

**ELECTION MANAGEMENT BODIES (EMBS) AND ELECTORAL PROCESS IN
NIGERIA, 1958-2015**

BY

**OBIEZUE, OKECHUKWU P.
2012047003F**

**A Ph.D. DISSERTATION SUBMITTED TO THE DEPARTMENT OF HISTORY AND
INTERNATIONAL STUDIES, FACULTY OF ARTS, NNAMDI AZIKIWE
UNIVERSITY, AWKA, ANAMBRA STATE**

JULY, 2017

TITLE PAGE

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**A Ph.D. DISSERTATION SUBMITTED TO THE DEPARTMENT OF HISTORY &
INTERNATIONAL STUDIES IN PARTIAL FULFILMENT OF THE REQUIREMENTS
FOR THE AWARD OF THE DOCTOR OF PHILOSOPHY DEGREE IN HISTORY &
INTERNATIONAL STUDIES, NNAMDI AZIKIWE UNIVERSITY, AWKA, ANAMBRA
STATE**

JULY, 2017

APPROVAL

This dissertation written by Candidate's name has been examined and approved for the award of postgraduate degree of Doctor of Philosophy from Nnamdi Azikiwe University, Awka.

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CERTIFICATION

I, OKECHUKWU PIUS OBIEZUE, hereby certify that I am responsible for the work submitted in this dissertation and that this is an original work which has not been submitted to this University or any other institution for the award of a degree or a diploma.

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Date

DEDICATION

To the affectionate memory of my dad, Chief Josephat N. Obiezue (Ozodinobu of Nimo)
1923-2014, whose awesome love for education is both a challenge and a sting!

And

To my wife, Onyinye, from whose cup of love I drink to my fill daily.

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ABSTRACT

The task of organising a free, fair and credible election has been, among other things, the main constitutional responsibility of election management bodies in Nigeria between 1958 and 2015. By this important and challenging function, the electoral management bodies have become an institutional platform for the nurturing of democracy in Nigeria. It is, therefore, or at least expectedly deemed to be, an umpire which must demonstrate high moral standard, honesty, neutrality, impartiality, accountability and integrity in their discharge of the responsibilities. Accordingly, they owe to the people of Nigeria the best global practices in every conduct of elections, no more and no less. This study, therefore, seeks to assess the performances of these electoral management bodies between 1958 and 2015 with a view to establishing their score-card against the backdrop of public opinion that they have largely failed. What may have caused or contributed to this? Is there any foreseeable way out? The answer to these critical questions, and indeed many more, forms the thrust of this research. Altogether the study has adopted both the quantitative and qualitative approaches in the interpretation of issues raised. The use of qualitative method for the research is obvious, given the quantum of data and statistics employed. On the other hand, the quantitative approach has been very useful in expressing in elucid language the ideas raised in the study. The role of the military as ‘democracy road-blocks’ also throws light on the emergence of the various election management bodies since 1958. As pointed out in the study, the military gave the various election management bodies most of their names; they established and foisted most of the election management bodies on Nigeria, and are fingered mostly for failed democratic transitions and institutions. Consequently, with one of their arms tied behind their back, most past chairmen of all successive election management bodies – from Mr. Eyo Esua (1958) to Professor Mahmood Yakubu (2015) – it has remained an endless inglorious tale of suppressive interference which has rendered the “independence” of the electoral management bodies to be more apparent in the constitution than real in practice. This challenge, coupled with political pressure from the highest levels, lack of internal democracy among political parties, unrestrained influence of ‘god-fatherism’ and money-politics, have added up to pose a sustained threat to the electoral process in Nigeria. Besides this challenging operating environment, weakness in the internal institutional structure, policy and personnel are also examined to underscore the foundation of the problem that bedevil electioneering in Nigeria since independence. In all, this study posits that the success or failure of electoral process is all-inclusive – involving the electoral management bodies, voters, political parties and their candidates, security agencies, traditional rulers, the media, civil society organisations and such other related stakeholders. The study, therefore, examined the role of these electoral management bodies and the electoral process in Nigeria between 1958 and 2015, and established their score-card against the back drop of public opinion that they have largely failed. The answer, as presented in our concluding chapter, shall open up more question for further research in this highly illuminating political discourse. Be that as it may, this study posits that nearly all successive election management bodies failed to lived up to their public expectations since 1958. There are, however, a few exceptions, especially since 2015 general elections which, as presented in the the study, has heralded a new dawn of rebranded electoral body, at least substantially different from the ones before it.

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LIST OF ACRONYMS/ABBREVIATIONS USED

A	Accord Party
ACN	Action Congress of Nigeria
ADR	Alternative Dispute Resolution
AFIS	Automated Fingerprints Identification System
ANPP	All Nigeria People's Party
APC	All Progressive Congress
APGA	All Progressives Grand Alliance
APO	Assistant Presiding Officer
AU	African Union
BaSED	Basic Security in Election Duties
BPR	Business Process Re-design
BR	Business Rules
CASE	Content Aggregation System for Elections
CBN	Central Bank of Nigeria
CBOs	Community Based Organisations
COREC	Committee on Review of Judgments of Election Cases
CPC	Congress for Progressive Change
CSO	Civil Society Organisation
CSS	Collation Support Secretariat
CVR	Continuous Voter Registration
DDCM	Direct Data Capture Machine

DGD	Democratic Governance for Development
DSS	Department of State Services
EADR	Electoral Alternative Dispute Resolution
e-Collation	Electronic Collation
ECOWAS	Economic Community of West African States
EDL	Election Day Logistics
EDP	Election Procurement
EDS	Election Day Support
EDT	Election Day Training
EMB	Election Management Body
EMS	Election Management System
EOs	Electoral Officers
EOSC	Electoral Operations Support Centre
EPP	Election Project Plan
ERM	Electoral Risk Management
ERMT	Electoral Risk Management Tools
ESM	Election Staff Management
e-TRAC	Election Transparency in Results Administration and Collation
EU	European Union
EUEOM	European Union Election Observation Mission
e-VOTING	Electronic Voting
EVR	Electronic Voter's Register
FEDECO	Federal Electoral Commission

FRCN	Federal Radio Corporation of Nigeria
FRESH	Fresh Democratic Party
FTIs	Federal Tertiary Institutions
GDC	Graphic Design Centre
GIS	Geographic Information System
HDP	Hope Democratic Party
HOD	Head of Department
HQ	Headquarters
ICCC	INEC Citizens Contact Centre
ICCES	Inter-Agency Consultative Committee on Election Security
ICT	Information Communications Technology
I-IDEA	International Institute for Democracy and Electoral Assistance
IDPs	Internally Displaced Persons
IFES	International Foundation for Electoral Systems
INCC	INEC National Collation Centre
INEC	Independent National Electoral Commission
IPAC	Inter-Party Advisory Council
IRI	International Republican Institute
JTF	Joint Task Force
LGA	Local Government Area
LGCO	Local Government Collation Officer
LP	Labour Party
MoU	Memorandum of Understanding

NASS	National Assembly
NC	North Central
NCC	National Collation Centre
NCS	National Collation Secretariat
NDI	National Democratic Institute
NDLEA	National Drug Law Enforcement Agency
NE	North East
NGOs	Non-Governmental Organisations
NICVEP	National Inter-agency Consultative Committee on Voter Education and Publicity
NNPC	Nigerian National Petroleum Corporation
NOA	National Orientation Agency
NSCDC	Nigerian Security and Civil Defence Corps
NTA	Nigeria Television Authority
NULGE	National Union of Local Government Employees
NECON	National Electoral Commission of Nigeria
NEC	Nigeria Electoral Commission
NURTW	National Union of Road Transport Workers
NW	North West
NYSC	National Youth Service Corps
OGBC	Ogun State Broadcasting Corporation
OGTV	Ogun State Television
OSGOF	Office of Surveyor-General of the Federation

PBA	Principal Business Areas
PDM	Peoples Democratic Movement
PDP	Peoples Democratic Party
PECC	Presidential Election Collation Committee
PIR	Policy/Planning Implementation and Review
PLAC	Policy and Legal Advocacy Centre
PLWDs	People Living with Disabilities
PO	Presiding Officer
PPA	Progressive People’s Alliance
PPM	Political Party and Candidate Management
PU _s	Polling Units
PVC	Permanent Voter Cards
PwC	PricewaterhouseCoopers
RA	Registration Area
RAC	Registration Area Centre
REC	Resident Electoral Commissioner
REMOBS	Re-modified Open-secret Ballot System
RERC	Registration and Election Review Committee
SCOPE	State Collation Officer for Presidential Election
SCR _s	Smart Card Readers
SDP	Social Democratic Party
SHA	State House of Assembly
SICVEP	State Inter-agency Committee on Voter Education and Publicity

SE	South-East
SPO	Supervisory Presiding Officer
SS	South-South
SSFTIs	Staff and Students of other Federal Tertiary Institutions
SUPAR	Supervisory Presiding Officers Accreditation Record
SUPER-RACs	Super Registration Area Centers
SW	South-West
TCEPP	Technical Committee on Election Project Plan
TEI	The Electoral Institute
TMG	Transition Monitoring Group
ToT	Training of Trainers
TVC	Temporary Voter Card
UI	University of Ibadan
UNDP	United Nations Development Programme
VE	Voter Education
VoIP	Voice over Internet Protocol
VP	Voting Point
YIAGA	Youth Initiative for Advocacy, Growth and Advancement

CHAPTER ONE

INTRODUCTION

Background to the Study

The establishment of the Electoral Commission of Nigeria (ECN) by the British colonialists in 1958 marked the inception of election management bodies (EMBs) in Nigeria's electoral history.¹ From the Electoral Commission of Nigeria (ECN) to the Federal Electoral Commission (FEC), Federal Electoral Commission (FEC), National Electoral Commission (NEC) to National Electoral Commission of Nigeria (NECON), and finally Independent National Electoral Commission (INEC), it has been seemingly like the proverbial old wine in a new bottle.

As contained in the mission statement of the current Independent National Electoral Commission, (INEC)² all the previous electoral commissions were at their different times, empowered to:

1. educate Nigerian citizens about democracy and the election process
2. provide for voter registration
3. compile a credible voters' register
4. demarcate constituency boundaries
5. organise and conduct credible elections
6. monitor the conduct of political parties
7. audit the finances of political parties, and
8. promote an enduring democratic culture in Nigeria.

The various successive election management bodies were all mandated to be respectable and credible institution, a dynamic and formidable organisation, an anchor for democracy, and a

major force in the continuation and furtherance of democracy in Nigeria and even in the whole of Africa. More importantly, the various bodies are mandated to demonstrate high moral standard, honesty, accountability and integrity in their discharge of the responsibilities bestowed on them by the relevant constitutional provisions and the electoral laws and regulations.

This study, therefore, seeks to evaluate the overall performances of these various electoral bodies since 1958 with a view to establishing their score-cards against the backdrop of some public opinion that they have largely failed or have compromised in the course of carrying out all of the above outlined functions. Many have argued³ that the electoral commissions of the past were miles away from being the dream institution that people can trust, or that would create a level playing field for all positive political and democratic activities; and that can also provide the highest quality election services to the people of Nigeria. According to Fidelis Onyedikam, the failure of past electoral commissions to deliver "credible elections" was part of the main reasons for some of the military interventions in Nigeria's history.⁴ From the democracy timeline in Nigeria, it could be concluded that the military ruled the nation far more than the civilians; the military gave the various electoral commissions most of their names; the military were responsible for not allowing democracy mature; and the military were also fingered mostly for failed democratic transitions and institutions. Owing to this impact, this study has also assessed the role of the military throughout the intervening periods. Politics in Nigeria is littered with retired military officers and their civilian accomplices in the wreck of the nation. It may, therefore, be deduced that where the past electoral commissions have failed to carry out proper appraisals of the election activities with the view to improving on them, the political class and other stakeholders to the elections continue to appraise and improve on their rigging technology.

This study reveals that the challenge of achieving free, fair and credible elections is, therefore, not the task of the EMBs alone, but include those of every stakeholder in the elections - the political parties, political actors, voters, security agents, civil society organisations, the mass media, the National Assembly as well as the federal, state and local governments and traditional rulers, who have very important roles to play in this regard and whose collective resolve and determination were needed for Nigeria to achieve the level of stability and credibility in elections that would be the envy of all.

Drawing from varied post electoral reports, Fidelis Onyedikam further argued that; most past chairmen of all the successive EMBs faced similar challenges, ranging from inadequate financial support and autonomy to suppressive interference and political pressure from the highest levels.⁵ Yet, he queries rhetorically, they were expected to perform miracles for the nation where incorruptible judges and honest politicians are yet unborn. Against this backdrop, this study examines the operating environment of the various electoral bodies, especially the extent of their bogus autonomy from high places who are bent on thwarting the efforts of the electoral commissions to deliver clean and credible contests.

The trend of multi-party elections in Nigeria as seen for the 1958 and 1979 elections, which were largely free, but not without violence and allegations of inflated voters register respectively, shows a polarisation of election outcomes along the line of ethnicity and religion, low turnout or no clear winner because voters lined up behind the dominant regional political party with an acceptable local ethnic leader. Some have maintained⁶ that the 1965 election became worse than that of 1964; 1983 worse than 1979; and 2007 worst than 2003, as incumbents tried to hang onto power, thereby intensifying their rigging “technology”, pressurised the electoral commissions, and party activities stirred up pre-or-post-election

violence, including killing, arson and other forms of intimidation. All political parties were guilty of attempting to win at all cost, and committed similar offences in areas where they had already influenced. However, these elections were biased towards the incumbents who had more influence and tried to control the electoral commissions and influenced the voters with money-bags donated by corporate entities and corrupt politicians – in an apparent violation of the Company and Allied Matters Act 1990 (excluding pre-1990 elections), which prohibited companies from contributing funds to political parties and receiving same from abroad.⁷ Notable in this alleged brazen abuse includes the defunct National Party of Nigeria (NPN), and also the current Peoples' Democratic Party (PDP) whose member and former Petroleum Minister, Diezani Allison- Madueke is allegedly implicated in over 20 billion naira electoral fraud in the last 2015 presidential election.⁸

In all, this study reveals that the constitutional backing enjoyed by the successive EMBs and their policy statement contains enough impetus to warrant good contest in the event where the general public are in a good frame of mind to support the efforts of the electoral bodies, the sitting government can guarantee the EMBs political and financial autonomy and the judiciary would be the home for those seeking justice and equity, by extension an impartial interpreter of the Constitution. In addition, this situation may only be possible where selfish sponsorship and god-fatherism could be prevented. The hunger among Nigerians and the international community, alike, to see a truly credible election take place in Africa's most populous and one of the continent's strategically influential countries may yet be the driving force that will take the country into a new political height.

Statement of Problem

Notwithstanding the various conferences, seminars, workshops and symposia, already held, there has hardly been any structured up-to-date and concise publication on the Election Management Bodies (EMBs) in Nigeria. Apart from the eye-witness accounts usually pieced together by selected local and international observer groups, the extant information or records available to the public to assess the performances of an election in Nigeria is merely the print, electronic or social media (notably radio commentaries, internet and newspapers), which are themselves riddled ostensibly with inherent subjectivity and wild romanticism of issues. To this extent, the present study has depended largely on pieces of scattered secondary sources unavoidably enriched with covert primordial biases. Yet, so much has happened between 1960¹ when democracy in Africa was at its very nascent phase, and exacerbated by the prevailing cold war politics, and 2015 when Nigeria, for example, may be said to have institutionalised a formidable election management body that stands out to this day.⁹

Over the years, there appears to have been criticisms against the election management bodies in Nigeria as regards their performances. For purposes of clarity in this study, we can situate the critics into two groups- those who insinuate that the bodies have not been meeting up with their set objectives, and those who argue that the goings - on in the government circles and some covert unseen hands have never allowed the EMBs to operate as optimally as they should. We may further add a third group who are of the opinion that the EMBs in Nigeria operate satisfactorily. In their view, this last group maintains that it is the Nigerian media that sell fabricated and distorted information to the public to satisfy their proprietorship or other sectional interests. Despite all such divergent views, elections have continued to come and go, and leaders have also continued to emerge in Nigeria through the actions and/or inactions of the EMBs.

Those who have genuine reasons to feel aggrieved by any declaration(s) of finality in an election have resorted to constituted post-election tribunals for redress.

Notwithstanding the arguments for and against as presented in the foregoing paragraph, there has arisen the need for an objective assessment of the performance of EMBs in Nigeria since its inception in 1958. Yes, the need has become more obvious since, apart from tidbits, there has not been any significant compendium (especially from historical perspective) on Nigeria's EMBs. It is this situation that underscores the need to undertake a study on the country's EMBs. The research is therefore embarked on with the following questions in mind.

- i. what really informed the establishment of EMBs in Nigeria?
- ii. do the EMBs live up to the people's expectations in Nigeria?
- iii. what are the people's expectations of the EMBs in Nigeria?
- iv. has anything gone wrong and where?; and
- v. what are the criteria for assessing the performance of the EMBs?

Purpose of the Study

The general objective of this study is to evaluate the performance of Election Management Bodies (EMBs) during the democratic dispensations and within the intervening military interregnums in Nigeria with a view to determining whether they were efficient or not. In the process of achieving the foregoing, the study is specifically, intended to, among other things:

1. find out if the Election Management Bodies in Nigeria between 1958 and 2015 have lived up to their statutory responsibility and public expectations;
2. ascertain if the EMBs worked or operated within the purview of acceptable international best practices; and

3. proffer or recommend standards with a view to shaping or re-shaping people's attitude to EMBs and electioneering in Nigeria.

Significance of the Study

The academic utility of this research is, therefore, justified, first in providing an insightful documentation of all historical trajectories in the evolution of election management bodies in Nigeria between 1958 and 2015, and secondly, in presenting a critical assessment of the role, relevance and rating of these various EMBs in the Nigeria's electoral process. Besides, being an academic work on contemporary socio-political issue, whatever is presented here as an answer shall naturally open another vista for further debate or research, which ultimately would translate to improved electoral process in Nigeria. The onus lies, therefore, in this study championing or igniting such debate by critically presenting to the reading public what should be known, what has not or ever been revealed, and what ought to be done about all the successive EMBs in Nigeria between 1958 and 2015.

All over the world, democracy is being popularised as the preferred system of government.¹⁰ Democracy is about choices expressed through elections where eligible citizens choose their leaders through the ballot box, rather than through the barrel of the gun, to represent them in governance. In Nigeria, the conduct of credible elections acceptable to the generality of the people and relevant stakeholders has, according to Adelani Asade, become a great challenge to election managers since 1960.¹¹ Beyond the need to harp on the centrality of democracy to good governance, this study x-rays some critical challenges facing election managers in Nigeria and probable solutions for future internationally acceptable electoral standard and best practices.

Man, according to Aristotle, is by nature a "political being".¹² This explains why both Aristotle and Aquinas maintained that "the human society is the flowering of human nature".¹³ The implication is that man is naturally meant to live in a society.

In all, the solutions and recommendations as may be proffered in the study intended not only to equip election managers in future conduct of free, fair and credible elections, but may also serve as a yardstick in an assessment of globally acceptable best practices. Beyond that, too, this study would help EMBs to know how the society views and values their performances and to keep their improvements more dynamic and trendy in this fast changing world of democracy.

Scope of the Study

The scope of this study has been considered from the points of view of geographical setting and time span. This study is primarily anchored on an assessment of the performance of the Election Management Bodies in Nigeria as to whether they lived up to expectations in the discharge of their statutory role.

Since the focus of this study is on Election Management Bodies, it is natural that we identify Nigeria as a major player in both political and electioneering in Africa. In spite of her chequered history, Nigeria is perceived to have made considerable progress in democratic practice since her independence in 1960. Military rule, which stretched for most of Nigeria's post-independence period has had tremendous impact and setback on the growth and development of democratic institutions. Nigeria now rises to new rays of hope democratically.

The time span of 1958-2015 has been chosen for the study. The choice of 1958 is predicated on the fact that that was the year the first colonially contrived EMB was set up in Nigeria. The establishment of the Electoral Commission of Nigeria (ECN) by the British colonial government in 1958 marked a water shed in the annals of Nigeria's electoral history. Mr. R.E.

Wraith, a Senior Lecturer at the University College Ibadan was the Chairman of the Commission. The body conducted and supervised the pre-independence general elections that ushered in the Nigerian First Republic.

In the same vein, 2015 is remarkable for its road-map to the current democratic journey in Nigeria. The 2015 general election for which the EMBs performance may be accurately assessed remains a remarkable improvement in the history of elections in the country.

Methodology

In design, procedures, instrumentation, data collection and analysis, this is a scholarly historical research targeted at Election Management Bodies and electoral process in Nigeria between 1958 and 2015. Their cumulative impact in managing or damaging the evolving democracy in Africa's most populated black nation demands intense study. To be able to actualise this objective, the study has adopted both the quantitative and qualitative approaches. The quantitative approach is adopted due to the quantum of data and figures used, while the qualitative method is employed so as to clearly express the ideas raised in this study in the most simple and lucid language.

The source materials used were largely derived from numerous published works, local and foreign election observers' reports, social, print and electronic media, conferences and symposia papers. Besides this largely unstructured secondary source, we also carried out a very robust interview that traversed all ethnic, religious, and occupational boundaries towards adequately enriching our tools for this research, and ultimately equip our knowledge thereof.

Theoretical Framework

In view of the fact that this study is contemporary in nature, it may not be comprehensively tackled without some references to extant political postulations or theories.

Accordingly, we shall consider the theories of both John Locke and Kwame Nkrumah from the plethora of classical and modern political thoughts, because of their implicit relevance to our discussion in this study.

Let us begin with John Locke (1632-1204), an English philosopher and politician born in Somerset, United Kingdom. Locke's political ideas are contained in the *Two Treatises of Government*.¹⁴ The *Treatises* are an attempt to tell the world that the rule of William III of England was based on the consent of the people¹⁵. He demolishes at great length the Biblical arguments in favour of absolute royal sovereignty. In the second and more famous part of his work, Locke set out to define "the true original, extent and end of government".¹⁶ Of all his postulation, the main thrust of Locke's political thought from where this study draw its theoretical premise lies in his *social contract* and *consent* of the people through voting or legislation, arising from the state of nature in which man finds himself.¹⁷

State of nature, according to Locke, was a period when men lived together according to reasonable manner. They used their reason to discover the laws of nature and having discovered the laws of nature, they lived according to them. The laws of nature, according to Locke, were given by God and could be ascertained by reason.

Man and Locke's state of nature obey the law of inward morality. Men in this state, as Osmond Oboke argues, are impelled by their nature to treat others as an end, never as a means only.¹⁸ However, because some men will set aside rules of morality in pursuance of their self-interests, in the absence of any established authority in the state of nature, it becomes very difficult to deal with such offenders, and if men become judges of their own cases, justice would not be secured. As a result, the state of nature proves to be an inconvenience. In order to rectify

this defect, Locke further argues, men “abandon the state of nature and enter into civil or political society by means of contract”.¹⁹

According to Locke, the foregoing condition is why we create government in the first place, for “the great and chief end of preserving and protecting private property”.²⁰ Government, thus, is just and fair as long as it fulfils its primary obligation of protection through laws, courts and, when necessary, military action. In return, government could expect obedience of its citizenry. Through voting or legislation, citizens then select political officers to execute and apply laws that society imposes on itself. Thus, by this social contract, according to Locke, sovereignty lies with the citizens who select an authority unto and for themselves, not on the monarch.²¹

It is against this backdrop that Locke’s political view has provided profound and persuasive formulation of the civic culture which a sound electoral process in Nigeria is hoped to achieve. Any free, fair and credible electoral administration in Nigeria is, therefore, expected to aggregate the overall consent of millions of Nigerians. Such consent is willingly surrendered to the state through an elected authority. This means, according to Locke, that in so far as the state protects and preserves the sanctity of the people’s consent, obedience to its established laws becomes inevitable.

The argument above replicates in our position for Nigeria in this study. If the state does its part of the obligation satisfactorily to the Nigerian citizens (without “pursuance of their self interests” as Locke puts it),²² the citizens would liberally submit their own responsibility to the state, which is obedience to the established laws. In this way, there would be no more rancour. Besides, the bye-product of this hilarious political idealism of John Locke lies in good

governance, a good electoral process and, ultimately good score-card for the embattled electoral management bodies.

Let us, at this juncture, consider the theoretical stand-point of Kwame Nkrumah for our better understanding of this argument. Born on 21 September, 1909, at Nkrofu, in what was then the British-ruled Gold Coast, now South-Western Ghana, Kwame Nkrumah theorised on the necessity for freedom in his *I Speak of Freedom*.²³ It is his conviction that all peoples wish to be freed and the desire for freedom is rooted in the soul of everyone. A classical contribution of Nkrumah to African political thought and practice is, however, his work *Neo-Colonialism: The Last Stage of Imperialism*.²⁴ Axiomatically speaking, he reveals that colonial powers do not willingly retire from political control over any given land. He maintains that before they go they make super-human efforts to create schisms and rivalries, which they hope to exploit after they have gone. This, he notes, they did in India, with its division into two separate parts with the consequences of religious feuding; the rifts in Burma, Ceylon, the Cameroons, Vietnam, the breaking down of French West Africa and French Equatorial Africa into separate states of the French community, the federal division of Nigeria into three regions- the policy of divide and rule.²⁵

Notwithstanding that Nkrumah was principally writing on freedom and dream of a 'United States of Africa', freed from colonial and neo-colonial grip- the impact of his political theory on the growth and development of democracy in Africa cannot be overemphasised, especially in Nigeria, where his opinion has remained so influential to the extent that the post-graduate hall of residence of the University of Nigeria at Nsukka bears his name.²⁶ Both Nkrumah and John Locke agree that once government regress into tyranny, people are apt to become lethargic; their senses dulled. Fear, according to Nkrumah, becomes the dominant force

in their lives; fear of breaking the law, fear of the punitive measures which might result from unsuccessful attempt to break loose from their shackles. As captured by C.C. Mbah in his Political Theory and Methodology:

the essential forger of the political revolution is a strong, well-organised broad based political party knit together by a programme that is accepted by all members who also submit themselves to the party's discipline. How true this assertion hold for both the political parties and politicians in Nigeria still remains debatable.²⁷

Be that as it may, of all of Nkrumah's brilliant postulations, his thought on freedom, justice and equality for all men-Black or White, Igbo or Hausa, Ijaw or Ijebu and so forth – presents the greatest ingredient for development of liberal democracy. This study, therefore, collaborates Nkrumah's political thought that colonialism sowed the seed for ethnic politics with its attendant divisive 'statism' in Nigeria. This has remained a huge challenge to both the electoral process and nation-building since Nigeria's political independence.

In conclusion, we are adopting for this study, the theory of John Locke mainly for its universal relevance and application to the concept of social contract and consent of the people. Also, Nkrumah's emphasis on freedom of both democratic election of leadership and rejection of all forms of exploitation- presents a veritable outcome to what electoral process should really be in practice. These two postulations therefore offers us sound theoretical prism in this study.

Conceptual Clarifications

This study, as indeed any distinct academic research, is replete with some concepts whose usage and application require concise clarification. For this reason, we shall as hereunder define our use of such terms as: politics, military class, political parties, delineation/ delimitation, open ballot system (MOBS), Option A4 and Rigging.

The Greeks understood “*Politics*” in a very broad sense.²⁸ According to Rodee Anderson and Christol Greene, the word itself comes from the Greek word for “city states” (*polis*), and Aristotle (384-322 B.C) began his famous *Politics* with the observation that “man is by nature a political animal”.²⁹ By this, he meant that the essence of social existence is politics and that two or more men interacting with another are invariably involved in political relationship. Governments are the formal institution of politics. It follows therefore that where there is government, there is politics. Again, where there is politics there is power, unequally distributed. It is probably against this backdrop, that *The New International Webster’s Dictionary*³⁰ defines politics as the science of civil government. It also defines political party as a body of persons united for some common purpose. The *Encyclopedia of Capitalism* similarly defines the concept as a group of people united in a cause, opinion, etc, especially on a national basis³¹. A political party may be described in terms of the purpose for which it was organized, the character of its membership, its structure, or the functions it performs. The English statesman Edmund Burke thought of a political party as a group of men who had agreed upon a principle by which the national interest might be served. Leon D. Epstein, in his *Political Parties in Western Democracies*³² defines a party as an organized group of individuals seeking to seize the power of government in order to enjoy the benefits to be derived from such control. A political party has also been characterised as a coalition of group interests representing a segment of the social community. One of the most general and also flexible definitions of a party in a Western democratic nation, according to Rodee Anderson and Christol Greene, is that offered by Leon D. Epstein: “any group, however loosely organised, seeking to elect governmental office- holders under a given label”.³³

On the other hand, the military class is used here to identify members of the armed forces. In Olusegun Obasanjo's *The Animal Called Man*³⁴ military class was extensively used to describe the only three categories of the "disciplined, well-trained and professional Nigerian armed forces" which are: army, navy and air-force. In contrast, the concept is used here to broadly apply to and include all of the three identified categories as well as members of the para-military forces-police, immigration and prison officials.

Furthermore, *The New Encyclopedia Britannica*³⁵ defines delineation (or delineate) as "to draw in outline; trace out- to portray pictorially or to describe verbally". Delimitation (or delimit) is also defined in the same *New Encyclopedia Britannica* to mean (determine the limits or boundary of something)". In his *Dictionary of Nigeria Government*, Aby Gheorghe, explains delimitation as:

*Process by which a state or local legislative redraws the boundary lines of districts within a state for voting purposes. It is made possible by population changes which increase or reduce the number of state representatives or the number of law makers to be elected to the state or local legislative. Delimitation can sometimes result in the abuse called gerrymander.*³⁶

Similarly, Gheorghe defines delimitation as the process of dividing a country into constituencies for purposes of electing the people's representatives.³⁷ In practice, both delineation and delimitation are used by the election management body in numerical re-distribution of seats in the House of Representatives after each national census to give more equitable representation to heavily populated areas of the country.

Rigging, in Abdulhamid Ujo's words, refers to fraudulent control or manipulation of electoral process in any form.³⁸ His opinion appears to have been shared by David L. Sills, who edited the *International Encyclopedia of the Social Sciences*.³⁹ In the book, Sills defines rigging

to mean fraudulent manipulation of electoral outcome by raising or lowering standards without regard to established guidelines or rule.

In the same vein, Open Ballot System, according to Abdulhamid Ujo, is a simple visiting procedure that is done in the open rather than in secrecy.⁴⁰ In this sense, the open ballot implies that only registered voters in a given registration exercise and whose names appeared in the voters register are eligible to vote in the open rather than in secrecy during an election. Such voters must not only have voter cards but should also be accredited before they are allowed to vote. The thinking of the election management bodies in the adoption of open ballot system is, rightly or wrongly, that it will not be possible to squeeze human beings into the ballot boxes as fake ballot papers were squeezed into the ballot boxes when voting was done through the secret ballot system.

The Modified Open Ballot System (MOBS), according to Humphery Nwosu in his book *Laying the Foundation for Nigeria's Democracy*,⁴¹ is an improvement on the open ballot system. It combines the element of secrecy and the open ballot. In Nwosu's illustration, this system enables the individual voter to thumbprint or mark his ballot paper in secrecy and thereafter cast their vote in the open glare of all in the polling station.

The Option A4, in Nwosu's further explanation, is a process whereby the presidential candidate of a political party emerges from a stage-by-stage contest, which involves the principle of elimination. The process recognises four stages the ward, the local government areas, the state and the nation, with all the winning aspirants proceeding progressively from one stage to the next one until every aspirant except one is eliminated. Nwosu notes that this is a non-conventional mode of selecting a presidential candidate.

Literature Review

The growth of election management bodies in Nigeria since 1958 has been serially unprecedented. In the same vein, studies and researches on this very important democratic institutional body has continued to widen through a plethora of publications - published and unpublished - conferences, seminars, symposia and workshops. However, as pointed out earlier in the study, adequate has not been paid to relation to presenting a structured compendium on EMB, particularly from the angle of academic history.

The foregoing observation notwithstanding, it is on record that a number of scholars have contributed useful published works, howbeit, in compressed form to this aspect of Nigerian national life. Abduhamid A. Ujo, for example, has written extensively on both election and democracy in his several publications, *'Democracy and Politics'*⁴² *'Comparative Politics'*,⁴³ *'Understanding the 1998-1999 Elections in Nigeria'*,⁴⁴ *'Understanding Elections'*⁴⁵ and *'Methods and Theories of Political Inquiry'*.⁴⁶ These works are good in their own right, but substantially limited in providing any answer to the efficiency or otherwise of EMBs in Nigeria. The author systematically dwelt on his chosen areas, notably on "how" credible elections could be achieved rather than presenting a holistic evaluation of the various election management bodies with a view to possibly establishing on why they have either failed or succeeded in meeting the electorates' expectation since 1958.

In his study, *Contemporary Democracies*,⁴⁷ G. Bingham Powell Jr., dwells mainly in participation, stability and violence in the electoral process. Of note, he provides a succinct answer on why some democracies succeed while others failed. In seeking an answer to this classic problem, G. Bingham Powell Jr; examines the record of voter participation, government stability, and violence in 29 democracies during the 1960s and 1970s. The most distinguishing

feature of the book is the treatment of the role of political parties in mobilising citizens and containing violence. Illuminating and creative as the work appears, it still lacks sufficient information on EMBs, which is the subject of the present study.

The *Nigerian Socio-Political Development: Issues and Problems* jointly edited by Ngozi Ojiakor and G.C. Unachukwu⁴⁸ is also a relevant literature for this study. The work draws a closer insight into Nigerian history, culture, values, norms and political development. Although the editors, together with their resourceful contributors, elaborately x-ray Nigeria's social problems, the publication cannot pride itself as any authority on election management bodies performance evaluation nor detailed political information given. Similarly, in her book *Social and Political History of Nigeria, 1970-2006*, Ngozi Ojiakor⁴⁹ provides an up to date study of the Nigerian contemporary history, from the General Yakubu Gowon era and terminates with President Olusegun Obasanjo. The discourse analyses topical issues such as democracy, military regime and civilian administration since 1970, without paying any attention to the EMB, even as a sub-heading.

In his own contribution, Onyedikam Fidelis Chukwuemeka's *Echoes of Challenging Times in Nigerian Politics*⁵⁰ is a journalistic project that takes a hard look back at the beginning of a nightmarish journey of self-determination from pre-independence till date, and investigates the causes of fraudulent elections in Nigeria and their effects. It searches for routes that may lead to credible elections and draws conclusions that appear profoundly relevant to modern democracies. His un-abridged reports and assemblage of data make his work outstanding. However, he dwells more extensively on the rural people as a bedrock of the electorate rather than the vast elite class and urban migrants.

To Adelani Asade, in his *Managing Elections in Nigeria*⁵¹ the noble role of the election manager should be acknowledged, appreciated and adequately rewarded so as to ensure a motivated workforce fully insulated from the snare of money-bag politicians. Beyond this motivational stand-point, Asade provides enriching information on election management bodies, but mainly focuses on the Jega-led INEC dispensation which merely forms a transient scope of this study.

Finally, *Federalism and Political Restructuring in Nigeria*,⁵² edited by 'Kunle Amuwo, Rotimi Suberu and others remains the first to examine the historical, political, economic and corporative dimensions of attempts by the military to restructure the Nigerian federation. From chapter to chapter, evidence piles up in support of the book's central thesis that autocratic rule is antithetical to the substance of genuine federal practice and that federal restructuring initiated under the tight control of repressive governments cannot but lead to a situation in which federalism is assaulted, abused and abridged, if not dismantled. The work acquaints us with the cataclysmic barbarism of military rule and its serial subterfuge to democratic governance.

In *Democratization in Africa: Nigerian*⁵³ edited by Omo Omoruyi, Ada Okwuosa and others, the authors examine the problems of democratisation in Africa – under what kinds of condition political democracy emerge and survive, how its forms vary, what strategies could be used to further democratisation, whether there are global regularities in the patterns of democratisation and what kinds of theories could be used to explain democratisation. The proceeding contained in the two-volume book emanated from an international conference in 1992 with over 86 countries across the world in attendance. The book successfully encapsulates the vain theoretical, conceptual and practical dimensions and academic viewpoints on the wave of democratisations that swept through the African continent in the 1990s.

Again, Francis Uche Ohale's *Democratic Practice in Nigeria*⁵⁴ is another critical piece in this category. The gap in their stand-point is, however, filled by B.O. Nwabueze in his *'Democratisation'*⁵⁵ According to him, aside from multi-partyism, democratisation, in the fullest sense of the term, requires the society, the economy, politics, the constitution of the state, the electoral system and the practice of government to be democratised; it must also be a society founded upon freedom, justice and the equal treatment of all citizens by the state. The absence or collapse of all these outlined ingredients undoubtedly contributed in part to Adewale Ademoyega's *Why We Struck*⁵⁶ as a vivid account of one of the most historical events in Nigeria.

These studies are by no means exhaustive. Yet, all of them have significantly contributed highly useful insights into the challenges and prospects of EMBs in Nigeria. But it seems that within the array of literatures on EMBs, the main concern of all the studies has been overtly centred on violence, political parties and the military. How has the election management bodies fared since 1958 in Nigeria? Who constitute the various EMBs from the outset and their political cleavages? How does the voting public perceive the EMB today? This study is, therefore, a potent contribution to these varied questions and better scholarly knowledge of the electoral institutions and process.

Organisation of the Study

For an in-depth analysis and better comprehension, this study has been divided into seven chapters, with each topic broadly expanded into several simplified topics. Chapter one, for instance, presents the general introduction of the study.

Other important parts of this opening chapter include background information of the study, statement of problem, purpose of the study, significance of the study, scope of the study, organisation of the study, methodology employed, conceptual clarifications, theoretical

frameworks, literature review. Chapter two examines the evolution of Nigeria and the emergence of Election Management Bodies (EMBs). This chapter is further broken into four subsisting titles for a better analysis.

Chapter three presents the constitutional and legal framework of Election Management Bodies, where and how they derive their operating powers. This chapter is broken into sub-themes such as legislation and statutory functions, critical assessment of all emerging EMBs- ECN, FEC, FEDECO, NEC, NECON, and the INEC, as well as an evaluation of the military as democracy road-block.

Chapter four presents the fundamental attributes of a good election management body; then attempts a psycho-analytical study on mindset of Nigerians on both the purpose and performance of election administration generally. Also, the growing impact of both money politics and electoral violence is assessed in very revealing detail.

Chapter five draws the reader's attention to the important role of election watch-dogs whose function globally is to observe and act on behalf of the public on election standards. These include the domestic and foreign observers, civil society organisations (CSO), the media, and security agents.

Chapter six examines the current trends and reforms that have come to shape today's election administration in Nigeria, especially the increasing impact of technology- the Direct Data Capturing (DDC) machines for voters registration, the Smart Card Readers, and so forth. How far we have embraced the fast changing global electoral standards is extensively discussed in this chapter. Chapter seven draws the study to close with a comprehensive summary, conclusion and some very realistic recommendations for further reading.

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CHAPTER TWO

EVOLUTION OF NIGERIA AND THE ESTABLISHMENT OF POLITICAL PARTIES

This chapter intends to examine how the colonially contrived amalgamation of 1914 and the subsequent balkanisation of 1946 sowed the unhealthy seed of ethnicity and statism in Nigeria. Often the thinking in certain quarters is that these two events would have contributed to the definition of the emerging post-independence politics of the Nigerian state. The task of managing any successful election under this tensed primordial atmosphere added to the herculean task and challenges faced by the newly formed Electoral Commission of Nigeria (E.C.N) in 1958.

Evolution of the Nigerian State

According to G.N.Uzoigwe, if any single document could be said to have laid the foundation for the evolution of the Nigerian state as well as formed the antecedents of Nigerian federalism, it is the *Selborne Report of 1898*.¹ Following the signing of the Niger Convention of 1898, which settled outstanding territorial differences between Britain and France in West Africa, the enormous territory that was already being referred to informally as Nigeria came under the uncontested sphere of British influence. The name Nigeria first appeared in January 1892 as a title to an article written by Miss Flora Shaw, a *London Times* correspondent.² Flora, according to Momah, was the daughter of a British Army General and was very influential within the British colonial circles. She coined the name Nigeria from “Niger – Area”, which consists of a conglomeration of three separate land masses in West Africa under the control of a trading group, the Royal Niger Company (RNC) with Sir George Goldie as its leader. By 1898, except for the Lagos Colony, the Lagos Protectorate, the Niger Coast Protectorate and the Royal Niger Company’s territories, the rest of the country was yet to be effectively occupied.

However, prior to its effective occupation, they formed the West African Frontier Force (WAFF) to be able to revoke the charter of the Royal Niger Company and, most probably, to decide what to do with the new colonial acquisition. While the War Office in London took care of the first assignment and the Treasury carried about the second, the British Prime Minister as well as the Foreign Secretary, the Third Marquis of Salisbury, appointed the Niger Committee of 1898 to deal with the third assignment: what to do with the new colonial acquisition. In this respect, he appointed his son-in-law, the Earl of Selborne, the underSecretary of State for the Colonies chairman of the committee.³

In under four weeks, the committee completed its work and produced what is called today the Selborne Report and made very salient recommendations that formed the prelude of what was to emerge as Nigeria. First, it was recommended that the Lagos Colony, the Niger Coast Protectorate, the Lagos Protectorate, and the Niger Company's territories should eventually be amalgamated "under one head"⁴ to be called a Governor – General who would be resident in Nigeria. Also, for reasons of climate, health and poor communications, the appointment of provincial governors under the superintendence of the Colonial Office in London was also recommended.⁵

Secondly, with respect to the discovered territory, the report stated as follows that the:

*limits and number of the subordinate administration they averred, pandering no doubt to the views of Mc Callum, Goldie and Moore: "we are of the opinion that the Niger cannot form the dividing line; both banks of the Niger must be under one jurisdiction on account of the international questions which will probably arise in connection with the use of the river; and also because if there are different jurisdictions on opposite banks the administration of the criminal and civil law will be more difficult."*⁶

The above was the beginning of the great imbalance in the Nigerian federation that has given rise to deepening socio-political difficulties, divisions, diversities and divergence. A determination made for reasons of international law in the era of imperialism has become an axiom of the Nigerian politics. The Committee proceeded, therefore, to recommend the division of Nigeria into “a Maritime Province and a Sudan Province.”⁷ The Maritime Province, that is, Southern Nigeria was further divided into a Western Province with its capital at Lagos, and with an area similar to that of the existing colony of Lagos; and the Eastern Province with its capital at Asaba including the rest of the Niger Delta.⁸ The implication of this recommendation was that Southern Nigeria west of the Niger (Lagos excluded) and east of the Niger would be under one jurisdiction. The capital of the “Sudan Province”, that is, the present Northern Nigeria, was to be at Lokoja. All the provinces were to be divided into divisions and districts.⁹

Thirdly, the Committee supported the establishment of a West African Frontier Force. But with respect to Nigeria it recommended “that the military force should be strictly interchangeable between them.”¹⁰ It also recommended that the Hausa language should be the *lingua franca* of the Sudan Province, while the Yoruba language should be that of “the Maritime Province of provinces”.¹¹ Each province was to be “retained under the command of a separate commandant”¹²

Fourthly, “a customs union for both the provinces or all three provinces of Nigeria” was recommended.¹³ It was advised “that in the first instance the existing Lagos tariff should be universally adopted”. With respect to “internal ports of entry on the West, North or East”, it was recommended “that the only port of entry should be on the coast and that the customs receipts must be divided according to the budget requirements of the provinces”.¹⁴ This was the beginning of the allocation in Nigeria according to need and since the Sudan Province had no

seaport and could not, therefore, generate any revenue from customs receipts, it was the responsibility of other provinces to sustain it. The policy of the South sustaining the North economically has also become a sacred principle of Nigerian federalism.

Finally, the Committee recommended, on the advice of Goldie, that Sokoto and the Mahadist State of Borno under Rabah should not be over powered “by a general coup de main” but they should be conquered “gradually, each Emir being taken in turn”.¹⁵ This, according to the Committee, “may well wait until the new Governor of the Sudan Province can advise the (the British government) as to the time for making an advance”.¹⁶ The British government on its part accepted the report as highlighted above “without reservations”.

We have painstakingly summarised the recommendations of the Selborne Report because, as Uzoigwe puts it, “it is crucial to the understanding of the subsequent history of Nigeria and contain the root ideas of the political and economic emergence of Nigeria as a nation – state”.¹⁷ Above all, that piece of document as further summarised by Obaro Ikime, is at once the source of Nigeria’s unity and disunity.¹⁸ Previously, names such as Central Sudan or Niger Sudan were used for the area known today as NIGERIA. The name received official recognition on 1st January 1900 by the order of the Royal Colonial Council of Great Britain.¹⁹ Consequently, but for the amalgamation in 1914, the two separate entities (Southern Protectorate and Northern Protectorate) would have become two separate countries. It was during Lugard’s first tour of duty as governor of the Northern Protectorate from 1900 to 1907 that he met and eventually married Miss Flora Shaw. By 1906, he had muted the idea of a possible amalgamation to the Crown Office in London.²⁰

Between 1908 and 1911 Lugard was posted to Singapore as governor. In 1912 he was posted back to Nigeria. But this time he was given the unique appointment as governor of

Northern Protectorate as well as governor of Southern Protectorate, including Lagos Colony. Eventually, with the moral support of his wife, the amalgamation of the Northern and Southern Protectorates was sealed in 1914 by Lugard who remained the governor-general from 1914 to 1919. The economic motive of this exercise was correctly described by Ngozi Ojiakor, to wit: to create a huge trading empire for the purpose of providing raw materials and markets for the British industrialised goods.²¹

It should, therefore, be noted that the word *protectorate* was probably used by the British colonialists because their sole purpose for coming to Africa at the time was to protect their commercial interests within the 1884 Berlin-given sphere of influence. They probably would not have bothered to protect the wishes, rights and privileges of the local people or ensured their security. For instance, the Igbo suffered series of religious and ethnic massacres *cum* cleansing in 1945 in Kano, and in 1953 in Jos. The British in 1929 killed about 50 defenceless Aba women when they protested against heavy taxation on their husbands. Also, the British killed 21 coal miners in Enugu when they protested against low pay and poor working conditions. Lugard must have been prescient to know that his economic integration policy would not translate into any meaningful political and prosperous reality. However, goaded by inordinate ambitions and in attempt to prepare ground for profit maximisation for the British he embarked on the mission. Lugard was reported to have said on the eve of that amalgamation that “the North and South are like oil and water, they will never mix”.²² Obviously, Lugard sealed off the North from the South in keeping with the agreement but in reality, he was doing so, to prevent the South that was very eager for Nigeria’s independence from contacting the unwilling North whom on contact would be convinced to join in the fight for accelerated independence from Britain. The end-result was that the Middle Belt had to be used as a buffer, thereby providing the North with a massive land

area of 730,885 sq. km, which is 79 per cent of Nigeria's land area. This translated to leaving the South with mere 193,347 sq.km or 21% of Nigeria land area. This obvious preponderance of land size and indirectly population to the North have unfortunately given few feudal-oriented northerners the mantra of "born-to-rule," which Sokoto State government actually used sometime as its slogan.²³

Emergence of Political Parties and Party System in Nigeria

In 1922, Sir Hugh Clifford succeeded Sir Lord Frederick Lugard as governor of Nigeria. A fluent speaker and able debater, Clifford abolished the 'dead legislative' council and introduced a new one whose jurisdiction covered the whole of the Southern Nigeria Protectorate. The north was to be governed by proclamations emanating from the governor.²⁴ The introduction of a new constitution in 1922 was significant for many reasons. The new constitution, which remained basically unchanged for 25 years, embodied in it the principle of election. With its elective principle the new constitution stimulated the formation of political organisations in Nigeria. The most important of these organisations was the Nigerian National Democratic Party (NNDP). With the formation of political parties, a more effective vehicle for expressing grievances and aspirations was provided for the people.²⁵

With the rise of Nigeria's first political party, NNDP, organised in Lagos by Herbert Macaulay, and which existed between 1922 and 1945, stronger impetus was added to Clifford's constitution. The restriction of the legislative principle to the south, and particularly to Lagos and Calabar, was rationalised by the colonial power on ground of large concentration of literate people in these towns. Very important, however, about the new constitution was that in responding to social development, the constitutional limitations on political opportunities created the circumstances that were to shape a prominent feature of the Nigerian party system. As could

be seen, the relationship between constitutional and social developments, on the one hand, and the structure of the Nigerian party system, on the other hand, could be traced to 1923. The relatively belated political awakening of the north meant that political parties in the region was slow to organise.²⁶ When they did, their goal and rationale were united in a way in which those of their southern counterparts had not been. In this sense, national power, rather than national emancipation motivated the rise of political parties in the north. On the other hand, the initial drive of the political parties of the south was national emancipation. It was only much later that this was translated into the quest for national power.

But the more enduring feature of the country's party system inherited from the circumstance that prompted the rise of the NNDP was their strong practical commitment to regional or local interest at the same time as they strongly expressed interest in overriding national issues.²⁷ If the Nigerian party system, as it later emerged could trace the regional pivot of its component parties to the NNDP, its tendency to respond to ethnic pressure could be similarly traced to the Nigerian Youth Movement (NYM). Originally, the Lagos Youth Movement (LYM), which in 1939 became the Nigerian Youth Movement, was an open political organisation. It was open in the sense that it attracted to its fold persons from the different Nigerian groups. Ernest Ikoli, an Ijaw by ethnic extraction, was as a visible and active founding member of the movement as were Samuel Akinsanya, J.C. Vaughan and H.O. Davies. The initiation of Nnamdi Azikwe into the movement broadened further its ethnic scope.²⁸ The aspirational aspect of the movement reflected its national membership. The 'Nigerian Youth Charter' erected for the movement the ideal, among others, of bringing together the different ethnic groups in the country in addition to raising their collective awareness. As part of the practical approach towards its objective, the movement established branches in the eastern towns

of Aba, Calabar, and Port Harcourt; in the western towns of Beinin City, Ibadan, Ijebu-Ode and Warri; and in the north in Jos, Kaduna, Kano and Zaria.²⁹

However, the promise of the national front it held forth was never realised. In 1941, the NYM, to all intents and purposes, shed its national character. Nnamdi Azikwe and the other Igbo members of the movement, together with Akinsanya and the Ijebu Yoruba left the movement. Their reason was that the non-Ijebu Yoruba had supported the victorious candidacy of an Ijaw, Ikoli, to the legislative council, over that of Akinsanya. This incident marked as much the coming event of the 'tribalization' of the National Congress of Nigeria and the Cameroons (NCNC), which succeeded the NYM in a nationalist appeal, just as it marked the intra-ethnic disagreements that made the Action Group (AG) that was, formed later the weak party it was despite its superior organisation.³⁰

The NCNC (1946-1966) was formally inaugurated on 26th August, 1946, in Lagos. Some members of the Nigerian Union of Students had prevailed upon Herbert Macaulay and Nnamdi Azikwe to rise to the leadership demand of the dispersed nationalist energies in the country to "weld the heterogeneous masses of Nigeria into one solid bloc".³¹ The national reach of the NCNC was shown in its imaginative spatial links, its comprehensive membership base, the composition of its leadership core, the universal causes it espoused, and in its somewhat mass character.³² Macaulay, the founder of the NNDP, was elected the first president of the party in 1946, and the link with the generation that most members of the NYM felt it was established through Nnamdi Azikwe who became the general secretary of the party. The organisational affiliates of the party linked it with an assortment that included literary groups, social clubs, tribal associations, trade unions and athletic clubs in an imaginative mobilisation scheme. The leadership of its eventual radical core, the Zikist Movement, was multi-ethnic in composition.

The major cultural challenge to the nationalist promises of the NCNC and by extension the Nigerian party system as it had then developed took organisational roots in the formation of the Action Group (AG) in 1951. From the outset, there was probably no room to doubt the biases of the AG (1951-1966). The document that announced the party's birth described it frankly as a "western regional political organization, pure and simple".³³ The fact that AG identified with just a part of the south, the west, was an acknowledgement of the administrative division of the South into the east and west in 1939. But even within the Western Region, the AG consciously cultivated a particular cultural group, the Yoruba, and their less distant kin groups, which excluded Igbo-speakers of the region. Twenty-one of the sixty founding members of the AG were from this minority cultural fringe. In his book, *Path to Nigerian Freedom*, Awolowo had written:

*Nigeria is not a nation. It is a mere geographical expression. There are no 'Nigerians' in the same sense as there are 'Englishmen' or 'French'. The word 'Nigeria' is merely a distinctive appellation to distinguish those who live within the boundaries of Nigeria from those who do not.*³⁴

There appears to be an incontrovertible evidence of the AG's cultural bias in its association with the organisation known as the *Egbe Omo Oduduwa* (sons of the descendants of Oduduwa). The founder of the AG in 1951 was also the founder of the *Egbe Omo Oduduwa* in 1948.³⁵ As an ancestry myth, the *Egbe* was certainly exclusive to the Yoruba. Its cause was the promotion of Yoruba cultural identity. One of the means it recommended to foster this sense of unity was the Yoruba language. Incidentally, a Yoruba Language Society had been formed in 1942 with the objectives that were identical with those of the *Egbe* and by association with the AG.³⁶ The limited electoral successes of the AG in the West as in all of Nigeria – it lost to the NCNC in its regional base in the 1954 election – compared with the strength of the NCNC and

the NPC in their respective regional bases may be attributed to its excessive cultural emphasis in a region that was not culturally monolithic and in a country where the region was neither the largest numerically nor the entire people culturally indifferent.

If the character of the AG's challenge to Nigerian nationalism was cultural, that of the Northern People's Congress (NPC) was regional or territorial. The trend toward regionalisation of political sentiments in the north was primarily a function of the differential impact of the social mobilisation process discussed earlier. The pattern of regionalist thinking that was to express itself organisationally in the NPC (1951-1966) – a curious amalgamation of mild radicals and ultra-conservative autocrats – can be traced to the time of the north's self-discovery. This was about 1939 when the Katsina College Old Boys Association (KOBA) was organised to challenge threats that included southern vision of post-colonial hegemony.³⁷ If official hostility prevented the development of this association as a political platform in its own right, the sentiments it had stirred survived in the many innocuous political associations that later arose. Some of these were the Zaria Provincial Progressive Union, the Bauchi Discussion Circle, the Kano Citizens Association, and the Citizens Welfare Association of Sokoto.³⁸

In 1948 these various associations came together to form two major organisations that later in the year 1951 became one. The two groups were the *Jamiyyar Mutanen Arewa* (Northern Peoples Congress) and the *Jamiyyar Mutanen Arewa A Yau* (Association of Northern Peoples of Today). As a result of the initiative of Dr. R.A. Dikko and M. Abubakar Imam, who were of the conservative bent, and Sa'ad Zungur and Aminu Kano, both of easy radical temper, the two organisations merged to form NPC described as a 'cultural' organisation with the purpose of affording "northerners the opportunity of meeting together to discuss common social problems".³⁹

The picture of the Nigerian political party scene as one dominated by three political organisations may be accurate enough, though it may be incomplete. In the north, the Northern Elements Progressive Union (NEPU) and the United Middle Belt Congress (UMBC) in different ways challenged the monolithic image of 'one north, one people' which administrative policy and political propaganda of the years after 1914 had sought to establish.⁴⁰ NEPU (*Yamiya Neman Sawaba*) was most readily associated with social class reality, championing the cause of the *talakawa* who are the lower stratum of the traditional social hierarchy of the emirates. For this, its existence sensitized opinion to the vertical cleavage of the northern social system, but it represented more than this.

If NEPU revealed that even in the traditional or far north there were certain fundamental differences, the United Middle Belt Congress (UMBC) confirmed by its character and activities the more obvious incompatibilities within the north. These differences were ethnic, religious, and linguistic, and they were all reflected in the organisational origins of the UMBC and in its demands. As a movement of predominantly non-Muslim and non-Hausa peoples of the Middle Belt area described in the party's 'Constitution and Bye-Laws' to include 'Kabba, Ilorin, Niger, Plateau, Adamawa, southern Zaria, and southern Bauchi provinces,' the origins of the UMBC could be traced to the Nigerian non-Muslim League and its successor, the Middle Zone League (MZL).

The Nigerian Non-Muslim League it must be underlined was formed in 1950 by the Birom Progressive Union with the encouragement of the Sudan Interior Mission and the Sudan United Mission. In 1951, the Middle Zone League superseded the non-Muslim League. Pastor David Lot of the Sudan Interior Mission, who had been the president of the non-Muslim League, was also the president of MZL.⁴¹ In 1953, some of the associations, notably the Tiv Progressive

Union, the Ijumu Progressive Union, and the Igbirra Progressive Union parted ways with the MZL and formed the Middle Belt Peoples Party (MBPP) under a Tiv, E.G. Gundu. The reason for their disagreement with MZL was probably that it sought alliance with the NPC and so compromised the objective of a Middle Belt State.

The Mabolaje Party in the west has its own significance for the development of the Nigerian party system.⁴² It did not represent a radical reaction to merit conservatism within the group, as did NEPU in the north. It did not express an ethnic surge for self-assertion, as did the UMBC in the north. It revealed the intra-mural cleavages that were possible even within the relatively more cohesive ethnic nationalities. In this sense, it shared significance with the minority Democratic Party of Nigeria and the Cameroon (DPNC) in the east. The tendency, which the Mabolaje represented among the Yoruba in the late 1950s recalls the split along intra-mural lines among the Yoruba members of the NYM in the 1940s.

There also existed the Nigeria National Democratic Party (NNDP) led by Chief Ladipo Akintola. This was a break-way political group, from the Action Group following the serious crisis between Obafemi Awolowo and Akintola. The Socialist Workers and Farmers Party (SWAFP) led by Dr. Tunji Otegbeye also came on board but made little or no impact on the political scene as was also the Communist Party of Nigeria.⁴³

As in the north and west, so it was in the east: the aspirations of regional minorities sought extreme expression in organisations that demanded local self-rule. The demands of intra-group opposition elements stopped at the more moderate quest to replace their kinsmen in power. The Democratic Party of Nigeria and the Cameroon (DPNC), a splinter group of the NCNC, made up of the Igbo, was the Eastern Regional counterpart of NEPU and the Mabolaje in the

north and west respectively. Its goal, therefore, was as limited as those of its counterparts. What was that?

In the East, the main opposition party was the United Independence Party (UNIP) formed in August 1954 through the merger of two parties: the United National Party (UNP) formed by Alvan Ikoku which had opposed the NCNC since 1951 and the National Independence Party (NIP) formed in 1953 by Dr. E.U. Udoma, Jaja Wachuku and Professor Eyo Ita. The main support of the UNIP came from the Calabar-Ogoja-Rivers (COR) state movement formed in 1953 by Dr. Udo Udoma, Dr. Okoi Arikpo and Alvan Ikoku. The leadership of the UNIP and that of the COR state movement was, thus, the same and it was observable that the COR state areas were the non-Igbo areas of the east. The two parties formally merged in 1959. Meanwhile, in the 1957 regional elections, all the five seats won by the UNIP were in the non-Igbo areas of the region, and the thirteen seats won by the AG were from COR state constituencies. Below are tables showing political parties and their symbols:

Table 1: Symbols of Some Political Parties for the 1959 Elections

Region	Party	Symbol
North	Northern Peoples Congress (NPC)	Hoe
North	United Middle Belt Congress (UMBC)	Hunter
West	Action Group (AG)	Palm tree
West	Northern Element Progressive Union (NEPU)	Tilley-lamp
East	National Council of Nigeria and Cameroon (NCNC)	Cock
East	Democratic Party of Nigeria and the Cameroon (DPNC)	Elephant
East	Nigerian Democratic Congress (NDC)	Fish in a triangle

Source: Report on the 1959 Federal Elections as arranged by the researcher.

Table 2: Regional Comparison of Votes Cast for Major Parties in 1959 Elections

Party	North	West	East	Lagos	Total
NPC	1,988, 901(99.83%)	3,089 (0.15%)	0 (0%)	189 (.01%)	1,992,179
NCNC/NEPU	523,735 (20.22%)	758,246 (29.27%)	1,246,988 (48.14%)	61,508(2.38 %)	2,590,477
AG	565,015(28.36%)	933,618 (46.86%)	445,594(22.3 7%)	48,137 (2.42%)	1992,364
Others	188,625(30.89%)	184,288 (30.18%)	237,626 (38.91%)	138 (0.02%)	610,677
Total	3,270,276	1,879,241	1,930,208	110,072	7,189,797

Source: INEC 1959 Report on Federal Elections

As could be gleaned from the foregoing, no party emerged sufficiently strong in all the regions to qualify as a national party. Thus, the incoming government in 1960 had to be based on a coalition. Similarly, this narrow particularism and heterogeneity re-cycled itself in the party system during the Second Republic. For instance, between 21 September 1978 when the ban on party politics was lifted in preparation for the return to civilian rule and 18 December, 1978, the deadline set by the then Federal Electoral Commission (FEDECO) for the filing in of party registration papers, about 53 political associations were formed.⁴⁴ Of this number, 35 succeeded in obtaining registration papers from FEDECO. However, only 19 associations actually handed in their completed forms before the deadline of 18 December, 1978, set by FEDECO. On 22 January, 1978, FEDECO announced that five of the nineteen associations that had applied for registration satisfied the requirements prescribed by the electoral law for the operation of political parties.⁴⁵ The five parties are outlined below:

- 1) Unity Party of Nigeria (UPN)
- 2) National Party of Nigeria (NPN)
- 3) Nigeria Peoples Party (NPP)
- 4) Great Nigerian People Party (GNPP)
- 5) Peoples Redemption Party (PRP)

At this juncture, it may be pertinent to point out what we consider to be the main weakness of much of the analysis of party politics and electoral mobilisation prior to the 1979 elections in the study. This concerns FEDECO's decision not to recognise any of the radical socialist parties representing alliances of ideological and issue- oriented newbreed politicians such as the Socialist and Working Peoples Party (SWPP), Nigeria Advance Party (NAP), Socialist Party of Workers, Farmers and Youths (SWFFY), Nigeria Workers and Peasant Movement (NWPM), and the Progressive People Party (PPP). An analysis of the implications of the exclusion of these parties from the electoral process is not only theoretically relevant but also empirically revealing both in terms of understanding the very limited degree of ideological polarisation that characterised the greater part of the electoral campaigns, and in terms of explaining the significant role played by party manifestoes in structuring programmatic debates among the parties, and in fostering ideologically and issue – oriented choice among the voters across the country.

To begin with, it may be important to note that the radical socialist parties had desired to use the 1979 elections as a platform for establishing what they termed 'democracy of the masses' based on an exploitation – free economic structure.⁴⁶ But while there might have been an appealing logic to some of the programmes spelt out in their election manifestoes, their over-idealistic stance on many political issues of the day seemed to have blinded the leadership of the

various radical socialist parties to understanding the tenacity of the materialistic or acquisitive orientation prevailing in the post – oil boom Nigerian society, or even to appreciating the ramifications and implications of a neo-colonial economy for party politics. In this regard, the manifestos of the major parties were more or less pragmatic. They conceptualised the elections as a step towards the consolidation of the existing class structures garbed in the guise of national unity and the advancement of capitalism and social progress for the benefit of all segments of the society irrespective of class. The outcome of 1979 senatorial election revealed the strength and weakness of the various contesting parties as shown below:

Table 3: Party Share of Senatorial Votes in 1979 Election

Party	Regular Votes Received	No. of Senatorial Seats Won	Percentage	Percentage Share of Senatorial Seats
NPN	4, 237, 911	36	33.96	37.9
UPN	3, 00, 692	28	24.04	29.5
NPP	2, 146, 183	16	17.20	16.8
GNPP	1, 845, 367	8	14.79	8.4
PRP	1, 249, 381	7	10.01	7.4
TOTAL	12, 479, 534	95	100.00	100.00

Source: INEC 1979 Post-Election Report

As mentioned in the senatorial election outcome above, the presidential election result of 1979 in the table below revealed both the national spread and ethnic diversity of the political parties:

Table 4: Presidential Candidates' Share of Votes (1979)

Names of Candidates	Party	Total votes won	Percentage Votes Obtained	States Won	No. of Candidate obtained at 25% of Votes
Shehu Shagari	National Party of Nigeria (NPN)	5,688, 857	33.7	9	12
Obafemi Awolowo	Unity Party of Nigeria (UPN)	4,916, 651	29.18	5	6
Nnamdi Azikiwe	Ngerian Peoples Party (NPP)	2,822, 523	16.75	3	3
Waziri Ibrahim	Great Nigeria Peoples Party (GNPP)	1, 686, 489	10.02	1	3
Aminu Kano	Peoples Redemption Party (PRP)	1,734, 113	10.28	1	2
Total		16,846,633	16,846,633	19	–

Source: FEDECO 1979 Election Report

The political parties that contested the 1979 general elections in Nigeria appeared to have also taken part in those of 1983. The only addition was the Nigeria Advance Party (NAP) led by Tunji Braithwaite. However, the only three major political parties that actively participated in the process were the NPN, NPP and the UPN. As was the case during the 1979 general elections and characteristic of the First Republic when the NPC, NCNC and AG, with their ethnic leanings, dominated the political space, ethnic issues and sentiments characterised the major platforms of the electioneering campaigns during the 1983 election. The table below is deemed necessary for our better appreciation of this ethnic political dimension.

Table 5: Results of the 1983 Presidential Election

S/N	STATE	GNPP	NAP	NPN	NPP	PRP	UPN
1	Anambra	36,165 3.12%	27,511 2.38%	385,297 33.26%	669,348 57.79%	16,103 1.39%	23,859 2.06%
2	Bauchi	37,203 2.09%	18,979 1.07%	1,507,144 84.57%	53,306 4.85%	54,654 3.06%	98,974 5.55%
3	Bendel	11,723 1.06%	8,653 0.79%	452,776 41.17%	65,258 3.66%	7,358 0.67%	566,035 51.46%
4	Benue	19,897 3.05%	10,573 1.62%	384,045 58.83%	152,209 4.85%	6,381 0.675	566,035 51.46%
5	Borno	179,265 24.96%	15,598 2.19%	348,974 48.60%	26,972 3.76%	26,996 3.76%	120,138 16.73%
6	Cross River	16,582 1.29%	10,967 0.85%	696,592 54.18%	46,418 3.61%	8,229 0.64%	506,922 39.43%
7	Gongola	25,530 6.47%	37,318 5.07%	282,820 38.44%	148,055 20.13%	81,205 11.04%	160,720 21.85%
8	Imo	52,364 3.95%	32,368 1.75%	398,463 25.07%	1,064,436 66.99%	18,370 1.16%	22,648 1.48%
9	Kaduna	80,862 3.80%	14,207 1.19%	1,266,894 59.28%	225,919 10.58%	300,476 14.02%	225,878 10.57%
10	Kano	35,252 2.95%	6,056 1.00%	383,998 32.19%	274,102 22.98%	436,997 36.63%	48,494 4.06%
11	Kwara	7,670 1.26%	8,636 0.53%	299,654 49.25%	16,215 2.66%	3,693 0.61%	575,134 45.22%
12	Lagos	11,748 0.72%	8,636 0.53%	126,165 7.69%	119,455 7.28%	6,570 0.40%	1,367,807 83.38%
13	Niger	12,984 3.01%	8,182 1.90%	272,086 63.17%	112,971 26.23%	8,736 2.03%	15,772 3.66%
14	Ogun	6,874 0.55%	2,862 0.23%	43,821 3.47%	5,022 0.40%	4,449 0.35%	1,198,033 95.00%
15	Ondo	11,629 0.63%	10,566 0.58%	366,217 20.03%	20,340 1.11%	7,052 0.39%	1,412,539 77.26%
16	Oyo	15,732 0.67%	9,891 0.42%	885,125 37.65%	34,852 1.48%	9,174 0.39%	1,396,226 59.39%
17	Plateau	18,612 2.8%	10,490 1.61%	292,606 44.88%	280,803 43.05%	11,581 1.77%	38,210 5.86%
18	Rivers	12,981 0.96%	15,061 1.11%	921,664 67.88%	151,558 11.16%	4,626 0.34%	251,825 18.55%
19	Sokoto	46,752 1.65%	22,152 0.78%	2,605,935 91.83%	63,238 2.23%	24,280 0.85%	75,428 2.66%
20	FCT (Abuja)	1,103	977	127,372	4,256	641	1,102
	Total votes cast	640,128	308,842	12,047,648	3,534,633	1,037,481	7,885,434

Source: New Nigerian Newspaper, 11 August 1983, p.16

It would appear that there was a genuine attempt to break the jinx in the use of the electoral process to elect ethnic and sectional leaders during the 1993 general elections. The preparation and process of the elections were mid-wifed by the military government of General Ibrahim Babangida in one of the longest transition programmes in Nigeria. After several cancellations of aspects of the political transitional programmes, especially those dealing with the formations and registration of political parties, two parties – the National Republic Convention (NRC) and the Social Democratic Party (SDP), which were contraptions of the military government emerged and contested the elections in 1993. The entire transition process was later truncated by the Head of State, General Ibrahim Babangida, following his cancellation of the presidential results on June 12, 1993, which was generally adjudged the freest and fairest presidential poll in Nigeria's history.

The emergence of the Peoples Democratic Party (PDP) on the Nigerian political scene is seen as a product of the institutional structures contrived by General Abdusallami Abubakar to usher in the Fourth Republic. On assumption of office on June 9, 1998, General Abubakar had fashioned out a political transition programme that culminated in formal handover of power to elected civilian officials on May 29, 1999. Part of this process was the tentative registration of nine political parties on October 9, 1998, to contest the local council elections scheduled for December that year. The provisionally registered parties were:

1. Peoples Democratic Party (PDP)
2. All Peoples Party (APP)
3. Alliance for Democracy (AD)
4. Democratic Advance Movement (DAM)
5. National Solidarity Movement (NSM)
6. Movement for Democracy and Justice (MDJ)
7. Peoples Redemption Party (PRP)

8. United Democratic Party (UDP)
9. United Peoples Party (UPP)

Source: P.1. Onuoha, *Nigerian Politics and Government*, Ibadan: Macmillan, 2002, p.330.

Table 6: 2015 Senatorial Election Result by Party and Gender

S/N	Party	Male	Female	Total
1	All Progressives Congress (APC)	58	2	60
2	Peoples Democratic Party (PDP)	45	4	49
	Total	103	6	109

Source: *INEC 2015 General Elections Report*, p. 209.

Table 7: Party Participation in the 2015 General Elections

S/N	Party	Presidential	Governorship	Senate	Federal Constituency	State Assembly
1	Accord (A)	0	12	20	68	186
2	Action Alliance (AA)	1	9	1	11	38
3	Advanced Congress of Democrats (ACD)	0	5	10	20	46
4	Allied Congress Party of Nigeria (ACPN)	1	18	16	25	57
5	Alliance for Democracy (AD)	1	14	20	28	136
6	African Democratic Congress (ADC)	1	11	22	40	94
7	African Peoples Alliance (APA)	1	9	9	9	39
8	All Progressives Congress (APC)	1	29	109	358	988
9	All Progressives Grand Alliance (APGA)	0	26	34	88	365
10	Citizens Popular Party (CPP)	1	12	31	37	81

11	Democratic Peoples Party (DPP)	0	7	9	19	68
12	Fresh Democratic Party (FDP)	0	0	0	0	0
13	Hope Democratic Party (HDP)	1	2	0	0	0
14	Independent Democrats (ID)	0	16	22	23	109
15	Kowa Party (KP)	1	14	22	36	85
16	Labour Party (LP)	0	23	78	187	593
17	Mega Progressive Peoples Party (MPPP)	0	11	25	43	161
18	National Conscience Party (NCP)	1	18	21	47	159
19	New Nigeria Peoples Party (NNPP)	0	15	24	29	80
20	Peoples for Democratic Change (PDC)	0	11	12	15	33
21	Peoples Democratic Movement (PDM)	0	5	11	44	149
22	Peoples Democratic Party (PDP)	1	29	108	360	991
23	Progressive Peoples Alliance (PPA)	0	19	33	57	199
24	Peoples Party of Nigeria (PPN)	1	13	11	17	73
25	Social Democratic Party (SDP)	0	18	44	116	283
26	Untied Democratic Party (UDP)	1	12	18	39	59
27	Unity Party of Nigeria (UPN)	0	0	17	7	76
28	United Progressive Party (UPP)	1	13	19	43	130
	Total	14	371	746	1766	5278

Source: INEC 2015 General Election Report, 203.

In this study, we have attempted a chronological presentation on the emergence of political parties and party system in Nigeria – exposing the intriguing interplay and centrality of sordid divisive primordial factors of ethnicity, religion, culture, and language which find their root in colonialism. According to Ngozi Ojiakor,

...the history of Nigerian political parties did not emerge as a natural democratic phenomenon. It was rather a make-shift arrangement to avoid possible fracas that could disrupt colonial economic activities and interest. This history has not been changed by the emergent political elites ...⁴⁸

Such an unchanged attitude of the post-colonial emergent political elite has been examined extensively. For example, in an attempt to sustain their colonially-contrived regional particularism, the northern leaders formed a political party and called it Northern Peoples' Congress (NPC), instead of Nigerian Peoples' Congress. Also, Aminu Kano formed his own Northern Elements Progressive Union (NEPU), and not Nigerian Element Progressive Union. These actions inadvertently gave the amalgamation, as indeed national unity, a theoretical connotation, which made 'Nigeria', according to Awolowo, a mere geographical expression.

Global Standard for Free and Fair Election

The conduct of free and fair elections is a fundamental requirement for legitimate and democratic government. It is pertinent, however, to note that the concept "free and fair" election is not static since the two terms are non-measurable, but the concept is flexible to accommodate the development realities of particular countries in terms of the level of development of the political culture, technology and infrastructure. It also encompasses the strength of political and democratic institution and the civil society. For the purpose of this study, a "free and fair election" is seen as that election, which is contested for under a level-playing ground and, therefore, becomes popularly acceptable by the electorate. Such an election must be conducted

by an honest, competent and non-partisan administration, a developed institutional system of political parties that is well organised to put party policies and candidates before the electorate or alternatives to choose from, an independent election commission and also an independent judiciary to formulate and interpret the electoral laws.⁴⁹

The above is very important in view of the fact that the ultimate goal of any election is to obtain the political preferences of the citizens as expressed in voting. The results of an election are expected to reflect the citizens' choices among the political parties and the politicians vying for the various offices. In a free and fair election, the result of such an exercise truly reflects the choices of the citizens, while fraudulent election processes and outcomes amount to falsification or fraudulent representation of the choice of the electorate.

In the light of the foregoing, could Nigerians characterise the 2003 general elections as having represented their genuine wish? The Nigerian populace trooped out in large numbers to vote during the National Assembly, Presidential and Gubernatorial elections, thereby demonstrating some patriotism and resilience; they waited and persevered in the polling stations to cast their votes only for the political class and political parties to corrupt the process and rig their way into elective offices.⁵⁰

In his elaborate exposition on the concept of "free and fair" election functionally acknowledged worldwide, Loveday Diamond outlines four major variables on which the concept rests. These are:

- (a) the political parties;
- (b) the individual;
- (c) the voting process; and
- (d) the election outcome.⁵¹

Starting with the political parties, Diamond argues that in a multiparty democracy, for an election to be considered as free and fair, the:

*Parties must be free to compete, to organize, to recruit members, to articulate policies, to stage rallies and to solicit votes. The less the political system restricts opposing parties from the business of organizing and campaigning, and the less it systematically favours a particular party (typically the ruling party), the freer and fairer the election may be said to have been.*⁵²

By the same taken, for an election to be free and fair, the:

*individuals must be free to participate on the political process – to join the party of their choice to campaign for it, to seek political office on its platform and of course to vote for it (or not to vote at all).*⁵³

Furthermore, on the voting process, Diamond posits that:

*Each person should have one and only one vote, and ...each should be counted equally. No one who satisfies some limited set of conditions (such as minimum age and sound mind) should be refused registration, no registered voter should be prevented from voting, nor should anyone be allowed to vote more than once, nor should any vote be counted for a party except those of individuals legally cast, nor should any legally and properly cast votes be discarded or disregarded.*⁵⁴

Then finally, on the election outcome, he maintains that an election would be free and fair if the results are “accurately reported and the legitimate victors allowed to assume office”.⁵⁵

When all the conditions germane to the four variables as defined above are observed in the process, conduct and outcome of an election, that election could be considered to be “free and fair”. It is possible, as is often the case in reality, that only some, and not all of the conditions for freeness and fairness, are met, or observed. In this case, the election could be considered to be partially free and fair, or not free and fair, depending on the gravity of its deviation from the defined standards.

An Overview of Elections and their Shortcomings in Nigeria

Viewed against the standards of the above definition, Paul Ukoha, an interviewee may have agreed that Nigeria's various elections from 1959 up till 2003 had always fallen short of expectation in various aspects.⁵⁶ On the part of the political parties, many parties had almost always been allowed to operate as witnesses in the First, Second, and Fourth Republics. The only exception to this was in the abortive Third Republic (1992 – 1993) when the military government, overseeing the 'democratic' transition then, outlawed the different political parties in existence and decreed two parties (SDP and NRC) into being. The different parties had been free to compete, organise, and recruit members, to articulate their policies, stage rallies and campaign for votes. The only shortcoming in this regard was that the ruling party in an election organised in the civilian governments constituted by one of the competing parties had always enjoyed the prerequisites of power, which conferred advantages on it over and above its rivals. For instance, the government of the ruling party at the centre had always been constitutionally vested with the power to appoint officers of the national electoral body which served as the umpires during elections, and also to propose electoral laws. This was apart from the regular government responsibility of control over other resources and the coercive apparatuses (police, army, and other para-military bodies) of the state. The only exceptions to this 'systematic' advantages, which yield electoral gains for a political party were, arguably, the periods when elections were administered by outgoing, apparently non-partisan military regimes (in 1979, and 1999).⁵⁷

On the part of freedom of individuals to participate in the electoral process, that is, to join and campaign for the party of their choice, to seek political office, to vote or be voted for, successive elections in Nigeria had always fared well. With the exception of the extremely

teleguided military to civilian ‘democratic’ transition of the early 1990s when certain politicians were banned and unbanned from partisan politics repeatedly, individual Nigerians had largely been free to express themselves politically.

In respect of the voting process, however, elections in Nigeria had always left much to be desired as generally agreed by two critical interviewees to this study, Idris Kabiru and Richard Etuk⁵⁸. Legally, each eligible adult had only one vote which counted equally with the vote of another or any other prospective voter. Legally, too, every individual who satisfied the minimum age requirement (in this case 18 years) and was of sound mind was registrable and could exercise his voting right. In reality, a combination of salient factors, including deliberate political scheming by some of the stakeholders in the electoral process (government and political parties) had always raised obstacles that would expose the voting process to serious credibility crisis.

Taking a historical view of elections in Nigeria, Diamond notes:

*The first decade of national electoral competition in Nigeria (the 1950s) witnessed the rancous and often violent campaigning, the determined and often coercive mobilization of the illiterate by the dominant class, the obstruction and harassment of opposition parties and candidates, and the intimidation and repression of opposition supporters.*⁵⁹

He continues:

*Following independence in 1960, the performance of the electoral system ... deteriorated. The regional elections of 1960 and 1961 continued the abuses of previous elections- the harassment, intimidation, even imprisonment of opposition politicians and their followings ... During the 1964 federal election, this process deepened significantly ... well in advance of the voting, controversy enveloped the preparation of the preliminary list of voters ... names were misspelled and placed in the wrong wards, addresses were jumbled or omitted ...*⁶⁰

Again, Sani Adamu, an interviewee⁶¹ agreed that this assessment by Diamond held true for virtually every election in Nigeria up to the 2003 general elections. In fact, the Transition Monitoring Group (TMG), which monitored the 2003 elections, came up with the following findings:

*Some of the activities organized by the (electoral) Commission preparative to the elections such as the voters' registration, the registration of political parties, the display of the voters (list) were marred by inefficiency, confusion and corruption. Hundreds of thousands of prospective voters could not register in voters' registration exercise organized by the commission ... for a number of reasons that they did not have enough registration material...In addition to this, the commission's process of (issuance of) voters' cards had been so inefficient that a day to the elections, millions of prospective voters had not been able to get their voters' cards.*⁶²

Actual voting itself during all the election in 2003 was reportedly marked by:

*... disruption of poll or absence of elections in some polling centres, vote buying, stealing and stuffing of ballot boxes, improper set – up and voting procedures, multiple, ghost and underage voting ... Collaboration of INEC official to commit electoral fraud, absence of polling official at polling units, and intimidation of election observers...*⁶³

With the voting process poorly handled and highly corrupted, it is not surprising that election outcomes were always highly disputed, and often rejected by declared losers. In the celebrated case of June 12 1993 presidential election, the counting of votes was scuttled and the apparent winner of the election was denied the opportunity to assume office. The overall effect of all these manipulations had always been large-scale violence and de-stabilisation of the polity. In the First and Second Republics, this outcome led to the overthrow of the civilian government in 1966 and 1983 respectively, while it led to the prolongation of military rule in the aborted Third Republic (1993). Besides, the outcome of the 2003 elections in the Fourth Republic had

exculpated so many people so much that an analyst exclaimed: “if this is how democracy is practiced, then we might as well ask when it will end?”⁶⁴

The shortcomings in the successive elections in Nigeria are attributable to many factors which have been summarised by Ujo⁶⁵ in the following lines:

- i. the activities of the institutional structure responsible for conducting elections.
- ii. a poor economic environmental, which did not make it possible for democratic values to thrive.
- iii. the lack of political integration, which made the electorate to interpret modern politics in primordial terms.
- iv. the universal law of organization, which made party leaders to adopt undemocratic means as a strategy for survival in power.

Of all these factors, the first one appears to us here to be the most critical, given that what happens at the level of institutional administration of the election process determines whether the process would eventually be free and fair. This position is obvious in the analysis of other commentators on Nigeria’s electoral history. For instance, most of the factors listed by Dung Pam Sha⁶⁶ in a paper as causes of flawed elections in Nigeria (i.e. poor administration and organisation of the electoral process, poor communication of election result, control over voter registration, poor funding of elections and institutions in charge of elections) are all those arising from the institutional administration of the process.

Also, Loveday Diamond is categorical in his declaration that “the crises over the 1964 federal election was brought to a boiling point by the administration of the election itself”.⁶⁷ And yet again that the then unprecedented rigging witnessed in the 1965 Western Regional

election was helped by “the administration” of the election, which “was in the hands of officials ... who were responsive to direction and pressure from the ruling party.”⁶⁸

The Transition Monitoring Group (TMG) has also observed that the administrative body for the 2003 elections, the Independent National Election Commission (INEC) “was widely perceived as lacking in independence” due to “the Commission’s activities and utterances by various categories of its officers, which suggested that it was pandering to the whims of the Executive.”⁶⁹ The figure below may help the reader to better understand the level of controversies that trailed the 2003 general election in Nigeria.

Table 8: Result of the controversial April 19th 2003 Presidential Election

S/N	Party	Candidates	Scored votes	Total % of Votes	Quotas valid
1.	PDP	Olusegun Obasanjo	24,109,157	61.80	29 of 25
2.	ANPP	Muhamadu Buhari	12,495,326	32.03	17 of 25
3.	APGA	Chukwuemeka Ojukwu	1,295,655	3.32	2 of 25
4.	UNPP	Jim Nwobodo	166,735	0.43	0 of 25
5.	PAC	Sarah Jibril	156,286	0.40	0 of 25
6.	NCP	Ganiyu Fawehinmi	145,716	0.37	0 of 25
7.	NDP	Ike Nwachukwu	130,806	0.34	0 of 25
8.	APLP	Osita E. Okereke	126,212	0.03	0 of 25
9.	JP	Chris Okotie	119,220	0.03	0 of 25
10.	PRP	Balarabe Musa	100,662	0.26	0 of 25
11.	PMP	Agwucha A. Nwankwo	56,532	0.14	0 of 25
12.	NNPP	Kalu Idika Kalu	23, 646	0.06	0 of 25
13.	BNPP	Ifeanyichukwu G.N.	22,524	0.06	0 OF 25
14.	MDJ	D. Y. Muhammadu	21,235	0.05	0 of 25
15.	ARP	G.K.E. Ndu Yahaya	13,316	0.03	0 of 25
16.	DA	Anthonia A.J. Ferreira	8, 367	0.02	0 of 25
17.	NAP	Tunji Braithwaite	6,834	0.02	0 of 25
18.	NAC	Olapade R.O. Agoro	5,735	0.01	0 of 25
19.	LDPN	Christopher P. Ajuwa	4, 408	0.01	0 of 25
20.	MMN	Mojisola A. Obasanjo	3,699	0.01	0 of 25

Sources: INEC 2003 Election Report. Also reported in Tell Magazine (Lagos), May 25, 2003,

With hindsight into what “free and fair” elections connote as far as successful election is concerned, the important question, especially given our scenario of 2003 general election is: Did Nigerians, therefore “freely and fairly” choose their leaders in all of the 2003 general elections? What went wrong? For an honest answer to these questions, we shall have to look at the reports of the various observer and monitor groups (international and domestic), the views of the political parties, the role played by security agents, the media, the courts, and finally, the opinions of the general populace.

(a) Transition Monitoring Group (TMG) Report

Reports of the TMG, other domestic and foreign observers showed monumental fraud during the elections into the federal executive, legislative positions, and for state houses of assembly. The election day activities and the collation and declaration of results were characterised by fraud, thereby distorting the wishes and choice of the electorate expressed through their votes.⁷⁰ There were widespread allegations and evidence of falsification of results in many parts of the country. The TMG reported numerous cases of electoral fraud and malpractices, including under age voting, multiple voting, stuffing of ballot boxes and falsification of results in many part of the country.

(b) The European Union (EU) Report

According to the EU report, which was released on the 22 April, 2003, the presidential and a number of gubernatorial elections were marred by serious irregularities and fraud – in a certain number of states, minimum standards for democratic elections were met. The report reads in part:

*In certain states, particularly in Cross River, Delta, Enugu, Imo, Kaduna and Rivers, European Union EOM observers witnessed or obtained evidence of widespread election fraud. The election in these states lack credibility, and appropriate measures must be taken to provide voters with truly democratic electoral process.*⁷²

(c) FOMWAN And MULAC Report:

Federation of Muslim Women Association of Nigeria (FOMWAN) in collaboration with Muslim League for Accountability (MULAC), both religious NGOs, also deployed election observers for the 2003 and 2015 general elections. FOMWAN and MILAC deployed more than 1,200 observers in 15 states in Northern Nigeria. In a communiqué issued by the NGO, the observer group stated that of the 1,107 polling stations observed in 2003 election, there were:

*152 incidents serious enough to disrupt or suspend voting. In Kano state, observers noted serious incidents in 43 of the 206 polling stations observed , a rate of more than 25%. Kogi, Nasarawa, Kaduna, Bornu, Plateau and Bauchi experienced serious problems at more than 10% of the polling station observed. Most of the problems involved physical attack or destruction of property ... Intimidation/threats of violence ... Harassment/shouting/taunting of voters ... Some ballot boxes were forcefully taken away*⁷²

(d) The Conference of Nigerian Political Parties (CNPP) Report:

The CNPP is an umbrella organisation of all twenty eight registered political parties at the times. In their 2003 General Election Report tagged “Stolen Mandate”, “the CNPP claimed that:

*The 2003 elections were characterized by illegalities, irregularities and malpractices, some of the most starring irregularities are premeditated vote allocation, result swapping, forced hijacking and diversion of election materials, the use of security agents – the army, airforce, navy, police and paramilitary agencies to harass, intimidate, arrest, detain, and even kill opposition members, all in an effort to continue in office.*⁷³

From all the above contestations, one is constrained to answer that the 2003 elections could hardly be characterised as credible given that elections in at least one-third of the states

were rigged and another one-third in need of serious investigation. Indeed, a comic feel of Obasanjo's democracy is best depicted by Senator Kanti Bello's graphic characterisation of 2003 election. Speaking on a BBC interview, the Senator likened the election to a wrestling contest in which, according to him:

*While you were busy tackling your opponent with all your handful of flesh, the referee – the independence National Electoral commission – had, meanwhile, independently grabbed the other leg, all in a cooperative effort to throw you down. How, in such circumstances, could you have won that wrestling match? No way.*⁷⁴

The massive rigging of the 2003 general elections completely alienated the Nigerian people from the democratic electoral process, ultimately disenfranchising them. The whole democratic process is hinged upon three main elements – peoples participation, which gives the process its legitimacy, true and accountable representativeness, where elected officials are actuated by concern for the public good, which alone gives them their *raison d'être*, and the ability to compromise, that is to be able to evolve a principle of compromise and not make compromise a principle. But on all three counts, Nigeria's brand of democracy is in a serious mess and has not lived up to expectations.

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CHAPTER THREE

HISTORY OF ELECTION MANAGEMENT BODIES IN NIGERIA

This chapter examines the origin and statutory functions of election management bodies (EMBs) in Nigeria. It also evaluates their performances over time. Interestingly, so many forces, challenges, trials and triumphs undergone by series of the EMBs added up to form the exciting thrust of the various sub-themes. Also, the role of the military governments in aiding the management of the entire electoral process in Nigeria opens another vista of study.

Origin and Development of EMBs

The establishment of the Electoral Commission of Nigeria (ECN) by the British colonialists in 1958 marked the birth of election management bodies in Nigeria's electoral history. Mr. R.E. Wraith, a senior lecturer at the University College, Ibadan, was the Chairman of the Commission. The body conducted and supervised the 1959 pre-independence general election that ushered in the First Republic.¹ Alhaji Bello Makama Kano from northern Nigeria, Mr. K.A. Bohn from southern Cameroons and Barrister Anthony Aniagolu from eastern Nigeria, were members of the Commission. Other members were Mr. M.A. Sho-Silva from Lagos and Mr. H. Orishefolomi – Thomas from western Nigeria.

The first post-independence federal electoral commission was set up in 1964 preparatory to the December elections of that year. The first chairman of the Commission, Sir Kofo Abayomi, resigned on health ground, and was subsequently replaced by Mr. Eyo Esua appointed by the President on the advice of the Prime Minister. The mandate of this Commission included the delimitation of federal constituencies, compilation of the voter register, construction of polling booths, printing of ballot papers, recruiting of staff, registration of political parties and

their candidates and the actual conduct and supervision of the elections. Each of Nigeria's four regions (West, North, Mid-West and East) Lagos, the federal capital nominated members to the commission.

The long military interregnum, 1967 to 1975, occasioned by the well known events of January 15, 1966, the July 29, 1966, and the three years of civil war, 1967-1970, ensured that no other electoral commission was established until November 1976 when the military Head of State, Brigadier Olusegun Obasanjo by Decree No. 41 of 1977 (with a retrospective effect) established the Federal Electoral Commission (FEDECO).³ Guided by the unfortunate lessons of the First Republic, when Mr. Esua's electoral commission was constitutionally incapacitated to exercise discretion at decisive moments, section 4 of Decree 41 made FEDECO an autonomous body subject to the directives of nobody in the discharge of its statutory duties.⁴ A controversial provision, which made the decisions of FEDECO immutable even in the law courts, was the subject of several litigations, until it was interpreted that not FEDECO decisions, but the Act establishing it in its entirety was immune.⁵ However, the Commission was given formidable latitude in the exercise of its mandate. As has been acknowledged, FEDECO was "armed to the teeth".⁶ Under the chairmanship of Michael Ani, a top civil servant and versatile administrator, and later Justice Victor Ovie-Whiskey, FEDECO would be tested for competence, impartiality and integrity. Sadly, FEDECO very earlier on faltered and was probably the most scandalised of all Nigeria's electoral commissions.⁷ The very contention of the two-thirds of the nineteen states of the federation (or votes cast) palaver was the acid test for Ani's FEDECO, whilst the dilemma of allegiance undermined FEDECO's efficiency under Ovie-whiskey. At its inquest in 1983 by the Justice Babalakin Commission of Enquiry, FEDECO was indicted for management lapses and internal contradictions.⁸

The successor commission to FEDECO was the National Electoral Commission (NEC) established by Decree 23 of 1987. The functions of NEC were similar to those of FEDECO before it, except that the General Ibrahim Babangida-led Armed Forces Ruling Council (AFRC), the ultimate legislative and ruling body,⁹ further saddled it with the impossible task of implementing its blanket ban on erstwhile political and public officeholders from partisan politics, a task Professor Eme Awa, its chairman, considered unreasonable.¹¹ As a matter of fact, the task of NEC was complex and the commission was probably doomed from inception for many reasons, which included the following:

1. the whole process of civil rule under Babangida was a charade *abinitio*; the commission was not expected to succeed by its architects, who proved to be its agents provocateurs.
2. the NEC brief was rather too ambitious; aside from the extra-electoral function of implementing a controversial decision it was also charged with the mandate to actively collaborate with MAMSER, the political Bureau and Transition Committee at revamping the political culture.
3. the deliberate structural ambiguity inherent in NEC's configuration, for instance, the confusion as to whether the chairman was in charge as provided for in Sections 2(2), 9(1) and 9(2) or the Secretary as directed by the Chief of General Staff for most of the Babangida regime, Rear Admiral Augustus Aikhomu; and
4. the inevitably tenuous relationship between an obedient, public spirited and forthright NEC chairman and a perfidious, undemocratic and corrupt supervisory military establishment.

It may seem arguable to posit that Babangida's proposed vision was shrouded in the rhetoric of re-creating Nigeria's political landscape to forestall the perennial breakdown of civilian

democratic rule, which he put down to corruption, indiscipline and a generally perverse political culture. These same reasons in time became his excuses for the perpetual postponement of military disengagement from politics. The Babangida transition, in the words of Richard Joseph, was “one of the most sustained exercises in political chicanery ever visited on a people”.¹² The Babangida transition farce was probably the most eloquent allegory to the character of the military regime from 1985 to 1993, and much more of the ruler who ceaselessly forswore by posterity and allegedly the Koran, military perpetuation.¹³

Pressures for the removal of Eme Awa mounted from the conclusion of the local government elections of 1987, which NEC conducted on a zero-party basis. He was eventually removed and replaced by his former student, Professor Humphrey Nwosu, in 1989. Nwosu’s NEC was saddled with the immediate responsibility of registering political parties for elections in 1990. None of the thirteen political parties recommended by NEC was deemed registerable by the AFRC, and in their stead, the federal military government imposed two political parties – the Social Democratic Party (SDP) and the National Republican Convention (NRC) – with ideological leanings: a little to the left and a little to the right, in the semantics of the military, to the consternation of professional politicians who had made huge investments in nurturing political associations in the hope of metamorphosis to registered political parties.

The popular saying that one can fool some people sometime, and not all the people all the time seemed aptly correct in Babangida’s transition time-table. After three re-adjustments of the transition timetable, the integrity of the Babangida regime became totally shattered and not many were willing to give the benefit of the doubt that the postponements were occasioned by the alleged corruption and indiscipline on the part of the politicians, even though the business of

high stake brutal politicking continued ubiquitously as usual. In fact, it had become obvious that “Maradona” (Babangida’s fond sobriquet) was allegedly nursing a hidden agenda.¹⁴

Again, if the biblical quote that when the righteous is on the throne, the people rejoice is anything to go by, it means, conversely though, that when the unrighteous is on the throne, the people suffer or, at best, perish! Such suffering by the unhappy populace is usually expressed through organised resistance against the state. At the time, the authority of President Babangida as the supreme leader of the Nigerian state was beginning to wane as a section of the military, worried about the eroding professionalism of the forces became emboldened. These developments would probably have served to instigate sections of the civil society and marked the beginning of what became known as the guerilla militia.¹⁵ The effect of all this trickled down and was palpable in the NEC Chairman, Professor Nwosu, who was becoming increasingly contumacious and was beginning to flex independent muscles. But things got to a tense head when Nwosu staved off another imminent postponement of the presidential election slated for June 1993, ignoring the antics of the obnoxious Association for Better Nigeria (ABN) on the eve of the election day even before the AFRC intervened. Nwosu went ahead to defy Babangida’s order and the AFRC openly by promptly releasing the results of the presidential elections in 14 of 30 states before his arrest and detention. As a consequence, Nwosu was removed from office, and subsequently replaced by Okon Edet Uya as Chairman, a Professor of Afro-American History at the University of Calabar.

If the NEC and entire transition were a travesty, the National Electoral Commission (NECON) established by General Abacha and the transition programme could have been a theatrical of the absurd, and NECON’s Chairman, Chief Sumner Dagogo-Jack, “an unabashed errand boy”.¹⁶ Abacha’s agenda was only thinly veneered; whereas it was obvious that the

ruthless General required a national legislature to fulfil democratic righteousness, it was more obvious to the discerning mind that there was no vacancy in Aso Rock. Abacha's game-plan, hatched by his most trusted officer, Major Hamza Mustapha, and the immediate caucus, was for Abacha to succeed himself as a civilian president of Nigeria as Blaise Campore of Burkina Faso, Mathew Kerekou Benin, and Gnassingbe Eyadema of Togo, but with panache.¹⁷ Thus, registered political parties at the time were directed to unanimously adopt the General as their unopposed presidential candidate. However, providence intervened and Abacha died unheralded on 8 June, 1998, to pave the way for yet another transition and electoral commission.

The new commission, the Independent National Electoral Commission (INEC), emerged in the throes of the socio-political reconstruction of the post-Abacha era. The new commission derives statutory authority from Nigeria's constitution of 1999, which was authored by the military. The perceptible doggedness of the Abdulsalam Abubakar government to restore democratic rule in Nigeria in double-quick time, coupled with the choice of the well-respected and elderly Ephraim Akpata, a retired judge of the appellate division of the Nigerian judiciary as chairman, gave mileage and invaluable credence to the new commission.

INEC's first task included the verification of claims by political associations, voters' registration, registration of political parties, conduct of local government elections in December 1998, as well as conduct of general elections into states' legislature, the bicameral National Assembly, states' executive and presidential offices by April 1999.

For a better understanding of the successive electoral management bodies we have provided hereunder, a chronological detail of the various chairmen in their order of succession:

Table 9: The Election Management Bodies (EMBs) in Nigeria and their Chairmen from 1958 to 2015.

S/N	Name	Nomenlative	Acronym	Period
1	Mr. R.E Wraith	Electoral Commission of Nigeria	ECN	1958 -1960
2	Mr. Eyo I. Esua	Federal Electoral Commission	FEC	1964 -1966
3	Chief Michael Ani	Federal Electoral Commission	FEDECO	1978 – 1980
4	Justice Victor Ovie-Whiskey	Federal Electoral Commission	FEDECO	1980 -1983
5	Professor Eme Awa	National Electoral Commission	NEC	1987 – 1989
6	Prof. Humphrey Nwosu	National Electoral Commission	NEC	1989 – 1993
7	Prof. Okon Edet Uya	National Electoral Commission	NEC	Aug. 1993 -Nov. 1993
8	Chief Sumner Dagogo-Jack	National Electoral Commission of Nigeria	NECON	1994- 1998
9	Hon. Justice Ephraim Akpata	Independent National Electoral Commission	INEC	1998 – 2000
10	Dr. Abel Goubadia	Independent National Electoral Commission	INEC	2000 -2005
11	Prof. Maurice Iwu	Independent National Electoral Commission	INEC	2005 – 2010
12	Prof. Attahiru Jega	Independent National Electoral Commission	INEC	2010 -2015
13	Prof. Mahmood Yakubu	Independent National Electoral Commission	INEC	2015 – Date

Sources: Adelani Asade, *Managing Elections in Nigeria. p.12.*

b). Statutory Composition and Functions of INEC

1. Composition of INEC

As may be gleaned from the previous examinations, the electoral process in Nigeria has always been characterised by lots of issues and activities. To this end, it could only require the process of a strong law to create an independent body to carry out these responsibilities. Thus, section 153(1) of the 1999 Constitution of the Federal Republic of Nigeria provides for the establishment of the Independent National Electoral Commission (INEC), among other federal executive bodies. Consequently, INEC was inaugurated on August 11, 1998, by the then Head of State, General Abdulsalami Abubakar, in pursuance of his administration's transition programme for a return to a civilian democratic rule by 29 May 1999. The constitution provides, among other things, that:

There shall be established for the federation the following bodies, namely:

- a) Code of Conduct Bureau; and
- b) Independent National Electoral Commission.¹⁹

Also, in Section 154(1) of the 1999 Constitution, the power to appoint the chairman and members of the Commission is vested in the president, whose action is subject to confirmation by the Senate. In exercising this power, the president is also required to consult the Council of State pursuant to Section 154 (3). The members of the Commission to be appointed by the president as stipulated in Part 1 of the Third Schedule of the Constitution are as follow:

- a) Chairman, who shall be the Chief Electoral Commissioner; and
- b) Twelve other members to be known as National Electoral Commissioners, who shall be persons of unquestionable integrity and not be less than fifty years and forty years of age, respectively²⁰

In addition, the same Third Schedule of the Constitution provides that:

There shall be for each state of the federation and the Federal Capital Territory, Abuja, a Resident Electoral Commissioner who shall:

- a) Be appointed by the president;
- b) Be persons of unquestionable integrity.
- c) Not be less than fifty years of age.

Examining the foregoing constitutional provision on the establishment and composition of INEC, the following comments could be made. First, the previous electoral commissions in Nigeria did not have “independent” prefixed to their names. As may be deduced from our discussion so far the past electoral bodies were designated Federal Electoral Commission (FEDECO), National Electoral Commission (NEC) and National Electoral Commission of Nigeria (NECON). However, the present commission is called Independent National Electoral Commission (INEC), probably to reflect the earnest desire of the people of Nigeria and the military government to have a break with the ugly history of electoral failures of the past. Both the people and the government desired that the electoral commission needed to be free from undue control and direction of any other authority in the exercise of its powers and performance of its duties. Unfortunately, however, the change in the nomenclature of the commission, may not have translated into an appreciable change in the status and character of the commission.²²

Secondly, we may not have any illusion about the status of INEC as an executive body created by the president through the constitution. Executive bodies normally are agencies which form part of the full range of the structures of government administration. They could be referred to as parastatals, which are government – sponsored bodies that are outside the framework of the civil service. When perceived in this way, executive agencies are *quasi-* autonomous bodies. Their autonomy is, however, limited and controlled. This, indeed, is the status and fate of INEC and similar agencies created by the Constitution. That, perhaps, may account for why the

independence of the commission is not absolute, although this may apply only to the appointment and disciplinary control of its staff and other electoral personnel, pursuant to Section 158 (1).

Besides, the parastatal – dependent nature of INEC possesses grave implications for its funding. It implies that the commission has no direct fiscal allocation to it, but depends on the presidency for fund. The presidency at its own pleasure and discretion disburses funds to the commission for its operations. This explains why the commission did not commence early or discharge some of its responsibilities to the fullest in the past, to the expectations of the public. In the past, some of the functions of the commission that suffered due to lack of funds or due to late release of funds included voter registration exercises and conduct of actual elections. Indeed, the *quasi*-autonomous nature and status of INEC may hardly be changed by a mere wishful thinking a change in the nomenclature. It requires a strong political will toward political and institutional reform.

Furthermore, the parastatal, *quasi*-autonomous nature of INEC explains why the Constitution vests in the president the power to appoint the chairman and members of the commission as well as the Resident Electoral Commissioners for the states and the Federal Capital Territory, Abuja. The dependence of the chairman and members of the commission as well as the Resident Electoral Commissioners on the president for their appointments has far-reaching implications for the autonomy of the commission. In the first place, it implies that these individuals so appointed chairmen and members of the commission as well as the Resident Electoral Commissioners would serve their tenure at the pleasure of the president who appointed them and who could change them any time he so pleases, especially if they resisted control or directives.

Thirdly, there is the natural tendency of an officeholder to favour the person who appointed him, especially if his term is about to end and he is desirous of re-appointment.²³

Again, the dependence of the chairman of the commission, and members and the Resident Electoral Commissioners on the president for their appointment is naturally bound to affect stability and continuity of the commission's life and *modus operandi*; as well as the service of the members and other staff. Any president or a new party that comes to power is bound to dissolve the composition of the commission and appoint new people, and certainly his loyalists, into the commission. This would mean that the commission could hardly grow nor develop resilience and independence, as it would keep starting all over again with every change of government.

Fourthly, what is the essence of the requirement of the Constitution under Section.154 (I) and (3) to the effect that the president, in the discharge of his powers to appoint the chairman and members of the commission, should consult the Council of State, and that his appointments shall be subject to approval by the Senate? The ostensible reason, as Akintunde Ishola, one of the interviewees had opined, include to ensure that the president acts prudently and in accordance with the provisions of the constitution under Part 1 of the Third Schedule which states *inter alia* that those appointed as chairman and members of the commission “shall be persons of unquestionable integrity and not less than fifty years and forty years of age respectively”.²⁴ The other reason might be to ensure that the president reflects the federal character in his appointment of the officers, though the constitution does not specifically require him to do so here.

In spite of these checks on the powers of the president to appoint the Chairman and members of the commission, as well as the Resident Electoral Commissioners for the states and

Abuja, there is still much room for the president to manoeuvre. In the first place, the president is known to generate a list of candidates to be appointed and no other group or persons have power to suggest names of possible appointees. The candidates could be all-party faithful, his friends and associates. Neither the Council of State nor the Senate has power to substitute names of candidates. The much they could do is to reject any candidate who, in their judgment is unsuitable for the job, and ask the president for a replacement. But the president could withdraw the list or the names of the affected candidates temporarily, only to re-submit same after a while and lobby his way through to get them approved by Senate. This is in fact what really obtains in a one-party dominated system where the opposition is either non-existent or weak. If the situation is such that the president's appointees would be approved easily and most of them his loyalists his power of control, direction and manipulation of the electoral process is much more assured. Precisely, therefore, the constitutional provisions on the power for the establishment and composition of INEC are known to have debilitating effect on the independence of the commission.

2. Statutory Functions

The management of the entire electoral process undoubtedly entails enormous responsibilities on the Electoral Management Bodies (EMB) in Nigeria. Such responsibilities require that they should be adequately empowered, theoretically and practically, if the body should meet the challenges of those responsibilities. In fact, those responsibilities are the *raison d'être* for the existence and independence of the commission. Consequently, the 1999 Constitution, under Part 1 of the Third Schedule provides that INEC shall have power to:

- a) organise, undertake and supervise all elections to the office of the president and vice-president, the Governor and Deputy Governor of a state, and to the membership of the

Senate, the House of Representative and the House of Assembly of each state of the federation;

- b) register political parties in accordance with the provision of this constitution and an Act of the National Assembly;
- c) monitor the organization and operation of political parties including their finances.
- d) arrange for the annual examination and auditing of the funds and accounts of political parties, and publish a report on such examination and auditing for public information;
- e) arrange and conduct the registration of persons qualified to vote and prepare, maintain and revise the register of voters for the purpose of any election under this constitution ;
- f) monitor political campaign and provide rules and regulations which shall govern the political parties
- g) ensure that all Electoral Commissioners, Electoral and Returning Officer's take and subscribe the oath of office prescribed by law;
- h) delegate any of its powers to any Resident Electoral Commissioner; and
- i) carry out such other functions as may be conferred upon it by an Act of the National Assembly.²⁵

Furthermore, the power and responsibilities of the commission over and towards the political parties in respect of their finance and the annual report on the finances of the parties to the National Assembly are contained in Sections 225 and 226 of the 1999 Constitution. Thus, on power and responsibility of the political parties Section 225(1,2,3,4 & 5,) states:

1. Every political party shall, at such times and in such manner as the Independent National Electoral Commission may require submit to the Independent National Electoral Commission and public a statement of its assets and liabilities
2. Every political party shall submit to the Independent National Electoral Commission a detailed annual statement and analysis of its source of funds and other assets together with a similar statement of its expenditure in such form as the commission may require .
3. Any funds or other assets remitted or sent to a political party from outside Nigeria shall be paid over or transferred to the Commission within twenty one days of its receipt with such information as the commission may require.

4. The Commission shall have power to give directions to political parties regarding the book or records of financial transactions which they shall keep, and to examine all such book and records.
5. The powers conferred on the Commission under this sub-section (4) of this section may be exercised by it through any member of its staff or any person who is an auditor by profession and who is not a member of a political party.²⁶

On the issue of annual report on finance of the political parties to the National Assembly, Section 226 (1-3) states:

1. The Independent National Electoral Commission shall in every year prepare and submit to the National Assembly a report on the accounts and balance sheet of every political party.
2. It shall be the duty of the Commission in preparing its report under this section, to carry out such investigation as will enable it to form an opinion as to whether proper books of account and records have been kept by any political party, and if the Commission is of the opinion that proper books of account have not been kept by a political party, the Commission shall so report.
3. Every member of the Commission or its authorised agent shall
 - a) have a right of access at all times to the books and account sand vouchers of all political parties
 - b) be entitled to require from the officers of the political party such information and explanation as he thinks necessary for the performance of his duties under this constitution, and if the member of the Commission or such agents fails or is unable to obtain all the information and explanation which to the best of his knowledge and belief an necessary for the purpose of the investigation, the Commission shall state that in its report.²⁷

During field trips, the researcher interviewed a number persons who expressed strong conviction that the above provision is merely apparent in the constitution than real in practice.²⁸ According to them, it is doubtful if INEC has been able to exercise these powers and responsibilities over the political parties including the then Peoples Democratic Party (PDP) in power, and now the All Progressives Congress (APC), or where it has done so, if it has acted

impartially. This, as some further argued was so because the conduct of party registration exercise, voter registration and their revision, electoral time tables, among other exercises, have always been criticised as prejudiced in favour of the party in power. Besides, as some put it, it is also doubtful whether any political party, except perhaps the Peoples Democratic Party (PDP), was willing to comply with this provision of the constitution in respect of their finances. They added that the party could have done this to lure other opposition parties to toe its line of action in a bid to cleverly expose their (oppositions) finances, so as to strangulate them.

Strictly speaking, the actual and proper exercise of these powers and diligent performance of these responsibilities conferred on INEC require some level of autonomy, if the sanctity of the electoral process and democracy must be achieved in Nigeria. Regrettably, it is only Section 158 (1) of the 1999 Constitution that has some provision in the semblance of ‘independence’ of INEC. According to this section of the Constitution:

*In exercising its powers to make appointment or to exercise disciplinary control over person...the Independent National Electoral Commission shall not be subject to the direction or control of any other authority or person.*²⁹

As could be gleaned from the above, this provision is quite limited and defective, since it does not cover the commission in the area of exercise of all its powers and discharge of all its responsibilities in the electoral process. In fact, the inference that could be made is that the constitution grants INEC independence only in the discharge of personnel services of making appointment and disciplinary control of its staff. More often than not, the impression (wrong and right) created in certain quarters is that the commission is under the president’s executive authority as regard its other functions. As pointed out earlier, this derives from its parastatal *quasi*-autonomous nature.

In other words, the commission is, as posited by Zamani Jibrin, one of the interviewees to this study, not actually independent in handling crucial electoral responsibilities such as delimitation of constituencies, registration of voters, conduct of actual elections, electoral adjudication, recruitment and posting of electoral officers and staff; inter-and-intra party mediations, among other matters. If this position of Zamani is tenable in real practice, it may mean that the opinion of many field respondents may be dangerously true to wit that: “INEC is directed, controlled and guided by other authorities and persons other than the National Assembly”³⁰ To this extent, this is an undesirable situation to guarantee the protection, maintenance and survival of the electoral process and democracy.

EMBs and the Consolidation of Democracy in Nigeria, 1958 – 2015

In view of the importance of election to the democratic process the role of the election management bodies to the making or un-making of democracy could hardly be doubted. It may, therefore, be argued that the conception of democratic government as a responsible and responsive government may not be unrelated to the fact that the power of governance, through election, rests essentially with the people themselves. It is, thus, through elections that the will of the people, which should be the basis of a true democratic government, is expressed. According to the United Nations “... the will of the people shall be the basis of the authority of government. This will shall be expressed in periodic and genuine elections. ...”³¹ Besides, it was Locke who once stated that the of the people must be supreme under a social contract with the State, which guarantees protection and provision in return. This will of the people is surrendered to the people’s representative through elections.

The point being made here is that since the cycle of democracy cannot be completed outside the context of election, the holding of election should signify an important index in the

direction of democracy. This line of thinking, may, to a large extent, justify reasoning that at all times and in all places democratic election, among other things:

*... is an important starting point for democratization ...because the legality of the political opposition, enlargement of public space through a plural press and a rich array of civic organization (and) gradual abandonment of undue persecution of conscientious objectors, etc. (which are all linked to election) are important preconditions for the more elaborate, more arduous, and long-term task of reconstructing and transforming the political ...institutions and political cultures.*³²

If election, as indeed election management body, is a positive contributor to the making of democracy, why is it also the case that democratic rule collapses sometimes through the instrumentalities of election? Examples could be found in Nigeria's First, Second and Third Republics when the democratic structures could not endure the test of time. Could the crises of these epochs be said to be a positive contribution or a negative contribution to democratic growth? Is it really true that election contributes to the un-making of democracy in spite of the argument advanced about its contribution to the making of democracy? If the reality of Africa where it has been contended that there is a seeming tendency of democratic rule collapsing through disputes over elections and election results is considered, then it may not be difficult to assert that elections do contribute to the unmaking of democracy. According to Reuben Abati, "a democracy in which the people's will counts for nothing is no longer a democracy, but fascism by other means".³³ At this point, it may be necessary to assess the performance of the several EMBS in the making and unmaking of democracy in Nigeria between 1958 and 2015.

Nigeria's First Republic, periodised from the time of independence in 1960, did not collapse until after the 1964 and 1965 elections whose results were greatly disputed by many of the parties of the period. The disputes ranged from accusations and counter-accusations of

rigging and manipulation of the results. Both the federal and the regional governments emerging from the disputed elections had their legitimacy questioned, with many Nigerians rejecting their emergence. It was, thus, left for those who had questioned the emergence and legitimacy of these governments to work for their collapse and this enterprise turned very violent especially in the Western Region. While there were other problems such as corruption and structural imbalances during this Republic, it may be instructive to note that the other challenges might not have been strong enough to dismantle the democratic structures. For instance, it took the violence of the disputed 1964 and 1965 elections to see to the collapse of the Republic with the attendant military intervention on January 15, 1966, to take over the reins of government to stop the apparent slide into anarchy. The lesson here is that the collapse of the Republic could have been somewhat prevented if the 1964 and 1965 elections were organised in a genuine and acceptable manner by the electoral body to obviate the need for disputes and violence over their results.

In a similar vein, the Second Republic, which began in 1979, did not succumb to the myriad of challenges such as corruption and the persistent structural imbalances in the polity militating against it, but caved in under the pressure of the disputes accompanying the 1983 general elections, which the then ruling party, the National Party of Nigeria was said to have won with a landslide. Although there were complaints about the 1979 general elections, which ushered in the republic, many people were prepared to give the republic a chance to survive by not seeking the collapse of the democratic structures. However, this initial attitude was to be jettisoned in the aftermath of the 1983 general elections, which were characterised by a high level of rigging and manipulation of result. Within the context, opposition political parties were boxed to the corner by the NPN, and by extension, they were stripped of any stake in the existing democratic structure. In the long last, the republic collapsed on 31 December, 1983, when the

military took over the reins of government. It is instructive that one major reason given for the intervention was the disputes and violence over the election result of the 1983.

Nigeria's Third Republic was spectacularly delivered still-born through the annulment of the June 12, 1993 presidential election by the supervising military government under General Ibrahim Babangida, as a continuation of the contributions of elections to the unmaking of democracy. It would seem that no concrete lesson has been learnt from this trend since, it appears, the current Fourth Republic in Nigeria is already threatening to flounder on the same basis. While many politicians were prepared to overlook the shortcomings of the 1999 general elections that ushered in the Fourth Republic with the consolation that there would be improvement after the departure of the military that supervised the election, nobody would have expected that the next general elections in 2003 would suffer a worst fate. The level of alleged corruption, rigging and manipulation which characterised the 2003 elections was such that attracted even the attention and condemnation of many of the international observers that covered the elections, making the legitimacy of the emerging government questionable.³⁴ It would, therefore, seem to assert that Nigeria revels in the wrong notion of elections as a harbinger of democratic collapse since elections in the country have been conducted without regard to the need for them to truly reflect the will of the people. The result has been heated disputes over election results, emergence of government with questionable legitimacy, and eventual collapse of democratic structures under the burden of lack of support and active opposition of the people. The implication of this is that the Fourth Republic was already on tottering steps, except for the 2015 presidential election in which the PDP's Presidential candidate, President Goodluck Jonathan demonstrated a rare statesmanship by boldly conceding defeat to the APC's candidate, Muhamadu Buhari.

What would it then take to have elections in Nigeria contribute to the making rather than the un-making democracy? In the first place, it does not seem that Nigerian politicians and leaders have come to appreciate the imperative of free and fair elections? This is because there has not been a conscious desire on the part of Nigerian leaders as constituted into political parties and government officials at both executive and legislative levels to work for the realisation of elections that truly reflect the will and wishes of the people. This is why it has been difficult on the leadership to agree on the steps to take to realise this ideal. There is, therefore, the sense in which making elections promotive of democracy in Nigeria would require a change of heart on the part of Nigerian leaders and politicians such that they would prefer to have elections that truly represent the will of the people rather than the current notion of using election to acquire power by all means.

With a positive change of heart and orientation, it would be realised that free and fair elections would not be possible without deliberate empowerment of the election management body to be free and independent of manipulations by politicians. At present, it could only be stated that in spite of the fact that the current election management body in Nigeria is called the Independent National Electoral Commission (INEC), the rules for its membership and its workings are such that place it at the behest of the executive organ of government. This, as we pointed out earlier in the study, is probably because the president is expected to nominate all members of the commission in consultation with the National Council of State and subject to the confirmation of the senate, but without any specific notion as to where the members should come from or what interests they should represent. The situation is such, that members of the commission owe their appointment and allegiance to the president.

In the same vein, INEC is dependent on the president and the cabinet for its funding - a development that places it at the mercy of the executive arm of government in terms of its functioning and running. Within this context, therefore, there is need to put in place appropriate rules and provisions that would ensure the real independence of the EMBs, possibly by making its membership to be a function of representing various interests within the polity and also guaranteeing its funding outside of the manipulations of the presidency and its cabinet.

It would not, however, be enough to leave the EMB a truly independent organ without further enabling the process through appropriate legislation that would make it possible for the citizens to monitor the process of elections. A situation, for instance, in which the ordinary citizen is not empowered to question anomalies in the process is such that unduly encourages manipulation. In this regard, it would not be out of place to put in place appropriate legislations that would make it possible for ordinary citizens and civil society groups closely monitor the conduct of elections in order to place another layer of control over the activities of politicians with respect to elections.

It has also been contended that election rigging and manipulation are no more than a reflection of an abiding chasm between the Nigerian state and the Nigerian people, which indicates a deep distrust of the interests of the people by the leadership and which suggests that the leadership does not set great strides for the feelings and will of the people. The implication of this is that it would take a conscious and deliberate re-engineering of the Nigerian state, toward a more fruitful relationship with the people.

A series of surveys were carried out during field trips to determine how deep-rooted in the veins of the nation the issue of electoral fraud is, and to ascertain the likelihood of expunging it from the system. Over 20 people from different demographic settings, but not reflecting the

exact ethnic and religious mix, were interviewed. Their response mirrored that of a nation which has lost total confidence in its electoral system, but which hungers for a divine intervention to put it back on track. It also revealed a socio-political trend of a fixated mindset originating from decades of the civil unrest, violence, hardship, and military rule. Nearly all respondents believed that past electoral processes in Nigeria were largely fraudulent. They also hunger for free and fair election to happen in their lifetime.³⁵

Besides, most of those interviewed in this study seemed to have believed that lack of urgency and the concept of ‘African time’ contributed immensely to the poor electoral preparation and last-minute scrambling that plagued Nigerian politics and mal-functioning of electoral process. For instance, 80 percent of the respondents feared intimidation and violent attacks that the most during elections. They would return to their villages during elections for their safety or fly abroad, if they could afford that.³⁶

Also 70 percent point out that political unrest is the most series of all social problems in Nigeria because it normally triggers ethnic and religious tensions, and undermines economic development. They further noted that elections may never be free and fair in Nigeria, though they are willing to accept result of contests with minimal level of electoral malpractices.³⁷ The respondents moreover hoped that future elections might yield acceptable results. Two-thirds of them believe that the military was responsible for poor democratisation of the country, while one-third thought attribute it to poor enlightenment. According to this group, the nation had known more military and retired generals as heads of state than their civilian counterparts.

The Role of the Military as Democracy Roadblocks in Nigeria

It may be important to situate what we call democracy roadblocks in Nigeria along historical spectrum to enable us appreciate the socio-organic dimension of the factors we intend

to deal with. The first democracy roadblock in Nigeria is what we call geo-structural mal-configuration of Nigeria's territorial and national polity at independence, otherwise known and described by Okon Uya as "Nigeria's unfinished anticolonial struggle". In some other contexts, Uya called it the "geoterritorial imbalance"⁴² of Nigeria's federalist state. The partition of Nigeria into tripod ethno-geopolitical regions by the imperialists before the attainment of political independence turned out to constitute a major obstacle to the survival of Nigeria's first republic.

The mutual suspicious about the unsuitability of the colonial geo-structural arrangement for the survival of the post-colonial administration of an enduring or a sustainable federalist democracy was expressed at different times by both the north and the south. While the north referred to it as the "mistake of 1914", the south saw the Nigerian state symbolic structure as a mere "geographical expression".⁴³ Structurally, as Y.B.C Omelle captures it, Nigeria's tripod ethno-geopolitical regionist arrangement gave rise to the building up of political cleavages few years after independence along the following patterns:

- (a) north-south geo-political divide,
- (b) majority – majority cleavages (Hausa/Fulani, Igbo and Yoruba), along ethno-regionist divides,
- (c) majority – minority (within and between) the major geographical divides;
- (d) minority – minority (inter-and-intra communal/ethnic political/social conflicts (between the so called indigenes and non-indigenes); and then
- (e) the military versus the Nigerian state (democracy, the economy and the people). This last one brought about the tragic demise of the First Republic in 1966.⁴⁴

1. The Imperialist and the Military Legacies in Nigeria's Nation – Building Experience

While we shall not go into any detail to examine the nature of the above structural ethno-geopolitical and/or social conflicts in Nigeria, a point to note, as Jibrin Aminu have put it, is that the worst democracy is better than any military regime.⁴⁵ The trajectory of the development of Nigeria's political history was detoured, twisted, if not mangled, corrupted and derailed by two major factors – the imperialist and the military interruptions, or political misadventure. Like the colonial powers, the splitting of the present Nigerian state into its present 36states structure was not done by civil consensus, rather it was done by military fiat. The emergence of such organisations as the Odua Peoples' Congress (OPC), Arewa Progressive Congress (APC) and Movement for the Actualisation of the Sovereign State of Biafra (MASSOB), with each representing the post-colonial ethno-geopolitical regionist arrangement made by the colonialists prior to independence, over five decades ago, points to the fact that ethno-regionist politics, which played a significant role in the tragic collapse of the First Republic, has not given way to either the military strategy of political re-structuring of Nigerian federalism in its several years of running “corrective regimes” in the country, or to the country's recourse to civil rule in 1999. Since the present federal structure of the Nigerian state did not emerge on civil democratic consensus, and given the increasing demands for a national conference to serve as people's forum where the lingering problem of Nigeria's geo-political structural defects could be popularly addressed, the country's democracy, as it is currently structured or administered, is standing on a slippery and sandy geo-political ground, which does not give one strong hopes for its sustainability, let alone the potentiality of its consolidation.

The Machiavellian strategy adopted by the 1999 post-military politicians to enthrone themselves in political offices, thereby undermining the rules of electoral practice and

democratic civility, is undoubtedly known to have posed tremendous danger to civil rule and electoral system in Nigeria. What this point appears to mean is that the unprecedented introduction into the civil polity of undemocratic instruments and illegal use of firearms for purely political purpose has had a negative impact to the growth and development of democratic institutions in Nigeria. The spate of effect on the society, the illegal use of firearms, openly and freely, especially immediately before, during and after elections in Nigeria usually points to the dangerous ‘criminalisation of civil politics’. This, by extension, is a negative dialectical spill-over from several decades of institutional militarisation of the Nigerian state in which rule by the barrels of the gun or getting into political power by all means and at all cost has turned politics to life-and-death contestations where all things are used as political weapons.

2. Nigerian military and the Constitution

The 1999 Constitution upon which the present democracy is based was hurriedly put together by the military in a matter of months. Like every military government, General Abdulsalami Abubakar regime arrogated to itself the ultimate power to review or amend the work of the Constituent Assembly (the constitution drafting body), which it put together in a hurry, and its recommendations were not subjected to sufficient public (if any) debate before it was adopted by the same regime and handed over to the ‘president-elect’ at the inauguration of Nigeria’s Fourth Republic on May 29, 1999.

It is no gainsaying that the Nigerian constitutions since independence in 1960 could be described as a series of “mumbo-jumbo foisted on” the country, either by the departing imperialist political manipulators, usurpers or by the Nigerian military political adventurous predators in government at different times, an experience which has made it extremely difficult for Nigeria to establish a “flourishing democracy”⁴⁶ since 1960. South Africa, which experienced

one of the most heinously dehumanising forms of imperialist domination in Africa and where Nigeria played a leading role in the intense struggle against the obnoxious Apartheid rule, has had ten uninterrupted years of people's democracy and could, according to James Oluleye, now boast of an enviable "electoral model".⁴⁷

Nigeria, on the other hand is still largely battling with voters' apathy and conflicting electoral judgments, which had to make it meander along a weak and unpopular constitutional spectrum, with fake clichés about 'democracy dividends' that could only be perceived with political minds or seen with political eyes.

Military and Democratic Transitions in Nigeria

Without reiterating already known findings in this study, the impact of post-military rule in Nigeria could be said to have been most felt in four major areas namely:

- a. unification of the country;
- b. centralisation of the government format;
- c. increased bureaucratisation; and
- d. national integration.⁴⁸

That Nigeria remains one country till date may be seen from the handwork of the military. They had to fight to re-establish and re-seal the unity of the country in a bitter, bloody civil war (1967-1970), and against the forces of secession and disintegration. Admittedly, the conflicts and in-fighting within the army, which blew open in 1966 were as much a contributory cause of the civil war as the hitherto raging conflicts in the wider society.

Yet, the non-democratic character of the military renders suspect the efforts of military regimes at democratising societies in which they held sway. Although, contemporary Nigerian history is replete with evidence of the manifest commitment of successive military

administrations to democratic civilian succession, the perception of insincerity seems to loom large, nonetheless. This perception also explains the seeming skeptical, sometimes cynical, reaction to programmes of military disengagement from politics. With Babangida's repeatedly botched transitions in mind, the perception of insincerity is grounded in the reasoning that it is unrealistic to expect that those who wield political power would genuinely embark on programmes, which guarantee their self-liquidation. The Gowon administrations designed programmes of military withdrawal from politics, while the Murtala and Obasanjo regime actually handed over power to a democratically elected government in 1979, as indeed Abdulsalami Abubakar in 1998. This means that the "sincerity argument" is not necessarily a scientific conclusion as empirical evidence points to consistency in commitment by some military regimes to democratic civilian succession.

Even at that, as Joseph Okaku has argued, the sense in which one often talks of 'keeping the army out of politics and politics out of the army'⁴⁹ re-echoes the notions of political neutrality in the military as a sham. For example, notwithstanding his professed military non-partisanship and professionalism, Obasanjo administration made it abundantly clear that it was 'interested' in the kind of civilian government to succeed the military regime in 1979.⁵⁰ This became the manifest in the five registered political parties- NPN, NPP, GNPP, UPN and PRP. The political associations were registered after their manifesto had been made public showing their ideological stance, especially regarding the role of private property. In terms of ideology of government, Obasanjo and Babangida share similar views that portray them as defenders of the *status quo*. Socialism was rejected outright in the transition programmes of both regimes, leaving the way for the capitalist ideology to reign as reflected in the botched SDP and NRC elections

under the same Babangida regime. Speaking to an audience in 1977 on the issue of ideology and government, Obasanjo, then military Head of State, points out that:

... because socialism is a younger doctrine and a reaction to capitalism, it has proved to be more attractive to all who seek change and has been described as “progressive” while the word “conservative” has been associated with capitalism. I do not intend to go into the semantics of the terms “conservative” and “progressive”, but I would like to say unequivocally that rather than clarify, they tend to confuse issues I am convinced beyond doubt that the decision to choose between capitalism and socialism and energy expended in making this choice becomes diversionary and wasted. The alternative to this mirage is to achieve, through efficient management, our capacity for qualitative and quantitative improvements.⁵¹

Similarly, while commenting on the findings and recommendations of the Political Bureau, President Babangida asserts, inter alia, that;

... of course, we did not accept the socialist ideology that informed their action. We did so believing that the principles enshrined in the 1979 Constitution contained ideas that could form a philosophy for any progressive government. We believe that what went wrong in the past was not the lack of ideas but the absence of guiding principles and practices on which genuine political parties could operate.⁵²

It is, therefore, obvious from the above statements by Obasanjo and Babangida that they implicitly oppose socialist ideology for “sincere” military disengagement. Strictly speaking, this may be said to be true for Obasanjo who fashioned a genuine transition and handed over to his ideologically ‘preferred’ party in 1979, and not for Babangida whose trade on falsehood in hand-over date had reduced him to ‘Maradona’ of Africa.

One of the reasons given for the deposition of Gowon was his decision to postpone the proposed return to civilian rule in 1976. The July 1975 *coup* and leadership change was the decisive event in the Nigerian context. It stopped the drift in the direction of military rule for an

indefinite period and made a re-assertion of commitment to disengagement as an immediate objective. Thus, the Murtala regime turned its attention early to formulating a programme for disengagement, which was formally announced on October 1, 1975.

Both Obasanjo and Babangida belong to the military tradition that sees military intervention in national politics as nothing more than a purely temporary intrusion into a ‘civilian sphere’, in order to save the political system and prevent the breakdown of law and order. In his address to the nation on 1 October, 1975, the then Head of State, General Murtala Mohammed announced that “the present military leadership does not intend to stay in office a day longer than necessary”.⁵³ Commenting on the virtues of military professionalism and bastionalism, Obasanjo notes that for those of us who count on institutional integrity and credibility for the military and defense for the unity and integrity of Nigeria, our words on behalf of that institution must be matched by our actions.⁵⁴

Similarly, Babangida explains as follows:

*We inherited a Western liberal model of civil military relations from the British. This model of civil-military relations exhorted civilian supremacy. It provided for an apolitical professional military whose place was in the barracks, protection and defending the integrity of the nation and its people.*⁵⁵

In Nigeria, the process of disengagement entails a planned period of transition from military to civilian rule, or what Bayo Adesokun identifies as “a constitutional-evolutionary process”.⁵⁶ This trend which, was manifest during the Murtala/Obasanjo regime and which had a transitional disengagement process, phased over four years (1975-1979), repeated itself in the disengagement process of Babangida regime which was originally phased over four years (1986-1990) before being extended to six years (1986-1992) and even further shifted to 1993, until he was forced to ‘step aside’, following populist revolt.

The cycle was continued unabated by General Sani Abacha whose personal ambition for self-perpetuation or absolute totalitarianism made mockery of the five existing political parties which were subtly compelled to adopt him as ‘unopposed’ presidential candidate. The sinister role of his ideologue groups such as Youths Earnestly Ask Abacha (YEAA) to continue, as indeed the Association for Better Nigeria (ABN) of the earlier period, combined to reduce transition programme to well-dressed deceit and mockery of democracy. The Nigerian experience has, therefore, shown clearly that any programme of military disengagement from politics must address the problem of psychological withdrawal. The possibility of achieving the latter is contingent on a well-articulated programme of political education, which addresses the ideal of civilian control over the military.

In a short but penetrating paper entitled “The Significance of Military Rule”, Claude Ake offered an extremely frightening characterisation of the military in order to make the seemingly non-controversial point that military rule is anti-thetical to democracy. Ake’s conclusion that military rule is, perhaps, the “most bizarre social phenomenon in human history” is the logical picturesque of the military *Frankenstein* he painted in the paper.⁵⁷ As could be seen, therefore, the character of the military posed a major road-block for the political task of democratisation in Nigeria since 1960.

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CHAPTER FOUR

THE CHALLENGES OF ELECTORAL PROCESS IN NIGERIA

The electoral process involves the broad spectrum of electioneering activity which includes pre-election activities (voter registration, campaigns, political parties registration, strategic alliances, and so forth), election (polling day event) and post-election activities (petitions, court cases, tribunals, and so on). In the previous chapter we did point out some of the lingering challenges that tended to beset only election day activity (polling day event) in Nigeria. In this chapter, we shall examine some of the sustained challenges that have continued to truncate the entire electoral process, ranging from the mindset of Nigerians about elections, power and politics, to unrestrained escalation of money politics, and elite conspiracy in the electoral process in Nigeria.

Problem of Election Mindsets in Nigeria

We have highlighted criticisms from the public against the prolonged flawed performance of the election management bodies in Nigeria. The electoral bodies have on their part tended to blame their poor performances in elections on a number of factors, including inadequate legislation, poor funding, lack of real autonomy and independence, lack of understanding and compassion by the public at large, the negative designs of political parties, partisan interests on the part of some members of the electoral body, difficult terrains, the failure of other parties involved in election to play their roles effectively and other factors. Beyond this defensive game here and there, the problem of mindset of the people in the electoral process appears to override all other considerations.

a. Dimensions of Mindset

While each of the above defences has some merit, we may posit that they all fail to address the lingering key factor that has turned elections into a major problem that now threatens the very foundation of the Nigerian state. This key factor is the problem of mindsets in general and election mindset in particular. The salient thrust of this presentation is that the problem of elections, and in fact, the factor that provides the dynamic to elections as a problem in Nigeria is the mindset about politics and power in general and election in particular. In one of his popular public lecture series, Festus Iyayi, had cautions thus:

We want to suggest that unless we change these mindsets about elections, power and politics in Nigeria, our elections will continue to be violent, chaotic, controversial, and in the end threaten the very survival of Nigeria as one nation.¹

Now, what are mindsets and why are they so important in elections? There are different definitions of mindset. H.E.Diligo explains it as “enduring models within people’s minds that allows them to interpret the world in a way that is acceptable to them”.² Mindset could also be seen as a fixed mental attitude or disposition that predetermines a person’s response to, and interpretation of situations. In contrast, although nearly similar, Festus Iyayi defines it as “sedimented beliefs about the nature of reality and what is required for personal effectiveness in that reality”³

From the above definitions, one could clearly see that the impact of mindsets on the electoral process is potentially high. Mindsets provide us with:

1. ways of seeing and interpreting the situation around us;
2. a foundation for acting and behaving; and
3. ways of rationalizing our actions and behaviours.

To this extent, mindsets have a powerful effect on action and behaviour. More than anything else, it is the mindsets that determine how we think, talk and behave. More powerful than structures of systems, mindsets forge the set of individual and collective beliefs and assumptions that guide people at all levels in what they have to do in order to succeed, both internally and externally.⁴ Mindsets are very strong influences on people. They dominate the thinking of people about social, political and economic issues. It is very difficult to convince someone with a different mindset that the world could possibly work well in a way different from their expectations. To any ardent PDP supporter, for example, the change mantra of President Buhari is the cause of everything bad in Nigeria today – scarcity of fuel, rise in dollar, general increase in the cost of virtually everything and worsening standard of living in Nigeria today. He takes this fixed mental attitude or disposition to everywhere he finds himself, and bitterly challenges anyone that presents a contrary mindset on his “fixed” position.

Mindsets are different from attitudes and habits. Attitudes are our beliefs and feelings about the objects around us that are either positive or negative and that shape how we relate to those objects. With attitudes, we could like or dislike an object or we can be positive or negative in our feelings towards the objects. Mindsets are like attitudes but they are deeper, broader, harder and more durable.⁵ Yet, mindset includes attitudes. Whereas a mindset is like a map that we use to get from one destination to another, attitudes determine how hard we will try to get to the destination, even in the face of difficulties. However, as this example shows, we will never get to the right destination no matter how hard we try if the map is wrong. A mindset provides a mental picture of what the situation is like and how one should act in the situation.

Again, mindsets are not habits. Habits are what we repeatedly do. Mindsets lead to habits and practices. We could change our habits and practices if we change the maps – which is the mindset that we use in navigating the world.

b. Election Mindsets

Election mindsets are particularly consequential for democracy. They shape political behaviour before, during and after elections. Election mindsets derive from other mindsets that we have about several other conditions and factors that shape elections. These would include mindsets about power and politics, the role of the state in society, ethnicity, religion, and political succession. We need first to identify the crucial mindset themes that are involved in elections. We can identify the following themes and the corresponding mindset alternatives. This scheme, as postulated by Iyayi, is very general and the challenge is for us to indicate what we believe to be the mindset alternatives:

Election Mindset Theme	-	Mindset Alternative
- Elections	-	Fair versus unfair
- Nature of politicians	-	Honest versus dishonest
- Conception of politics	-	As warfare or as competition
- Methods of acquiring power	-	Violence versus peace
- Political platforms	-	Build one versus buy one
- The role of the state	-	Neutral versus partisan
- Individual vote	-	It counts versus it never counts
- Money in politics	-	Decisive versus facilitative
- Women in politics	-	To vote and/or to be voted for
- INEC	-	Independent versus compromised
- Political succession	-	Merit versus ascription. ⁶

Every election mindset theme, according to Iyayi, involves a number of groups. Therefore to change election mindsets the second step is to identify the groups that are involved with each mindset theme and the mindsets of each group in the same theme.⁷ This second step is crucial because if we change the mindset of one group and do not change the mindsets of other groups on the same theme, problems would remain. Let us take a specific example of an election mindset theme and explore the corresponding mindsets across the groups. Let us select from the broad theme of elections and the sub-theme of voting in elections. In elections, the following groups are among those that are involved:

- Voters
- Politicians
- Political parties
- Authority figures such as traditional rulers
- INEC
- The Legislature
- The Judiciary
- The Media
- Security Agencies
- Election Tribunals
- The Executive arm of the state
- Big Business
- Foreign interests (USA, UK, World Bank, IMF, Transnational Corporations).

What could we say is the mindset of each of the groups that we have identified? Although actual mindsets need to be established for different public? through formal diagnosis and

observation, let us explore the mindsets of just three groups on election: Voter, politicians, and INEC.

1. Voters

Election Mindset Theme	Existing Mindset (Assumed)
- Elections	- Elections are unfair
- Nature of politicians	- Politicians are not honest
- Conception of politics	- Politics is a warfare
- Methods of acquiring power	- Power is acquired through violence
- Political platforms	- Belongs to one that pays money
- Role of the State	- State rigs elections
- Individual vote	- My vote does not count
- Money in politics	- Money decides who wins elections
- Women in politics	- Women are to vote and not to be voted for
- Political succession	- Political succession depends on where you come from.

2. Politicians

Election Mindset Theme	Existing Mindset (Assumed)
- Elections	- Elections cannot be free and fair
- Nature of politicians	- Politicians are not honest
- Conception of politics	- Politics is a warfare
- Methods of acquiring power	- Acquired only through violence
- Political platforms	- You buy it
- Role of the State	- The state is, or has to be partisan

- Individual vote
- Money in politics
- Women in politics
- INEC
- Political succession
- Votes do not count
- Money is everything in politics
- Women are to vote
- INEC is not independent
- Succession is or must be based on primordial considerations: where you come from must count more than your vision.

3. Election Mindsets about INEC

Mindsets about INEC are crucial in elections.⁸ There are, however, three dimensions of election mindsets that are crucial for INEC. One dimension relates to the election mindsets of other groups about INEC. The second dimension relates to the mindsets of INEC officials about INEC itself. The third dimension relate to the mindsets of INEC officials about elections.

3a. Mindsets of other groups about INEC

- INEC is not independent
- INEC cannot conduct free and fair elections
- INEC takes directives from the party in power
- INEC exists to support the government of the day
- INEC is well funded
- INEC officials are members of the ruling party
- INEC officials are corrupt and compromised
- INEC does not prepare well for elections.

3b. Mindsets of INEC officials about INEC

- INEC is not funded enough to pay well
- INEC is powerless to do anything about the demands of government of the day
- INEC is misunderstood by the public
- No matter what INEC does, it would be criticised by the public
- INEC exists to support the government in power
- Election periods are the only opportunities to harvest vast cash and contacts

3c. Mindsets of INEC officials about Election

Election Mindset Theme		Mindset Alternative
- Elections	-	(???) – Indifferent
- Nature of politicians	-	politicians are not honest
- Conception of politics	-	(???)
- Method of acquiring in power	-	(???)
- Political Platforms	-	(???)
- Role of the state	-	(???)
- Individual vote	-	(???)
- Women in politics	-	(???)
- INEC	-	INEC is not independent
- Political succession	-	(???)

c. Could Election Mindsets Be Changed?

Although mindsets, as we have noted, are sedimented beliefs and are more settled than attitudes, the fact is that they could still be changed and do in fact change. A few examples

include Apartheid in South Africa, development mindsets in South East Asia (Singapore)⁹. All these fixed mindsets may have changed overtime.

Interestingly, these and other notable examples show that mindsets are not immutable.

There are four psychological steps involved in changing mindsets:

1. Desire - there must be a desire to change existing mindsets.
2. Decision - a decision must be taken to change existing mindsets.
3. Deployment - the actions mandated by the decision to change existing mindsets must be deployed.
4. Determination- the actions, practices and behaviours required to maintain the new mindsets must be sustained.

In the case of election mindsets, these psychological steps need to be translated into visible, dramatic actions for election mindsets to change. Furthermore, change would require time, persistence and leadership.¹⁰ This is why, as we pointed out earlier, the happenings in the country over the attempt to elongate the tenure of President Olusegun Obasanjo under Senator Ken Nnamani held so much promise for changing the public mindset about the National Assembly as an institution. Again, the wide media attack against President Buhari's constant foreign trips when inflation in Nigeria has reached high heavens requires much work to change the public mindset - that the trip is both ill-advised and counter-productive.

Unarguably, elections and electoral practices lie at the heart of representative democracy. The success or failure of elections is, therefore, central to the success or failure of democracies.¹¹ Election mindsets are the critical elements that determine electoral practices and behaviour, and, therefore, the failure or success of democracies. In Nigeria today, election mindsets are not only largely negative, they are also largely irrational. Without changing these mindsets, we would not

stop political assassinations before, during, and after elections; we would not move to a form of politicking that places the interests of the country above those of the individual; we would not build lasting political institutions that would promote peaceful change and democratic governance in the true sense of the word; and we cannot truly build a nation that has one destiny. Without changing election mindsets, politics would only continue as business as usual; it would ultimately undermine the very foundations of the Nigerian state. There is, therefore, a sense of urgency about the need to change these mind-sets. The change must also be national in scope; it must target at the mindsets of the voters, the politicians, the leaders of the Nigerian state, the judiciary, security services, the media, civil society organisations and, of course, officials of INEC.

Of a truth, the major problem with changing election mindsets is often the leadership. The question usually is: who or which institution should lead the process? This is a major issue in Nigeria given the history of political relations and practices in the country. Be that as it may, INEC is better placed to lead the process because, in the first place, it is the institution saddled specifically with organising and conducting elections.

Secondly, like the National Assembly, INEC needs the process to demonstrate that it could, indeed, be or is in fact independent. The process would require self-enlightened action on the part of the members of the ruling class. It would require courage on the part of INEC. It would require hardwork on the part of all those involved.

Implications of Unregulated Money Politics and Party Administration

Since the return to electoral politics in 1999, and most especially after the 2003 general elections, Nigeria's political parties have been severally criticised by the media, academic observers and, indeed, the electorate for corruption and unbridled use of money in politics.¹²

Under the 1999 Constitution, INEC has constitutional responsibility to monitor the finances of political parties, conduct an annual examination and audit of the funds of political parties and publish a report for public information. Section 228(C) of the 1999 Constitution gives powers to the national assembly to provide for an annual grant to INEC for disbursement to political parties on a fair and equitable basis to assist them in the discharge of their functions. The responsibility to monitor the use of money in the campaign activities of politicians and their parties posed some challenges to the commission. For instance, during the 1999 elections, there were complaints and allegations by civil groups about large donations by influential political figures and businessmen to some parties. The Transition Monitoring Group (TMG) – a coalition of civil society organisations in Nigeria, in a statement on the conduct of the PDP, ANPP, UNPP and NDP primaries in January, 2003, observed that there was widespread bribery of delegates with sacks stuffed with money to influence their votes.¹³

Also, Sarah Jibril, one of the presidential candidates in the 2003 elections petitioned the leadership of her party over alleged misappropriation of grants from INEC. The commission was able to investigate some of the reported cases and even monitored party finances to some extent. For instance, following the reported allegation of mismanagement of funds released to political parties by INEC, the commission in September 2003 ordered the audit of the account of four political parties. But for a very long time INEC was unable to perform audits or issue reports on the finance of political parties due mainly to lack of cooperation from most of the political parties.

The problem of unregulated use of money in politics was not exclusively that of the 1999 Constitution. For example, Section 84 (3) of the Electoral Act 2002 under which the 2003

elections were conducted, and Section 86 (4) and 92(1) of the Electoral Act 2010 (as Amended) which guided the 2015 general elections, both state that:

*Election expenses of political parties shall be submitted to the Commission in a separate audited return within three months after polling day and such shall be signed by the party's auditors and countersigned by the chairman of the party as the case may be and shall be supported by a sworn affidavit by the signatories as to the correctness of its content.*¹⁴

In the case of the 2003 elections, the deadline for the submission of the audited reports of political parties was 3 August, 2003. Most of the political parties were understood to have violated this deadline, and by the end of 2003 only few eventually submitted their reports to INEC.

Under the 2006 Act, as indeed 2010 Electoral Act (as amended), there were two main sources of funding political parties: public funding, which was to come from the government and private monies and material contributions made to the political parties. Contributions were expected to include membership dues, levies, proceeds from launching, fines, proceeds from investments, interests on savings and voluntary donations. Again, in its regulation of limits on election expenses, the Electoral Act 2010 (as amended) stipulates in Section 91(2) to sub-section (5) that:

*The maximum election expenses to be incurred by a candidate at a presidential election shall be ₦1, 000,000,000. The maximum election expenses to be incurred by a candidate at a governorship election shall be ₦200, 000,000. The maximum amount of election expenses to be incurred in respect of Senatorial seat by a candidate at an election to the National Assembly shall be ₦40,000,000, while the seat for House of Representatives shall be ₦20,000,000. In the case of State Assembly election, the maximum amount of election expenses to be incurred shall be ₦10, 000,000.*¹⁵

However, the scandalous indifference to fraud and corruption by politicians makes it possible for them to always cleverly circumvent these regulations, and outwit INEC unscathed. During the 2003 audit accounts of the political parties, the Commission observed certain shocking distortions in the submissions by many political parties. These included:

- (a) unaccounted political party expenditures;
- (b) unconfirmed and unidentified source of funds; and
- (c) poor financing record keeping, ostensibly aimed at suppressing certain vital financial misdemeanor.

Against this backdrop, money continued to influence votes and voices in Nigeria as “godfathers” openly confess about their nocturnal deals, how they funded or sponsored elections for their “godsons” and even purchased electoral victory. The celebrated case of Chief Chris Uba and Chris Ngige in Anambra State is still fresh on our minds. In a widely reported interview after the 2003 elections, General T.Y. Danjuma admitted as follows:

*I helped to finance his (President Olusegun Obasanjo’s) first term election. I raised \$7million, slightly more than half of it came from my business associates. Not once did he (Obasanjo) find out from me where this money came from. Was it from me, from my business associates, whether I stole it or whatever, he didn’t ask me!*¹⁶

Meanwhile, it may be necessary to underline the relationship between corruption and funding. The links between part-financing and corruption are so important that to ignore party financing is simply to open wide the door for corruption, in addition to the betrayal of public trust and the escalating cost of politics in Nigeria. Vote buying has been reported in all the elections held since 1999. As many as 28 per cent of voters were offered gifts during the 2003 campaigns.¹⁷ Based on the public perception of the vote-buying transaction, voters were usually offered money (68 per cent) commodities (such as food or clothing, 26 per cent) or jobs (6

percent).¹⁸ Today in Nigeria, ‘money politics’, ‘vote buying’, ‘godfatherism’ and ‘share the money’ syndrome have become regular household phrases and slogans to portray the moral decadence of politicians. These usages adequately describe the rent-seeking behaviour of politicians, political parties and voters. This is serious implications for both election management and governance, including political participation. A portion of the *communiqué* issued by the Nigerian Political Science Association at the end of its one-day round-table on the theme ‘Understanding the Electoral Process in Nigeria’ on 1 February, 2007, states that:

*The role of money in politics is strong. ‘Godfathers’, ‘money bags’ and incumbents use police orderlies and state security paraphernalia to intimidate voters and undermine elections.*¹⁹

What is more, money politics is fast shrinking the political space, becoming a key variable in determining who participates in electoral politics, and how? For example, the nomination fees for party members seeking elective positions have become so high that only the rich and the daring ‘political entrepreneurs’ could participate in party primaries. In 1992, for example, presidential “hopefuls” spent over one billion naira during the primaries while other “not-so-rich” contenders had about 120 million naira as budget for primaries.²⁰ Although, the political transition programme of the Babangida administration under whose such recklessness took place was aborted, this trend of unrestrained use of money for political influence has persisted till date in the country.

However, the problem of unregulated use of money in politics did not just begin today. It has its antecedents in the history of modern Nigeria beginning with the politics of nationalism in the 1950s, which took the form of rent-seeking behaviour of parties, politicians and voters of today. For example, the absence of strict legislation to regulate party and financing was known to have made it possible for politicians and parties to engage in illegal party finance and financing corruption in Nigeria’s First Republic. The electoral laws under which election was conducted in

the period of the 1950s and 1960s were derived from the provisions of the British Representation of the people's Act of 1948 and 1949 and regulations made therein. The 1959 elections were also conducted under the provision of the Nigerian (Electoral Provisions) Order-in-Council, LN 117 of 1958 enacted by the British Parliament. During this period, there was no clearly defined regulatory framework on party finance and the funding of political parties was dominantly through private funding as parties and candidates were responsible for election expenses. Two dramatic cases of corruption involving political parties were judicially investigated. In 1956, for instance, the Forster Sutton Commission of Enquiry investigated allegation of impropriety in the conduct of some politicians from the National Council of Nigeria and the Cameroons (NCNC) with business interests in the African Continental Bank (ACB).²¹ Similarly in 1962 the Coker Commission of Inquiry was set up to look into the affairs of six Western Nigeria public corporations that were allegedly involved in corruption with the leadership of the Action Group.

Admittedly, there are no available records on the exact amount of money spent by candidates and political parties in Nigeria. According to former President Obasanjo, "the parties and candidates together spent during the last (2003) elections, more than would have been needed to fight a successful war".²² This view of Obasanjo was corroborated by a perceptive writer who observed that:

More than any election in Nigeria's chequered political history, the 2003 national elections was determined by how much money candidates had. The electoral process has become so expensive that only the rich or those dependent on rich backers can run. There is also the disturbing trend of questionable business people backing candidates with 'grey' money',²³

The increasing influence of 'godfatherism' in contemporary Nigerian politics could be linked to the influence that money has in electoral politics through uncontrolled party financing as was witnessed in both Anambra and Oyo States where state governors have had to 'negotiate'

and ‘re-negotiate’ peace with ‘god-fathers’ and ‘money-bag’ politicians who claimed to have helped them ‘to win elections by all means’.²⁴ Accordingly, the absence of effective regulation and enforcement of the amount of private funding that political parties could receive from private sources made all forms of political mercantilism attractive and possible. The Catholic Archbishop of Owerri, His Grace, Anthony Obinna, defined corruption as a “distortion, perversion or degradation of the goodness, rightness, excellence or beauty inherent or expected in a person, situation or thing”. In his outcry against the bane of corruption in every facet of lives today, the Catholic cleric declared that fighting and winning the war against corruption needed to start from the top of the Nigerian society.²⁵

Money is the mother’s milk of politics, so says James Unruh, the late Speaker of the California House of Assembly.²⁶ But the danger is that there is a potential deleterious relationship between large funders and politics.²⁷ Frank Sorauf argues that funding is bilateral in that both contributors and candidates simultaneously pursue political goals, formulate strategies to achieve those goals and each group has considerable leverage on the other in the exchange process²⁸. This, therefore means that funding can carry with it undue influence such that the defected representative or government becomes a prisoner of market agents or interest groups operating on the fringes of the law.²⁹ It is for this reason that political finance is often connected with political corruption which is the wrongful use and abuse of power whether of public or private origin, for political party or personal gain through breach of the rule of law. More precisely, Transparency International defines political corruption as “the use of entrusted power by political leaders for private gain, with the objective of increasing power or wealth”.³⁰

Political corruption is not the only danger of the wrong use of money. Money in politics goes to the heart of democracy and excessive campaign funds could derail democracy . The

high cost of elections in Nigeria raises serious questions about the relationship between wealth and decisions in a democracy.³¹ First, high cost of elections tends to result in the shrinkage of the political space. The high cost screens out a majority of citizens who are otherwise eminently competent and qualified. In such circumstance, it is the money-bags who are, more often than not, people of doubtful pedigree that could afford politics. The moral quality of elected people is therefore very low. Politics, therefore, becomes an exclusionary system skewed against the poor and decent citizens. Gradually, and by default, democracy turns into plutocracy. A similar situation in the Caribbean Island gave rise to the common saying, “if you can’t pay, you can’t play”.³² That situation amounts to cash-and-carry politics an expression that is popular among Nigeria.

The kind of political situation depicted above cannot result in a good democratic governance. As long as money in politics is seen as an investment, the rich always gang up as a club and determine who the next club member would be. Furthermore, the club would decide the nature and trend of governmental decision-making. The club equally decides the personnel of government as well as who gets what when and how. Government then becomes a system of allocation for its members; in a sense, a government of the government, for the government and by the government. Those who make large contributions exercise substantial and undue influence as a result of their large investment. The possible result is the victorious candidate goes under obligation to pay off the major financial funders³³. Given the Obasanjo/ Goodluck Jonathan or the Chris Ngige/Chris Uba saga earlier mentioned in the study, Nigeria has unduly recorded good examples of such ‘owners’ of government who insisted on the total privatisation of government. They claimed to have a right to all juicy contracts and appointments. If their erstwhile god-son reneged on their pre-election agreement they would make a u-turn to cause a

confusion in government business. In fact, like Louis XIV of France, they could say *l'état c'est moi* (ie I am the state).³⁴

Political Parties and Internal Democracy

The electoral system of a country is the critical institution, which shapes and influences the rules of political competition for state power because it determines what parties look like, who represent in the legislature, how accountable these representatives are to the electorate and above all who governs. It is, therefore, fair enough to know that the way an electoral system operates goes a long way in determining the degree of public confidence and support for the democratic system itself. Electoral system regulates elections and other related activities. Both the 1999 Constitution and the 2010 Electoral Act (as amended) provide the legal and constitutional framework for the operation of political parties in Nigeria.³⁵ But, because of the “illiberal” nature of the legal framework that governs party activities in Nigeria individuals within political parties have emerged, through political or financial control as highlighted previously, with enormous power and wealth, which they use to dominate and control the affairs of their political parties.

These individuals commonly referred to as “god-fathers” now determine who gets what within their respective parties. These godfathers are responsible for the current problem of factionalism, which has affected virtually all major parties in Nigeria.³⁶ It is only effective regulation of the abuse of money in politics that can reduce the uncanny influence of the godfathers and promote the culture of internal democracy in the operation of the political parties. At present, these “political notables or dreaded political rascals who are recalcitrant to the deterrence of the legal regime”³⁷ dominate their respective political parties to the extent that they have the capacity to “sway political support such that they can determine the electoral fortune of

candidates”.³⁸ They are able to do this because they are strong party men and can also determine the nomination process because they often wield much influence on the party machinery.

The 1999 Constitution defines political parties narrowly and reduces the essence of political parties only to canvassing for votes during elections.³⁹ The conditions and requirements stipulated in the Constitution such as having headquarters in Abuja, and having names, symbols or logos that do not have religious or ethnic connotations are rather too stringent and “illiberal”. As a result, only very few “money bags” have the capacity to unite money wielding forces from different parts of the country to qualify for registration as a party with INEC. A recent study testifies to this. According to the report of the study;

*In effect, the major factor in party formation in Nigeria is not the aggregation of people with similar ideological interests but the establishment of ethnic coalition led by regional barons with strong financial backing.*⁴⁰

Although, the constitutional provisions on political parties are intended to check-mate external control of parties through irregular use of money, this is far from being achieved. Besides this, bribing party officials and voters to support a particular candidate has continued to undermine the consolidation of multi-party politics in Nigeria.

Moreover, the marginalisation of women, youths and persons with disabilities in the operations and activities of political parties constitutes major challenges to internal democracy.⁴¹ Although, structures are listed in the manifestoes and other official documents of virtually all the political parties, decision – making has regularly involved very few members of the “elders of the party”, usually supported by the money – bags. Often this has generated intense intra – party conflicts. One common feature is the culture of results by declaration, where party caucus nullifies primaries and gives automatic tickets to candidate they consider as “popular” to contest

election on the platform of the party. In some cases, the caucus gives an outright declaration to the loser as the winner.

Although we hope to examine in detail presently the civil society organisations, it is however, necessary to highlight their important role in the internal democracy of political parties in any modern society. In the recent times, they are beginning to be more visible in the electoral process in Nigeria. Political corruption, in its several forms, including unregulated use of money in politics has not yet received adequate attention in the policy environment, civil society circles or even the research community in Nigeria. However, in the consideration of how campaign finance activity is reported and disclosed, how government regulators and outside organisations monitor campaign spreading, and how effectively violations of campaign finance laws are presented and offenders punished, the civil society groups and political parties operate in harmonious synergy as critical stakeholders in the electoral process. Whether the civil society groups and the research community lack necessary information, skills and knowledge to engage squarely in political corruption, the onus lies on the society to expose this worsening trend. These challenges, coupled with the lack of political support for anti-corruption initiatives in the country or selective prosecution for corruption, have made the task of mapping the trends and patterns on ‘money and politics’ certainly not an easy one. The task is further complicated by the fact that the activities and operation of many governmental agencies and political parties in the country are shrouded in secrecy, which is often mystified as ‘strategies’ or ‘winning tactics’.⁴²

The task of administering elections is vast and complex. For effective monitoring of the operation and activities of political parties, there is need to put in place a multi-track approach which entails strengthening the capacity of INEC to deal with the problem of party finance, building the capacity of political parties to keep proper records of financial transactions, and also

supporting civil society organisation to monitor expenditures on elections. Democracy, as said earlier, is a journey not a destination – the process towards the best model keeps evolving and evolving with continuous practice and improvement. Yet, as Ojo Maduekwe has cautioned the rest of the world would not wait for us: our times require a boldness of vision and the courage to break new grounds.⁴³

Problem of Ethnicity and Regionalism on the Electoral Process

Colonialism sowed the seed of disunity or ethnic particularism in Nigeria through the socialisation process in the schools, through religion; in politics, and even in residential areas. For example, southerners in the northern parts of Nigeria were segregated so that they could not mix together and forge ties of national unity and brotherhood with their northern counterparts. Okwudiba Nnoli reports that:

... in Northern Nigeria it was official British policy to separate the Hausa-Fulani from the Southerners. At first Southern and Northern migrants to Northern cities lived together in harmony with their host in the native city. This embarrassed the official view that only conflict characterized contact among African tribes. Hence, the migrants were forced to set up abode in sabongaris.⁴⁴

Unfortunately, since the 1940s and 1950s, when ethnic factor began to play a role in Nigerian politics, ethnic politics has become nurtured and sustained to shape the electoral process to this day. Nationalist leaders during the pre-independence era dissipated valuable time and energy fighting one another instead of forming a common alliance to fight the British colonial overlords. In a discourse on the ‘Rise of the Nationalist Movement’, Dan O. Chukwu draws a line of relationship between the ethnic associations funded by these various nationalist leaders and the emergence of political parties⁴⁵ – all toeing the dangerous line of ‘we’ versus ‘them’.

Ethnic name – calling and mudslinging became common among the emergent politicians who relied on the ethnic factor to put down their opponents in order to gain the upper hand in the contest for political office. Nationalist leaders soon became political potentates in their respective regions because of their ability to mobilise their people using ethnicity as a veritable campaign tool. They involved kinship and ethnic affinity to gain political advantage over their opponents or competitors who were branded strangers and enemies of their people.

Regional politicians also made strenuous efforts to impress upon their people that those who did not speak their language did not mean well for them, that they could not be trusted to cater for their welfare, and that they would only be safe and secure, if they supported their own sons or kinsmen. This trend largely limited the scope of choice available to the people, and induced mistrust and fear of outsiders in them. The choice of candidates consequently was restricted to the people from the ethnic group. This resulted in election of even mediocres into the public offices since they were the only ones the people could choose.

Clearly, it was not without reason that Nigerian political leaders campaigned for public offices on the basis of ethnic affiliation. They found the ethnic factor a quick-selling instrument in a largely illiterate and backward society where a large majority of the people could not really make independent and intelligent decisions on political issues and choice of candidates. The appeal to kinship and ethnic solidarity seemed to attract the people more than hard-nosed critical examination of a candidate's credentials, his suitability for political leadership, pedigree, managerial ability, and so on. Ultimately, this elite approach of resorting to primordial ethnic divide would never enhance the electoral process, and deepen Nigeria's growing democracy.

Sadly however, the Nigerian political elite found ethnicity to be one of the easiest avenues or springboards to attain political power in a political system where control of state

power confers on the winners all the advantages and privileges of this mundane life, and also where the custodians of state power hold power of life and death over other citizens.

There appears to be such a high premium on state power that it makes sense for the average Nigerian politician to use whatever asset he has (and ethnicity is one such assets) to obtain what he does not have (political power). According to Okwudiba Nnoli:

*The awesome power of the African state impels individuals and ethnic groups to seek to control the state or, at least, to have some access to it as a matter of security. Each ethnic group mobilises its people in order to ensure this access. Such mobilization inevitably heightens ethnicity and ethnic consciousness.*⁴⁶

But ethnic consciousness need not generate such negative consequences, if not propelled and precipitated by the political elite. Tayo Akpata has maintained that when our articulate elite espouse the causes led by our fellow kinsmen and parties with strongholds in our ethno-geographical areas many silent Nigerians without access to the media within and without Nigeria perceive these renowned politicians, academics and writers simply as cheap chauvinists.⁴⁷ Rather than manipulating ethnicity as a divisive tool to maximise their advantage, the political class could use inter-ethnic relations among Nigerians as an integrative tool for nation – building. Paradoxically, once they ‘use and dump’ their kinsmen to grab power, every campaign promise is dropped as soon as they enter office.

Apart from failure to fulfil campaign promises, Nigerian politicians are known to allow ethnicity to get in the way of maintenance of peace, stability and orderly succession in government. An ethnic group that secures control of government does everything to maintain its hold on power and would not give another group any opportunity to gain access to state power. This practice was made evident during the Second Republic (1979-1983), when the Hausa-Fulani group jettisoned the zoning arrangement adopted by the then National Party of Nigeria

(NPN). The Hausa-Fulani group in that party insisted on fielding the then incumbent President Shehu Shagari as the party's flag-bearer for another term of four years (1983) at a time when the position was to rotate to another part of the country. They actually succeeded in having their way in the face of stiff opposition by other groups within the party. This situation was known to have created disaffection, bad blood and dissension within the party's rank and file. Thus, to ensure victory for Shagari in the August 1983 presidential election, rigging along ethnic divides with a complex mix of other factors such as large-scale corruption was adopted by the party. It has however, been pointed out that following this, it was corruption, breakdown of the economy and social infrastructure among other factors that led to the overthrow of the Shagari government on 31 December, 1983.

From the foregoing, one of the most important consequences of ethnicity on the electoral process is that it tends to engender political instability. For example, the civilian governments that we have had in Nigeria have been unstable largely because they could not secure the support and loyalty of a large cross-section of the populace. The use of ethnic factors to discriminate, undermine or marginalise against fellow Nigerians or other ethnic groups by those who control political power has the effect of diminishing the support to a political regime. To illustrate this better, below is a list of major military installations in Nigeria and their locations, before the January 1966 coup:

a. Northern Nigeria		Location
1. 3 rd Battalion	-	Kaduna
2. 5 th Battalion	-	Kaduna
3. 1 Field Battery (Artillery)	-	Kaduna
4. 1 Field Squadron (Engineers)	-	Kaduna
5. 88 Transport Regiment	-	Kaduna
6. Nigeria Military Academy (NMA)	-	Kaduna

- | | | |
|--|---|--------|
| 7. Ordnance Depot | - | Kaduna |
| 8. 44 Military Hospital | - | Kaduna |
| 9. Nigeria Military Training College | - | Kaduna |
| 10. Reconnaissance Squadron & Regimental HQs | - | Kaduna |
| 11. Nigeria Air Force | - | Kaduna |
| 12. 6 th Battalion (while under function) | - | Kaduna |
| 13. Ammunition Factory | - | Kaduna |
| 14. Recruit Training Depot | - | Zaria |
| 15. Nigeria Military School (NMS) | - | Zaria |
- b. Western Nigeria
- | | | |
|--------------------------------|---|----------|
| 1. 4 th Battalion | - | Ibadan |
| 2. 2 Field Battery (Artillery) | - | Abeokuta |
| 3. 2 Reconnaissance Squadron | - | Abeokuta |
- c. Eastern Nigeria
- | | | |
|------------------------------|---|-------|
| 1. 1 st Battalion | - | Enugu |
|------------------------------|---|-------|

Source: Alexander M. Madiebo, *The Nigerian Revolution and the Biafran War* (Enugu, Nigeria: Fourth Dimension Publishers, 1980), pp. 8-11.

In politics, as in the military, according to Alexander Madiebo, it is often the group that controls the army that could aspire to run a stable Nigeria government.⁴⁸ The Federal Character Commission (FCC) was established by section 153 of the 1999 Constitution with the responsibility to promote, monitor and enforce compliance with the principles of the proportional sharing of all bureaucratic, economic, media and political posts at all levels of government. Ostensibly to check and balance ethnic disharmony from heating up the electoral process, and ultimately contain inter-and-intra ethnic tension, the Federal Character Commission is mandated to ensure that:

Appointments into the leadership of all ministries, departments, full-time commissions, public corporations and tertiary institutions, the armed forces, police, and other security agencies shall be done such that each state or zone shall be represented equitably in accordance with the appropriate formula.⁴⁹

How far the Federal Character Commission has sat up to this constitutional responsibility in correcting some of the observed imbalances remains in the polity to be seen. Since 2015 is our timeline for this study, some appointments and retirements made that year by President Buhari would be helpful to our study. At a glance below is a list of President Buhari's Security Chiefs and Comptroller.

Table 10: Army Officers Compulsorily Retired

S/N	Army Officer	Geo-political Zone	Remarks
1	Maj Gen TC Ude	South East	
2	Maj Gen LC Ilo	South East	
3	Maj. Gen IN Ijoma	South East	
4	Maj. Gen O. Ejima	South East	
5	Maj. Gen PAT Akem	South South	
6	Maj. Gen ED Atewe	South South	
7	Maj. Gen Letam Wiwa-	South South	Younger brother of the murdered environmental rights activist and author, Ken Saro-Wiwa
8	Maj. Gen FO Alli	South South	
9	Maj. Gen Mobolaji Koleoso	South West	
10	Maj. Gen SD Aliyu	Middle Belt	
11	Maj. Gen MY Ibrahim	Middle Belt	

12	Brig. Gen G O Agachi	South East	
13	Brig. Gen BO Okonkwo	South East	
14	Brig. Gen CU Ogidi	South South	
15	Brig. Gen Koko Essien	South South	
16	Brig. Gen PE Ekpeyong	South South	
17	Brig. Gen Bright Fiboinumama	South South	
18	Brig. Gen M. Onoyiveta	South South	
19	Brig. Gen IMD Lawson	South South	
20	Brig. Gen MT Oyefesobi	South West	
21	Brig. Gen A I Onibasa	South West	
22	Brig. Gen Bashir Mormo	South South	
23	Brig. Gen A H Sa' ad	South West	Former ADC to late President Musa Yar'adua
24	Brig. Gen M G Ali	South South	
25	Brig. Gen LN Bello	South South	
26	Brig. Gen D. Abdusalam	South South	
27	Col CK Ukoha	South East	
28	Col OU Nwankwo	South East	
29	Col. Nicholas Achinze – Dasuki's ADC	South East	
30	Col. Tonye F. Mimimah	South South	Younger brother of the former Chief of Army Staff, LT. General Kenneth Minimah

	Col. FD Kayode	South East	
31	Col. Ojogbane Adegbe	Middle Belt	ADC to former President Goodluck Jonathan
32	Col UH Audu	Middle Belt	
33	Col DR Hassan	Middle Belt	
34	Col MA Suleiman	Middle Belt	
35	Lt. Col GC Nyekwu	South South	
36	Lt. Col C. Enechukwu	South East	
37	Lt. Col CO Amadi	South East	
38	Lt. Col Adimoha	South South	
39	Lt. Col OC Egemode	South South	
40	Lt. Col TE Arigbe	South West	
41	Lt. Col TO Oladuntoye	South West	
42	Lt. Col Baba Ochankpa	Middle Belt	
43	Lt. Col DB Dazang	Middle Belt	
44	Lt. Col A. Mohammed	Middle Belt	
45	Lt. Col AS Mohammed	Middle Belt	

Source; Mr.Emeka Chibuko, *whattsApp* chat, Accessed 7th November 2016

Thus, the new APC government under Buhari, which emerged in 2015 has masterfully completed the configuration of the entire National Security structure and architecture firmly in the hands of the Northern Muslim Hausa-Fulani alone to the exclusion of all other ethnic blocs in Nigeria. This is what some reporters have rhetorically described as the hegemonistic colonialism and Fulanisation of Nigeria. This dangerous trend may be more better understood from the table below.

Table List of Recent Appointment Principle Officers and Seucirty Cheilfs

S/N	Porfoby	Ethic/Religious/dentity
1	Chief of Army Staff	Northern Muslim Hausa-Fulani
2	Police IG	Northern Muslim Hausa-Fulani
3	Minister for Defence	Northern Muslim Hausa-Fulani
4	Minister for Internal Affairs	Northern Muslim Hausa-Fulani
5	National Security Adviser (NSA)	Northern Muslim Hausa-Fulani
6	DG Department of state Services (DSS)	Northern Muslim Hausa-Fulani
7	Chief of Staff	Northern Muslim Hausa-Fulani
8	ADC to President	Northern Muslim Hausa-Fulani
9	CSO to President	Northern Muslim Hausa-Fulani
10	Protocol to president	Northern Muslim Hausa-Fulani
11	Private secretary to President	Northern Muslim Hausa-Fulani
12	DG EFCC	Northern Muslim Hausa-Fulani
13	DG, Nigeria Prisons	Northern Muslim Hausa-Fulani
14	DG, Immigration	Northern Muslim Hausa-Fulani
15	Minister for Petroleum	Northern Muslim Hausa-Fulani
16	Minister for FCT	Northern Muslim Hausa-Fulani
17	Head of National Assembly/Senate President	Northern Muslim
18	Head of Judiciary/Chief Justice of Nigeria	Northern Muslim Hausa-Fulani
19	Head, Federal Courts of Appeal	Northern Muslim Hausa-Fulani

Source; Mr.Emeka Chibuko, *whattsApp* chat, Accessed 7th November 2016

No civilian regime appeared to have evoked so much ethnic and other primordial exclusivity as Buhari's regime. Expectedly, localised insurgency and sponsored militarised armed groups have sprung up among every ethnic group. Under President Olusegun Obasanjo, as also Goodluck Jonathan, there was relative equal representation and proportionate sharing in all appointments and allocations⁵⁰.

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CHAPTER FIVE

AN ASSESSMENT OF THE 2015 GENERAL ELECTIONS

This chapter presents some landmark issues, which underscore the public's perception and assessment of the 2015 general elections in Nigeria. The 2015 general elections, when compared with other elections before them, may, in fairness, be said to have marked a watershed. It is to this end that we undertake an assessment of the exercises. We may do this, leaning on the reports of local and international election observers, besides other bodies such as election watchdogs. These include election monitors, election observers, development partners, INEC Citizens Contact Centre (ICCC), Electoral Operations Support Centre (EOSC), and the Situation Room. The critical role of security agents *vis-a-vis* electoral offences is also examined.

Public Perceptions of the 2015 General Elections

Experts in nation-building, are of the view that if a country organises three consecutive, peaceful elections, the country may be said to be on the path to a stable democracy and the reversal is unlikely.¹ Nigeria, on its part, is two-thirds of the way on this journey to the promised land. The 2015 general elections have been universally adjudged as an improvement on the 2011 elections.² The defining issues in moulding public perception of the 2015 general elections include the following:

1. political party registration and de-registration;
2. constituency delimitation and creation of additional polling units (PUs);
3. deployment of permanent voters cards (PVCs);
4. continuous voter registration(CVR) ;
5. deployment of smart card readers (SCRs);
6. mainstreaming of disadvantaged groups in the electoral process;

7. re-scheduling of the elections; and
8. reports of election observers.³

Let us, therefore, examine the above defining issues in their perspectives of the public score-card for the 2015 general elections:

(1) Political Party Registration and De-Registration

The period between the end of the 2011 elections and the months preceding the 2015 elections witnessed a plethora of applications by political associations to INEC for registration as political parties. The existing legal framework namely, Sections 221-229 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and Sections 78, 80 and 82 of the Electoral Act 2010 (as amended) prescribe the minimum conditions to be met by any group seeking registration as a political party. Expectedly, the commission usually applies these statutory prescriptions in assessing the applications.

In about three years, between 2011 and 2014, there were no fewer than 63 applications from varied groups seeking registration as political parties. Out of this number, three applications were successful, the most notable of them being the first successful merger in Nigeria's political history of some political parties into the All Progressives Congress (APC). With the registration of the APC on 31 July, 2013, Nigeria's political landscape,⁴ perhaps, for the first time ever, presented viable options of political parties for the electorate to make a choice. That, obviously, was why the 2015 elections were so keenly contested.

The registration of the All Progressives Congress came with its attendant controversy. Two other groups: "African People's Congress" and "All Patriotic Citizens", had jostled for the "APC" acronym and striven, through the courts and intense propaganda, to scuttle the registration of the merger arrangement. On its part, INEC, in a statement approving the merger of

the Action Congress of Nigeria (ACN), the All Nigeria Peoples Party (ANPP) and the Congress for Progressive Change (CPC) into the mega All Progressives Congress, had explained that it “found the applicant-parties to have met all statutory requirements and were, accordingly, granted their request.”⁵

Besides, in line with the provisions of Section 78(7) of the Electoral Act 2010 (as amended), INEC de-registered more than 50 political parties that fell short of the statutory conditions for their continued existence. This, again, elicited intense controversy, with some interests contesting the commission’s powers to de-register their political parties. Some of the groups had challenged their de-registration in court. Two of these, Fresh Democratic Party (FRESH) and the Hope Democratic Party (HDP), got court reliefs to be re-listed.⁶

(2) Constituency Delimitation and Creation of Additional Polling Units (PUs)

The last time electoral constituencies were delimited in Nigeria was in 1996. However, with huge growth in the country’s population and acute demographic shifts in distribution pattern over the years, INEC, in the period leading up to the 2015 elections, initiated a programme to delimit the constituencies to ensure, as much as possible, equity of representation and fair weighing of electoral votes. Delimitation of electoral constituencies, however, has always been a politically sensitive matter probably because electoral constituencies are often conflated with administrative constituencies and spheres of authority, as well as a basis for the distribution of the country’s material resources. INEC’s goal was, thus, to make the delimitation criteria as scientific and logical as possible, to play down the sentiments usually attended to such purely administrative electoral procedure. But the commission’s efforts did not all together eliminate suspicions among some stakeholders about the exercise.

In view of the contentious nature of the exercise and the political suspicion associated with it, INEC undertook extensive stakeholder engagement to forge a broad consensus on the principles to be applied in carrying out the exercise. These engagements, however, dragged on too closely in to the scheduled dates of the 2015 elections and detracted, somewhat, from the Commission's desire to fully concentrate on preparations for the elections. Besides, there was the statutory requirement that the National Assembly would have to validate the new constituencies, which altogether were beyond INEC's remit. By this time, many legislators were already preparing towards the 2015 elections and obviously had no wish to consider any proposal on a sensitive issue as constituency delimitation. Taking all these into account, INEC decided to suspend the plan for constituency re-delimitation till after the 2015 elections.

Another intensely controversial undertaking by the commission was the attempt to create additional polling units (PUs) to decongest the existing ones³. For the same reason of constraint of time as was in the case of electoral constituencies, the existing structure of PUs became unworkable, compelling INEC to adopt an adhoc measure by splitting over-populated units into voting points. The commission's aim in seeking to create additional PUs was to ease the access of voters to the ballot box in the 2015 general elections and beyond by:

- (a) de-congesting over-crowded PUs and dispersing voters as evenly as possible among all the PUs;
- (b) locating PUs more effectively within commuting distances of voters, given that movement is usually restricted on election day;
- (c) re-locating PUs from the vicinities of private houses, and such other unsuitable places, to public buildings, or where this is not possible, to open public spaces where tents can be provided;

- (d) locating PUs inside classrooms or such other suitable enclosures, in line with international best practices;
- (e) splitting large PUs such that they have an average of 500 registered voters; and
- (f) creating additional PUs to cater for the splitting of large polling units as well as new settlements not serviced by any existing PU.

The move to create additional PUs was, however, dogged by needless schisms that threatened to impinge, or infract, on preparations for the 2015 elections.⁴ Regionalists and sectionalists seized upon the intended exercise to wage a campaign alleging ethnic bias on the part of commission.⁵ The campaigners tied the intention to create additional PUs to an earlier equally unnecessary campaigns, alleging regional domination in the commission, a campaign that the commission had effectively refuted⁶. The polling unit creation debate became fiercely polarising, with different interests in the polity taking hard-line positions in favour of, or against the intended exercise. But it was obvious that those against the exercise were more.

Although Section 42 of the Electoral Act 2010 (as amended) empowers INEC to create additional polling units, the commission took a decision, especially in view of the controversy over-heating the polity and the apparent inadequacy of time for the exercise, to suspend the creation of additional PUs till after the 2015 elections.⁷ Its statement announcing the decision on 11 November, 2014, indicated that the commission, nevertheless, would, among other things;

- (a) continue with the use of voting points, where necessary, to mitigate population pressure in over-crowded polling units during the forthcoming elections;
- (b) relocate polling units from unsuitable locations; and
- (c) ensure that as much as polling units are located in enclosures such as classrooms, rather than in open spaces.⁸

This announcement effectively ended the heated controversy over polling units and the allegations of regional bias against the commission.

(3) Distribution of Permanent Voter Cards and Continuous Voter Registration

One of the key innovations for the 2015 elections was the use of PVCs, in place of Temporary Voter Cards (TVCs) that had been prone to abuse in the country's electoral history. In March 2014, INEC began the distribution of PVCs ahead of the 21 June, 2014 and 14 August, 2014 governorship elections in Ekiti and Osun States, respectively. A few months later, the Commission rolled out a phased distribution of PVCs in all other states of the federation and the Federal Capital Territory ahead of the 2015 elections.⁹ By design, INEC scheduled the distribution of PVCs to be closely followed by the conduct of CVR. The Commission's objective with this arrangement was that if any previously registered person failed to find his or her name on the optimised Register of Voters displayed ahead of the PVC distribution, he or she would likely have the opportunity to join fresh registrants for re-registration during the CVR.¹⁰

These exercises were known to have encountered some challenges, as typical of any human endeavour on such a scale of operation. The distribution of the PVCs was not as smooth as expected, probably because the vendor contracted by INEC to print the cards delivered a good number very late-beyond the timeliness scheduled. But, beyond late delivery, many persons for whom the PVCs were printed did not come out to collect them. Also, the CVR was substantially chaotic probably because the Direct Data Capturing Machines (DDCMs) were said to be very old and did not function optimally to satisfy the yearnings of intending registrants.¹¹ These challenges naturally elicited virulent criticisms of the commission by the public. For example, some eminent members of the political class, led by Chief John Oyegun, National Chairman of All Progressives Congress, APC, who, in his unrestrained altercation, attacked INEC for what he

described as “glaring unpreparedness of INEC” for the exercise.¹² Some discomfited segments of the Civil Society Organisation (CSO) also called on INEC to sit up to its constitutional responsibility, pointing out that INEC owed Nigeria a smooth and timely registration process.¹³ The media did not also spare INEC from what they reportedly called “unacceptable beginning of failure”.¹⁴ At the end of it all, 56, 460, 968 PVCs (82.03% of the certified Register of Voters) were collected by rightful holders, before the first set of the 2015 elections (National Assembly and Presidential) scheduled for 28 March, 2015 (see the table below). For the CVR, the commission registered more than 11million persons, of which more than 580,000 were multiple registrations.

The catch was that these transient challenges were used as ammunitions by politicians who sought to scuttle INEC’s decision to deploy PVCs and Smart Card Readers (SCRs) for the 2015 elections. Even though the commission had consulted widely with stakeholders, especially political parties, before finalising its processes, the critics waged a fierce campaign alleging that the commission was not prepared for the general elections, and insisting that the decision to deploy PVCs and SCRs should be dropped. Some of the campaigns were, indeed, scurrilous and targeted at a few principal officers of the commission.¹⁵ Again, the issue was severely polarising, as other partisans weighed in and insisted that the innovations be retained and, indeed, carried through.¹⁶ The table below may give further details about INEC overall performance in respect of PVC distribution prior to the 2015 general elections.

Table 5.1 : Final table of PVC Collection

S/N	State	No. of Registered Voters	No. of Cards Collected	%
1	Abia	1,396,162	1,185,887	84.94
2	Adamawa	1,559,012	1,381,571	88.62
3	Akwa-Ibom	1,680,759	1,587,566	94.46
4	Anambra	1,963,173	1,658,967	84.50
5	Bauchi	2,054,125	1,967,081	95.76
6	Bayelsa	610,373	548,585	89.88
7	Benue	2,015,452	1,607,800	79.77
8	Borno	1,934,079	1,407,777	72.79
9	Cross River	1,175,623	983,968	83.70
10	Delta	2,275,264	1,939,952	85.26
11	Ebonyi	1,074,273	848,392	78.97
12	Edo	1,779,738	1,246,191	68.81
13	Ekiti	732,021	522,107	71.32
14	Enugu	1,429,221	1,223,606	85.61
15	FCT	881,472	569,109	64.56
16	Gombe	1,120,023	1,070,725	95.60
17	Imo	1,803,030	1,707,449	94.70
18	Jigawa	1,831,276	1,757,658	95.98
19	Kaduna	3,407,222	3,174,519	93.17
20	Kano	4,975,701	4,112,039	82.64
21	Katsina	2,827,943	2,620,096	92.65
22	Kebbi	1,470,648	1,372,630	93.34
23	Kogi	1,350,883	926,013	68.55
24	Kwara	1,142,267	889,067	77.83
25	Lagos	5,822,207	3,799,274	65.25
26	Nasarawa	1,242,667	1,048,053	84.34
27	Niger	2,014,317	1,682,058	83.51
28	Ogun	1,829,534	1,136,003	62.09

29	Ondo	1,524,655	1,118,479	73.36
30	Osun	1,407,107	1,034,211	73.50
31	Oyo	2,415,566	1,639,967	67.89
32	Plateau	2,001,825	1,508,585	75.36
33	Rivers	2,537,590	2,127,837	83.85
34	Sokoto	1, 61 1,929	1,527,004	94.73
35	Taraba	1,340,652	1,270,889	94.80
36	Yobe	1,099,970	824,401	74.95
37	Zamfara	1,495,717	1,435,452	95.97
	Total	68,833,476	56,460,968	82.03

Source: INEC 2015 General Election Report, p.199

(4) Deployment of Smart Card Readers (SCRs)

As already pointed out elsewhere in the study, there was fierce partisan debate over INEC's decision to deploy SCRs to read the PVCs issued to voters and authenticate those who came to PUs on the election day as legitimate holders of the cards. During the first set of the 2015 elections, which took place on 28 March, challenges arose over the use of the device in a number of polling units.

In Ngor Okpala areas of Imo State, there was several extension of elections, arising from near total breakdown and malfunctioning of the SCRs. The same report was also recorded in Uzo Uwani, Nsukka, Enugu State, and Dogon Karfe in Kano. To solve the problems the commission was compelled to issue supplementary guidelines allowing for manual accreditation, where the SCR had failed. Although the device worked quite well in a majority of the PUs, the challenges experienced in isolated areas dominated the reportage of the national dailies. For example, Isuikwuato in Abia State, Etche in Rivers State, Vandekiyya in Benue State and Fagge Takudu in Kano State, stood clearly.¹⁷

The next set of elections scheduled for 11 April, 2015 (governorship and state assembly), however, witnessed a more efficient performance of the smart card readers. Before the elections, the commission had attempted to resolve the challenges encountered on 28 March and to that end directed that swift remedial measures be taken. With the application of these measures, the commission withdrew the supplementary guidelines of 28 March that allowed for recourse to manual accreditation, where SCRs failed.

The use of smart card readers has proven to be the most celebrated feature of the 2015 elections, as evidenced in reviews of the elections by Nigerians and members of the international community. International Observers Report has equally extolled this distinct feature of the elections.¹⁸ The table below may help the reader to understand better the level of success:

Table 5: 2: Distribution of Smart Card Readers Nationwide

S/N	State	No of Pus	SCR Backup	Allocation of SCRs	SCRs Received
1	Abia	2,675	552	3,739	3,739
2	Adamawa	2,608	678	4,049	4,049
3	Akwa Ibom	2,980	987	4,637	4,101
4	Anambra	4,608	978	6,111	6,111
5	Bauchi	4,074	636	5,385	5,385
6	Bayelsa	1,804	315	2,235	2,235
7	Benue	3,688	828	5,178	5,178
8	Borno	3,933	936	5,294	5,294
9	Cross River	2,283	579	3,300	3,300
10	Delta	3,624	810	5,688	5,688
11	Ebonyi	1,785	513	2,806	2,806
12	Edo	2,627	576	4,355	4,355
13	Ekiti	2,195	531	2,842	2,842
14	Enugu	2,958	780	4,141	4,141
15	FCT	562	186	2,072	2,072
16	Gombe	2,218	342	2,913	2,913
17	Imo	3,523	915	5,015	5,015
18	Jigawa	3,527	861	4,946	4,946

19	Kaduna	5,101	765	7,804	7,804
20	Kano	8,074	1,452	11,838	11,838
21	Katsina	4,901	1,083	7,033	7,033
22	Kebbi	2,398	675	3,855	3,855
23	Kogi	2,548	717	3,786	3,786
24	Kwara	1,872	579	3,091	3,091
25	Lagos	8,462	735	12,859	12,859
26	Nasarawa	1,495	441	2,994	2,994
27	Niger	3,185	822	5,114	5,114
28	Ogun	3,213	708	4,718	4,718
29	Ondo	3,009	609	4,162	4,162
30	Osun	3,010	996	4,375	4,375
31	Oyo	4,783	1,053	6,673	6,673
32	Plateau	2,631	621	4,662	4,662
33	Rivers	4,442	957	6,795	6,795
34	Sokoto	3,035	732	4,299	4,299
35	Taraba	1,912	504	3,266	3,266
36	Yobe	1,714	534	2,857	2,857
37	Zamfara	2,516	441	3,571	3,571
	Total	119,973	26,427	178,458	177,922

Source: INEC 2015 General Election Report, p.200

(5) Mainstreaming of Disadvantaged Groups in the Electoral Process

The 2015 elections marked a high point in the concerted efforts by the INEC to mainstream disadvantaged groups in the electoral process. Many months before the elections, the commission had released a gender policy aimed at ensuring greater inclusion of women in the political process. Some extraneous issues such as economic factors, not within the direct control of INEC, might not have worked in favour of the women-folk participation in the 2015 elections. But the Commission, in its gender policy, which derived substantially from the national gender policy, outlined a basic framework for greater inclusion of women in the political process.¹⁹

For the 2015 elections, INEC also implemented an inclusive policy to enable internally displaced persons (IDPs) in the three North-east states challenged by the *Boko Haram* insurgency to vote in the exercise. However, in view of the fact that that was the first time in Nigeria's political history that such an arrangement was being put in place, and, given the time constraints, the programme could not be extended to every state in the federation where there were IDPs. But INEC believed that the template it had established had wide applicability and could in the future be extended to all other areas with such challenges IDPs.²⁰ The implementation of the IDP voting programme was believed to assuaged local and external clamour for an inclusive electoral process and enhanced positive perception of the 2015 elections.

At different fora, over an extended period of time, INEC also engaged the youth who constituted a substantial percentage of Nigerian voters. The engagement was aimed at eliciting their interest in the electoral process and creating awareness about civil responsibilities towards ensuring successful and peaceful elections. The Commission, through the INEC Citizens Contact Centre (ICCC), was also active on social media platforms, which represented effective means of sustaining interaction with the youth. These efforts helped the perception of the 2015 elections as being largely inclusive.²¹

(6) Re-scheduling of the Elections

It is said that the toughest moment in all the processes for the 2015 general elections, perhaps, was the decision for re-scheduling the polls. Before the Commission came to the point of taking a decision on the matter, there had been a fierce public debate about the general state of insecurity in the country, especially in the North-eastern states (which at the time and till date) were experiencing the challenge of insurgency. Meanwhile, persons with obvious partisan motives conflated this debate with the readiness of INEC to proceed with the elections as

scheduled. Citing the low level of PVC collection by registered voters, some critics had demanded 100% collection before the Commission could be said to be ready for elections.²²

INEC, on its part, explained that such was an impossible demand, given that the Commission disallowed proxy collection. Some people who previously registered might have died; some might have travelled out or relocated; and some might not be available to collect their PVCs, while some might be ill and could not come out for collection. In fact, some, for various reasons, might have lost interest in the political process and there was no way they could be compelled to go and collect their cards, the Commission reasoned.²³

Some critics also pointed out that the smart card readers (SCRs) were untested, hence, in their view, INEC was not ready to deploy them for the elections, as it had previously promised.²⁴ Meanwhile, the commission, on its part, had conducted and concluded integrity, quality assurance and functionality tests serially on the SCRs and was assured of their readiness for deployment.²⁵ Meanwhile, the debate persisted until the security services formally advised INEC that:

1. elections could not hold in the four North-east states of Borno, Adamawa, Yobe and Gombe because of on-going counter-insurgency operations; and
2. military services could not accord the traditional assistance to the police for the elections in other areas of the country because of their involvement in counter-insurgency operations in the North east.²⁶

As a follow-up, the security services advised a six to eight weeks delay of the elections to allow them time to deal with the insurgency.²⁷

After rigorous consultations with critical stakeholders, including political parties and the civil society organisations, the Commission decided to take the advice of the security chiefs and adjusted the dates of the elections by six weeks, relying on Section 26(1) of the Electoral Act

2010 (as amended). The national elections (national assembly and presidential) were, therefore, rescheduled for 28 March, 2015; and the state elections (governorship and state house of assembly) for 11 April, 2015. In its announcement of this adjustment, the commission made it clear that this arrangement fell within its constitutional framework for the conduct of the elections, notably Sections 76(2), 116(2), 132(2) and 178(2); as well as section 25 of the Electoral Act 2010 (as amended).²⁸

The decision to re-schedule the 2015 elections expectedly came with another fierce public debate – mostly partisan – as to its merit or otherwise.²⁹ But the Commission focused quickly on making the best of the additional time to further improve on its readiness for the conduct of the elections. The six-week window, for instance, afforded INEC the opportunity to conduct public demonstration and stress-testing of the smart card readers, in answer to the allegations that they had not been tested. The deadline for collection of PVCs was also extended to allow more voters the opportunity to participate in the elections.³⁰

(7) **Report of Election Observers**

The Commission was said to have accredited more than one hundred domestic and international groups to observe the 2015 general elections (see the table below). Many of these groups returned positive verdicts on the elections, especially as regards INEC deployment of technology to safeguard the integrity of the process and transparency of the results collation procedure (see the formal letter of appreciation from the President of ECOWAS to INEC Chairman in appendix xxvi, p.263).

Even before the results of the presidential and the national assembly elections were announced, many international observers, including former Ghanaian president, John Kuffour, who led the ECOWAS team, former Malawian president and Head, Commonwealth 2015

Elections Observer Group, Dr. Bakili Muluzi; and former Liberian president, Dr. Amos Sawyer, who led the African Union team, all agreed, two days after the 28 March, 2015 elections, that “the elections have been peaceful, transparent and credible”³¹

A Nigerian newspaper aptly captured the mood of the team during a visit to the presidential villa. According to the newspaper:

*We appreciate that the processes are not yet done till the results are declared; then of course, the aftermath of the declaration. But we have come this far and we want to give an interim report to the authorities that mandated us to come and to the world and Nigerians in particular; to let everybody know that Nigeria so far has been at peace with the process, and so we appeal to Nigeria to continue in this mood throughout the entire process so that at the end of the day, the people of Nigeria will be satisfied with themselves that they use the process to get the government they want and deserve.*³²

The president of Ghana, John Dramani Mahama, who is also chairman of the Authority of Heads of State of ECOWAS, impressed by the outcome of the 2015 general elections, paid a courtesy visit to the INEC office. It is noteworthy that no serving Head of State had ever visited the commission since its establishment. In a remark, president Mahama observed that the elections were “generally peaceful, credible and successful”.³³ He further stated that

No election has attracted attention and interest as the elections that were recently held in Nigeria. The election sends a good signal to all other countries that are holding elections this year in the ECOWAS sub-region to emulate the work that has been done. I think that there’s a lot that many countries can borrow from you in terms of the roll out of technology, the provision of voters’ identification card and how they were distributed and equipment for reading, verifying and authenticating the voter There will always be glitches with technology but I think this is the first step and as we go forward, we can continue to improve the technology so that we can have smoother elections ... we believe Nigeria is better for it and we believe that these elections have consolidated Nigeria’s credentials as a modern

*democracy in the ECOWAS community of states and we will continue to work together with you and share experience.*³⁴

In its briefing shortly after the 28 March, 2015 presidential and the national assembly elections, the European Union Election Observation Mission in Nigeria noted that it saw “no evidence of systematic manipulation of the electoral process by any of the stakeholders”.³⁵ The EUEOM leader, Chief Santiago Fisas, told journalists that INEC “appears to have performed impartially in difficult circumstance.”³⁶ He commended INEC’s effort to work impartially despite circumstances, strong tension and criticisms.

Furthermore, the EU observed that while Nigerian voters were able to access a variety of views through the government, the government-controlled broadcast media failed to comply with legal requirements on equitable coverage, thereby giving an advantage to the incumbent administration at the federal and state levels. The views expressed by the EU Election Observation Mission were adopted by the European Parliament, whose chairman, Javier Nart, was present at the briefing given by EU-Observer Mission. The EU Observer Team was made up of 90 observers from 25 EU member states, including Norway and Switzerland.

The US-based National Democratic Institute (NDI), led by Ambassador Johnie Carson, applauded the commission for its deployment of technology for the elections. It observed that technology helped in curbing fraud and faced the process with confidence. It advised INEC to “review and address the causes of widespread delays in the opening of polling units observed on 28 March, 2015, including better planning for transportation of poll officials and sufficient voting materials to the polling units”.³⁷

It must, however, be underlined that despite the delay in the deployment of men and materials in some areas during the presidential and national assembly elections, the Transition Monitoring Group (TMG) scored INEC 80% in the 2015 general elections.³⁸ The Chairman of

TMG, Ibrahim M. Zikirullahi, whose organisation deployed the Quick Count Methodology to verify election results and also deployed 4,000 observers across the country, noted that the glitches or litleles experienced with the SCRs in the first set of elections “did not undermine the integrity of the polls”.³⁹

The TMG, which has 400 groups under its umbrella, also noted that for the conduct of the elections of 28 March 2015, in 43% of the polling units, INEC polls officials had arrived at 7.30am. Also, at 88% of polling units across the country, SCRs were present and ready for use; in 11% of the polling units, the SCRs were present but did not function; while in 96% of polling the units, no one was permitted to vote with a Temporary Voter Card (TVC).⁴⁰ The TMG, it should be pointed out, is an independent and non-partisan organisation, with no affiliation to any political party or candidate. The group has been observing Nigerian elections since 1999. For a better appreciation of the huge involvement of observers in the 2015 general elections we have reproduced their list hereunder:

Table 5.3: List-of Accredited Observers (Domestic and Foreign)

S/N	Domestic observers
1	New Partnership for Africa's Development (NEPAD)
2	Centre for Strategic Conflict Management (CSCM)
3	Global Agenda for Total Emancipation (GATE)
4	Citizens Right and Leadership Awareness Initiative
5	Justice Development and Peace Commission (Catholic Caritas Foundation Of Nigeria)
6	Fundamental Rights League International
7	Police Service Commission
8	Centre for Grassroots Development and Crime Prevention (CGDCP)
9	Centre for Civic Education (Aka) Transition Monitoring Group (TMG)
10	Centre for Policy Advocacy and Leadership Development (CPALD)
11	Election Monitor
12	Institute for Peace and Conflict Resolution
13	Society for Equity, Justice And Peace
14	Justice & Equity Organisation
15	CLEEN Foundation

16	West African Network of Election Observers (WANEO)
17	National Institute for Policy and Strategic Studies, Kuru
18	Youth Initiative For Advocacy Growth And Advancement (YIAGA)
19	New Century Initiative
20	Centre for Strategy Ethics and Value
21	African Initiative for Sustainable and Positive Development
22	Connected Development Initiative (CODE)
23	Nigerian Civil Society Situation Room (Policy and Legal Advocacy Centre)
24	Research Initiative for Sustainable Development and Gender Awareness (RISDGA)
25	Global Network for Peace Building
26	African Peace Foundation
27	Community Life Project (CPL)/RECLAIMNAIJA
28	Centre for Democracy and Development (CDD)
29	Global Women Empowerment Association
30	Nigerian Bar Association (NBA)
31	Pan African Leadership League (PALL)
32	United Forum for Grassroots Development
33	Organisation of Patriotic Youths for Development
34	Committee for The Defence of Human Rights
35	Rights Monitoring Group (RMG)
36	National Association for Peaceful Elections in Nigeria
37	CONAC (Church of Nigeria Communion)
38	Good Leadership for Community Development Initiative
39	Great Vision for Citizens Rights Initiative
40	Bright Way Enlightenment Initiative
41	Gamji Members Association
42	Diaspora Advocacy for A New Dawn Initiative In Nigeria
43	African Centre for Leadership Strategy and Development
44	Centre for Human Protection and Development
45	Independent Election Monitoring Group
46	Human Rights Monitor
47	Alliance for Credible Election, Ace-Nigeria
48	Centre for Excellence, Leadership and Development (CELD)
49	Population and Environmental Monitoring Int'l
50	African Youths International Development Foundation
51	Nigerian Women Trust Fund
52	Global Initiative for African Development
53	Women Arise for Change Initiative
54	Women Initiative for A Better Nigeria

55	Nigeria Association of Women Journalist (NAWOJ)
56	Civil Resource Development and Documentation Centre (CIRDDOC) Nigeria
57	Centre for Credible Leadership & Citizens Awareness
58	Legal Aid and Self- Development Initiative
59	Youth Progressive Minds for Better Change Initiative
60	Northern Youth and Elders Awareness Forum
61	Coalition of Democrats for Electoral Reforms
62	Democratic Action Group (Dag) Dispute Resolution & Development Initiative)
63	International Foundation Federation of Women Lawyers (FIDA), Abuja Branch
64	National Institute for Legislative Studies
65	Women Making Difference Initiative
66	Federation of Muslim Women's Organisation in Nigeria (FOMWAN)
67	Al-Habibiyah Islamic Society
68	Centre for Women and Adolescent Empowerment
69	Centre for Social Justice
70	UNESCO Centre Abuja (Human Rights and Civic Education)
71	Women's International League for Peace and Freedom
72	Change Managers International Network
73	Civil Society Legislative Advocacy Centre (CISLAC)
74	Centre for Productive Visionary Leadership
75	Muslim Sisters Social Justice
76	National Unity and Peace Corps (NUPEC)
77	All Nigerian Nationals in Diaspora (ANNID)
78	Forum of State Independent Electoral Commissions of Nigeria (AFOSIECON)
79	National Human Right Commission
80	Orient Foundations for Social Justice and Civic Education
81	Noble Leadership Initiative
83	National Orientation Agency
83	Yakubu Gowon Centre

International Observers

1	U.S Embassy
2	International Foundation for Electoral Systems (IFES)
3	European Union Delegation to Nigeria
4	Embassy of Switzerland
5	British High Commission
6	UN Women
7	International Republican Institute (IRI)
8	German Embassy Abuja

9	Embassy of France In Nigeria
10	Embassy of Japan
11	High Commission of Canada
12	Embassy of Ireland
13	Australian High Commission, Abuja
14	Africa Students Association of Ireland (ASAI)
15	National Democratic Institute for International Affairs
16	ECOWAS Mission
17	UNDP/DGD Project
18	European Union Election Observation Mission
19	Centre for Conflict Management, Kennesaw State University, Atlanta, Georgia, USA
20	Commonwealth Observers Mission
21	African Union Election Observation Mission
22	Independent Electoral and Boundaries Commission, Kenya
23	Oxford Department of International Development, University of Oxford
24	Ghana High Commission
25	Embassy of the Republic of Korea

Source: INEC 2015 General Election Report, pp 219-221.

Election Monitoring and Observations

A. Election Monitoring

It is safe to say that election monitoring and observation are integral parts of election organisation and management⁴¹. Election monitoring is the act of overseeing the electoral process in order to ensure that the election is held in accordance with the extant laws and guidelines, and that it is in compliance with the established rules and regulations set for the process.⁴² As far as an Election Management Body (EMB) is concerned, elections monitoring is an integral part of its constitutional responsibilities of organising, undertaking and supervising all elections. For example, in the 2007 elections, the Commission had the responsibility of ensuring that about 400,000 *ad hoc* or temporary staff posted to the 120,000 polling stations or registration centres scattered all over the country complied with the rules and regulations guiding the

elections as taught them.⁴³ It is in this regard that monitors become essential tools in the election process as they could intervene where necessary to address infractions to the rules and address any other form of irregularities appropriately.

From the foregoing, it may be clear that the Commission alone has the responsibility of monitoring its elections. Since it is the commission that would ultimately be held responsible for any failures in organising and conducting elections, it, therefore, behoves it to set up, as a matter of duty, an internal machinery that would ensure that elections and other related activities are conducted strictly in accordance with the laid down rules and regulations and all extant laws. The commission largely carries out this important responsibility by itself and through the use of competent and tested senior staff, a resource the Commission has effectively developed through training and re-training in its electoral institute.

The Commission set out to achieve two purposes through the monitoring of elections. The first purpose is to oversee the whole election procedure and address any infractions on rules and regulations, deal with any wrong-doing and inappropriate conduct thereby ensuring the conduct of smooth and successful elections. The second and equally important purpose is to document the events as they occur during the elections and record results at the end of the elections. Report arising from the exercise forms the basis of the review process which is an important post-election activity of the Commission in the election planning circle. Monitors, unlike observers, were, therefore, responsible for the following:

1. monitor the distribution of sensitive materials, noting inadequacies or shortfall and taking remedial measures to address the shortfall;
2. ensure the activation and proper functioning of the RACs (Registration Area Centres);

3. supervise and ensure early commencement of polls, voting, closing and declaration of election results;
4. ensure strict compliance on the use of permanent voter cards (PVCs) and Smart Card Readers (SCRs) at all polling units during the elections;
5. assist in resolving challenges encountered by the poll officials during the polls, including facilitating prompt repairs and replacement of faulty equipment;
6. assist in preventing all forms of election malpractices, ensuring that all eligible voters exercise their franchise without molestation and ensure strict enforcement of secrecy of ballots; and
7. refer all challenges, which were beyond them to higher authorities for resolution, including reporting on polling units where elections could not hold on election day.⁴⁴

The second monitoring mechanism is the Electoral Operations Support Centre (EOSC), which is one of the platforms that served as an early warning system before the elections and as a resource optimisation corridor on election day. The EOSC is usually mounted at the state level during the election period to, among other things,

1. monitor and track critical pre-and election day activities;
2. identify adverse incidents that posed potential threat; and
3. collate and index incidents, mobilise resources for speedy interventions and as a coordinating response centre.⁴⁵

The EOSC normally operated through telephone calls, e-mails and text messages, by personnel of the centre with the field election officers (EOs) directly on the happenings at the local government areas (LGAs), registration area centres (RACs) and polling units, starting from the eve of elections until results were collated. The reports were sent directly to the national EOSC

using a designated template with the same reporting format nationwide. The ESOC also assisted to mobilise responses, including contacting the supervisors in the field to intervene where necessary.

The beauty of the monitoring mechanisms put in place for the 2015 elections was in the interactive nature, synergy and the ability to respond to issues in real-time. It also kept all the election supervisors on their toes. The INEC Citizens Contact Centre (ICCC) enabled voters to interact with the commission through facebook, Twitter and phone-ins. The mechanism as testified by Comfort Obi, assisted greatly in enforcing and measuring compliance as well as in reaching out the field officers on the election day.⁴⁶

Perhaps the Situation Room is another, most vibrant monitoring platform. Since 2011, when the Commission established a practice of using a Situation Room as a coordinating and monitoring centre for its activities during elections, the Situation Room has provided an opportunity for intervention at the higher level based on field reports. The chairman, the National Commissioners and the Directors lead activities in the Situation Room⁴⁷. The INEC Situation Room also witnessed consistent, real time, interface with the CSO – Civil Society Organisations Situation Room, all accredited observers as well as undertakes regular briefing of the press, which was made up of both domestic and international media. In addition, the Situation Room received and responds to reports from the general public via the social media and dedicated telephone lines.⁴⁸ Situation Room is linked to the EOSC in the states, ICCC, and other established monitoring platforms. The 2015 Elections Situation Room was located in the Presidential Election National Collation Centre (NCC), at the International Conference Centre, Abuja.⁴⁹

b. Election Observation

Election observation has become a yardstick to measure the openness or otherwise of the electoral process of emerging democracies and usually the report of observers serves a seal on its credibility or otherwise⁵⁰. In other words, when one sovereign nation allows observers to scrutinise its electoral process, it gives the impression that the government or the electoral management body has nothing to hide. If eventually such observers return positive reports on the process, it gives such elections and the process leading to it a stamp and seal of credibility.⁵¹

There are basically two types of observers, namely, International and Domestic Observers. International observers refer to those resource persons who come from outside the country where the election is holding. They are usually appointed by or on behalf of national governments or international organisations. In the Nigerian experience, the 1999, 2003, 2007, 2011 and 2015 general elections were observed by a number of international observer groups that included the European Union Election Observation Mission, the Carter Centre based in the United States, the Commission of America, the British High Commission and few other national governments; the International Foundation for Electoral Systems (IFES), the National Democratic Institute (NDI), the International Republican Institute (IRI) and the United Nations Development Programme (UNDP).⁵²

Domestic Observers are nationals or citizens of the country where the election is being organised and are usually Civil Society Organisations (CSO), NGOs and similar groups with an interest in the electoral process but not representing any partisan interest. The domestic observer groups include the Transition Monitoring group (TMG), Electoral Reform Network (ERN), Civil Liberty Organisation (CLO), Nigeria Bar Association (NBA) Justice Development and Peace Commission (JDPC) of the Catholic Church, among others, as noted previously. It is noteworthy

that both the domestic and international observer groups complement each other. The basic difference is that the domestic observers are usually in a group and follow through in detail all the phases of the electoral process while in the case of the international observers they usually have limited time and do not follow or observe every aspect of the electoral process. Most often than not they are only able to cover less than 50% of the land mass of the country in which the activity is taking place. The high-point of focus for both domestic and international observer groups includes:

- distribution of electoral materials;
- the opening and closing of polling stations;
- security at the polling stations;
- secrecy of the Ballot;
- identification of voters
- counting process;
- summary of results;
- election Officials; and
- voter turn-out.⁵³

All domestic and international observers are usually expected to perform their duties in strict compliance with the code of conduct as agreed by nation-state at an international convention on election observation held at the United Nations in New York, on October 27, 2005. Such code of conduct which all observer groups must subscribe to and follow strictly includes the following:

i. Respect Sovereignty and International Human Rights

Elections are an expression of sovereignty, which belongs to the people of a country, the free expression of whose will provides the basis for the authority and legitimacy of government.

The rights of citizens to vote and be voted or elected at periodic and genuine elections are internationally recognised human rights, and they require the exercise of a number of fundamental rights and freedoms. Election observers must respect the sovereignty of the host country, as well as the human rights and fundamental freedom of its people.

ii. Respect the laws of the country and the Authority of Electoral Bodies

Observers must respect the laws of the host country and the authority of the bodies charged with administering the electoral process. Observers must follow any lawful instruction from the country's governmental, security and electoral authorities. Observers must also maintain a respectful attitude towards electoral officials and other national authorities. They must, however, note if laws, regulations or the actions of state and electoral officials unduly burden or obstruct the exercise of election related rights guaranteed by law, constitution or applicable international instruments.

iii. Respect the integrity of the International Election Observation Mission

Observers must respect and protect the integrity of the international election observation Mission. This includes the code of conduct, any written instruction(s) such as a terms of reference, directives and guidelines, and any verbal instructions from the Observation Mission Leadership. Again, observers must attend all the Observation Mission's required briefings trainings and debriefings; become familiar with the election law, regulations and other relevant laws as directed by the Observation Mission; and carefully adhere to the methodologies employed by the Observation Mission. Observers must also report to the Leadership of the Observation Mission any conflicts of interest they may have and any improper behaviour they see conducted by other observers that are part of the mission.

v. Maintain Strict Political Impartiality

Observers must not express or exhibit any bias or preference in relation to national authorities, political parties, candidates, referenda issues or in relation to any contentious issues in the election process. They must also not conduct any activity that could be reasonably perceived as favouring or providing partisan gain for any political competitor in the host country, such as wearing or displaying any partisan symbols, colours, banners or accepting of gifts from political competitors.

vi. Do not Obstruct Election Process

Observers must not obstruct any element of the election process, including pre-election processes, voting, counting and tabulating of results and processes transpiring after election day. They may bring any irregularities, fraud or significant problems to the attention of election officials on the spot, unless this is prohibited by law, and must do so in a non-obstructive manner. Again observers may ask questions of election officials, political party representatives and other observers inside polling stations and may answer questions about their own activities, as long as such observers do not obstruct the election process. In answering questions observers should not seek to influence the election process. They may ask and answer questions from voters but may not ask them to tell for whom or what party or referendum position they voted.

vii. Provide Appropriate Identification

Observers must display identification provided by the Election Observation Mission, as well as identification required by national authorities, and must present it to electoral officials and other interested national authorities when requested.

viii. Maintain Accuracy of Observation and Professionalism in Drawing Conclusion

Observers must ensure that all of their observations are accurate. Observations must be comprehensive, noting positive as well as negative factors, distinguishing between significant and insignificant factors, and identifying patterns that could have an important impact on the integrity of the election process. Observers' judgment must be based on the highest standards for accuracy of information and impartiality of analysis, distinguishing subjective factor from objective evidence. They must also base all conclusions on factual verifiable evidence and not draw conclusion prematurely. Observers must also keep a well documented record of where they observed, the observations made and other relevant information as required by the Election Observation Mission, and must turn in such documentation to the mission.

ix. Refrain from making comments to the public or the media before the Mission Speaks

Observers must refrain from making any personal comments about their observations or conclusions to the news media or members of the public before the Election Observation Mission makes a statement, unless specifically instructed otherwise by the Observation Mission's Leadership. Observers may explain the nature of the observation mission, its activities and other matters deemed appropriate by the observation mission and should refer the media or other interested persons to the individuals designated by the observation mission.

x. Cooperate with other Election observers

Observers must be aware of other election observation missions, both international and domestic, and cooperate as instructed by the leadership of the Election Observation Mission.

xi. Maintain Proper Personal Behaviour

Observers must maintain proper personal behaviour and respect others, including exhibiting sensitivity for the host country's cultures and customs, exercise sound judgment in personal interactions and observe the highest level of professional conduct at all times, including leisure time.⁵⁴

An observer may forward to the EMB chairman, or his representative, its report addressing the following:

- a. everything the Mission has observed;
- b. assessment of the election against the yardstick of national electoral laws and universally accepted electoral principles; and
- c. every member of the Observer Mission would sign the report before submitting it to the EMB chairman.⁵⁵

The Role of Support Agencies-Development Partners, the Media, and Security Agencies

a. Development Partners

The electoral process is characterised by many activities and challenges. The Electoral Management Body (EMB), in all these, often does not do it alone. It thrives on effective collaboration and assistance from international agencies, also known as Development Partners. The build-up to the 2015 elections created an enabling environment for the commission to effectively harness the enormous resources that abound in these organisations. Their assistance, in no small measures, contributed to easing the technical, financial, logistical, operational and administrative challenges associated with the conduct of elections in a large electoral environment such as Nigeria.

Prominent among the numerous international organisations that collaborated with INEC were the United Nations Development Programme Democratic Governance for Development Project 11 (UNDP/DGDII Project); International Foundation for Electoral System (IFES), Friedrich Elbert Stiftung (FES); Ford Foundation; Mac Arthur Foundation; the Commonwealth Secretariat; International Republican Institute (IRI); National Democratic Institute (NDI); International IDEA; African Union (AU); Economic Community of West African States (ECOWAS); the United States Embassy; the Netherlands Embassy, among others. In financial terms, these international bodies are known to have assisted substantially in the success of the 2015 general elections as presented below:

Table 5:4: Sources of Funding for the 2015 General Elections

S/N	ITEM	AMOUNT (N)
1.	INEC Funding through budgetary appropriations for year 2014-2015	108,851,683,313.93
2.	Estimate of assistance from Development Partners	5,207,260,433.55
3.	Grand Total	114,058,943,747.48

Source: INEC 2015 General Election Report, p. 50.

1. Technical and Financial Assistance

Also, the Development Partners provided assistance and support in developing various strategic programmes and management tools for the commission. These were in the areas such as Election Project Plan (EPP), Election Management System (EMS), Electoral Risk Management (ERM), Electoral Operations Support (EOPS), and INEC Citizens Contact Centre (ICCC). They also supported the technical team in the INEC Chairman’s office, engagement of consultants to support operational and logistic processes as well as policy development in critical areas such as gender and communication.⁵⁶ The table below may provide further insight;

Table 5.5: Development Partnership Funding For 2015 General Election In Nigeria

S/N	Development Partners	Funds Provided (Naira)	Activity Supported	Remark
1.	Ford Foundation Grant	165,000,000.00	BPR and Voter Education	\$ 1 Million @ N 165:\$
2.	UNDP/DGD Grant	177,045,935.55	EMS and Training for Security Officials	\$ 1,073,005.67@N165:\$
3.	OSIWA Grant	13,986,060.00	Prosecution of Election Offences and Gazette of Election Regulation	\$84,764.00@N165:\$
4.	European Union Grant, through UNDP/DGD	1,525,129,488.00	Voter Education and Enlightenment	-
5.	International IDEA Grant	41,980,000.00	Preventing Conflict and Electoral Violence	£209,900.00@200:Eur
6.	UNDP/DGD	10,000,000.00	Sponsorship of Pre-Election and Post-Election Workshops for Accredited Observers.	
7.	IFES	114,000,000.00	Training	
8.	UNDP/DGD	2,896,118,940.00	Sponsorship of INEC Engagement with Relevant and Strategic Stakeholders, Etc.	\$17,552236@N165:\$
9.	MacArthur Foundation	264,000,000.00	Civic Education and Election Monitoring through Yar'adua Centre	\$1,600,000@165:\$
	Total	N5,207,260,433.55		

Source: INEC 2015 General Elections Report,p.56.

2. Strengthening Institutional Memory

The Development Partners are also known to have contributed to the consolidation of the Commission's policy on building institutional memory, through the printing of numerous documents such as training manuals, guidelines and other publications for the 2015 elections. They also assisted in the development of an electronic Polling Unit Directory, where PUs were updated to conform with international best practices.

3. Capacity Development

This is another area development partners also assisted EMB in the 2015 general elections, through training and re-training of staff, training of election personnel, voter education, strategic workshops for voter education officers, facilitation of study tours, election observation and exchange programmes as well as the development of INEC Graphic Design Centre (GDC).

4. Stakeholder Engagements

For the 2015 general elections in Nigeria, the development partners also contributed to constructive engagement with stakeholders such as Inter-Party Advisory Council (IPAC), Inter-Agency Consultative Committee on Election Security (ICCES), Civil Society Organisations meeting with election observers, various workshops as well as the training of security and political party agents. They also assisted in the production and dissemination of fact sheets, Frequently Asked Questions (FAQs), PVC advertorials, printing of election leaflets, among others.

5. Electoral Research and Documentation

Moreover, as part of their increased efforts towards a satisfactory 2015 election, the Development Partners helped in the establishment of certain infrastructure for research such as

the INEC's virtual library and the learning portal, as well as in the organisation of an international conference on Election Jurisprudence in Africa.

b. The Mass Media

The mass media are powerful organs of change. In Nigeria, journalism is the only profession the constitution assigns a specific responsibility.⁵⁷ Traditionally, mass media fall into two categories: the print and the electronic. The print comprises newspapers and magazines, while the electronic comprises the radio, television and now the internet, which are categorised as the social media – facebook, whatsapp, twitter, instagram, and so forth. Internet, the latest addition, is a global information super-highway that has turned the planet earth into a global village.

The foundation of the Nigerian press was remarkably pivoted on nationalism. The indigenous media that sprang up during the colonial days thrived on the bravery of the professional ancestors in taking up issues with the British colonialists and in challenging their authority. *Iwe Irohin*, founded in 1859 by Henry Townsend, set out with caustic attacks on the colonial authority. By 1937, when Dr. Nnamdi Azikiwe founded the *West African Pilot*, the Nigerian society was already teaming with anti-colonial press, which included *The Lagos Times*, *Lagos Observer*, *Lagos Weekly Record*, *Lagos Standard*, *African Messenger*, *Nigerian Daily Mail*, *Eagle*, *Nigerian Times*, *West African Nationhood*, *Eko Akete*, *Akede Eko* and *Eleto Ofe*.⁵⁸ Others included: *Gaskiya tafi Kwabo*, founded by the then Northern Regional government in 1939, and *Daily Times* in 1926. With few exceptions, the colonial press fired the zeal of nationalism with often sensational and sustained propaganda reports against the British.

One major characteristic of the Nigerian media during this time was their ownership or backing by the political parties of the period, particularly the Action Group, the Northern People's Congress and the National Council of Nigeria Camerrooms. This inevitably gave birth to

media feuds, which fractured the independence campaign and nationalism along ethnic and regional lines from as early as the 1940s with party- controlled governments in place, partisan reporting and perspectives heightened in the media, which in turn increased inter-party acrimony, so much so that when eventually there was no longer the British as a common enemy, the vibrant media nationalism gave way to a media that fought itself and, thus, over-heated the polity with rabid partisan and regional reportage, which in turn has come to characterise politics to this day.

The “Wild, Wild West” of 1962, 1963 census controversies and the federal elections crisis of 1964, all followed the dangerous pattern of partisan media reporting⁵⁹. Generally, media reporting in Nigeria, particularly in the area of politics and governance has hardly departed from this pathway set by the colonial media.

One of the issues that set the Nigerian media agog at the dawn of the present democracy was the age and certificate scandal of Alhaji Salisu Buhari, the first speaker of the House of Representatives. The national media dominated by the Lagos-Ibadan axis of the press, made a feast of the scandal and ensured that it did consume the embattled speaker. Senator Evans Enwerem, the first senate president in the current democratic order, fell into similar political quick-sand and got more than a handful from the media. But strangely, when Governor Bola Ahmed Tinubu of Lagos State fell into the same crisis as Salisu Buhari, what followed was what many saw as a conspiratorial silence by the mainstream media in the Lagos-Ibadan axis. This left some perceptive Nigerians with the conclusion that Salisu Buhari and Evan Enwerem got the huge critical forms of media searchlight because they were Hausa and Igbo respectively, while the Tinubu issue merely got fringe attention because the South-west press felt the need to shield one of its own.⁶⁰

Since the passage into law of the Freedom of Information Bill (FIB), the mass media have become reasonably unrestrained in their information tool. Practitioners now market information, spread knowledge for empowerment and enlightenment that shape and reshape the society. The media can also spread hate, dissension and instability, to the extent pull down governments, structures of government and sovereigns. This, perhaps, explains why the great Napoleon Bonaparte, despite his exploits on the many battle-fields of Europe, declared that “the pen is mightier than the sword”.⁶¹ The media have the power to draw good-will even to the worst of government policies and programmes. They can also rubbish the best of intentions to the extent that the formulators of such policies would never wish to touch them even with a long pole. The media have the power to make or break.

On the electoral process, as a watchdog of the society, it behoves the media to re-focus the discourse on any elections to issues that have direct relationship with the general well-being of the Nigerian people. Such well-being could be directed to drastically re-mould the attitude, mindset and stereotypes of politicians, voters, government, political parties, INEC officials, security agents and even that of judicial officials, who would undertake judicial review of the elections. Again, whether it belongs to the patriotic press, combative press, adversarial press or nationalistic press, the media must operate within the purview of journalism ethics or tenets of balance, objectivity, fairness and factuality in every reportage, and driven, above all, by national interest.

In sum, the role of the media in the electoral process should include the following:

- i. the media should serve as a reliable source of information on electoral matters;
- ii. it must play an advocacy role for dialogue and debate, and ask questions of all aspirants on their manifestos and ideologies;

- iii. it must act as a buffer against tension created by the political class by presenting the issues as they are, not garnished with embellishment or undue sensationalism.
- iv. it should be able to proactively detect the fault lines in the electoral process before electoral hills develop into electoral mountains; and
- v. above all, the media must consistently highlight the things that unite us, namely national peace, national security, national integration and ethno-religious tolerance, rather than the things that divide us.

C. Security Agencies:

Prior to the 2015 general elections, security challenge was worrisome everywhere in the country. With suicide bombing at its zenith in parts of the northeast, kidnapping, insurgency, and militant groups rising up in many parts of the country, it was expected that INEC would consider security a topical issue in its preparation. Security of all men and materials meant for the 2015 elections was, therefore, critical for the successful conduct of the election. Globally, it is known that security remains a formidable challenge in elections in most of Africa. It is, generally speaking, indispensable to the conduct of free, fair and credible elections in Nigeria. From the provision of basic security at political party rallies and campaigns to ensuring that result forms are protected, the whole electoral process is circumscribed by security consideration.

In view of the scale of general elections, the number of people involved, election materials that needed to be moved, difficulty of the terrain to be traversed, as well as the physical locations that needed to be protected, such an operation became complex. It represented logistics and planning challenge that require a wide range of stakeholders, processes, locations, and issues in time and space. INEC's experience since 2011 general elections has since shown that some of

the most serious challenges to election security were associated with deployment of security personnel.⁶²

To this end, in April 2011, all federal security agencies and INEC came together to foster a broad synergy aimed at providing a joint security committee in tackling all electoral issues pertaining to security. This gave rise to the establishment of Inter-Agency Consultative Committee on Election Security (ICCES), involving all the military and para-military agencies of government-police, army, navy, air force, civil defence, customs, federal road safety agency, immigration, prisons, and so forth at all levels of government. For the first time in the history of election in Nigeria, there was a common platform responsible for the coordination of security matters and pooling of scarce resources, particularly personnel, in dealing with common security challenges. Election security cannot be isolated from the general security environment and socio-political milieu within which elections are conducted.⁶³

For example, access to power is highly priced because the state's hold on the economy has not abated much since independence. Indeed, the struggle to gain access to power and thus to state resources has not only remained protracted but also fierce as well. The global community itself is embroiled in unprecedented acts of killings, terrorism, kidnapping, insurgencies and abductions. General proliferation in arms and weaponry is borderless. Election management bodies cannot afford to, therefore, concern themselves with planning for the electoral process alone but are compelled by circumstances foisted on them by the interface between national and global security challenges to also think and act security in an ever-changing world.

In rating the performance of the commission on security during elections, let us say straightaway for the benefit of this study, that primary responsibility for the conduct of security operations is not that of EMBs, which has little or no operational control over security forces

deployment during elections. EMBs responsibility for security could be captured in three broad areas, namely: agenda setting, planning, and strategic coordination (non-operational). To a fair extent, INEC acted proactively to set the agenda for election security management. The ICCES was a novel initiative that provided a platform for more integrated and efficient security management before, during and after the elections.

In all, the performance of security agencies had been as widely criticised as it has been also commended. Some observers rated their response as inadequate and, perhaps, reflective of insufficient reading and anticipation of the coming crisis,- a kind of ‘‘intelligence failure’’.⁶⁴ However, in view of the several monumental system challenges ranging from deficiencies in logistics, numerical strength and ineffectual communication against the backdrop of the large and widespread scale of incident occurrence, such an assessment may not be fair. The fact that subsequent polls could still hold even though they had to be shifted by some days in a few states in 2015 may be considered a testimonial to the improved performance of the security forces.

Responsibility of Security Agents in the Electoral Process

To ensure that the conduct of the polls, collation and declaration of results are carried out without any disturbance or threat to peace, security agents are normally expected to:

1. provide security at the polling stations and collation centers to ensure that polling, counting of ballots, collation and declaration of results are conducted without breach of peace;
2. take necessary measures to prevent violence or any activity that can threaten or disrupt elections.
3. comply with any lawful directive issued by or under the authority of INEC;

4. ensure the safety and security of all election materials by escorting and guarding the materials as appropriate ;
5. protect election officials at the polling station and collation centres
6. arrest, on the instruction of the presiding officer or other INEC officials, any person (s) causing any disturbances or preventing the smooth conduct of proceedings at the polling stations and collation centres;
7. at the polling station ,inform the presiding officer if they believe that any voter is under the age of 18 years or has committed an offence of impersonation ;
8. on the instruction of the presiding officer stand at the end of the queue of voters at the polling station, if any, at the official close of accreditation so that any person entering the polling station after the time is not allowed to vote; and
9. accompany the presiding officer to deliver the election results, ballot boxes and other election materials safely to the RA /ward collation center, and accompany collation officers to deliver collated election result to returning officers.⁶⁵

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CHAPTER SIX

CURRENT TRENDS AND REFORMS ON ELECTION MANAGEMENT IN NIGERIA

Quite a number of attack levelled against the EMB today reflect the discomfort of various individuals and interest groups at their (EMBs) poor performance. Thus, to obviate this situation the Commission has, over time, introduced certain reforms to improve its performances. In the present chapter, we examine some of these trends and reforms that have largely benefited the electoral processes in the country. Perhaps, these measures were introduced as a way to measure up-to the international practice. As Maurice Iwu, former chairman of the Commission boldly asserted, “if, for whatever reason, we refuse to challenges and change the existing troubled system and values which we insist do not meet our collective needs, then we must learn to accept what is available”.¹

Current Trends in Election Administration

a. Election Personnel and Training

In far contrast to the 1979 election, when *ad hoc* personnel were drawn from the streets and other 83 electoral officers and returning officers loosely and disorderly recruited from outside the then FEDECO, staffing became tightly professionalised under the current INEC, with its attendant improvement in overall election administration. The establishment of The Electoral Institute (TEI) – the first anywhere in Africa – in collaboration with three universities (at University of Nigeria, Nsukka; University of Ibadan, Ibadan; and Ahmadu Bello University, Zaria) is known to be playing a crucial role in training and re- training of both staff and *ad hoc* personnel.

The 716,592 *ad hoc* personnel recruited for the 2015 elections,² in addition to collation and returning officers, were required to apply online through the *ad hoc* recruitment portal

developed by the Commission. The Human Resources Department at the headquarters collated the data of applicants and sent to state offices of the Commission, which verified claims of applicants, conducted interviews, screened and selected the best. Selected *ad hoc* staff were generally posted within their areas of domicile, for logistical ease and safety considerations. However, higher level officials such as the Returning Officers (ROs) were posted outside their areas of domicile. Key sources of the selected personnel were:

- (i) the National Youth Service Corps (NYSC) members – for presiding officer (POs),
- (ii) staff of federal tertiary institutions – for presiding officers (POs) and assistant presiding Officers (APOs);
- (iii) staff of federal establishments (ministries, departments and agencies, MDA's) –for Supervisory Presiding Officers (SPOs); and
- (iv) federal universities (ie vice chancellors, deputy vice chancellors and senior lecturers) – for Returning and Collation officers.

One critical pre-election activity was the training of all categories of election personnel to be engaged by the Commission. Guided by the election time- table, the training of election officials was organised by The Electoral Institute (TEI), using certified trainers drawn from various departments and directorates of the Commission.

b. Voter Registration

In order to check possible dubious counterfeiting of voter's card, INEC introduced a measure of automation of its voters' register. With an Electronic Voter Register (EVR), both the biometrics and biodata of all voters were captured *vide* a customised Direct Data Capturing (DDC) machine, and subsequently embossed on the Temporary Voter Card (TVC). The whole TVC information was further subjected to another intense screening or test to produce a clean

voter's card after passing a satisfactory certification, using AFIS (Automatic Finger-prints Identification System) and a software analysis. The end-result of this seamless module was the production of a VIN number (Voter Identification Number), and finally the Permanent Voters' Card (PVC) without which no voter could vote in any election again in Nigeria since 2015.³

Despite all the resistance against this development and sharp practices by some unscrupulous politicians, it is believed to be a great technological innovation and improvement on the electoral process. Well managed and articulated, as Shehu Shagari is quoted to have said, "this march into the modern era will help the country solve many of its problems in the electoral process".⁴

c. Voting Procedure

With this system, no person would be allowed to vote in any polling unit or voting point other than the one to which he is allotted and his name appears on the register of voters, and he/she presents his/her permanent voter card (PVC), and has been duly verified by the Smart Card Reader (SCR). There were normally separate periods for accreditation and voting.⁵ The accreditation process comprises verification of voters using the card reader; checking of the register of voters (EVR); and inking of the cuticle of the specified finger. During the 2015 elections, accreditation commenced at 8.00am and closed at 1.00pm, provided that all voters who were already on the queue by 1:00pm had been accredited.⁶

(d) Customised Sensitive Electoral Materials

Electoral materials comprise non-sensitive (such as ballot boxes, cubicles, envelopes, biro, and soon) and sensitive materials (such as result sheets, ballot papers, among others). One of the sustained and unabated sources of violence and thuggery during elections has always been the invasion of polling units by sponsored armed thugs who would forcefully snatch any

sensitive materials from, say polling unit A to B or C, thumb-print ballot papers, and stuff them into ballot boxes, ostensibly to rig election for their desperate pay-masters, or in some cases there were issues of result sheet snatching.

To checkmate this unsavoury trend, INEC customised all sensitive materials.⁷ For the 2015 general elections all result sheets and ballot papers were produced according to designated and specific wards and their polling units. One could not, therefore, use or carry such vital materials meant for, say Ward One Polling Unit (PU) A to Ward Two, PU-B. This reform tremendously checkmated the incessant occurrence of materials snatching and electoral frauds. The result was that the number of post-election petitions has significantly reduced since 2011 when these customised electoral materials were introduced.⁸

(e) The INEC Citizens Contact Centre (ICCC)

The INEC Citizens Contact Centre (ICCC) was part of the reforms introduced to enhance EMB public participation and information network. It was established to develop the Commission's capacity towards ensuring a symmetrical flow of communication between INEC and Nigerian citizens.⁹ The platform provided critical data towards creating better informed and motivated citizenry, and ultimately it ensured a more responsive, transparent and accountable electoral governance process. The ICCC was designed as a modified Situation Room discussed previously. It worked as a channel for continuous communication and exchange of information with the electorate and other stakeholders.

Before the 2015 elections, the ICCC had operated on a typical daily work-hour basis (i.e Monday-Friday, 9am -5pm). During the elections, it was scaled up to operate on a 24- hour basis as an incident and information management centre. It primarily utilised the new social media

platform, as well as created linkages between these and more traditional media platforms such as the radio, television and newspapers, in order to reach out to the public.

The INEC ICCC could, therefore, be contacted through the following platforms:

- a. Facebook – www.facebook.com/inecnigeria
- b. Twitter – www.twitter.com/inecnigeria
- c. Instagram@inecnigeria
- d. Email – iccc@inec.gov.ng
- e. Website – www.inecnigeria.org
- f. Hotlines – 070CALL INEC (070022554632), 07098115357, 07098117563, 07098110916
- g. Glo – 09050858629, 09050858676, 09050858649
- h. Etisalat – 08180958715, 08180958717, 08180958709
- i. Airtel – 09025038466, 07086945927, 08120183663
- j. MTN – 07062896047, 08105119010, 08146697603
- k. Office – 2nd floor, ICT Building, INEC Headquarters Maitama, Abuja.¹⁰

(f) Electoral Alternative Dispute Resolution (EADR)

International best practices on elections and international laws and treaties to which Nigeria is a signatory require that in order to ensure free, fair and credible elections, the processes of election dispute resolution should include transparency and the timely resolution by impartial arbiters who should provide effective and enforceable remedies. Against this backdrop, INEC established the ADR Directorate on March 26, 2009.¹¹

Like every other human endeavour, electoral activities could lead to conflicts, which, if not properly managed, could be disastrous to those involved and the society at large. Conflicts could arise at any stage of the electoral cycle (pre-election, election, election day, or post-

election) and, where that happens, prompt resolution would be needed because unresolved conflict could, at any time, disrupt the process and lead to crisis. The Nigerian judicial process is seen by many as wearisome. It may take too long a time for litigations of all kinds to be resolved. It was as a result of this that the Commission deemed it necessary to establish an Alternative Dispute Resolution (ADR) Directorate. The Commission's ADR structure, also known as the Electoral Alternative Dispute Resolution (EADR), has evolved over the years in resolving a number of political, electoral and work place disputes.

In preparation for the 2015 general elections, the Commission, through its ADR directorate and in collaboration with development partners, organised workshops, training programmes, round-table briefings for political parties, media professionals as well as staff of the commission, to sensitise them on the use of EADR to resolve electoral and political disputes.¹² The directorate also encouraged political parties to include ADR clauses in their party constitutions. The commission's ADR mechanism has so far recorded a measure of success, accomplishments and recognition, among political players in the country.

(g) Inter-Agency Consultative Committee on Election Security (ICCES)

In 2010, and for the first time in the history of election security in Nigeria, the INEC established a common platform and coordination through a synergy with all military and para-military agencies under Inter-Agency Consultative Committee on Election Security (ICCES) to squarely tackle electoral insecurity.¹³ To implement these security arrangements nationwide during elections, this synergy of operations established under ICCES is set up at the national, state, and local government levels of the Commission. While the Inspector-General of Police chairs the committee at the national level, the state Commissioners of Police and Divisional

Police Officers (DPOs) are expected to chair at the states and local government levels respectively.

The state joint security committee conducts the following activities:

- ensuring that all security personnel are in the right places and, therefore, avoid role conflicts at all registration centres or polling stations;
- mapping of areas where elections would be conducted in order to determine flash points, violent-prone youth's places, polarized political group communities;
- reviewing confidence building measures for the public, and where necessary show the availability of potential force and in appropriate cases ensure low visibility of force and diminished threat;
- tracking of persons granted arms licenses for possible illegal arms acquisition and distribution to individuals;
- intelligence gathering of activities of key political actors and supporters, and guiding rules of disclosure to actionable agencies;
- suitability of the voting booth and the approach route for delivery of materials and equipment;
- risk sensitive analysis and vulnerability analysis; and
- mobility of security personnel and accessibility of relevant stakeholders¹⁴

With the foregoing framework, the security agencies are expected to operationalise the goals of securing the electoral process by instituting a joint security strategy, training and deployment of security personnel after ensuring that a credible and reliable electoral system and process design is in place, and that effective statutes of deterrence are known to all role players, while also monitoring and coordinating security challenges involved during campaigns and

rallies, by effectively using communication channels, and clarifying rules of engagement. In addition, the established code of conducts for stakeholders were reviewed at meetings purposely convened for stakeholders to understand and appreciate what the laws are and what constitutes breaches and punishments.¹⁵ This joint committee helped enormously in 2015 elections.

The Challenge of Internally Displaced Persons (IDPs)

Following uncontrolled and rising insurgency in parts of northern Nigeria, it became apparently clear that arrangements should be made for the internally displaced persons (IDPs) to enable them to participate in the electoral process as recognised by the international treaties and conventions. Conducting elections in the affected areas of these north-eastern states of Borno, Yobe and Adamawa, badly ravaged by the *Boko Haram* insurgency posed serious dangers not only to the electorate, but also to the electoral personnel, other stakeholders such as observers and the media, as well as election materials.¹⁶

The Commission was, thus, faced with a number of dilemmas in addressing the IDP issue, namely: how to conduct elections in the affected zones; how to explore a window within the existing electoral legal framework to accommodate IDP voting; the generational and resource constraints that IDP voting would face; and how these issues would be resolved within the established electoral timelines.¹⁷

To properly address these issues, the Commission, on 22 December, 2014, set up a task force on internally displaced persons (IDPs) and the 2015 general elections headed by the National Electoral Commissioner, Mrs. Thelma Iremiren. The terms of reference of the task force included:

1. examining the legal, political, security and administrative challenges in achieving IDP voting during the 2015 general elections;
2. evaluating the standards and recommendation emerging from conferences and workshops by international and local agencies on IDP voting, and determining their applicability to Nigeria for the elections;
3. reviewing the experiences of other jurisdictions in dealing with the challenges of IDP voting;
4. evaluating the adequacy of existing electoral legal framework for resolving the challenges of IDP voting in the 2015 general elections;
5. determining what the Commission could do to ensure that IDPs were not disenfranchised, if the existing legal framework was inadequate;
6. determining the scope of IDP participation that could be practicable in the 2015 General Elections; and
7. submitting a comprehensive report which should embody specific recommendations of IDPs participation in the 2015 general elections.¹⁸

The task force was said to havemade significant observations on legal, operational, political and security considerations on the participation of IDPs in the 2015 general elections. Some of these included:

a. Electoral Legal Framework

The lack of specific provisions in the existing electoral legal framework-the constitution of the Federal Republic of Nigeria 1999 (as amended) and the Electoral Act 2010 (as amended) on IDPs voting, posed one of the most serious challenges to its implementation.

b. Political Considerations

One significant political challenge was the politicisation of the IDP issue. Parties and candidates viewed IDP voting as partisan, rather than a rights-based issue. While rights-based interpretation might have encouraged the commission to explore possible legal and administrative measures that needed to be taken to allow for IDP voting, a partisan interpretation could have impeded the process. Additionally, there was a question of whether participation should, for the mean time, be limited only to persons displaced due to the insurgency in the North-east, or be extended to all instances of displacement across the country.

c. Framework for Participation

There are two major protocols in the framework that shape international standards on IDPs, particularly their participation in elections. These are the United Nations Guiding Principles on Internal Displacement (1998) and the Kampala Convention, which is also known as the African Union Convention on Protection and Assistance of Internally Displaced Persons in Africa (2009). Nigeria is a party to the Kampala Convention. These protocols guarantee the same rights as other nationals, including the right to vote and to the provision of necessary identification to enable them to do so. International standard makes states the main duty bearers in protecting and promoting these rights, and demands that states should establish the necessary domestic legal framework to actualise IDP rights. Other jurisdictions to varying degrees conform to these international standards.¹⁹

d. Possibilities for Participation

Although there are several provisions of the electoral legal framework that seem to limit the actualisation of the rights of IDPs to fully participate in the 2015 elections, the task force determined that the 1999 constitution should guarantee the rights to vote to all Nigerians who

have attained the age of eighteen. This right is further recognised in the Electoral Act 2010 (as amended). In the absence of an amendment to the electoral legal framework, it is possible for the Commission to work within the existing legal framework to achieve a good measure of IDP participation in the 2015 general elections.²⁰

The task force mapped out the specific areas likely to be involved in IDPs voting in Adamawa, Borno and Yobe States. A total of 18 local government areas; 77 registration areas (Adamawa and Yobe States only); 761 polling Units (Adamawa and Yobe States); and 1,044,468 voters, were identified to be under serious threat of insurgency, which might require IDPs voting.²¹

In the light of the above, and in order to ensure the participation of IDPs in the 2015 general elections, the Commission decided on the following lines of action;

- i. review its guidelines and manuals by creating the necessary addendum and to accommodate voting, collation, announcement and transmission of results from IDPs voting centres;
- ii. map out the modalities for voting centres for all the electoral constituencies in the areas affected by insurgency in preparation for IDPs participating in voting;
- iii. delimitation for the voting centers should be as in the original setting;
- iv. outstanding PVCs should be distributed to IDPs before the election;
- v. voting centre's should be created for IDPs based on their constituencies, local governments areas (LGAs), Registrations Areas (RAs), and Polling Units (PUs) of registration;
- vi. the actual register of voters configured for Card Reader's and meant for their original settlement should be used;

- vii. that all efforts should be made to secure the electoral environment for IDPs, other voters, election officials, materials, and other stakeholders, either to participate in or observe the election. Additionally, the security implications of IDPs voting in these areas should be fully discussed at the Inter-Agency Consultative Committee on Election Security (ICCES) at the national and state levels, to update security agencies of the Commission's decision;
- viii. the Commission's Election Risk Management Tool should pay particular attention to the different risk levels in these designated voting locations;
- ix. the Commission should embark on intensive voter education and publicity about IDPs voting;
- x. the Commission should engage stakeholders on the proposed voting modalities for IDPs, such as political parties, civil society organisations, the media and Development Partners;
- xi. existing Commission's administrative and logistic structure for the deployment of men and materials should be adapted for implementation at the IDP voting centres; and
- xii. the template developed in the report on IDP voting in the states formerly under the state of emergency, could be applied to all other cases of internal displacement in the country.²²

Role of Technology in Election Management

Modern technology, with its bewildering sophistication and global penetration, is driving election management worldwide. Nigeria is not left out. Everything and everybody involved in election administration is fast going electronic in content, composition and conduct. In Nigeria,

as indeed most African countries, the manual aspect of conducting election has not gone into extinction as both manual and electronic operations still coexist to allow maturity in both knowledge and application, especially at the grassroots levels.²³ Thus, on election day prospective voters are accredited with both the Manual Voter Register (MVR) and the Electronic Voter Register (EVR). Again, manual summation of election results is cross-checked with the Electronic Collation Support Secretariat (called eCollation) for computational accuracy, and so forth.²⁴

We shall, however, examine the new awesome world of change which technology has thrust on election administration in Nigeria, so as to succinctly appreciate the profound progress and prospects of our electoral process, and ultimately the successes of EMBs in Nigeria. We do this under the following sub-headings;

i. Optimisation of the National Register of Voters

Often, election rigging in Nigeria is said to start at the level of the registration of voters because registration is manually compiled or captured.²⁵ Until 2007, this manual register was padded with so much bogus, often non-existent names, and the EMB could not differentiate between the actual voters and the ghosts that suffused the official register.

Interestingly, by 2007, and in accordance with the international best practices, the commission decided to conduct elections using modern technology-computerized voter register. Thus, the electronic voter register was introduced.²⁶ Using components of the register, the biodata and biometrics of voters were captured to ensure instant transmission of election results to collation centres for declaration after they had been duly counted at the polling booth units in the full glare of party and security agents. The idea of capturing the biodata and biometrics of voters using Direct Data Capturing (DDC) machines was to foreclose multiple registration and

hence multiple voting, and to put together, for the first time, an uncorrupted data base of voters. Notwithstanding some observed lapses in the new application for which the Commission became a washed with criticisms from both the political class and the civil society organisations, the new trend has shown some improvement and above the past decadent manual system. For instance, soon after the 2011 elections, it was obvious that the register of voters needed to be further optimised and upgraded to enhance its integrity. To this, the ICT Department of the Commission initiated a process of optimising the register.²⁷ This process involved four stages, namely:

1. data consolidation;
2. use of Automated Finger Prints Identification System (AFIS) software for de-duplication (i.e. elimination of multiple registration);
3. application of Business Rules (BR) for production of Permanent Voter Cards (PVCs);
and
4. manual verification of the Register to eliminate duplicate that slipped through the AFIS threshold.²⁸

The register optimisation process lasted between 2012 and 2015, with servers in INEC's ICT Data Centre running Automatic Finger-print Identification System (AFIS) non-stop for over 24 months. The register of voters was eventually updated in all the 36 states and the Federal Capital Territory (FCT) through the Continuous Voters Registration (CVR) exercise. The exercise was conducted in three phases, involving state groupings, after it was undertaken in Ekiti and Osun States in March 2014, ahead of the 2014 governorship elections in those states. At the end of all the CVR phases and optimisation of the register of voters, the Commission certified 68, 833, 476 voters (for the 2015 elections) in the register, published on January 13, 2015.²⁹

One major challenge of the register optimisation was the difficulty experienced in the conduct of the CVR. This difficulty arose from the poor working condition of most of the DDC machines, and this was probably due to the fact that they were more than four years old. The DDCs used for the 2014/2015 CVR were, for instance, all from the stock of 132,000 units procured and used for the 2011 registration of voters.³⁰

Another major challenge was the predilection of a sizeable number of Nigerians to engage in multiple registrations. CVR was intended for three categories of people, namely:

1. persons who turned 18 years after the last registration exercise;
2. persons who were never registered before, even though they were of eligible age at the time of the last registration; and
3. persons who registered previously but whose names were not on the displayed register because they did not make the Business Rule for printing PVCs.³¹

The reality of INEC's experience was that many people outside these categories turned out for the 2014/2015 CVR and created avoidable bottlenecks in the exercise.

ii. Smart Card Reader (SCR) and eTRAC Technology

We have elaborately examined the seamless technological processes involved in the production of PVC. The use of this PVC on the election day by a prospective voter was subjected to further test and verification to ascertain its genuineness by the holder. Accordingly, the Commission introduced the Smart Card Readers (SCRs) for proper identification and authentication of voters, using the contactless PVC to enhance the integrity of the electoral process.³²

As soon as the poll was declared open on an election day by the presiding officer (PO) at 8:am the process of accreditation would start immediately. Accreditation is a process of

ascertaining that the voter's name is in the register of voters in a particular polling unit, where he/she was registered to vote in an election. The voter presents himself to the queue controller for the polling unit or voting point who determines if he is at the correct place and, if satisfied, direct the voter to the APOI (Assistant Presiding Officer I) who is saddled with verification and statistics. The APOI would then read the PVC using the Card Reader to authenticate the PVC as that of the Voter and that the Polling Unit (PU) details in the PVC correspond with those of the PU. Authentication means that the fingerprints of the holder match the fingerprints read by the Smart Card Reader³³. Where the Card Reader reads the PVC (called verification) but the voter's fingerprints are not authenticated after the second attempt using the Card Reader, the APOI shall refer the voter to the Presiding Officer (PO) who :

- (i) examine and ascertain if the PVC belongs to the voter;
- (ii) if satisfied that it belongs to the voter and that the voter has not been previously verified direct the voter to the APOII for Register of Voters check and inking to continue with other accreditation processes;
- (iii) the PO/APOs shall take note of all cases where the Card Reader reads the PVC, but fails to authenticate the fingerprints of the voter, so that at the end of accreditation when comparing the number verified by the Card Reader with the number checked manually on the voters' register, any discrepancy can be taken into account;
- (iv) file a report of the incident, using the Incident Report Form.

In the event of sustained malfunction of the Card Reader, the Presiding Officer (PO) was expected to:

- (i) immediately inform the Supervisory Presiding Officer (SPO), the Electoral Officer (EO) and the Electoral Operations Support Centre (EOSC) for replacement;

- (ii) suspend accreditation until a new Card Reader is made available;
- (iii) inform the voters and Polling Agents of the situation; and
- (iv) file a report of the incident, using the Incident Report Form.³⁴

In all, the use of the Card Readers to enhance accreditation of voters must be paramount. The verification of biometrics of the voter is primarily aimed at check-mating all forms of impersonation by voters. With the Smart Card Reader, the INEC Voters' Authentication System (IVAS) now becomes another innovation in the Nigerian electoral process.³⁵

The acronym IVAS means INEC Voters Authentication System. It is a device which is specially designed for the electronic authentication of voters on polling day. It adopts the Dual Core Corlex-A7 CPU with ARM ultralow power consumption.³⁶ It has a single core frequency of 1.2GH₂ and an Android 4.2.2 operating system. IVAS supports both truck and keyboard in-put. It is configured to read contactless card and output same on the LCD screen, and protects data by supporting the SAM card.³⁷

The Secure Access Module (SAM) card is used to enhance the security and cryptography performance on the device. It is used commonly in devices that need to perform secure transactions, such as paying terminus. Physically, a SAM could either be a SIM card and plugged into a SAM slot in a reader or a fixed integrated circuit.³⁸

Like the SCR, the eTRAC represents another landmark technological innovation by INEC in its assiduous bid to embrace the fast-changing world of computerised election management. Thus, eTRAC is an acronym for electronic Transparency in Results Administration and Collation, a computerized platform for central repository of election results from all over the country. With eTRAC system as efficiently used in the 28 March 2015 Presidential Election,³⁹ all election results are electronically collated from all 120,000 polling units across the country

and announced within 48 hours of the election. eTRAC application is, therefore, aimed at facilitating timely, transparent and accurate management of election results.

iii. Electronic Voting System (EVS)

Before the 2007 elections, and in concert with its aggressive computerisation programmes began over a decade ago, the Independent National Electoral Commission (INEC) had canvassed for the wholesome adoption of the Electronic Voting System (EVS) to conduct the 2007 elections.⁴⁰

The Commission's arguments were two-fold: that the use of the EVS will make a radical departure from the inglorious past in which the wishes of the electorate were often at variance with the results announced by Election Management Bodies (EMBs). It would also put riggers and multiple voters in check, once and for all.

What is the Electronic Voting System (EVS)? What are its components? The Electronic Voting System (EVS) is a concept built on four components, which employ computer technology devices to improve most, if not all, aspects of the electoral process, thus making it fool-proof. The EVS disallows the conduct of elections using the traditional ballot paper and ballot box for making a choice at an election. It provides for enhanced efficiency, transparency, credibility, and fairness in an election. These qualities are generally adjudged by the experts as the major characteristics of a good electoral system. The EVS consists of the following components: Electronic Voter Register (EVR), Electronic Voting Machine (EVM), Electronic Voters' Authentication (EVA), and Electronic Transmission of Results (ETR).

The Electronic Voter Register (EVR) for the 2007 elections, as pointed out earlier, used the DDC machine in which the photograph and thumb-prints or biometrics of voters were captured. This method effectively checked multiple registrations and voting, and conferred

considerable credibility on the process. It made it possible for feigned pregnant voters to deliver ballot papers at polling units. It also ensured that Nigerians no longer had to queue up for hours on end to register in order to vote. And under a new regime of Continuous Voter Registration (CVR), all Nigerians who turn 18 years could saunter into any office strewn across the country to register. The Electronic Transmission of Results ensures speedy and less human interference in relaying results to the collation centres.⁴¹

The Electronic Voting Machine (EVM) is said to be secure, reliable and auditable⁴⁷. It has been found to be almost beyond reproach when subjected to scrutiny by independent international observers or monitors. It combines a robust hardware, secure software, and staff and personnel could be trained at short notice on how to operate it. The EVM has a variety of vote in-put devices, customisable interfaces and printed over receipts with secure data transmission networks, high-end tallying servers, immediate results tabulation and fully auditable paper trail.

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CHAPTER SEVEN

SUMMARY, CONCLUSION AND RECOMMENDATIONS

This last chapter identifies the major findings of this study, and finally presents some realistic policy and institutional information, which forms the thrust of our recommendations for the future of election management and administration in Nigeria.

Summary

Between 1958 and 2015, the electoral management body in Nigeria has had different names and acronyms, with a probable view of making it as neutral and impartial as practicable in the discharge of its duties. However, like the proverbial new wine in an old wine skin, the electoral management body has had to be identified as Electoral Commission of Nigeria ECN (1959), Federal Electoral Commission, FEC (1960). Federal Electoral Commission, FEDECO (1979), National Electoral Commission, NEC (1987), National Electoral Commission of Nigeria, NECON (1993), and at present Independent National Electoral Commission, INEC (1998). From Chief Eyo Usua's defunct Electoral Commission of Nigeria (ECN) to Prof. Mahmood Yakubu who assumed office as INEC Chairman in October 2015, the yearning for free, fair and credible elections in Nigeria is still being speculated as elusive¹. As such, nothing less than outright cynicism has continually trailed voters' attitude towards elections in Nigeria. We have carefully assessed in this study for the probable point, which this cynicism began with a view to re-positioning the institutional integrity, if any, of the successive electoral management bodies.

Beyond the colonially contrived divide-and-rule policy, which came to foist a dangerous mindset of 'we' versus 'them' in Nigerian politics, the role of the political class in sharpening and fostering primordial sensationalism and parochialism to advance personal or party interest has been a huge burden to a stable electoral process. We have established in the

preceding chapters that the concept free, fair and credible elections could go beyond the election management bodies alone. It may thus be argued that rather than portray them (EMBs) as lacking the capacity for a clearly thought-out road-map to democratisation, their dilemma should be appreciated. Such a road-map, as maintained in Chapter Two of this study, involves collective efforts of the critical stakeholders, including the political parties, voters, security agents, civil society organisations, the mass media, traditional rulers, the national assembly, federal, state and local government as well as politicians themselves. This study posits that the success or failure of election management in Nigeria should necessarily be viewed from this holistic perspective. In other words, the entire successive electoral bodies between 1958 and 2015 should not be singled out for blame on the failure of the system (electoral). Such an assessment would overtly be prejudiced.

We noted in Chapter Three the conflict of interest between the election management body and the presidency which, although clearly defined in the Constitution and the Electoral Act, was hardly respected in practice. This, especially under the various military regimes and their propelled civilian regimes, had vitiated the effectiveness and independence of the electoral body. However, there are still what some commentators² have described as misalignment between mandate, objective and operational capability on the part of electoral management bodies which we presented also in Chapter Three.

Besides, the menace of unregulated politicisation of money and the rising “god-fatherism” require increased monitoring and regulation of political party campaign finances and expenditure. As we noted in Chapter Four, the electoral body should engage party leadership on continuous basis to stress the need for compliance with and conscious enforcement of extant laws on electoral matters. This new campaign of finance reform agenda would extirpate ‘god-

fatherism', which constitutes the menace of Nigeria's body politic. While underscoring political parties as agencies of democratisation in view of their capacity for interest aggregation and channelling of electoral contests for political power, this study noted the need to assist political parties to overcome constraints of promoting internal party democracy in order to ensure stability of the electoral process. While subscribing to the hallowed principle of impartiality, the electoral body, as we have underlined, should guide political parties to strive at ensuring and sustaining inclusiveness in participation of all stakeholders in the electoral process. Interestingly, this study captured the views, howbeit controversial, that democracy in Nigeria may have been perverted at various times by the manipulative activities of the political class, as well as the yet to be proven partisanship of past electoral umpires.³

As noted in our discussion, the gory impact of prolonged military adventurism in Nigerian politics combined with numerous avoidable electoral imbroglio to spell a doom for the third Republic. It is, perhaps, for this unabated ignoble experience, that General Abdulsalami Abubakar who took over after Abacha's death in 1998 was constrained to prefix the word 'independent' in the new electoral body established in 1998 to continue with the transition programme. Thus, Ephraim Akpata emerged in 1998 under a new electoral body called the Independent National Electoral Commission (INEC), to organise the election that ushered in the Fourth Republic. Despite Akpata's effort to ensure a free and fair election, he reportedly failed as the election was widely criticised by both the local and international observers as being far from free and fair.⁴

Following Akpata's death in January 2000, President Olusegun Obasanjo appointed Sir Abel Guobadia as the next helmsman of the re-branded electoral body. Guobadia was said to

have successfully conducted the 2003 election that secured second term for Obasanjo. But critics have overwhelmingly condemned it as “one of the worst elections in Nigeria”.⁵

Upon Guabadia’s retirement in 2005, Professor Maurice Iwu (2005-2010) took over. He was ridiculed as “the most controversial chairman of the electoral body in Nigeria”.⁶ Under him all elections were reportedly reduced to mere selections that even President Umaru Yar’Adua owned up that the election that brought him to power “was badly flawed”.⁷ Interestingly, however, Iwu conducted the 2007 elections that broke the jinx of transiting from one democratically elected government that completed two terms in office to another. The emergence of Professor Attahiru Jega (2010-2015) as INEC chairman can be said to have remarkably affected the sagging image of the electoral bodies in Nigeria.

The historic concession of defeat, for the first time in Nigeria, by a sitting president (Dr Goodluck Jonathan) came to clearly define politics. According to him, seeing the “Tsunami of APC sinking the Titanic of PDP”, and fully satisfied that the election under Jega’s watch was free and fair, President Goodluck Ebele Jonathan quickly put up a call and congratulated Muhammadu Buhari, APC presidential candidate.⁹

Determined to leave while the ovation was high, Jega opted out and formally handed over to Mahmood Yakubu, a professor of History, in October 2015. We cannot, however, deliberate more than this on this debate since it will tantamount to going beyond 2015, the scope of this study.

Conclusion

As could be seen, since independence, Nigeria has had a total of twelve electoral umpires, with each leaving behind one controversy or the other. We have noted some of the pertinent constitutional, institutional and operational issues which have combined to affect their effective and ineffective performance to include:

- a. The problem of autonomy.
- b. Problem of funding.
- c. Challenge of logistics and staffing.
- d. Challenge of modernising the electoral system.
- e. Uncontrolled menace of money politics and ‘god-fatherism’.
- f. Lack of internal democracy among political parties.
- g. Absence of an electoral offence commission.
- h. Low literacy level among the populace which hinders well informed or principled voting public.
- i. Voter apathy propelled by fixated mindset on election.
- j. Large-scale violence as worsened by organised or sponsored communal, ethnic and sectional clashes including Boko Haram insurgency and youth restiveness.
- k. Partisanship among some electoral body officials who see election as a harvest time to corruptly enrich themselves.
- l. Lack of broad-based participation of women in politics as both fund and culture present limiting factors.

However, as has been pointed out in the study, it is now obvious that as confidence grew in the electoral process, the electoral body is known to have introduced far-reaching reforms aimed at tackling most of the challenges highlighted above. These include:

- a. Early arrival of election materials, especially ‘sensitive’ ones for storage in the vaults of the Central Bank of Nigeria (CBN) in the states (several weeks in advance and their timely distribution);
- b. speedy delivery of electoral materials. The Commission is known to have initiated a robust Memorandum of Understanding (MOU) with the National Union of Road Transport Workers (NURTW) to ensure speedy delivery of electoral materials at designated centres;
- c. provision a central ‘clearing house’ for electoral materials throughout the 774 local governments in Nigeria called Registration Area Centres (RACs) and Super RACs – an innovation which worked well in the 2014 Ekiti and Osun governorship elections, as well as the governorship and state House of Assembly elections of 11th April, 2015;
- d. engagement of the legislative and executive arms of government with a view to effecting amendments to the legal framework, to strengthen strengthening the Commission, as well as the harmonization of the differences and contradiction;
- e. introduction of both permanent voters card (PVC) and smart card readers (SCR) an innovation that has since been hailed by the international election observers as veritable game changers of the 2015 general election;
- f. the establishment of an Inter-Agency Consultative Committee on Election Securities (ICCES) did not only provide an ingenious platform to optimal use of the resources of the security agencies, but also exploits each agency’s unique talent and eschews unnecessary

rivalry. By this seamless synergy the security agencies secured the electoral environment, with increased professionalism. This therefore calls for the consolidation of the existing cooperation between the commission and the agencies.

It may be obvious from the foregoing that the electoral management bodies in Nigeria have performed below expectations *vis-à-vis* their constitutional and civic responsibilities and powers. But beyond the obvious, what are the reasons for this perennial underperformance of electoral regulatory institutions in Nigeria?

The stark reality of the Nigerian case instructs that electoral commissions derive their character from the prevailing political order in the system they exist. This study, therefore, posits that electoral commissions have been atrophic, pliable and not autonomous from the various interests in political competition largely because they are not impervious to the steep venality, class and ethnic tensions, striking lack of accountability culture, philosophy of the end justifies the means and belief that politics, including political appointments, is legitimate values to partaking of the national cake. Since electoral commissions and their staff are part of the society they are subject to the same malady of entrenched sleaze and nepotism which directly impact the organisation they superintend. Thus, electoral commissions are akin to other institutions – police force, military establishments, law courts, bureaucracy, among others; and should not, therefore, be expected to be an oasis of perfection in a system where every other issue is a subject of material politicking.¹⁰

Besides, it has been observed above that all of Nigeria's post-independence electoral commissions were created by the military. The implication is that these commissions were created in an amoral order and were bound to be defective in performing the same functions to the same degree of effectiveness they do in more mature political systems. As the saying goes, it

is impossible to soar like an eagle when working with turkeys. Kadiri Tijani, for instance, observed that FEDECO was characterised by ‘substantive constitutional ambiguity as military rule itself.’¹¹ The import of this is that the ambiguity and thus legitimacy crisis beclouding military rule, robs off on the institutions they established, including electoral commissions.

More importantly, this study posits that the independence of election management body in Nigeria may not be achieved by mere wishful thinking or changing its name from time to time and prefixing “*independence*” to it.¹² There is, therefore, need for positive actions to be taken towards constitutional reforms to make this a reality. In order to guarantee and protect its independence, the relevant sections of the constitution pertaining to the establishment and appointment of members of the Commission as well as its independence should be amended. This position aligns with the recommendations of Justice Mohammed Uwais- led Electoral Reform Committee that the appointment of key officers of the commission, including the chairman, should be assigned to the National Judicial Council (NJC) and members of the electoral body drawn from clearly apolitical bodies which, in our view, must include the Labour, Bar Association, Nigeria Medical Association (NMA), Committee of Vice Chancellors, the Guild of Editors, Christian Association of Nigeria CAN, Pentecostal Fellowship of Nigeria PFN and National Judiciary Institute NJI. Interestingly, the country is now fighting corruption and fighting also to sustain civilian governance and democracy. We must, therefore, begin to view electoral malpractices as a massive corruption that sustains other corruptions in government. In this way, this study, in agreement with Uwais, maintains that both the prospective voter who receives bags of rice, wrapper or cash and the politicians who share the money,¹³ like the media workers who receive money to either exaggerate or sensationalise their electoral reportage for their preferred candidate, are all guilty of corruptly truncating the electoral process. In this vein,

it is our view that the electoral body should be reasonably spared of certain limiting factors outside their control. Again, the task of achieving free, fair and credible elections, as we have repeatedly said, should be collective effort, involving all critical stakeholders in the electoral process.¹⁴ To state it clearly, the electoral system is a composite entity. It consists of multiple stake-holders and participants all of whose conducts and activities impact on the progress or retrogress of the processes that build up the system. Any understanding of reform or necessity for reform of Nigeria's electoral process as entailing nothing more but change within the election management body is, indeed, puerile.¹⁵

In all, it is important to note that the electoral process in Nigeria is still evolving.¹⁶ With uninterrupted democratic governance having only thrived for sixteen years and this coming on the heels of prolonged military rule with its impact on the mentality and values of the society, the structures of electoral democracy in the society are yet to stabilise. Also, the environment for election in the country is still not only fragile, but also is loaded with inadequacies which the electoral body must necessarily address effectively for them not to overwhelm both the elections and the body itself.

Recommendations

The trajectory of Nigeria's politics and electoral democracy, as we have noted in the foregoing discussion, has not been any different from the track and character of Nigeria's national life in its long existence as a sovereign state. On the one hand, there is a lofty ambition and aspiration to have the best. On the other hand, strangely, there is always a proclivity for tendencies that could only yield the opposite of the declared aspiration for the lofty ends.

The outcome of this contradiction has been a consistent gap between where the country and its people will like to be and where they actually are. Thus, when the reality comes, as it

inevitably and invariably does, the unfortunate and unhelpful recourse seems to be to look for scape-goat, and to sink deeper into the denial of the truth instead of confronting the challenges. Indeed, the contradictions of Nigeria's political environment are simply huge and the dishonesty of those who are wood-wink the larger society by turning on the electoral body reflects the enormity of the challenge of political development in the country. Here is a system in which individuals and political war-lords are known to acquire such enormity of resources that embolden them to challenge the state and become laws unto themselves with their own army and all; a system in which political parties brazenly deny their members who won primaries, the ticket they won and allocate same to others for one reason or another; a system in which some individuals solely pick candidates for a political party in an election; a system in which majority of the political aspirants do not believe that there is any benefit in campaigning and convincing the electorate, but that with money and massive arsenal of coercion the electorate will be subdued; an environment in which politicians are perpetually bidding to buy electoral officers, often for sums of money that could transform a whole town; a system in which the very laws guiding elections are not known until few months to the elections – this is the environment of Nigeria's electoral democracy from whence elections without flaws are expected.

How does the society curb the excesses of individuals and ensure that all citizens are all equal before the same law, irrespective of their position or wealth? This should be the beginning of the reform not only of the electoral process in Nigeria, but also of all social engagements therein. While it is true that despite the mechanisms that elicit or enforce conformity, no society or group within society is ever totally free from some disregard from its standards of propriety, or some deviations from its norm. What cannot be in tandem with a society in genuine pursuit of development is a situation in which political warlords thrive, each a controller of as vast a

section of the society as his resources and army can control. There is nothing democratic in such a setting and the condition cannot be conducive for a flawless election. Such, certainly, is not the environment of elections in the United States of America. Such is not the setting in Ghana.¹⁸

Against this backdrop, there is urgent need for a reform to salvage our nascent democracy. Reforms are healthy and desirable undertakings. Electoral reform, especially in an evolving democracy and a heterogeneous society– marked variously by rampaging primordial accumulation of resources and unrestrained deployment of the resources, pocket nationalism, weak enforcement of the laws of the lands, a stubborn persistence of the syndrome of the African big man with its attendant disdain for constituted authority and sundry manifestations of indiscipline – simply entails taking steps to reinforce the structures of the system and strengthening the capacity of the system to enforce compliance to the guiding rules of engagement in the realm.

There are four outstanding areas of recommended reforms of the electoral process, which will require constitutional amendment. These are:

- i. Mode of appointment of Chairman and members of the Commission as well as the Resident Electoral Commissions;
- ii. Funding of the Commission through the first charge on the Consolidated Revenue Fund;
- iii. Adjudication of post – election disputes before the swearing-in of the declared winners; and
- iv. Introduction of a system of proportional representation.

Other critical areas of our recommended reforms include:

1. Delimitation of Constituencies

The present districting of the country into 109 Senatorial Districts, 360 Federal Constituencies and 990 State Constituencies was carried out twenty one years ago by the defunct National Electoral Commission (NECON). There are serious deficiencies in the existing electoral map, which should be corrected before 2019 general elections. The 1999 Constitution mandates the electoral body to undertake periodic review of the division of state and federal constituencies “at intervals of not less than ten years or after a census.”¹⁹ The delimitation exercise will provide the country the opportunity not only to correct some of the errors and imbalances in the present division but also to establish a technical platform to address the sensitive issue of minority representation. Again, this will reduce potential areas of conflicts and violence during elections.

In the same vein, the current 120,000 polling units (PUs) with over 50,000 voting points (VPs) scattered within the same units are, to say the least, an exercise in absurdity. The PUs should be increased by combining the existing VPs and PUs, and maintain minimal limit of not more than 400 registered voters in each PU nationwide. This will curb rowdiness and ultimately check violence in an election day.

2. E – Voting

It is obvious, from the short history of election management bodies and international best practice, that technology adds value and integrity to the electoral process. The deployment of the Permanent Voter Cards (PVCs) and the Smart Card Readers (SCRs) in the 2015 elections has exemplified this axiom. Contrary to the claims by some critics that the PVC and SCR would disenfranchise Nigerian electorate, recent experience showed that people tended to embrace

technology and were indeed excited by it. It is against this backdrop that the electoral body should, in synergy with other critical stakeholders, consider the prospects of introducing Electronic Voting, which is currently prohibited by law. This could take the electoral process to a higher level and draw confidence especially where a voter now sees that his/her vote counts in an election.

3. Establishment of Electoral Offences Commission and Tribunal

As stated earlier, this study associates with the recommendations of the Justice Mohammed Uwais led Electoral Reform Committee on the establishment of the Electoral Offences Commission and Tribunal. This would ensure that INEC concentrates solely on electoral administration and management, while the Electoral Offences Commission and Tribunal would be saddled with the functions of prosecuting electoral offenders and thus checkmating impunity in the electoral process.

4. Disenfranchising of Nigerians in the Diaspora

The inclusiveness of voting in the electoral process without the participation of all eligible Nigerians in foreign lands, estimated over 4million, remains another untapped feat awaiting electoral bodies in Nigeria. Similarly, the recent extension of voting rights to internally displaced persons (IDPs) in the 2015 elections was commendable. It is therefore our recommendation that the Commission should work out a mechanism for extending similar voting rights to its huge eligible citizens abroad. This can only be achieved through a robust technologically driven electronic voting system.

Recommendations for Institutional Reform

As severally noted elsewhere, all Nigeria's successive election administration bodies had been constituted in the past ostensibly with an eye to guaranteeing their independence. This

much was suggested by the name of the current body – Independent National Electoral Commission. In reality, these bodies had always deferred to the sensibilities of the government in power – which in many cases were politically partisan. The most obvious reason for this deference is that the members of these electoral bodies were usually appointed and also removed by the incumbent president subject to confirmation (or address) by the Senate.

Under the 1999 Constitution (Third Schedule, Part 1) the only prescriptions for appointment into the electoral body are that “the persons shall be of unquestionable integrity and not be less than fifty years and forty years of age” respectively for the Chairman, and other members. It follows from this that anybody, including members or sympathisers of the ruling political party making the appointment could be appointed. When this is coupled with the fact that the ruling party which constitutes the executive of government also usually produces the majority of the membership of the Senate, the picture of an electoral body predisposed to partisanship from its very origin is complete. This partisanship is, of course, in favour of the ruling party.

Also, it is well observed that elections so far held in Nigeria since independence have approached standards of freeness and fairness more when administrated by presumably politically neutral outgoing military regimes. The obvious implications of the points could be stated thus:

- i. an electoral body constituted by the government of a ruling party is bound to be loyal to the government that constituted it;
- ii. loyalty to the government already predisposes the electoral body to partisanship in favour of the ruling party;

- iii. a partisan electoral body could not conduct an election that will be free and fair to all; and finally
- iv. only a non-partisan electoral body can conduct free and fair elections. By this logic and the practical experience of Nigeria, a non-partisan electoral body is possible only under a non-partisan government, of which the only nearest example was under the last tenure of President Goodluck Ebele Jonathan.

Therefore, we recommend that constitutional provisions be made for the institutionalisation of a transition government, which would hold the reins three months to the holding of every general election. Its responsibilities would be to run the affairs of the country for the transitional period, and to appoint the members of the electoral commission which would organise the elections and see to the general conduct of the elections.

We also propose that membership of the transition government at the centre be sourced from the politically neutral organs of government – the judiciary. Others may be drawn from the Nigeria Bar Association, Nigeria Medical Association, Committee of Vice Chancellors, Labour, and the Media. In this wise, the Chief Justice of the federation should head the transition government, aided by six other most senior justices of the Supreme Court drawn from the six geopolitical zones. The rest of the judges would be left in the court to handle the final appeal arising from cases taken to the election tribunal. The permanent secretaries of the various federal ministers (who are career civil servant) should take charge of their various ministries. This structure should be replicated at the state levels where the chief judge of a state (aided by two other judges of the court) should head the interior administration, with the permanent secretaries running their ministries. Career civil servants could be appointed as sole administrators for the different local governments.

Again, a time schedule for federal and state elections and petitions that may arise there from should be drawn up to be rigorously followed and discharged within the three months time-frame of the transition government. It should be stressed in a constitutional provision that on no account should the three-months life-span of the transition government and its programme be exceeded or extended.

Furthermore, membership of the electoral commission should be drawn largely from non-partisan and distinguished retired and serving civil servants. A representative each from the existing political parties should be given the status of observers in the Electoral Commission. The members of the Commission should be allowed to continue in office until the next transition government shall be inaugurated, following which new members could be appointed either in part or in whole for the commission. Under this dispensation, there should be only one electoral body for the whole country, with state branches and it shall organise all elections. There should be no state electoral bodies. The one existing electoral body should continue to be fully funded by government.

We believe that with these instruments in place, the problem of shoddy preparation for election, deliberate withholding of funds from the electoral body and partisan influence or interference in the administration and conduct of elections would be drastically reduced, if not completely eliminated. This would in turn reduce the tendency to corrupt the electoral process by the candidates and political parties as they can be dealt with firmly and fairly by the electoral law. Also, this would restore some credibility to elections in Nigeria and thereby eliminate violent dispute of election outcomes and political instability arising there-from.

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S/N	Names of Informants	Age	Occupation/Title	Place of Interview	Date of Interview
1.	Achebe, Mathias	58 years	PDP ward treasurer, Ekwusigo LGA	Ozubulu	11/03/2016
2.	Adedoyin, Smart G	38 years	civil servant and union leader	Gokana, Rivers State	1/6/2016
3.	Adeleke, Osunde	62 years	retiree and social critic of repute	Akure, Ondo State	9/04/2016
4.	Akintunde, Sunday Ishola	46 years	politician and lawyer	Abuja	2/4/2015
5.	Akobundu, Sylvester	Xxx	Trader	Enugu	6/11/2015
6.	Anyim , Ikechukwu (Dr.),	42 years	Medical Director	Annunciation Hospital, Enugu	10/11/2015
7.	Col. Chinda, Andy (Rtd),	73 years	Retired Soldier	Ahoada West L.G.A, Rivers State	8/02/2016
8.	Echefu, Linus	68 years	pensioner and politician	Akokwa, Imo State	4/03/2016

9.	Eke Philip	38years	INEC Staff	Enugu	6/8/16
10.	Prof. M.M Iwu	69years	INEC former helmsman	Mbano	8/11/15
11.	Ekwensi, Tobias	78 years	retiree and community leader	Ozubulu, Anambra State	13/4/15
12.	Ekwonta, Lambert			Onitsha	6/11/15
13.	Etuk, Richard	84 years	Pensioner and Community Leader	Akwa Ibom	21/3/16
14.	Ezugwu, Elizabeth	60 years	Midwife and Chemist	Ngor Okpala Health centre, Imo State	8/7/15
15.	Fidelis Okoro	42years	Lawyer	Enugu	28/11/2015
16.	Idris, Kabiru	46 years	civil servant and NULGE Chairman	Offa LGA, Kwara State	2/5/2016
17.	Ituen, Richard Effiong	53years	APC stalwart and lawyer	Oron, Akwa Ibom State	28/6/2015
18.	Nwankwo, Maria	43 years	consultant pediatrician in UK	vide whatsapp chat	2/3/2016
19.	Nwankwo, Peter	68 years	retired permanent secretary	Olokoro, Umuahia	29/3/2015
20.	Ohiri, Anselm	67 years	Traditional Ruler,	Orodo, in Mbaitoli LGA, Imo State	26/2/2016

21.	Okere, Monica	49 years	Trader	Owerri	16/1/2016
22.	Okolie, Joseph	82 years	retiree and pensioner	Ihiala	11/1/2016
23.	Onukogu, Josiah	49 years	Consultant surgeon, Parklane Hospital	Enugu	6/3/2016
24.	Onyishi, Paul Ikem	33 years	Tricycle (Keke) Rider	Owerri	7/8/2015
25.	Oyediran, Gboyega	66 years	Farmer/Elder	Akure	17/6/2015
26.	Ozor, Barnabas	29 years	Tailor	Owerri	20/09/2015
27.	Ozota, Okwudili Samuel	34 years	Bricklayer	Orofia Village, Abagana	17/11/2015
28.	Pam, Usman Joel	40 years	Trader	Shop 22, Wristwatch Line, Wuse Market, Abuja	10/8/2015
29.	Pepple, Cajetan	32 years	applicant and 2012 graduate of Urban and Regional Planning, UNIPORT	Garrison, Port Harcourt	6/3/2016
30.	Sani, Adamu M	33 years	Suya-maker and moslem cleric	Ama Hausa, Owerri	6/3/2016
31.	Sha, Fidelis	54 years	Civil servant and civil engineer in Federal Ministry of Water Resources,	22 Lagos Street, Garki, Abuja	11/11/2015
32.	Shehu, Sari	25 years	Student, Uni-Abuja	Abuja	6/4/2016
33.	Uche,	62 years	lawyer and publisher	Asaba	20/04/2016

	Christopher				
34.	Uche, Onyema	41 years	writer and pastor in the Redeem Christian Church of God Mission (RCCGM)	Asaba	20/04/2016
35.	Ugwuanyi, Onyekwere	39years	Mechanic	No.11 Ibagwa Road, Onuiyi, Nsukka,	30/8/2016
36.	Ugwuja, Peter Obioma	, 43 years	lecturer in Soil Science Department, UNN	Nsukka	30/8/2016
37.	Ukoha, Paul	57 years	Astute politician and former PRP gubernatorial candidate	Port Harcourt	9/3/2016
38.	Williams, Lucy,	26 years	postgraduate student in Uniport	Rumuola, Port Harcourt	17/6/2015
39.	Yunusa, Danladi	53 years	Trader	Ama-Hausa, Owerri	16/3/2016
40.	Zamani. Jibrin	46 years	lecturer in Sociology/Anthropology Department, University of Abuja	Gwagwalada, Abuja	6/9/15

Note: Some informants refused to disclose their age, occupation and other such related information.

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APPENDIX I



Operating the Smart Card Reader

APENDIX II

******SAMPLE COPY OF
ELECTRONIC VOTERS' REGISTER**

FEDERAL REPUBLIC OF NIGERIA
Valid Registrants

Time Printed: Fri Mar 18 01:09:21 2011
Total Records: 670

State: 17 - JIGAWA
Local Govt. Area: 23 - BANGWA
Registration Area: 02 - DAS
Polling Unit: 002 - DABU PRL SCH. DABU 12404A

321	L		R	VN: 80FS 8102 FB29 8002 054 NAME: Ibrahim, Hafadu OCCUPATION: Farming/Fishing GENDER: Male AGE: 40 NASS PRE: <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	323	L		R	VN: 80FS 8102 FB29 8001 052 NAME: Minu, Abdulkarim OCCUPATION: Farming/Fishing GENDER: Male AGE: 30 NASS PRE: <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
322	L		R	VN: 80FS 8102 FB29 8234 023 NAME: Ibrahim, Muhi OCCUPATION: Farming/Fishing GENDER: Male AGE: 55 NASS PRE: <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	325	L		R	VN: 80FS 8102 FB29 8470 026 NAME: Inspector Nassiru, Yau OCCUPATION: Civil Servant GENDER: Male AGE: 50 NASS PRE: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
323	L		R	VN: 80FS 8102 FB29 8200 000 NAME: Ibrahim, Tashu OCCUPATION: Farming/Fishing GENDER: Male AGE: 30 NASS PRE: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	327	L		R	VN: 80FS 8102 FB29 5202 025 NAME: Inusa, Umoru OCCUPATION: Business GENDER: Male AGE: 30 NASS PRE: <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
324	L		R	VN: 80FS 8102 FB29 8304 025 NAME: Ibrahim, Alifu OCCUPATION: Business GENDER: Male AGE: 35 NASS PRE: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	329	L		R	VN: 80FS 8102 FB29 5082 002 NAME: Inusa, Garba OCCUPATION: Farming/Fishing GENDER: Male AGE: 60 NASS PRE: <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
325	L		R	VN: 80FS 8102 FB29 8748 001 NAME: Ibrahim, Ibi OCCUPATION: Farming/Fishing GENDER: Male AGE: 18 NASS PRE: <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	331	L		R	VN: 80FS 8102 FB29 5798 001 NAME: Ishu, Hassan OCCUPATION: Artisan GENDER: Male AGE: 28 NASS PRE: <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
326	L		R	VN: 80FS 8102 FB29 8075 022 NAME: Minu, Muhi OCCUPATION: House Wife GENDER: Female AGE: 40 NASS PRE: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	334	L		R	VN: 80FS 8102 FB29 5903 002 NAME: Isah, Ramu OCCUPATION: Trading GENDER: Male AGE: 30 NASS PRE: <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
327	L		R	VN: 80FS 804C 8208 8747 207 NAME: Adia, Shehu OCCUPATION: Student GENDER: Male AGE: 28 NASS PRE: <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	335	L		R	VN: 80FS 8102 FB29 8837 249 NAME: Isah, Adamu OCCUPATION: Farming/Fishing GENDER: Male AGE: 25 NASS PRE: <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
328	L		R	VN: 80FS 804C 8208 8321 204 NAME: Minu, Garba OCCUPATION: Student GENDER: Male AGE: 18 NASS PRE: <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	336	L		R	VN: 80FS 8102 FB29 5 3 000 NAME: Isiyaku, Sami OCCUPATION: Business GENDER: Male AGE: 40 NASS PRE: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

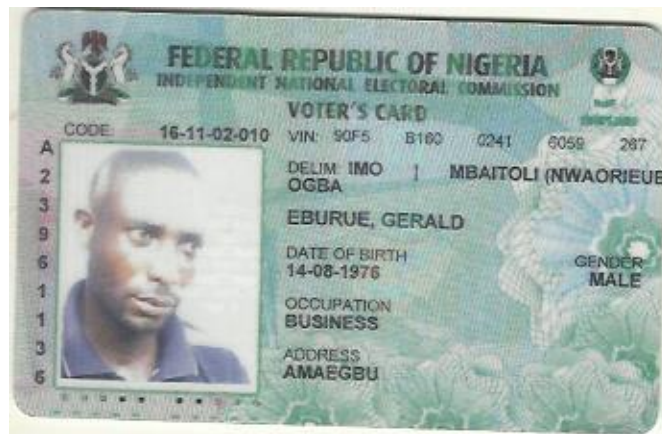
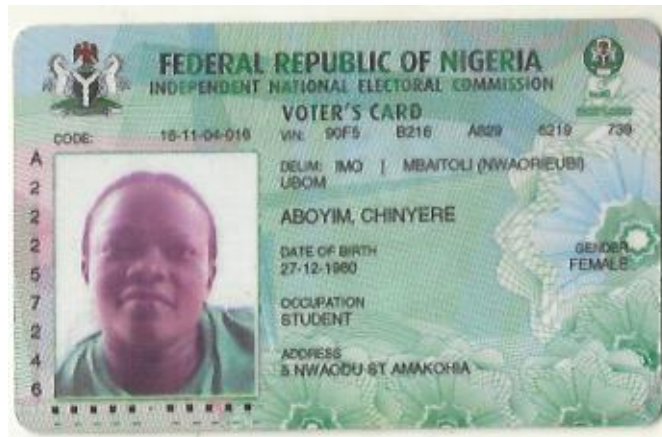
Sample of Valid Registrants

APPENDIX III



Sample Card Reader

APPENDIX IV



Sample of Permanent Voters Card (PVC)

APPENDIX V

FORM EC.1B



INDEPENDENT NATIONAL ELECTORAL COMMISSION

**CERTIFICATE OF COMPLETION OF REGISTRATION
OF VOTERS EXERCISE**

StateCode

LGACode

Registration AreaCode

Registration Unit / CentreCode

No. of Males / Females Registered (in Figure): Males Females

Total No. of Persons Registered (in Figures).....

Total No. of Persons Registered (in Words)

Total No. of Temporary Voters' Cards issued (in Words)

.....

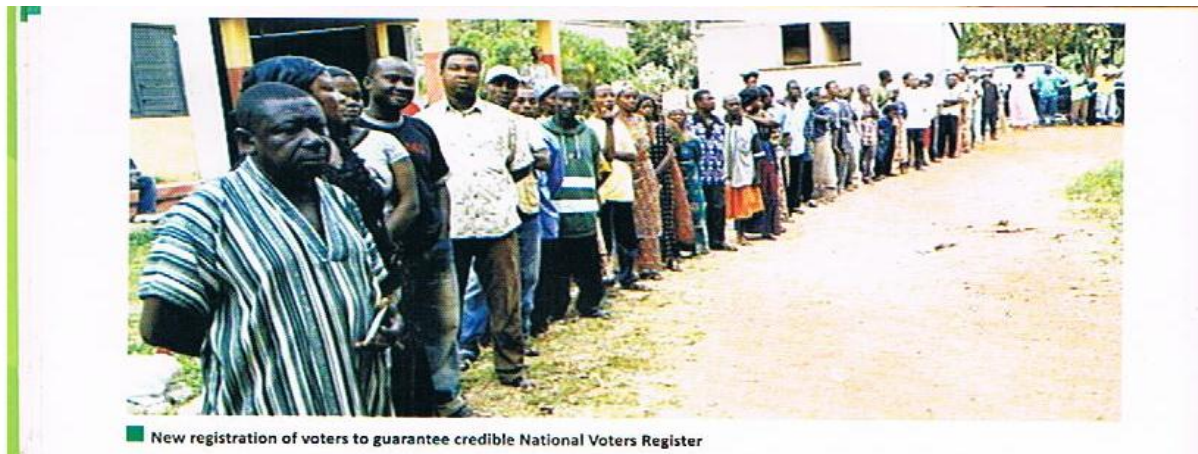
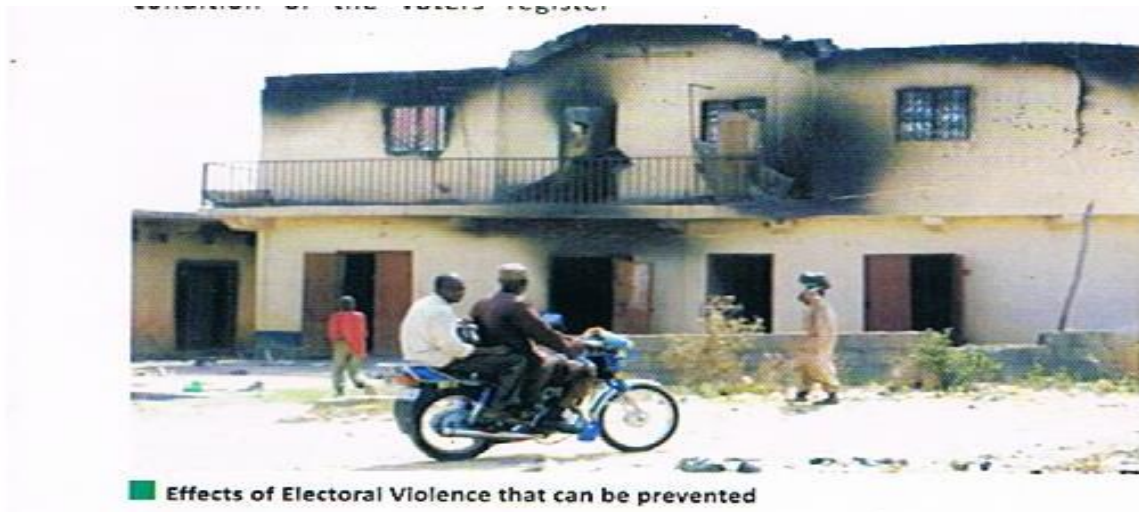
Name / Sign of ARO I

Name / Sign of ARO II

Date:



APPENDIX VI



Source: *INEC Electoral Magazine* January 2011, vol.1 No1, pp. 10 &10

APPENDIX VII



FORM EC 20A

INDEPENDENT NATIONAL ELECTORAL COMMISSION
NOTICE OF REGISTRATION OF VOTERS

In Accordance with the provisions of Section 9 (5) of the Electoral Act 2010, Notice is hereby given that Registration of Voters shall take place as follows;

Date: _____

Venue: _____

Time: _____ **Daily**

Signed - Chairman, INEC

APPENDIX VIII

FORM EC 25 B



INDEPENDENT NATIONAL ELECTORAL COMMISSION
REGISTRATION MATERIAL RECEIPT AT REGISTRATION AREA LEVEL

State: _____ **Code:** _____ **LGA:** _____ **Code:** _____

Reg. Area: _____ **Code:** _____ **Reg. Unit:** _____ **Code:** _____

I, _____ of _____

duly appointed at _____

for _____
 Registration Units/Centre

Have received the following materials and equipment from:

Name: _____

Address: _____

* Designation: _____

* Supervisory Registration Officer/Electoral Officer/
 Resident Electoral Commissioner

S/N	ITEM	QUANTITY
1		
2		
3		
4		
5		
6		
7		
8		
9		

 Signature of Collector

 Date

* Delete whichever is not applicable

PPENDIX IX

FORM EC. 1C



INDEPENDENT NATIONAL ELECTORAL COMMISSION

STATEMENT OF ADDITIONS MADE BY ELECTORAL OFFICER IN THE PRELIMINARY REGISTER OF VOTERS

State _____ Code _____ LGA _____ Code _____

Registration Area _____ Code _____

Registration Unit _____ Code _____

The following names have been added to the Preliminary Register of Voters

SN	VIN	Name in Full (Family Name First)	Occupation	Date of Birth	Sex Male (M) Female (F)	Address i.e House Number, Name of Street, Ward, Hamlet or Village

Total in Words and Figures:

.....
 Name/Sign of Electoral Officer
 Date:

.....
 Name/Sign of Processing Office
 Date:

APPENDIX X

EC 17



INDEPENDENT NATIONAL ELECTORAL COMMISSION
OATH / AFFIRMATION OF NEUTRALITY

I do solemnly swear/affirm that I will be faithful to the Federal Republic of Nigeria; that as I will discharge my duties to the best of my ability in accordance with the Constitution of the Federal Republic of Nigeria, the Electoral Act and the Guidelines issued by the Independent National Electoral Commission; that I will do the right to all Candidates and Political Parties according to law without fear or favour, affection or ill-will. So help me God.

.....
Deponent

SWORN TO/AFFIRMED AT: this, day of 20

Before me
Commissioner of Oath

APPENDIX XI



FORM EC. 1D

INDEPENDENT NATIONAL ELECTORAL COMMISSION

**STATEMENT OF CORRECTIONS MADE BY ELECTORAL OFFICER
IN THE PRELIMINARY VOTER'S REGISTER**

State _____ Code _____ LGA _____ Code _____

Registration Area _____ Code _____

Registration Unit _____ Code _____

The following names in the Preliminary Voter's Register have been corrected so as to appear as follows:

SN	VIN	Name in Full (Family Name First)	Occupation	Date of Birth	Sex Male (M) Female (F)	Address i.e House Number, Name of Street, Ward, Hamlet or Village

Total in Words and Figures:

.....

.....
Name/Sign of Electoral Officer

.....
Name/Sign of Processing Officer

Date:

Date:

APPENDIX XII



FORM EC. 1E

INDEPENDENT NATIONAL ELECTORAL COMMISSION

STATEMENT OF DELETIONS MADE IN THE PRELIMINARY REGISTER OF VOTERS

Statement of Deletions made by Electoral Officer in the Preliminary List of Voters.

State _____ Code _____ LGA _____ Code _____

Registration Area _____ Code _____

Registration Unit _____ Code _____

The following names appearing in the Preliminary Register of Voters have been struck out.

SN	VIN	Name in Full (Family Name First)	Occupation	Date of Birth	Sex Male (M) Female (F)	Address i.e House Number, Name of Street, Ward, Hamlet or Village

Total in Words and Figures:

.....

.....
Name/Sign of Electoral Officer

.....
Name/Sign of Processing Officer

Date:

.....

APPENDIX XIII



FORM EC 3

INDEPENDENT NATIONAL ELECTORAL COMMISSION
OBJECTION TO INCLUSION OF A NAME IN REGISTER OF VOTERS

State/FCT Code LGA Code
Registration Area Code Reg. Unit Code
I,
of

Hereby give notice:

1. That I object to the inclusion in the Register of Voters of the name of ,, ,,, ,,,
.....

Whose address and VIN are given as:

On the grounds that the bearer of the name is:

- (a) Not a Citizen of Nigeria
Or
- (b) Has not attained the age of 18 years
Or
- (c) Not ordinarily resident or works in, or originates from or an indigene of this area.
Or
- (d) Dead (Complete EC 3A)
- (e) Legally incapacitated to register

2. I hereby or will produce the following evidence:
.....
.....

Signature/Thumb Print _____ Date _____

ACKNOWLEDGEMENT SLIP

Form EC 3

State _____ Code _____ LGA _____ Code _____
Registration Area _____ Code _____ RU _____ Code _____
Name _____
Address _____
VIN _____ Commission's Stamp/ Date: _____

Date of hearing of Claims and Objection

Time: Venue:

APPENDIX XIV



EC 20 F

INDEPENDENT NATIONAL ELECTORAL COMMISSION
NOTICE FOR HEARING OF CLAIMS AND OBJECTIONS

Notice is hereby given that hearing of claims made; and objections raised by Voters during the Display of the Voters Registers shall be held as follows;

Date:

Time:

Venue:

	PERSONS MAKING CLAIMS		PERSONS OBJECTED TO	
	NAME	ADDRESS	NAME	ADDRESS
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				
28				
29				
30				

.....
REVISION OFFICER/ELECTORAL OFFICER

Sign:

Date:

APPENDIX XV



FORM EC 2

INDEPENDENT NATIONAL ELECTORAL COMMISSION
CLAIMS FOR CORRECTION AND/OR INSERTION OF OMITTED NAME IN THE PRV

State/FCT Code LGA Code
 3

Registration Area Code Reg. Unit Code

I,
 of

Occupation Sex Age

Hereby declare that:

1. I was registered in Registration Centre on the.....
 day of 20
2. My VIN is
3. (i) My name and/or particulars do not appear on the displayed
 Supplementary/Preliminary Register of Voters.
 Or
 (ii) My name is incorrectly stated on the Register
 (iii) My photograph is not included in the Register
4. I hereby apply for the Supplementary/Preliminary Register of Voters to be corrected to
 read /include.....
5. I declare that the above particulars are true to the best of my knowledge and belief.

Signature/Thumb Print _____

Date _____

ACKNOWLEDGEMENT SLIP

Form EC 2

State _____ Code _____ LGA _____ Code _____

Registration Area _____ Code _____ RU _____ Code _____

Name _____

Address _____

VIN _____ Commission's Stamp/ Date: _____

Date of hearing of Claims and Objection

Time: Venue:

APPENDIX XVI



FORM EC 3 A

INDEPENDENT NATIONAL ELECTORAL COMMISSION

NOTIFICATION OF DEATH OF A PERSON NAMED ON THE REGISTER

I, _____
of _____
on _____ day of _____ hereby notify the
Independent National Electoral Commission as follows:

1. That I am a Registered Voter in _____ (Reg. Unit/Centre)
_____ (Registration Area) _____ LGA
_____ (State).
2. That my VIN is _____
3. That the bearer of this name _____
was also a registered voter in my Registration Unit/Area
4. That the bearer of this name _____
is now deceased.
5. That I enclose the death Certificate and other materials evidence to show that
the bearer of the name is now dead.
6. That in view of paragraph 4 and 5 above I hereby apply that the name be struck
off the Register of Voters.
7. I declare that the above information are true to the best of my knowledge and
belief.

Signature/Thumb Print

Date

ACKNOWLEDGEMENT SLIP

Form EC 1

State _____ Code _____ LGA _____ Code _____

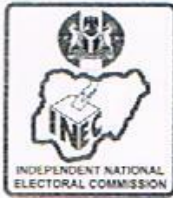
Registration Area _____ Code _____ PU _____ Code _____

Name _____

Address _____

VIN _____ Commission's Stamp/ Date: _____

APPENDIX XVII



EC 5A

INDEPENDENT NATIONAL ELECTORAL COMMISSION
SUMMARY OF DAILY RETURNS ON DISPLAY OF VOTERS REGISTER
AT REGISTRATION UNIT LEVEL

STATE: CODE

LGA: CODE:

RA: CODE:

RU: CODE:

TOTAL REG. VOTERS:

SUMMARY OF RETURNS FOR THE DISPLAY PERIOD

S/N	DATE	NO. OF CLAIMS	NO. OF OBJECTIONS	NOTIFICATION OF DEATH
TOTAL				

.....
 REGIONAL OFFICER

SIGN:
 DATE:

APPENDIX XVIII



EC 5B

INDEPENDENT NATIONAL ELECTORAL COMMISSION
SUMMARY OF DAILY RETURNS ON DISPLAY OF VOTERS REGISTER
AT REGISTRATION AREA LEVEL

STATE : CODE

LGA: CODE:

RA: CODE:

RU: CODE:

TOTAL REG. VOTERS:

SUMMARY OF RETURNS FOR THE DISPLAY PERIOD

S/N	NAME OF REGISTRATION UNIT	CODE NO.	NO. OF CLAIMS	NO. OF OBJECTIONS	NOTIFICATION OF DEATH
TOTAL					

.....
 REGISTRATION AREA CENTRE OFFICER

SIGN:
 DATE:

APPENDIX XIX

EC 5C



INDEPENDENT NATIONAL ELECTORAL COMMISSION

**SUMMARY OF DAILY RETURNS ON DISPLAY OF VOTERS REGISTER
AT LOCAL GOVERNMENT AREA LEVEL**

STATE : **CODE**

LGA: **CODE:**

RA: **CODE:**

RU: **CODE:**

TOTAL REG. VOTERS:

SUMMARY OF RETURNS FOR THE DISPLAY PERIOD

S/N	NAME OF REGISTRATION AREA	CODE NO.	NO. OF CLAIMS	NO. OF OBJECTIONS	NOTIFICATION OF DEATH
TOTAL					

.....
ELECTORAL OFFICER (EO) **SIGN:**

..... **DATE:**

APPENDIX XXI

















Sample Authentication of a Voter Using the Smart Card Reader















APPENDIX XXII

EXAMPLES OF REJECTED BALLOTS

CHOICE OF VOTER IS UNCLEAR






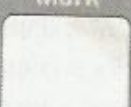

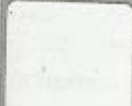
















Party	Voters Mark	Party	Voters Mark	Party	Voters Mark
 ASY Party		 		 ASY Party	
 AYZ		 AYZ		 AYZ	
 TQ		 TQ		 TQ	
 STV		 STV		 STV	

CHOICE OF VOTER IS UNCLEAR




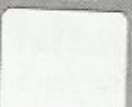














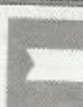





Party	Voters Mark	Party	Voters Mark	Party	Voters Mark
 ASY Party		 ASY Party		 ASY Party	
 AYZ		 AYZ	MUSA	 AYZ	
 TQ		 TQ		 TQ	
 STV		 STV		 STV	
More than One Vote Cast		Vote can be Identified		Unmarked ballot	

APPENDIX XXIII

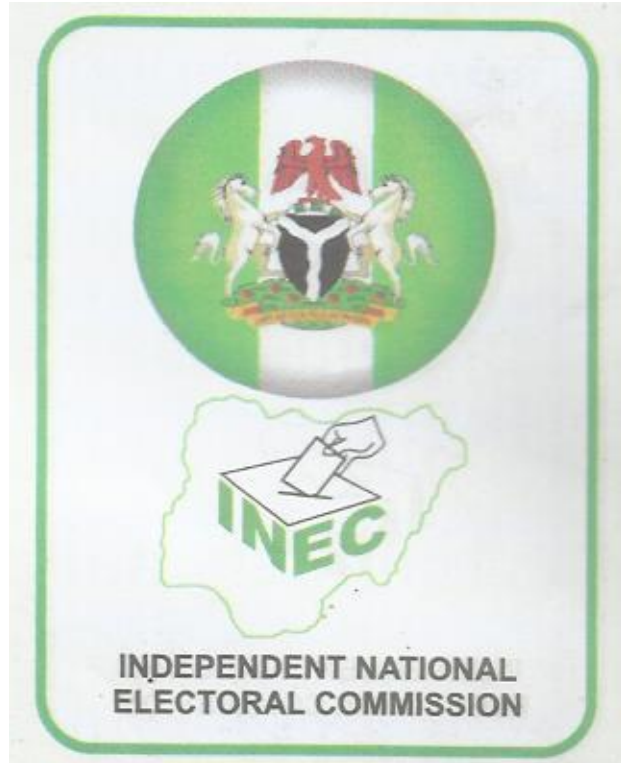
CHOICE OF VOTER IS CLEAR

Party	Voters Mark	Party	Voters Mark	Party	Voters Mark
 ASY Party		 ASY Party		 ASY Party	
 AYZ		 AYZ		 AYZ	
 TQ		 TQ		 TQ	
 STV		 STV		 STV	

CHOICE OF VOTER IS CLEAR

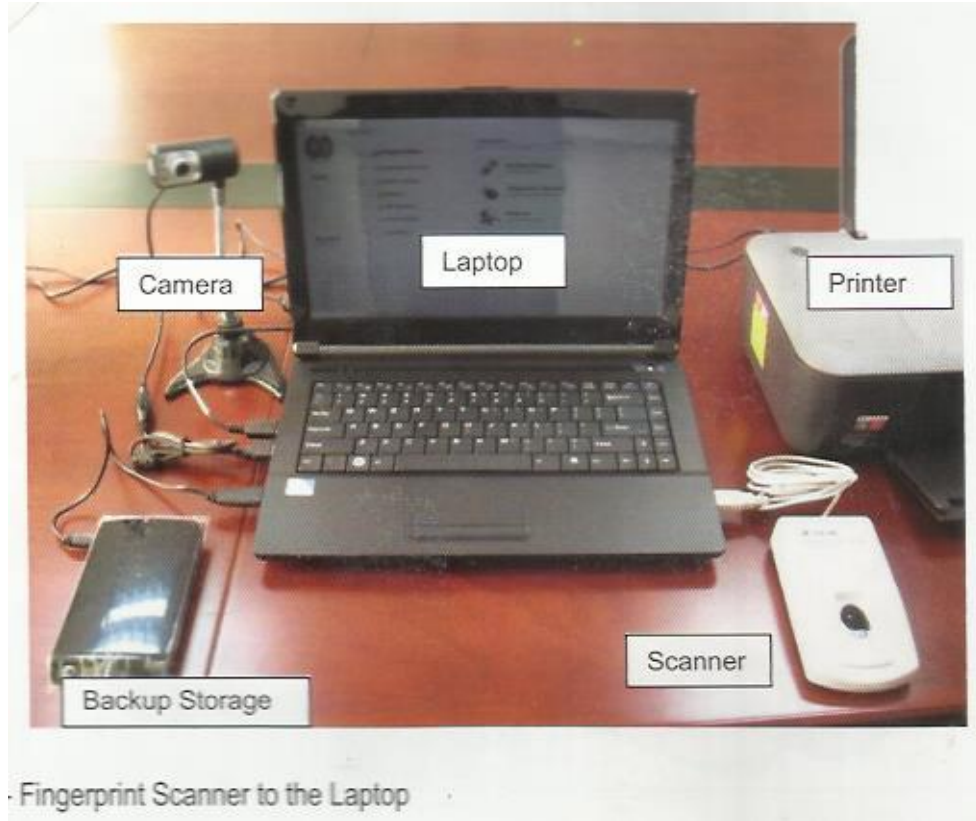
Party	Voters Mark	Party	Voters Mark	Party	Voters Mark
 ASY Party		 ASY Party		 ASY Party	
 AYZ		 AYZ		 AYZ	
 TQ		 TQ		 TQ	
 STV		 STV		 STV	

APPENDIX XXIV



Sample Logo of the current electoral management body

APPENDIX XXV



Sample Fingerprint Scanner to the Laptop

APPENDIX XXVI

COMISSÃO DA CEDEAO

ECOWAS COMMISSION

WAKILU BOWEN CRESCENT
KADUNA DISTRICT
KADUNA,
NIGERIA
TEL: 0818242424
WWW.ECOWAS.int



COMMISSION DE LA CEDEAO



Our Ref: ECW/REL/12/PEC/PAPs/DPA/ej/38/kye

01 April 2015

Prof. Attahiru Muhammadu Jega
Chairman,
INEC
Nigeria,
Republic of Nigeria

Excellency,

LETTER OF APPRECIATION

On behalf of the entire ECOWAS Community, I have the honour to convey to you and your team, our sincere appreciation and gratitude for the excellent manner in which the Independent National Electoral Commission conducted the Nigerian Presidential and Parliamentary elections which took place on 28th March 2015. The process was transparent, credible, free, fair and above all measurable to the global standards of democratic elections.

This election, which is of key strategic importance to the entire African continent in view of Nigeria's position, was handled very professionally by you and your officers as monitored by our election observers deployed across the country.


We wish you continued success in the forthcoming elections and in your selfless service to the cause of entrenching democratic values through transparent and credible electoral process. We hope that Nigeria continues to lead in the strengthening of democracy in our region.

Please accept, dear Chairman, the assurances of my highest consideration.


Kadre Désiré Ouedraogo
President of the Commission

ECOWAS COMMUNITY OF WEST AFRICAN STATES
COMUNIDADE ECONÓMICA DOS ESTADOS DA ÁFRICA OCIDENTAL
COMMUNAUTÉ ÉCONOMIQUE DES ÉTATS DE L'AFRIQUE DE L'OUEST

APPENDIX XXVII



INDEPENDENT NATIONAL ELECTORAL COMMISSION
INEC - HEADQUARTERS
Plot 436, Zambezi Crescent, Maitama District,
P.M.B 0184, Abuja. Federal Capital Territory, Nigeria
09-4133339, Fax: 09-4133843
OFFICE OF THE SECRETARY



INEC/EPM/PPP/123/V.111/163

26th September, 2014

To: All National Chairmen
Registered Political Parties
Corporate Entities,
Associations and the General Public

CAUTION ON ILLEGAL PUBLIC POLITICAL BROADCAST AND CAMPAIGN

The attention of the Independent National Electoral Commission has been drawn to the insistent illegal campaigns carried out by Associations, Corporate entities, Individuals, Public and Private Media, and other Communication Agencies in the Country in contravention of the provisions of the 1999 Constitution (As Amended) and the Electoral Act 2010 (As Amended) on Limitation of Political Broadcast.

2.0 Section 221 of the Constitution of the Federal Republic of Nigeria, 1999 (As Amended) clearly provides as follows:

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

2.1 Canvassing for vote includes acts geared towards promoting a candidate or Political Party by means of public advertisement in print and electronic media.

3.0 Section 99 of the Electoral Act 2010 (as amended) further prohibits broadcast and political campaign earlier than ninety (90) days before polling day. The Section 99 provides as follows:

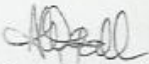
APPENDIX XXVII (contd)

"Section 99 (1) For the purpose of this Act, the period of campaigning in public by every political party shall commence 90 days before polling day and end 24 hours prior to that day"

4.0 In exercise of its mandate as Regulatory body and pursuant to the powers conferred on it by the 1999 Constitution (as amended) and the Electoral Act 2010 (as amended), the Independent National Electoral Commission (INEC) shall henceforth take necessary action against such Associations, Corporate Bodies, Individuals, Political Parties, media or other communication Agencies, Social Media, Candidates/Aspirants if and when any of the provisions of the 1999 Constitution (As amended) and or Electoral Act 2010 (as amended) on public campaign/rally and procession are contravened.

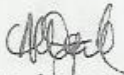
5.0 Extracts of the Electoral Act 2010 (as amended) have been re-produced and circulated by the Commission at public places, to media outfits, Ministry of Information, National Orientation Agency, National Communications Commission (NCC), Headquarters of IPAC, Headquarters of State, FCT, Local Government Area offices of INEC, FCT and the Federal Ministry of Environment.

6.0 This is for information and proper guidance.


Mrs. Augusta C. Ogakwu,
Secretary to the Commission

Copy to: All Resident Electoral Commissioners,
Independent National Electoral Commission,
All States and FCT, Abuja.

Above is for your information and further circulation to all State and Local Government Area Offices of the agencies and bodies listed at paragraph 5.0 above, and as appropriate.


Mrs. Augusta C. Ogakwu,
Secretary to the Commission

APPENDIX XXVII (contd)

ELECTORAL ACT EXTRACT

EXTRACT OF 1999 CONSTITUTION

Section 221. " No association , other than a political party, shall canvass for votes for any candidate at any election or contribute to the funds of any political party or to the election expenses of any candidate at an election".

LIMITATION ON POLITICAL BROADCAST AND CAMPAIGN BY POLITICAL PARTIES

Section 99 – (1) For the purpose of this Act, the period of campaigning in public by every political party shall commence 90 days before polling day and end 24 hours prior to that day.

(2) A registered political party which through any person acting on its behalf during the 24 hours before polling day –

- (a) advertises on the facilities of any broadcasting undertaking; or
- (b) procures for publication or acquiesces in the publication of an advertisement in a Newspaper, for the purpose of promoting or opposing a particular candidate, commits an offence under this Act and upon conviction is liable to a maximum fine of N500,000.00

CAMPAIGN FOR ELECTION

Section 100 – (1) A candidate and his party shall campaign for the elections in accordance with such rules and regulations as may be determined by the Commission.

(2) State apparatus including the media shall not be employed to the advantage or disadvantage of any political party or candidate at any election.

(3) Media time shall be allocated equally among the political parties or candidates at similar hours of the day.

(4) At any public electronic media, equal airtime shall be allotted to all political parties or candidates during prime times at similar hours each day, subject to the payment of appropriate fees.

APPENDIX XXVII (contd)

(5) At any public print media, equal coverage and conspicuity shall be allotted to all political parties.

(6) A public media that contravenes subsections (3) and (4) of this section commits an offence and is liable on conviction to a maximum fine of ₦500,000.00 in the first instance and to a maximum fine of ₦1,000,000.00 for subsequent conviction.

PROHIBITION OF BROADCAST ETC. 24 HOURS PRECEDING OR ON POLLING DAY

Section 101 – (1) A person, print or electronic medium that broadcasts, publishes, advertises or circulates any materials for the purpose of promoting or opposing a particular Political Party or the election of a particular candidate over the radio, television, newspaper, magazine, handbill, or any print or electronic media whatsoever called during 24 hours immediately preceding or on polling day commits an offence under this Act.

(2) Where an offence under subsection (1) of this section is committed by a body corporate, every principal officer of that body is equally guilty of an offence under this Act.

(3) Where any person is convicted of an offence under this section he shall be liable:

- a. in the case of a body corporate to a maximum fine of ₦1,000,000.00; and
- b. In the case of an individual to a maximum fine of ₦500,000.00 or to imprisonment for a term of 12 months.

CAMPAIGN BASED ON RELIGION, TRIBE, ETC

SECTION 102: A candidate, person or association who engages in campaigning or broadcasting based on religious, tribal or sectional reason for the purpose of promoting or opposing a particular political party or the election of a particular candidate, commits an offence under this Act and is liable on conviction to a maximum fine of ₦1,000,000.00 or imprisonment for a term of 12 months or to both.