and Zimbabwe**

This article is so timely and a wake-up call to African leaders especially in light of the coups that are taking place in Africa: Mali, Burkina Faso, Niger, and Gabon recently. African leaders who refuse to install democracy, if they are not careful, will be facing the same music. There is really no more space for authoritarianism, sit tight leaders pretending to be practicing democracy. In trying to do a democratic auditing of democracy in Nigeria, Kenya, and Zimbabwe we will be looking at the four parameters below:

#### 1. The Electoral Process

In the three countries, we can see that their electoral process is flawed. An election is a do-or-die affair. In fact, election time is a time of insecurity in the countries, people are afraid for their lives and their property. Often post-election violence is very serious. There is a lot of voter intimidation, exclusion of the youth, use of security agents to do the bidding of the incumbent, disenfranchisement, over voting, rigging, ballot box snatching, violence, killing, arson, and the electoral management body not being ready, late arrival of materials, changing the rule of engagement without prior warning. Weak intuitions rubber-stamping election irregularities to suit the powers that be. All these do not provide for a free and fair election, where the people can say conclusively that their will was reflected in the outcome of the election.

#### 2. The openness and accountability of the government

Accountability and transparency have political, administrative, legal, financial, economic, and social perspectives. According to (Asadu and Chukwujekwu, 2021) "Nigeria through measures such as election, referendum, recall, voice, exit, executive-based mechanism, agencies of government make public their account and performance reports. These reports are designed to provide data on the general and particular issues and are laid before the relevant legislative committee for study. Whistleblowing, ombudsman, freedom of information, and judicial review". The Constitution of Kenya, 2010 (COK, 2010), in Article 10, identifies public participation as one of the key national values and principles of governance. Via Article 118, COK, 2010 binds Parliament to engage members of the public in its business. It requires Parliament to "facilitate public participation and involvement in the legislative and other business of Parliament and its committees". Unfortunately, "Implementation of public participation largely remains sub-optimal, either completely ignored or half-heartedly implemented."

IRM Report: Kenya Action Plan Review (2020-2022): Zimbabwe- Strengthening Institutions of Transparency and Accountability Project (SITA). The project's broad development objective is to improve transparency and accountability in the public sector and promote gender equality for inclusive and sustainable economic development. The specific objective is to "improve institutional capacity and effectiveness of institutions of public oversight and accountability." AFDB, 2023. Unfortunately, this project is so necessary because according to USA Country Reports on Human Rights, 2011 "Zimbabwe is constitutionally a republic, but its authoritarian government was not freely elected and has been dominated by President Robert Mugabe and his Zimbabwe African National Union-Patriotic Front (ZANU-PF) since independence in 1980" too much has not changed in 2023. Nigeria and Kenya have set structures in place that will aid openness and transparency in governance. There is a need to ensure enforcement, strengthen the Judiciary, do more public enlightenment as to the civic duties of citizens, and protect whistle-blowers

#### 3. Civil and Political rights

The constitutions of these countries in review state clearly the civil and political rights of its citizens. The country and its resources belong to all citizens on paper, but in reality, that is not the case. Most times civil and political rights are infringed. Freedom House's annual study of political rights and civil liberties worldwide rates Nigeria partially free in 2023 while scoring it 20/40 in political rights 23/60 in civil liberties. Scoring 43/100 in total. Funnily enough one of the key developments that earned Nigeria a plus was the electoral law 2022, enacted by former president Buhari. Among other things, the new legislation contained provisions that strengthened the financial independence of the Independent National Electoral Commission (INEC) and allowed for early political party primaries and electronic transmission of votes. The law was meant to improve the transparency of elections in Nigeria. Sadly, in the 2023 election, the appeal court judges said that INEC could transmit the results manually as opposed to what INEC promised the people, As Jibrin Okutepa, SAN (2023), points out "that circumventing our laws whimsically and capriciously to achieve predetermined outcomes" is very undemocratic. Kenya did slightly better here, Freedom House categorized it as partially free, with 22/40 in political rights, and 30/60 in civil liberties. It had an overall total of 52/100. It is instructive to note that the Kenyan presidential election of 2022 was contested by Raila Odinga who was defeated by William Ruto, the Supreme Court heard the case in September of 2022, and they upheld his victory. It was only after that, that he was sworn in. Unlike in Nigeria where the president was sworn in before the Tribunal on election could give its judgment. Freedom House rates Zimbabwe as not free. On political rights, they scored 11/40 and for civil

liberties, they scored 17/60. That gives them an overall score of 28/100. Unfortunately, the Zimbabwe African National Union–Patriotic Front (ZANU-PF) has dominated Zimbabwean politics since independence in 1980 and has little or no tolerance for the opposition. It has been in power since independence in 1980. After a military intervention that removed Mugabe in 2017, president Mnangagwa from the same party took over and has largely retained the “legal, administrative, and security architecture of the Mugabe era, and has consolidated his authority through repression. Endemic corruption, weak rule of law, and poor protections for workers and land rights remain critical challenges”. Freedom House Report, 2023. In 2023 he won the election by a narrow margin and was re-elected back into office.

4 The Democratic Society –National consciousness and feeling of nationhood amongst the citizens.

Nigeria is a very ethnically diverse country with 371 ethnic groups, the largest of which are the Yoruba, Hausa, and Igbo (Vanguard, 2017). There is no lingua franca binding the nation. English is the official language used. Unfortunately, Nigerians have not been able to find strength in diversity. Instead, politicians have used this diversity for selfish political gains, further dividing Nigerians along ethnic and tribal lines. Kenya, a country like Nigeria is made up of many different tribes with linguistic and religious differences. There are 45 different ethnic groups in Kenya. There are three main language groups in Kenya and the tribes are divided along these linguistic lines. They are the Bantus, Nilotes, and Cushities. The Bantus make up 70% of the population. The Kikuyu are from the Bantu family and are the largest ethnic group in Kenya. They are followed by the Luhyas and then the Luo. Swahili and English are the official languages. Zimbabwe has a population of 15 million people. Zimbabwe's largest ethnic group is the Shona, who make up 80% of the population, followed by the Northern Ndebele and other smaller minorities. Zimbabwe has 16 official languages, with English, Shona, and Ndebele the most common. Like Nigeria Kenya and Zimbabwe have not been able to find strength in diversity. Ethnic politics has widened the division even more. People tend to identify with their ethnic group first and this leads to a lot of nepotism, thereby sacrificing meritocracy, as people are appointed into official positions not because they are the best candidate for the job, but because their relative, their tribesman is at the helm of affairs. In Nigeria, there is this concept that it is our turn now because a man from our ethnicity is in power. In the Buhari administration, he was accused of putting people from his tribe in key positions. This is also true in Kenya and Zimbabwe. Nigeria has tried to bring about the feeling of one Nigeria by the National Youth Service Corps system, whereby every Nigerian graduate compulsory serves the nation for one year, in a state that is not your state of origin. The whole idea is to let the young ones bond and be free from ancient tribal hatred and sentiments. Nigerians, however, have found ways of sabotaging the program. Parents have found a way to pay to have their children sent where they want. The Federal Character system is another way Nigeria has tried to ensure fair representation. To an extent it works, but who is sent from the state might not be the best candidate, but most probably is a relation or friend of those in the corridors of power. There is no Nigerian indigenous language. No tribe would agree that another tribe's language be made Lingua franca. Article 11 of the Kenyan Constitution recognizes cultural diversity. Kenyans are very proud to be Kenyans, this is evident when it comes to sports and the many gold medals brought by Kenyan men and women to their country. They, however, have a very strong personal attachment to their ethnic and cultural identities. In Zimbabwe, tribalism is on another level. “Tribalism in Zimbabwe is embedded in the psyche of all citizens, its meaning, and what it means to be different. It is in the gene make-up of all Zimbabweans, even the young people are aware of tribalism and its relevance for survival either way.”

(Thata, 2016) goes on to decry the fact that not one political party has seriously inserted a clause in its manifesto seeking to eliminate tribalism. Their feeble attempts have all failed and tribalism is waxing strong as a political tool. She goes ahead to say that “Deep hatred among ethnic groups, non-tolerance of tribal and race still co-exist. Some semblance of working together among ethnic groups is wholly cosmetic, “In Nigeria, there is a National Orientation Agency that strives to educate the public on their civic duties and the need to be patriotic. How well has this worked? I will say not too well because the ethnic tension exhibited in the just concluded general elections, especially between the Igbos and the Yorubas was the worst in many years. In these three countries, it is clear that nationhood comes secondary, tribe is first in the subconscious of the citizens. Another very divisive element is religion. A lot of religious tension is interwoven with ethnic tension because a lot of times different ethnic groups have different religious affiliations. Again, there is no religion that does not preach peace; therefore, they can emphasize this common factor rather than their differences. This will enable them live together as one, tolerate each other, and build instead of scatter the nation.

## **II. Conclusion and Recommendations**

What is the way forward for African countries? What is the nature of the content of democracy in these countries under review? They agitated for independence from their colonial masters, what did they do when they got it? They turned around and started treating their own citizens in an unfair manner just because of political gains and cultural reasons. poor leadership, bad governance, corruption, mismanagement of common

resources that they were naturally endowed with, poverty, heavy debt burden, high inflation, youth unemployment, etc.. This has led to the cost of living being well below the global average, with many socioeconomic problems. The countries reviewed have the status of Democracy, but the dividends or fruits of democracy are not really enjoyed by their citizens the way they would have been if they had gotten their leadership and governance right. Their constitutions affirm the need for the democratic process, transparency, equity, justice, freedom of speech, rule of law, good governance, etc., so it is not a question of not knowing, or even not having laws to ensure democratic practices, it boils down to political will, putting nation before ethnic group and tribe, following and respecting the rule of law, dealing decisively with corruption, especially amongst government officials, running an open administration where everybody's vote counts and elections are free and fair and people feel that they are part of the system because the people they actually elected to represent them are representing them. For Democracy to thrive:

1. There is a need for strong intuitions to prevent the executive or incumbent from tampering with the legislature and the Judiciary. As Jibrin Okutepe, SAN (2023) points out "that circumventing our laws whimsically and capriciously to achieve a predetermined outcome" is very undemocratic.
2. Elections that are not free and fair cannot lay a solid foundation for democratic rule. For democracy to thrive the electorate must see that their vote counts, and that they have a say in how they are being governed.
3. Strong electoral institutions that the electorate will believe they can deliver must exist. This will curb electoral irregularities
4. Embracing our cultural differences and ethnic identities is not wrong. We should, however, use it to contribute our unique ethnic contribution to the national development
5. Our Cultural endowments and uniqueness should be used for the social and economic progress of the nation
6. The liberation movement that liberated Zimbabwe has now transformed itself into a democratic system. There is no more need for force and intimidation that was used to gain independence.
7. The ZANU-PF has to be more tolerant of opposing views. Authoritarianism under the guise of democracy will not work.
8. There is a need to ensure that the youth in Zimbabwe register to vote. They should be included. The Liberation fathers must not see leadership as their birthright.
9. There should be more public enlightenment programs to educate the citizenry on the need to be patriotic, putting country first before tribe. This can only work when they see that the people in power are practicing what they preach.
10. Zimbabwe post 2017 devolution strategy was "a strategy for addressing regional inequalities, deepening local democracy and citizen participation, and ensuring local economic growth" (Nyikadzino and Vyas-Doorgapersad, 2022). This is all well and good but there should be a political willingness to implement a proper devolution framework that will work in Zimbabwe or else it will end up as rhetoric.

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