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Conscience Africaine

African Network for Grassroots Democracy

**The
Cameroonian
Voter's Guide**

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FOREWORD

Unquestionably, the 1990s can be considered as the decade of democratization on the African continent.

In fact, with its benefits and requirements, democracy is increasingly establishing itself as an unavoidable alternate at the dawn of the 21st century. The different dictatorial regimes which had governed their countries with terror over the past thirty years have learnt their lesson, with the rightness and efficiency of clarion calls for democracy overriding the powerful military regimes which protected "the princes".

This notwithstanding, the continent still has a long way to go.

Though the will to democratize is quite obvious among several leaders of Sub-saharan Africa, the rule of law is yet to be established. This state of affairs can be traced back to the illegitimate and illegal circumstances surrounding the accession of these leaders to power. But if we agree that the legitimacy and legality of power are generally based on the equality and results of an election, then it is easy to understand very fast the importance and the role of transparent, free and fair elections in the building of a state of law and hence, the importance of democracy.

Elections, in essence, are the means by which a citizen enjoys and exercises his sovereignty. An election offers the citizen the possibility to influence the fate of candidates aspiring to leadership. In short, elections provide citizens with the opportunity to wield power through the rational use of their constitutional rights to vote. Finally, voting enables a citizen to choose a person to whom he entrusts part of his power for a specific period. Consequently, it is a heavy responsibility for every patriot who must act as a mature and well-informed person, and not blindly.

Yet, we cannot but admit that in most African countries, little or nothing has been done to make the citizen aware of his voting right. Thus, obtaining a voter's card, for example, which is a basic right, has very often been quite a feat in some countries, thereby making voters wary of future management and organization of elections.

However, we are convinced that every election should constitute a contract of confidence between electors and the elected : it is only in this

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way that the exercise of power entrusted to elected persons through free, fair and democratic elections will be possible and facilitated.

Therefore, there is an urgent need to initiate immediate action designed to popularize the principles of good governance, the state of law, the right to vote, the role of the elected and voters' responsibilities. In short, it is necessary to popularize the principles of genuine democracy.

Consequently, in the light of this diversified attempt to sensitize the people to their rights and without presuming to make recourse to a magic formula to free our citizens from their ignorance, we hope that the "Cameroonian Voter's Guide" will nevertheless lead to some positive changes with a view to establish a real democratic culture.

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CHAPTER ONE : THE VOTER IN CAMEROON

DEFINITION : Who is a voter ?

A voter is a citizen who exercises the right to vote his leaders. By so doing, he makes a choice from among several candidates or lists of candidates. He is thus exercising his right to vote.

A democratic system does not guarantee the right to vote only, but also the right to be elected : hence the existence of several candidates or lists of candidates from whom the voter makes a choice through his vote. The citizen has the constitutional right to vote freely. However, not all citizens can vote.

A- VOTING CONDITIONS

To be a voter in Cameroon, one must meet the following requirements :

- be of Cameroonian nationality. Citizenship may be natural or acquired ;
- be of 20 full years of age on polling day ;
- enjoy civic and political rights : he must not have served a prison term ;
- be registered on a voters' list ;
- be a holder of a voter registration card.

1- Age :

Voting age is very often misunderstood. To be 20 full years on the election date does not mean that one must attain exactly 20 years before registering on a voters' list.

Example 1 : Peter was born on 10 April 1987, he will be 20 full years old on 10 April 1997. If the legislative elections are to hold on 10 April 1997 or after, then he will be a potential voter.

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But if they are to hold on 9 April 1997, he will not qualify to vote. However, he will automatically be a voter at presidential elections if they are to hold in October 1997 as scheduled. In any case, Peter does not have to wait till he attains 20 full years before registering because voting age is not determined from the date of registration or that on which the voter registration card was issued to him, but from the election day.

N.B. : It should be noted that while a citizen can exercise his political rights from the age of 20 only, he remains a minor in civil matters and can therefore not carry out certain civil acts such as suing in a civil action or signing a contract, etc.

Therefore, in Cameroon, the age of political maturity is 20, while civil maturity is 21, and penal maturity is 18.

2- Civic and political rights

As provided for in Section 6 of law n° 92/010 of 17/09/92, the following shall not qualify for vote :

* Persons sentenced for crimes, even in the event of a default judgement.

* Persons sentenced to the loss of liberty without stay of execution exceeding 3 months, or with an ordinary stay of execution or with probation of more than 6 months.

* Persons under warrant for arrest.

* Undischarged bankrupt persons whose bankruptcy has been declared by a Cameroonian court, or by judgement passed abroad but enforceable in Cameroon.

* Lunatics or "weak-minded" persons.

If on election day, a Cameroonian citizen finds himself in any of the above-mentioned situations, he is said to be incapacitated and can therefore not vote. If he votes, he shall be punished by law.

3- Registration on voters' lists

Voters' lists are the official registers in which the names of all citizens who enjoy the right to vote are recorded in alphabetical order. The period fixed by the law for registration on voters' lists spans from 1 January

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to 30 April of each year. Any potential voter must register during that period. This means that nobody can exercise his right to vote if his name has not been recorded on a list. It is advisable to personally ensure that one is effectively registered.

Each constituency has its own electoral list. Electoral lists are subdivided according to the neighbourhoods in a town or village. The totality of the lists from the constituencies gives the national electoral list.

In a subdivision, the general electoral list consists of lists from the various voter registration offices which may become polling stations. Voters' lists are generally permanent. They must be revised before each election. One note that very often, voters do not know the difference between the revision and the thorough review of electoral lists. It is important here to clarify the difference existing between both terms and to inform the voter on where and how to register.

a) Revision and thorough review of voters' registration lists

In the absence of any real sensitization campaign, many people fail to make the crucial distinction between the "thorough review and the revision" of electoral lists.

The period 1 January - 30 April is devoted to the revision of voters' registers.

During this period, only new voters can register. These are persons who have just attained 20 years, changed residence or who had not yet or never registered.

The competent authority is empowered to order a general review of voters' registration lists at any moment (including the period between 1 January and 30 April of the year). In this case, the entire electorate is concerned. Those who already have voter registration cards must re-register in order to take part in upcoming elections.

It is important for persons who can make these differences to sensitize those around them to these concepts whose mastery by the electorate determines the outcome of an election.

b) Where to register ?

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Voters' registers are drawn up in each council, subdivision and district.

Each citizen above 20 years of age and enjoying full civic and political rights must ensure that his name is on the voters' register of his village or the neighbourhood of the town in which he lives or resides.

The registration offices are generally located at the residences of local quarter heads, and their working hours are regularly announced. Information concerning the registration centers of your locality can be easily obtained from the offices of the local sub-divisional officer or District Head.

The voter can register on one voters' register only. A voter who changes his residence for good must take his name off the list of his former place of residence. Moreover, he must register on the voters' list of his new place of residence.

After registration, you are issued with a registration number which indicates the order of your name on the list.

c) How to register

In each registration center, a registration committee is set up and works to a well-defined plan which may be different from that of other centers.

The citizen wishing to register presents his national identity card to registration officials. Legalized political parties must ensure that the registration exercise is done in compliance with the laws in force.

The voter who so desires may consult the electoral lists at the office of the Sub-divisional Officer of his area. Where his name is not found, he has the right to demand its inclusion. However, this claim must be addressed to the administrative authority against a receipt to be used as proof where need be. Such claim can be made at any time, even outside the official period for the revision of electoral lists.

B- CONDITIONS OF ELIGIBILITY

Eligibility is the ability to be elected. This implies fulfilling a series of requirements which vary according to the type of election : legislative, presidential, municipal, and soon, senatorial elections. In this study, we shall mainly focus on the first two types mentioned herein above.

1- Conditions of eligibility for Parliament

To be eligible, one must :

- read and write English or French ;
- be nominated or presented by a political party ;
- declare his candidacy ;
- be 23 full years of age ;
- be of Cameroonian nationality ;
- pay a deposit at the Treasury ;
- Not have been declared ineligible.

2- Conditions of eligibility for the Presidency of the Republic

According to part II (Chapter I) of the amended Constitution, the President of the Republic is elected for a term of office of 7 years. The election system is the one-round direct and universal suffrage. The President of the Republic is eligible for re-election once.

According to section 8 of law n° 92/10 :

- Candidates for the office of President of the Republic must be in full possession of their civic and political rights and must have attained the age of 35 by the date of election.

- They must be Cameroonian citizens by birth ;
- They must show proof of having resided in the national territory to take part in presidential elections.
- They must be registered on an electoral list by the date of polling.

It is therefore very important for every voter, and the nation to take part in presidential elections.

CHAPTER II : VOTING

DEFINITION

What is a vote ?

A vote is the act by which a citizen takes part by opting for a particular orientation, in the choice of his representatives or in decision-making. It is free and sovereign.

It is therefore a civic duty, and also a right bestowed by law on all Cameroonians. It is carried out at fixed intervals (however subject to changes) when the electorate is convened.

A- MEASURES TO BE TAKEN BEFORE VOTING

Before accomplishing the act of voting, the voter must take certain practical measures, satisfy some essential obligations and observe a certain code of conduct.

1- Polling day

Polling starts at 8 : 00 a.m. and ends at 18 : 00 p.m. However, it is advisable to vote as early as possible on polling day.

Feel free to ask questions to members of the polling station. They are at the service of all voters. It is important to note that while they explain the procedure to you, no one has the right to make a choice on behalf of the voter. The voter alone freely chooses his candidate. It is his right and absolute duty. No one has the right to stop him or impose a choice on him. His vote shall be secret and he shall not give account of his voting to anyone.

N.B. : Before setting out to vote, the voter must ensure that :

- He takes his voter's card along with him ;
- He knows the location of his polling station ;
- He takes his national identity card along with him.

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2- At the entrance of the polling station

Very often, the crowd of people lined up in front of the polling station may discourage the unexperienced voter. It is therefore necessary to be patient and stay on the line. Don't shove, because the voter is supposed to be an honest, disciplined and polite citizen.

3- Inside the polling station

Once inside the polling station, the voter presents his identification documents in accordance with the rules and prevailing practice.

Before the procedure starts, the president of the polling station opens the ballot box. He checks in the presence of members of the polling station, delegates of the various candidates or lists of candidates and the voters present to show that the ballot box does not contain any ballots, in short, that it is empty.

The first voters have the right to witness :

- The setting up of election equipment (ballot box, voters' lists, polling booths, ballot papers, dust bin etc) ;
- The presentation of the ballot box in order to ascertain the security and transparency.

4- Behaviour of the voter

The right to vote is one of the attributes of a democratic system. You must enjoy this right because it allows you to freely choose your parliamentarians and President of the Republic. However, it must be underscored that democracy does not only imply rights ; it also implies duties. It therefore has its rules and codes of conduct. Each time we exercise our civic rights, we must always bear in mind that one's freedom ends where our neighbour's begins.

During polling, the voter is called upon to show good citizenship. He must not, in any way, disturb the voting process. He must not enter the polling station with fire arms, alcoholic drinks or objects likely to enhance the chances of his candidate (s). In short, the voter must avoid all acts likely to disturb the polling operations or to compromise the right or freedom to vote.

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Clearly, the aim is to respect others, refrain from shoving and insulting them or provoking fights, ensure good behaviour, exercise tolerance and accept difference of views.

You must vote conscientiously and not allow anybody to influence your choice. You must not influence the choice of others either. Keep your vote secret, it is entirely your business.

B- ACTUAL INDIVIDUAL VOTING PROCESS

Voting is actually done in several phases. It starts from the identification of the voter to the casting of the ballot paper into the ballot box, after the collection of envelopes and the selection of the ballot paper in the booth. During this process, disabled persons may request assistance. At the end of the polling, voters may take part in the vote counting, if they so desire (it is their right).

1- Identification

On entry into the polling station, the voter must show his identification papers in accordance with the rules laid down by the law.

To this end, he shows his voter registration card and ensures that his name appears on the voters' list of the polling station. The voter must also have his national identity card bearing a clear picture of him.

Where the voter encounters difficulties during identification, he must contact the president of his polling station. However, the voter must first of all show his fingers for verification of traces of the indelible ink. This is to show that the voter has not voted elsewhere previously.

2- Obtaining envelopes and ballot papers

The voter himself takes each of the ballot papers of the various candidates and only one envelope. There are as many ballot papers as there are candidates. If there are five candidates, then the voter must take five ballot papers (1 ballot paper per candidate). Consequently, he cannot collect only those of his choice. He must collect the ballot paper of each of the candidates. It should be specified that the voter takes the ballot papers himself. No official of the polling station should give them to him.

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3- Choice of the ballot paper in the booth

After collecting his envelope and all the ballot papers, the voter enters the booth where he must be alone. If there is another voter in the booth, then he must wait for the voter to come out before he enters. It must always be remembered that the vote is secret and personal : no need for witness. It concerns the voter alone. In the polling booth he makes his choice and slips the ballot paper chosen into the envelope.

Nota Bene : *The voter must not insert several ballot papers into the envelope. Only the ballot paper he chooses should be slipped in. It is important to ascertain that the ballot paper put in the envelope is the one chosen. Concerning the other unused ballot papers, the voter should twist them and throw them away. But such unused ballot papers must not be thrown on the floor, pocketed or taken out of the polling station.*

The voter should leave the polling booth only with the envelope containing the ballot paper he has chosen. All the rest should be thrown in a waste paper basket or container provided for that purpose.

4- Putting the ballot paper into the ballot box

After making his choice, the voter moves towards the ballot box usually placed in front of the polling-station president, showing clearly that he is holding only one envelope. He drops the envelope into the ballot box.

One of the polling officials takes the voter' s registration card and writes the date of the election on it. Under the supervision of another official, the voter dips his thumb in the indelible ink and puts its print on his voter registration card.

5- Handicapped and disabled voters

Any voter with a disability which hinders him from slipping the ballot paper into the envelope and then into the ballot box is authorised to seek the help of any person of his choice.

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6- Last voters and voters returning at the closure of the polling station

This category of voters may witness the counting of votes. If they can read, they may be selected as tellers.

It is often necessary to carry a torchlight or a lamp because power failure can occur at any time. Here, vigilance as well as respect of order and discipline are highly recommended. The polling station president can expel from the room any person whose behaviour may be deemed prejudicial to the vote-counting.

C- ELECTION RESULTS

In Cameroon, the law provides for the closure of polling stations at 6 : 00 p.m. Counting of votes follows immediately. The process ends with the official announcement of the results.

1- Vote-counting process

Vote-counting consists in adding up the ballots in order to know the results. It is the operation by which the ballots in the ballot-box are counted. Vote-counting gives the number of voters who voted for each candidate.

There is no break between the closure of polling and the start of vote-counting. Even if they are tired, polling officials must start the counting of the votes immediately after the polling.

2- Factors affecting the counting process

Any election calls for certain qualitative data which have quantitative bearings. What proportion of Cameroon is of voting age (electorate) ? How many people are registered in the voters' registers ? How many actually voted ? How many voters put valid ballot papers into the boxes ? etc. These are the main features of an electoral process, three of which are discussed below :

a) Registered voters

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These are voters whose names appear in the voters' registers and who therefore have the right to vote. However, all those who are registered do not always vote.

b) Voters

These are registered voters who go to the polling station and put an envelope into the ballot box. The difference between registered voters and voters reveals the number of abstentions.

c) Votes cast

This is the total of valid ballot papers which voters put into the ballot box. A ballot paper is valid when it conforms with the prescription of the law on elections.

In Cameroon, the ballot papers described hereunder are considered as null :

- different ballot papers in the same envelope ;
- unprescribed ballot papers or envelopes ;
- envelopes devoid of ballot papers or naked ballot papers, etc.

Ballot papers null and void are not taken into consideration during the counting of votes cast. Only ballot papers which are classified as null and void are considered as valid.

3- Results

Each polling station draws up a report on the results obtained. However, in the case of legislative elections, it is necessary to wait for results from all the polling stations in the division to know the list that has won.

4- The voter and the announcement of results

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The election day and the days which follow are usually sensitive periods in the entire country. The voter must behave as a responsible citizen. It is not advisable to adopt attitudes likely to arouse tensions. If your candidate loses the election, don't dramatize the situation. In case you are convinced that there was fraud or that there were irregularities, file a legal complaint as provided for by the law on elections. Electoral complaints lodged are free of charge.

5- Electoral disputes

There is only one way of contesting election results or sanctioning certain persons for electoral misconduct : The court.

The fact that one has observed electoral irregularities or lost the elections must not lead anyone to rally the militants of his party to street demonstrations or violent action. The expression of one's disapproval must be and can only be done before the court. Violence is not a means of contesting results or denouncing irregularities. The electoral law defines the conditions and procedures to follow as concerns electoral disputes.

CHAPTER III : THE SUFFRAGE

Definition

Suffrage has the same meaning as vote. It is therefore an act by which a citizen takes part, by opting for a particular orientation, in the choice of his representatives or in decision-making.

The concept of suffrage is linked to a series of terms. Hereinunder, we will examine those most commonly used.

A- UNIVERSAL AND LIMITED SUFFRAGE

In limited suffrage, the right to vote is attributed to certain citizens selected on the basis of various criteria. Suffrage may be limited by wealth. In this case, only citizens who are capable of paying a particular tax such as the poll tax are allowed to vote. **This is a voting system based on the poll tax.** Intellectual qualifications may also restrict suffrage. In this case, the citizen is expected to have attained a certain level of education, knowledge and "enlightenment". **This is a voting system based on qualifications.** Race and sex may also limit the extent of suffrage. The human race has moved from limited to universal suffrage.

However, it cannot be honestly said that universal suffrage gives the right to vote to all citizens in a country. Universal suffrage is granted to all citizens who meet certain requirements (age, nationality, mental ability etc).

Therefore, while suffrage is universal in Cameroon, not all Cameroonians can vote ; one must be at least 20 full years on polling day and must enjoy his civic and political rights to qualify as a voter.

The universal nature of the vote here stems from the fact that the right to vote neither depends on wealth, education, race, sex, religion, ethnic group... **"Universal suffrage is therefore a system by which all the citizens of a country have the right to vote, as long as they meet the age and nationality requirements and enjoy their civic and political rights".**

B- DIRECT AND INDIRECT SUFFRAGE

Suffrage is described as direct when the citizens themselves elect their rulers and representatives without any intermediary. This is the case of Cameroon whose constitution stipulates that the President of the Republic and members of parliament shall be elected by the people through direct suffrage.

Indirect suffrage comprises two or more levels of election. Among themselves, citizens elect certain persons who will choose the representatives or the rulers. That is the case in the United States of America. Here, the procedure for the election of the Federal President comprises two phases : first of all, Americans vote "Presidential Electors" in their various federal states known as the "Electoral College". Thereafter, the "Electoral College" elects the President of the Republic.

The Cameroon Constitution of January 1996 provides for this type of indirect suffrage for the election of some senators.

C- SECRET AND OPEN SUFFRAGE

Open or public ballot is one in which the choice made by each voter is known by everybody. Conversely, the secret ballot is organized in such a way as to make the choice of each voter unknown to the authorities as well as the other voters.

The envelopes, polling booths, the absence of signs on the ballot papers all contribute to ensure the secrecy of the vote. The secret nature of the vote guarantees its independence and naturally, its objectivity. The secret ballot is the general rule nowadays. It must be noted that public voting still takes place in some parliamentary procedures in Cameroon.

D- EQUAL AND MULTIPLE SUFFRAGE

Equal suffrage gives each voter the same voting power, hence the formula : "One Man, One Vote".

Unlike the equal suffrage, multiple suffrage gives one or several votes to voters who are said to have a special interest in the running of state affairs (graduates, proprietors, family heads). Cameroon has chosen the equal suffrage, whereby, a poor peasant who has no landed property has an equal vote, of the same weight as that of the biggest land owner in the region. Hawkers and the unemployed should know that their votes have

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the same value as those of the minister or businessman. Even if you live in "Briqueterie" (a Yaoundé shantytown), your vote has the same weight as that of the inhabitant of Bastos (a residential area in Yaoundé).

CHAPTER IV : ELECTION SYSTEMS

Election systems seek to resolve two essential concerns, to wit :

- how should the candidates present their candidatures to the electorate : individually or by lists ?

- how to obtain the results when voting is completed ?

Election systems are specific forms by which voting is done, depending on the number of persons to be elected (single ballot and slate ballot) and the techniques for tallying election results (majority or proportional representation balloting).

A- SINGLE BALLOT AND SLATE BALLOT

1- Presentation

When the election concerns only one seat to be filled, that is, when the aim is to choose a single representative for a constituency, we talk of single ballot, because it involves voting for one person. Members of Parliament can also be elected through a single ballot system. In this case, the national territory is divided into as many constituencies as there are Members of Parliament to be elected.

Voting for several candidates takes place when there are several seats to be filled within one constituency. The candidates may present themselves individually or group themselves into lists, according to their political affinities. In the latter case, we talk of slate ballot system. When there are several candidates to be elected in a constituency and where the voter has to choose between several lists of candidates, the vote is said to be a slate ballot. In Cameroon, parliamentary elections are conducted under the slate ballot system.

2- Advantages and disadvantages

Each election system has its advantages and disadvantages. The single ballot has the advantage of creating ties between the elected candidate and his voters. The voter votes for a candidate he knows and has

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deliberately chosen, this is certainly not the case with the slate ballot system wherein the voter votes for a group of persons.

Nevertheless, the single ballot system can lead to the confrontation of persons rather than that of ideas. The single candidate ballot system is often presented as a "vote for persons" while the list system is a "vote for ideas". In fact, each society has to choose between both systems, depending on its peculiarities and its goals. This remark also applies to the vote-counting which determines the winner (s).

B- MAJORITY VOTE AND PROPORTIONAL REPRESENTATION

1- Majority vote

There is a majority vote when the total number of seats to be filled is given to the candidate or the list of candidates with the highest number of votes. The principle here is simple : " one winner and several losers". The majority vote may be by single ballot or slate ballot system. This election system has two modalities : one-round and two-round majority votes. To better understand these two systems, it is necessary to describe the different types of majorities.

a) The different types of majorities

*** the simple or relative majority**

This is the highest number of votes garnered by one of the candidates in an election without any other considerations . The majority is said to be relative when the elected candidate garners more votes than the rest of the candidates taken individually. It could happen that the total of votes obtained by the other candidates are more than those obtained by the elected in a single majority.

Take for example the case of candidate Paul BIYA during the October 1992 presidential elections, where the total votes obtained by the candidates BELLO BOUBA (UNDP), JONH FRU NDI (SDF) and ADAMOU NDAM NJOYA (CDU) were far above that of the elected candidate

(1, 682, 950 against 1, 185, 466) ¹.

¹ Official results of 23/10/92

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*** Absolute majority**

Absolute majority, for its part, implies that the candidate has garnered more than half of the votes cast.

Here, a common error must be pointed out : absolute majority does not mean the majority of the votes plus one. The existence of odd numbers makes the above formula incorrect. With regard to 9, the majority is 5 and not 5 1/2 as required by such an incorrect formula. A candidate who obtains 5 votes out of 9 is considered elected by absolute majority, even though he has not obtained half of the votes plus one.

*** Special and qualified majority**

In some parliamentary votes, a majority higher than the absolute majority is required : 2/3 or 3/4 majority, etc. In this case, the majority is said to be special or qualified.

b) Modalities of the majority vote

*** Single round majority vote**

In this system, when the seat (s) to be filled is/are automatically allocated to the candidate(s) leading the polls with a relative majority, the election is said to be by "plurality of votes"

***Two- round majority vote.**

In this system, candidates are considered as elected only if they obtain the absolute majority of votes cast in the first round. When the candidates (or list of candidates) do not obtain the absolute majority, the ballot is said to be inconclusive. In the event of an inconclusive ballot, elections go to a second round. Here, a simple majority suffices to be elected.

The French president is elected through a two-round majority single ballot.

2- Proportional representation

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This election system is quite complicated. A practical illustration is required to make its theory clearer.

a) Theoretical presentation of the proportional representation

While a majority vote ensures the victory of a majority, proportional representation allows for the allocation of a number of seats to each list in proportion to the number of votes obtained. Proportional representation therefore automatically implies a list system. This system is aimed at representing all shades of opinion. The number of elected representatives on each list will depend on the number of votes obtained. But then how is the number of elected representatives determined ?

Proportional representation poses technical problems which should be presented broadly. The calculation is done in two stages.

*** Fixed numbers or the electoral quotient**

The first process involves the use of either the electoral quotient method or the fixed number technique.

The fixed number is a pre-determined figure which is the same for the entire country. Each list has as many elected candidates as it obtains the fixed number. The electoral quotient (E Q) is obtained by dividing the number of votes cast by the number of seats to be filled.

$$\text{EQ} = \frac{\text{Number of votes cast}}{\text{Number of seats to be filled}}$$

In the electoral quotient system, the number of elected representatives is determined by the electoral quotient obtained.

Whether it is the system of the electoral quotient or fixed numbers which is chosen, the problem of allotting the leftover seats called "hanging seats" often arises; the first operation does not often permit to allot all the seats.

*** Techniques for allocating leftover seats**

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Each of the above systems has a problem as regards sharing the leftover seats. Should the remaining seats in each constituency be carried to the national scale or should they be shared only within the constituency concerned ?

Where there is a single constituency as was the case during the european elections to the 17 June 1984 in France, the proportional representation is said to be integral. When there are several constituencies, the lists are based on region and representation is said to be approximate.

The transfer of votes consists of adding for each party the total votes used in each constituency. With this method, "integral proportional representation" is achieved. The effect produced by this method is to encourage the multiplication of parties. The integral proportional representation or proportional representation including a nation-wide transfer of votes, is not often used. It would therefore be useful to examine the methods based on distributing the leftover (hanging) seats at the local level, i.e., within each electoral constituency.

After the first allotment system based on the fixed number or electoral quotient, three other methods are used to distribute the leftover seats, namely the proportional representation based on the highest average system and the highest remainder system, and the method of HONDT, a mathematician.

The highest average method

The system consists in adding an imaginary seat to the number of seats won by each list in the previous operation and dividing the number of votes obtained by the list by this number. The list with the highest average therefore wins the leftover (hanging) seat.

The highest remainder method

Using this system, the unutilized votes are added up for each list at the time of calculating the quotient. The list that gets the leftover seat is the one which obtains the highest remaining votes. The same procedure is repeated until all the leftover (hanging) seats are allotted.

The HONDT method

It directly brings out the results of an election carried out through proportional representation. According to this method applied in Belgium,

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Italy and Spain, the highest average is calculated before the allocation of seats won through quotient.

The various votes allocation techniques described hereinabove can only be well understood with practical illustrations.

b) Practical illustration

Hypothesis . In an electoral constituency where citizens have to vote five representatives to fill five seats, 4 parties are competing, and each party has presented one list. The various lists obtain the following :

List A	:	41 000 votes
List B	:	27 000 votes
List C	:	16 000 votes
List D	:	11 000 votes

In accordance with the electoral quotient system, the seats will be allocated as follows :

Following the electoral quotient system, the seats will be allocated as follows. Suppose that the total number of votes is 95 000 and that there are five seats to be filled. In this case, we divide the total number of votes by the number of seats to be filled.

Numerical application :

$$\text{Electoral quotient} \quad 95\,000 : 5 = 19\,000$$

The number of seats per list is obtained by dividing the number of votes amassed by each list by the electoral quotient :

List A	:	41 000 :	19 000 =	2
List B	:	27 000 :	19 000 =	1
List C	:	16 000 :	19 000 =	0
List D	:	11 000 :	19 000 =	0

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This first operation makes it possible to allot 3 of the 5 seats:

*** Allocation of the two leftover seats using the highest average system**

To the seats won by each list, we add an imaginary seat, then we divide the votes obtained by this figure (actual seats + imaginary seats). In our example, we obtain :

List A	:	41 000	:	2	+	1=	13 666
List B	:	27 000	:	1	+	1=	13 500
List C	:	16 000	:	1	+	1=	16 000
List D	:	11 000	:	0	+	1=	11 000

List A has the highest average, and so the seat is allocated to list A. There is 1 seat left, and we repeat the same operation.

List A	:	41 000	:	2	+	1=	13 666
List B	:	27 000	:	1	+	1=	13 500
List C	:	16 000	:	1	+	1=	16 000
List D	:	11 000	:	0	+	1=	11 000

List A has the highest average, and so the seat is allocated to list A.

According to the proportional representation system and using the highest average method, the following results are obtained :

List A	:	3 seats
List B	:	1 seat
List C	:	1 seat
List D	:	0 seat

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*** Allocation of the two "hanging" seats using the highest remainder system**

The working of the system is based on the unused ballots : the calculation of such ballots is done for each list. When the electoral quotient method was applied during the first round of distribution, we obtained the following results :

List A	:	2 seats
List B	:	1 seat
List C	:	0 seat
List D	:	0 seat

Now let us apply the highest remainder method to allot the two leftover seats.

List A	:	41 000	-	(2 x 19 000)	=	3 000
List B	:	27 000	-	(1 x 19 000)	=	8 000
List C	:	16 000	-	(0 x 19 000)	=	16 000
List D	:	11 000	-	(0 x 19 000)	=	11 000

Lists C and D win 1 seat each.

Summary : List A (2 seats) ; List B (1 seat) ; List C (1 seat), and List D (1 seat).

Unlike proportional representation with the highest average, the system of proportional representation with the highest remainder of votes favours small parties. i.e. the lists which obtain the least votes.

***Allocation of seats using the HONDT method**

This is a more direct system of calculating the distribution of seats based on the highest average method. It produces the same results as proportional representation based on the highest average. This system has several steps :

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- Divide the number of ballots obtained by each list by 1, 2, 3, 4, 5... until the number of seats to be filled is attained. In our example, there are five seats to be filled. hence we divide the number obtained by each list by 1, 2, 3, 4 and 5. We have the following :

List A	:41 000	-	20 500	-	13 666	-	10 250	-	8 200
List B	:27 000	-	13 500	-	9 000	-	6 750	-	5 400
List C	:16 000	-	8 000	-	5 333	-	4 000	-	3 200
List D	:11 000	-	5 500	-	3 666	-	2 750	-	2 200

Classify the quotients thus obtained in descending order, until you reach the figure representing the number of seats to be filled i.e 5. In our example, the lowest quotient is called the "common denominator", "dividing figure" or "electoral divisor". Here the fifth quotient is the common denominator. In descending order, we have :

41 000 - 27 000 - 20 500 - 16 000 - 13 666. The common denominator is 13 666.

Each list shall have as many elected candidates as its total votes contain this common denominator. For each list, we divide the votes obtained by the dividing figure (or common denominator).

List A	: 41 000	:	13 666	=	3 seats
List B	: 27 000	:	13 666	=	1 seat
List C	: 16 000	:	13 666	=	1 seat
List D	: 11 000	:	13 666	=	0 seat

The number of seats allotted varies according to the technique used. The following table summarises the number of seats won by each party following the three techniques.

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Lists	Proportional representation highest average	Proportional representation highest remainder	HONDT method
A	3	2	3
B	1	1	1
C	1	1	1
D	0	1	0

This table inspires comments we must make in a general manner on the effects of election systems.

C- MAJORITY BALLOT OR PROPORTIONAL REPRESENTATION

The election system has two functions: ensuring an accurate representation of the electorate and bringing out a coherent ruling majority indispensable in a parliamentary system.

It is with regard to these two functions that the merits and demerits of an election system can be appreciated. We should bear this in mind : making a choice between the majority ballot system and the proportional representation does not mean making a choice between darkness and light; it does not mean making a choice between good and evil. Each system has its advantages and disadvantages. None is perfect or neutral. Each one has more or less an immediate impact on the representation of the competing political forces, the party system and the constitution of majorities. The election system is, first of all, the expression of a political option.

Proportional representation gives each political party a number of representatives commensurate with its electoral weight. It is the most equitable system. Giving small parties the opportunity of being represented, proportional representation tends to increase their number. It is therefore very difficult to constitute working and stable ruling majorities using the proportional representation system. This is a major disadvantage in parliamentary regimes. This disadvantage is not encountered in the majority election system. The majority election system facilitates the formation of coherent and stable ruling majorities.

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While the majority system can be regarded as an efficient system for government action, it has the disadvantage of being unfair, since it gives a wrong opinion through its elimination of a "minority" which, taken as a whole, cannot be a "minority". The various election systems have their advantages and disadvantages which the citizens must strive to know. Do we want stable and coherent ruling majorities at the expense of electoral fairness or do we prefer electoral fairness, regardless of efficiency and stability? Certain countries prefer to avoid this debate and select some aspects of both systems whenever it is possible to do so.

SHORT ELECTION GLOSSARY ²

Abstention : Non-participation in an election or referendum. The number of those who do not participate is obtained by subtracting the number of voters from that of registered voters (abstention = registered voters - voters). Several reasons account for abstentions, such as ignorance , lack of civic spirit, disaffection to institutions ...

Lunatic: Person whose mental faculties are so affected that he cannot be held responsible for acts he commits. Commonly described as mad, a lunatic cannot vote because voting requires some discernment.

Assessor : Official of a polling station who assists the head of the polling station during an election.

Inconclusive ballot: Situation in which no candidate (or list of candidates) obtains the majority in a two-round majority ballot. Here, a second round of election is organised to choose a winner from the two top candidates of the first round. During the 1991, presidential elections in Benin, no candidate obtained half the votes in the first round ; there was an inconclusive ballot. Candidates Nicéphore SOGLO and Mathieu KERKOU who obtained the highest number of votes in the first round had to face each other in a second round.

Ballot paper : Ticket or paper used to cast a vote.

Blank ballot: A ballot which does not express any positive choice (an empty envelope or one containing two opposing ballot papers or a really blank ballot). Blank ballots show a refusal to choose between the competing candidates or lists of candidates. Unlike abstention, blank ballots reflect the

² African Conscience Reference Book.

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civil will to participate in an election. Blank ballots are not considered as votes cast. The Benin electoral code considers them as null and void.

Null and void ballot papers : Ballot papers which do not conform with the prescriptions of the electoral code. Ballot papers null and void are not valid. They are not considered as part of the votes cast. The following are considered as ballot papers null and void :

- envelopes devoid of ballot papers, or naked ballot papers ;
- different ballot papers in the same envelope ;
- torn envelopes or ballot papers or those bearing written marks ;
- partially or totally crossed out ballot papers ;
- unauthorised ballot papers or envelopes.

Polling station : Place where voters go to vote. A polling station is headed by a president. The president is assisted by at least two assessors.

Election campaign : propaganda activities which candidates and parties undertake in order to get voters to vote for them. In Benin, as provided for by the law, election campaigns start 15 days before the elections and end at midnight, on the eve of polling day.

Electoral capacity : Age, residence or aptitudes conditions required in order to have the right to vote. In Benin, one must be at least 18 on polling day, be of Benin nationality, mentally sane and must have not served a prison term.

Voter registration card : Card which shows that a voter is registered on an electoral register. To vote on polling day, one must present the voter registration card at the polling station.

Electoral deposit : Sum of money to be deposited in the public treasury by a candidate for an election. This sum is reimbursed to the candidates or parties which obtain a given percentage of votes. In Benin, the deposit is

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reimbursed only to parties and groups of citizens who obtain at least 10 % of the total votes in the country. The electoral deposit is meant to discourage whimsical candidates.

Electoral constituency : A part of a territory within which an election takes place. The electoral constituency gives a certain number of elected representatives or elected candidates. Cotonou, for instance, is an electoral constituency, it had to elect 9 Members of Parliament to the National Assembly in the 1995 legislative elections.

Electoral disputes : All litigations and offences related to elections conducted.

Electorate : Total number of citizens who have the right to vote in an election.

Vote-counting : Opening of the envelopes, withdrawing the ballot papers and counting the number of votes obtained by each candidate or group of candidates, as well as ballot papers null and void.

Voter : A citizen who has the right to vote.

Election : Method of designation of the citizens representatives or delegates at the local or national level or in the a professional domain. At the National Assembly, parliamentarians are elected in legislative elections. The Head of State is designated in presidential elections.

Electoral college : Total number of voters within a group, a party or a country. It can also be the conditions required to be elected.

Electoral incapacity : Situations which bring about the loss of the right to vote. The lunatic is said to suffer from intellectual incapacity. Moral incapacity occurs when an individual has served a prison term.

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Ineligibility : Situation of a person who does not meet the conditions (age, nationality, quality, place of residence) required to run for an election. For example, a Benin citizen of 24 years is ineligible for legislative elections. To qualify for parliamentary elections, one must be at least 25 years in the year of the election.

Registered voters : Voters whose names appear on the voter's register or roll.

Polling booth : Place or box where the voter puts the ballot of his choice into the envelope without being seen. Polling booths ensure the secret nature of the vote.

Electoral list : Official list or register which contains the names of all the voters in alphabetical order.

Majority : 1- Age fixed by the law, from which one can exercise his civic and political rights. In Benin, the electoral maturity has been established at 18 and civil maturity at 21.

2- Possession of the highest number of votes or elected representatives. A majority is said to be simple or relative when it suffices to have the highest number of votes to be elected. The majority is said to be absolute when more than half the number of votes is required to be elected or get a decision to be voted. When the requirement calls for more than absolute majority, there is qualified or reinforced majority (2/3, 3/4, 4/5...)

Maturity : Age determined by the law at which a citizen can exercise his civic and political rights. In Benin, the electoral maturity has been fixed at 18 and civil maturity at 21 years.

Term of office : The length of time for tenure of an elective function. The term of office of the President of the Republic is 7 years and that of Members of Parliament is 4 years.

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Election systems : Modalities according to which the candidates are voted by the electorate, individually or by the list system (single ballot or slate ballot). It is also the way in which election results are calculated (majority ballot or proportional representation).

Fixed number : In a proportional representation ballot, it is a pre-determined number of votes considered necessary to obtain a seat (to be elected). The law may require, for example, that each list obtains 30 000 votes to have a seat in Parliament.

Ceiling on electoral expenditure : A limit to the total amount of money each candidate may spend during an election campaign.

Polling station president : Person who heads the polling station and ensures the smooth running of an election. He does not take part in the election.

Announcement of results : Official publication of election results.

Electoral quotient : In the proportional representation election system, this represents the number of votes required to have a seat or an elected representative. The electoral quotient is not pre-determined. It varies from one constituency to another. The electoral quotient is obtained by dividing the total number of votes cast by the number of representatives to be elected.

A list has as many elected representatives as the number of votes it obtains contains the electoral quotient.

Vote-counting : Centralisation of results obtained by all the polling stations.

Receptacle : Container in which unused ballot papers are thrown, in the polling place.

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Vote secrecy : The guarantee that the voter can make his choice freely without pressure from the other voters and the authorities. Secrecy is a guarantee to a free vote. It is ensured by the voter entering the polling booth, the putting of the ballot paper into an opaque envelope and the presence of signs on the ballot paper.

Vote : Secret or public voting carried out by dropping into the ballot box ballot papers which are counted later.

Single ballot : A vote for a single candidate. Each ballot paper bears only one name and possibly the name of an alternate candidate. In the list system where the voter is required to vote for several candidates, several names are printed on the ballot paper.

Seats to be filled : Number of representatives to be elected in an electoral constituency. For instance, the Cotonou constituency elects 9 Members of Parliament for the National Assembly. Therefore, there were 9 seats to be filled by the Cotonou constituency in the 1995 legislative elections.

Suffrage : Vote.

Poll tax election system : One must have money or property to vote. It consists in reserving the right to vote to those who can pay a given amount of money (poll tax).

Capacity suffrage : Suffrage reserved for holders of certain qualifications or functions. A certain level of education is required to vote.

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Direct suffrage : Suffrage by which citizens themselves elect their representatives without any intermediaries.

Equal suffrage : Suffrage which gives each voter the same voting power, i.e., one man, one vote.

Indirect suffrage : Suffrage which comprises two or more levels of voting. Here, citizens elect other citizens who in turn elect the representatives.

Multiple suffrage : Suffrage which gives one or several votes to voters who have a special interest in the running of state affairs (graduates, proprietors, family heads, etc...).

Universal suffrage : System in which all the citizens of a country enjoy the right to vote as long as they meet the age and nationality requirements and enjoy their civic and political rights.

Votes cast : The total number of valid ballots dropped by voters into the ballot boxes in an electoral constituency. Their number is equal to the total number of voters minus the total number of blank and void ballots.

Ballot box : Box into which ballot papers are dropped.

Voters : The total number of electors who, while enjoying the right to vote, actually take part in an election. The percentage of voters vis à vis registered voters indicates the degree of participation of citizens in a given election and their interest in it.

Voting : Vote, direct discussions by citizens on a given problem.

Vote : Act by which a citizen takes part, by opting for a particular orientation, in the choice of his representatives or in decision-making.

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Vote by proxy : Procedure by which certain categories of persons participate in the vote through some other person (intermediary) chosen by them.

In Benin, the law allows a voter only one vote by proxy.

CONSCIENCE AFRICAINE

«Conscience Africaine» is the «African Network for Grassroots Democracy». This network was launched in September 1994 in New York by young leaders of 21 African Countries.

«Conscience Africaine - Cameroon» has been existing as an association since 1995.

* *Objectives* : Promote democracy, development and peace in Africa.

* *Activities* :

- 1- Popularize and protect Human Rights ;
- 2- Carry out research and publications in areas related to its objectives ;
- 3- Process and manage training programmes in democratization and civic education;
- 4- Organize forums to compare notes (colloquiums, seminars, conferences...);
- 5- Promote socio-economic development in Africa;
- 6- Resolve intra - and inter - African state conflicts ;
- 7- Set up and manage an African elections watchtower ;
- 8- Establish an information system on democracy in Africa ;

* *Mode of action* : Research - Consultancy - Assistance - Training - Information - Action.

* *Conscience Africaine» structures* :

Congress ; Board of Directors ; General Secretariat.

* *Specialized structures* :

- «Conscience Africaine structures ;
- «Conscience Africaine» elections watchtower;
- «Conscience Africaine» expression and dissemination organ for Human Rights, democracy and peace in Africa.

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