

## **Electoral Process and Political Violence in Africa: A Preview of the 2015 Elections in Nigeria**

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### **Abstract**

Following the wave of democratization globally, and given that democracy has gained universal acceptance, elections are now commonplace and taken for granted in all cultures, with Nigeria faithfully following the trend after decades of military rule that ensured that elections never held or that citizens' votes did not count when allowed to hold. This study examines the synergy between electoral process and political violence that has become the hallmark of all Nigerian elections since 1999, with a view to proffering suggestions for a peaceful 2015 general elections which may prove very vital for Nigeria's continued existence as a corporate nation. The methodology for this study is qualitative, using documentary evidence and the ex-post-facto research design in terms of reviewing the 2011 general elections. Employing the post-colonial state theory as a framework of analysis, the study revealed that absolutism, arbitrariness, absence of moderating rules, low legitimacy and lack of unity of powers act as mitigating factors in Nigeria's elections. The study recommends a complete audit of the electoral and constitutional and legal frameworks, credible voters' registration, manifest independence and integrity of the electoral management body, and significant behavioural change of the electorate and office-seekers for peaceful elections.

**Keywords:** Election; electoral process; democracy; political violence; Nigeria; Africa.

### **Introduction**

Elections are key pillars of democracies and have become the commonly accepted means of legitimizing governance institutions in Africa and the world over. In contrast, the electoral process is a comprehensive form of democratic system that entails the selection or election of people into positions of leadership. It comprises, according to Iredia (2007:68), all the constitutional procedures, arrangements and actions involved in the conduct of elections; the "events and activities that usually culminate in the election of candidates for various political offices". For Nwabueze (1993), cited in Adagba (2007:44):

The electoral process includes the suffrage, the registration of votes, delimitation of constituencies, the right to contest elections, electoral competition between rival political parties, the body charged with the conduct and supervision of election, the method of selection of

candidates, method of voting, the actual conduct of election, the determination of results, trials and determination of election disputes, electoral malpractices and their consequences.

However, while elections are key pillars of democracy the world over, they are also key triggers of violence and insecurity in Africa (Hounkpe & Fall, 2010). Thus, elections have the potential to confer legitimacy, moderate dissent, engender compliance, heighten citizen efficacy, and deepen the course of democratization. The dominant argument in liberal political science scholarship on electoral democracies, sometimes not excluding Africa's fragile democracies, is that elections promote the steady liberalization of politics (democratization), becoming better each time they are held. In other words, it is assumed that democracy gets strengthened after a sequence of three electoral cycles (Cilliers, 2008:94; Lindberg, 2006:3), and tend to become better each time and afterwards.

However, as noted by Ugiagbe (2009), electoral violence has regularly been reported in Nigeria and manifests in various forms in the three electoral stages, namely pre-election, during election and post-election. It has two broad dimensions, physical and psychological; and ranges from acts of assault, arson, ballot box snatching and stuffing to kidnapping and assassinations. It has also reportedly claimed more than 11,000 lives in Nigeria between 1999 and 2006. The figure has since exceeded the above since then.

The general objective of this study is to make a prognostic analysis of elections in Africa in general and how they are related to violence that predominates within these periods in virtually every African state by explaining the synergy that exists between the political process and the violence that comes with each election. Specifically, this study examines the electoral process and the expected political violence in the forthcoming 2015 general elections in Nigeria.

The study would pursue the above objective through the qualitative method based on documentary evidence and historical analysis of all the elections that have taken place in Nigeria since the advent of democratic rule in 1999 after the long years of military intervention. A content analysis of various extant documents, published and unpublished, reports of election observers, as well as from the media, helped us to arrive at our data for making our conclusions on the expectations of political violence in the run-up to, and aftermath, of the 2015 general elections in Nigeria. In addition, the analyses of relevant generated data were guided by the need for thematic relevance, historical chronology and comparison.

### **Theoretical Framework**

The explanatory tool of analysis for this study is based on the tenets of the Marxian post-colonial state theory, which has shaped the character and nature of the Nigerian State and its politics. As explained by Alavi (1972:59),

The argument [for the theory of post-colonial state] is premised on the historical specificity of post-colonial societies, a specificity which arises from structural changes brought about by the colonial experience and alignments of classes and by the superstructures of political and administrative institutions which were

established in that context, and secondly from radical realignments of class forces which have been brought about in the post-colonial situation.

It must be noted from the above that it was in order to secure their economic interests that the colonial governments discouraged the emergence of a strong indigenous capitalist class. The specific manner in which the colonialists produced the indigenous elite turned the competition for the control of state power into a do-or-die affair. This was so because control of state power provided the only access to the primitive accumulation of capital – the process by which a class of capitalists are produced. Consequently, the state and its apparatuses and institutions have become the main instruments for the perpetuation of class interests, and for wilful alienation and self-reproduction.

Furthermore, the feature of the socio-economic formation in post-colonial states, and indeed in contemporary peripheral formations generally, is that the state has very limited autonomy (Alavi, 1972:71). That is, the state is institutionally constituted in such a way that it enjoys limited independence from the social classes – particularly the hegemonic social class – and so is immersed in class struggle instead of rising above it. This is why the post-colonial state is incapable of mediating the class struggle, hence, the Nigerian state is not differentiated and dissected from the class struggle and economic competition. This vividly explains why elections and political transitions do not adequately benefit the majority of Nigerians and are mostly enmeshed in violence.

However, because of the weak economic base of the class that inherited the post-colonial state, the state became a major instrument of investment and development of personal-regarding interests, thereby making the class wholly reliant on the state for the accumulation of wealth.

This framework of analysis suits this study because it helps in understanding how the instrumentalist nature of the Nigerian state constitutes to the state of political instability and the overlapping effect on disaggregated electoral process even after close to fifteen years of continuous democratic rule.

In most post-colonial states such as in Nigeria, because the state is used as an instrument for the acquisition of wealth, the control of the state power becomes highly attractive and dangerously competitive. This is why the struggle for state power is tantamount to warfare in Nigeria, interacting with other dynamics to produce Nigeria's unique brand of warfare politics. To Nigerian politicians, politics now becomes a zero-sum game in which the winner takes it all, and, elections which is the major characteristic of politics, becomes prone to debilitating violence.

### **Elections in Africa: A Literature Overview**

Elections in Africa have often been characterized by violence and the political processes that bring about these elections have often been fraught with a lot of bloodshed and negative campaigning that have always engendered crises (Collier & Vicente, 2008). Thus, when an election in Africa draws international attention, the news is seldom good. For instance, the electoral violence in Kenya, Togo, Cote d'Ivoire and Zimbabwe had left thousands dead, many others displaced, while others have suffered from massive fraud and brutal suppression. As a matter of fact, the violence in the Togo elections has become a reference point in electoral violence. Thus, there is beginning to be expressed clearly by

political actors that multiparty democracy in Africa can only lead to bloodshed, thus leading to the suggestion that Africa is not ready for elections.

As rightly noted by Cyllah (2010), recent headline-grabbing electoral failures, either in Kenya, Togo, Ghana, DRC, or even Zimbabwe, however, do not justify abandoning efforts at developing electoral democracy in Africa. Although elections are often marred by fraud or incompetence and do sometimes result in violence, no other means have brought about non-violent transitions of power with the same consistency (Iyayi, 2007). Most Africans agree that democracy is preferable to all other forms of government. Even in the countries that have suffered most from failed or flawed elections, the people have responded not by abandoning democracy but by increasing their demands for accountability and reform.

In reality, then, Africa's experience with electoral democracy has been mixed: progress has been made, but great challenges remain. The various elections in the past several years, from Kenya and Zimbabwe to Ghana and Sierra Leone, have become historical landmarks for different reasons, varying drastically in their conduct and outcome. This mix of electoral experiences has generated considerable debate and passion on the subject of transparent, free and fair electoral processes among election stakeholders, especially as democratic progress become increasingly competitive, one-party and military regimes face potentially destabilizing challenges that could increase the risk of fraud and violence.

It is thus difficult to identify a general trend in elections for the African continent as a whole. In the broadest terms, sub-Saharan Africa is certainly more democratic and holds more free and fair elections today than several decades ago, but gains in some countries have been offset by losses in others, while a number have remained democratically stagnant since independence. However, we had mentioned earlier that elections generally promote democratization, becoming better each time they are held, and gets strengthened after a sequence of three electoral cycles, and tend to progressively and positively become better each time and afterwards.

The pertinent question to be asked is whether elections fulfil these functions in Africa where competitive elections are imperfect (Moehler, 2009:245), and more importantly in Nigeria where it is approached as a do-or-die affair (Collier & Vicente, 2008:2; Adebayo, 2007)? Put differently, now that Nigeria has crossed the magical "three elections plus one civilian-to-civilian rule handover" threshold of democratic transition (Ibeanu, 2007:1), and preparing for the fifth one in 2015, can we say that elections have played the above roles in Nigeria's democratic journey? This study argues to the contrary. Its primary argument is that rather than being a political asset and a legitimating force for incoming administrations, elections in Nigeria have become a potent source of instability and violent conflicts. This is because various experiences with competitive electoral politics in Nigeria have been characterized by vote miscounting, vote buying and unrestrained violence.

As noted succinctly by Mbagua (2006:22), elections in many African states are characterized by controversies and disputes which, in most cases, transform into violent conflicts (Collier & Vicente, 2008). Election-related conflicts stem from many causes, including the structure of the State, the structure of the electoral system, the political culture, political intolerance and repression, undemocratic practices by political parties and failure to recognize the legitimacy of the opposition, corruption and election rigging.

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clash of political ideologies or cultural values, media bias, fear, misinformation and disinformation, and political bigotry.

While ignoring the country's experiences of electoral violence in the past, the fact that the last series of general elections from 1999 to 2011 have almost turned into civil wars is a pointer that Nigeria's democracy is faltering. Evidently, electoral violence has been institutionalized since the 2007 general elections as a systematic strategy for electoral victory, and this has had adverse consequences on voting outcomes and good governance.

Thus, it is axiomatic to posit that elections are a celebration of fundamental human rights. A genuine election is a political competition that takes place in an environment characterized by confidence, transparency and accountability and that provides voters with an informed choice between distinct political alternatives. A genuine democratic election process presupposes respect for freedom of expression and free media; freedom of association, assembly and movement; adherence to the rule of law; the right to establish political parties and compete for public office; non-discrimination and equal rights for all citizens; freedom from intimidation; and a range of other fundamental rights and freedoms (OSCE/ODIHR, 2001:11). However, lack of credible elections devoid of rigging and falsification of election results seem to elude African states. These have remained the bane of Africa's democratic experience. Although election rigging is as old as democracy, the rate at which it has been perfected in Africa makes electoral process and political stability difficult to achieve.

In Nigeria, the political system is becoming more authoritarian and less participatory because our democratic experience seems to be narrowing the democratic space and making the electoral process more violent than ever (HRW, 2007). To be sure, this process has raised fears that the 2015 general elections in Nigeria are likely not going to be credible and violent-free. Many scholars and commentators postulate that the 2015 general elections will take a form of 'war'. Their arguments are based on the premise that from all indications, the institutions that will support credible elections are not yet on ground, and therefore, the chances of having free and fair elections are not equally high. The results of previous elections have been sources of violent protests, high level litigations and court reversals witnessed in gubernatorial elections of 2007 in Edo, Ondo, Ekiti and Osun states. This level of fear is sequel to the general fear expressed even by the American CIA that if 2015 general elections does not bring in credible leadership through credible elections, Nigeria would certainly break up. And it seems all the signs are there. The polity has been so heated up even now towards the end of 2013 that one fears what 2014 would look like in Nigeria. There have been accusations and counter-accusations of arms caches being seized and all manner of accusations of different political entities getting ready for the mother-of-all-fights for the soul of the Nigerian state in the 2015 elections. While the President's body language shows that he is going to run for another term, some elements in the North are insisting that it is their turn to take over the leadership of the country after the uncompleted term of the late President Yar'Adua. This has pitched the President and some Governors in a bloody fight that has even broken the ruling Peoples Democratic Party (PDP) into two factions, each claiming to be ready for the elections, thereby heating up the polity.

One of the mistakes and problems of the previous elections is that Nigeria has not made real progress in terms of the electoral process and also in terms of making

democracy a part of the values of the Nigerian society. This is because the actions and inactions of the Independent National Electoral Commission (INEC) over the lessons of previous elections were lost; the gains of 1999 and 2003 were not made use of, for these two elections would have marked the departure and a watershed in our practice of democracy as well as the electoral process for the 2007 and 2011 elections. If the lessons had been learnt, it would have extinguished the whole issue of manipulation in the electoral process. However, from 2011 backwards, one election was retrogressively worse than the other. This is the reason why Nigerians are apprehensive of the 2015 general elections and would want to break the vicious cycle of electoral fraud and break the chain holding the electoral process hostage. The challenge essentially is that smaller African countries such as Ghana and Botswana hold Nigeria in contempt today because of her inability to hold credible elections. Consequently, the preview of the 2015 general elections perhaps will lay the necessary framework for making the elections a huge success.

Extant literature on electoral violence shows that state institutions promote violence. There is a culture of impunity in Nigerian society, and political leaders at all levels perpetrate electoral violence with impunity. There has been absence of institutional and legal solutions against electoral violence. There has been inadequate documented and public knowledge on electoral issues; and thus prebendal politics became the basis for electoral violence (Aniekwe & Kushie, 2011). These are major reasons for the electoral violence in the Nigerian polity.

### **Elections in Nigeria in the Fourth Republic**

After the never-ending transition of General Babangida and the interim government of Chief Ernest Shonekan, Generals Sani Abacha and Abdulsalam Abubakar, Nigeria returned to civil rule in 1999 after over three decades of military rule. The results of the 1999 general elections indicated that the Peoples Democratic Party (PDP), which fielded ex-General Olusegun Obasanjo, had more national spread by winning in 21 states across the country. The All Peoples Party (APP) came second with 9 states, while the Alliance for Democracy (AD), which held sway in the Yoruba south-west, had 6 states. The general belief is that the 1999 general elections took place without systematic rigging, although the elections were also as contentious as all previous ones (Omotosho, 2008).

Another general election was conducted in 2003, and President Obasanjo was returned to power for the second time in an election that was so badly flawed that it was described as the “most fraudulent election” in the history of Nigeria. In fact, the election results proved and confirmed that proper National Assembly, Gubernatorial and Presidential elections were not conducted in accordance with the INEC guidelines and the Electoral Act. Rather, figures were literally manufactured in Government Houses or collation centres to abide by pre-determined results for President Obasanjo and the PDP. The alleged electoral malpractices of the ruling PDP were regarded as the most sophisticated in the electoral history of Nigeria.

As Omotosho (2008) further revealed, many foreign and domestic observers also noted widespread irregularities and fraud in the elections at all levels, and concluded that the minimum standards for democratic elections were not met in most states. The report by Nigerian observers confirmed numerous reports of allegation of fraud in many states across the country. The varied forms of electoral malpractices and the high number

of incidents of electoral violence rekindled old fears that the basic institutional weaknesses associated with the electoral system could bring the democratic experiment to untimely grief.

The 2007 general elections did not live up to the hopes and expectations of the Nigerian people and the process was not considered credible, although they marked the first peaceful transfer of power between civilian governments in Nigeria's history. Nonetheless, and far from improving on the 1999 and 2003 elections, the conduct of the election was perceived as the worst. Charges of corruption, vote buying, vote rigging, lack of transparency and other voting irregularities abounded. There were also instances of politically-motivated killings in the run-up to the elections. Many political parties, especially parties of incumbents, relied on electoral fraud rather than popularity to stay in power. Some of the various electoral malpractices that characterized the 2007 general election were the inclusion of fictitious names on voters' registers, illegal compilation of separate voters' lists, illegal printing of voters' cards, illegal possession of ballot boxes, stuffing of ballot boxes, multiple voting, and voting by children.

The political violence that erupted in all these elections progressively had high ethnic tones as there were ethnic insurgencies during the various elections, such that between June and August 2006, three gubernatorial candidates were assassinated. The run-up to the April 2007 elections was violent, as campaigning in many areas was punctuated with political killings, bombings and armed clashes between supporters of rival political parties. The violence formed part of a broader pattern of violence and abuses that is inherent in Nigeria's still largely unacceptable political system.

Local and international observers of the 2007 elections concurred that fraud that violence occurred in most parts of the country, and was perpetrated by political party supporters. Yet, official election results were announced, and majority of the incumbent state governors were re-elected. In some locations, there was no pretence at staging elections. For example, many polling stations stopped voting almost as soon as they started or postponed them to the following day. As a result, angry youths burnt down INEC offices in protest at the postponement of the elections. In other places, armed thugs snatched ballot boxes or vandalized election materials. Vehicles full of party thugs screeched into polling stations, and large numbers of youths jumped down leaving the doors open to show that they were full of guns and ammunition.

The loss of over 1,000 lives experienced in Nigeria after the 2011 general elections, especially in the northern region, shows that the level of political violence has risen significantly. The north literally burnt after the elections as they had hoped for a different outcome that eventually did not materialize. Among their major issues with the said outcome that retained a southerner, Dr. Goodluck Jonathan as President, after serving out the first term of the late President Umaru Musa Yar'Adua, a northerner, was that the number of votes said to be cast for the winner did not in any way tally with reason and what they had in mind. With the spate of bombings, killings and kidnappings going on now, and the rate of arms proliferation it is almost certain that the spectre of violence would be phenomenal in 2015.

### The State and Credible Elections in Nigeria

The problems of conduct of election in Third World countries have the same characteristics and suffer tremendously from the ills of underdevelopment. In the peripheral capitalist societies such as Nigeria, monopoly capitalism has not left behind the overall dominance of liberal ideology and hegemonic class rule. Although peripheral capitalist state shows all the interventionist character of the monopoly capitalist state, it depicts a historical specificity that, among others, include its underdevelopment and dependent character, its authoritarianism and its low autonomy (Ake, 1985). In summary, this study presents the following five features namely: absolutism, arbitrariness, absence of moderating rules, low legitimacy and lack of unity of powers. In today's Nigeria, these features enable us to explain governance generally and poor performance of INEC and elections in particular.

**Absolutism:** The peripheral capitalist state tends to be all-powerful. It is interventionist in all spheres of life of society, especially the economy and election which have become important instruments for ascending to state power. It inherits this omnipotence, absolutism and totalitarianism from the colonial state which was saddled with the all-encompassing role of establishing capitalism in the colony in the face of resistance from a conquered but restive populace. Intervention in the economy as well as electoral process is particularly attractive to this state because the class that controls it is underdeveloped as a capitalist class. As a result, control of society and of the economy offers an opportunity to build its economic base. Thus, this state has been described as "means of production" and "means of primitive accumulation" (Iyayi, 1986). Thus, the struggle to ascend to state has become so fierce and everything and every means is deployed to achieve the acquisition of state power including rigging of elections. This has led to political recyclism (Onuoha, 2009). In this wise, the Nigerian youth have been co-opted to engage in wanton criminality and political violence just to favour the elite as they have nothing else to do, having been systematically removed from the governance of the state.

**Arbitrariness:** The peripheral capitalist state is unpredictable and shows sudden changes. Constitutions, the fundamental laws of the state, have not evolved organically from the society. Instead, they are parodies of constitutions of Western countries often delivered by departing military regimes. In many ways, the most remarkable feature of the period during which the 1999 Nigerian constitution was framed, was the lack of participation and discussion by Nigerians of how it was likely to work in practice and how far the structure would be affected by the activities and outlook of the Nigerian political parties and their leaders. For General Abacha, constitutional amendment was meant for self-succession, while for General Abubakar it was rather a mechanism for a quick hand over to civilian elected democratic government. The constitution, therefore, did not address the national question and other nagging issues concerning Nigerian federalism (Mbah, 2007:188). In all, the process that culminated in the constitution ignored the structural issues that had bedeviled the country's ability to enthrone a truly uncountable, transparent and democratic political order. Even when attempts appear to be made to evolve popular constitutions, the process is marred by inordinate personal ambitions, into class fighting and exclusion of popular forces. Consequently, there continues to be a patent absence of institutional mechanism for moderating the enormous

powers of the state, particularly as expressed in the powers of the executive and administration (Ibeanu, 2005:12).

**Weakness of Moderating Rules:** Since the state is all-powerful and there are few safeguards on how its tremendous power is to be used in a moderate and civil manner, groups and individuals take a great stock in controlling it. In the circumstance, competition among individuals and groups to control its power is cut-throat in nature and there is an unprecedented primacy of politics since to be excluded from this power is utter ruin and to be included is lasting prosperity. This primacy of politics becomes even worse as economic resources reduce or become more concentrated in a few hands, usually as a result of neo-liberal economic policies at home, and a global economy in which the periphery is profoundly disadvantaged. As this happens, the social base of the peripheral capitalist state becomes even narrower, further intensifying the primacy of politics and disrespect for moderating rules especially electoral rules and the game of politics.

**Low Legitimacy:** Arbitrariness, weak moderating political institutions and the narrow social base of the state lead to a general lack of faith in it by the people. Therefore, the state exhibits a very low level of legitimacy, which further demands the confidence of disadvantaged classes in capacity of the state to protect their interests. Thus, the dominated class have themselves been victims of the tendency of the dominant class to degenerate into personal rule, personality cults and despotism. Low legitimacy further undermines the development of institutional mechanisms for moderating political competition and personal rule. The state, therefore, remains unable to appear as the independent and autonomous power standing above social antagonisms as a representative of the general interest of the entire nation (Ibeanu, 2005:13).

**Absence of Unity of Powers:** The state, being essentially of sectional interests rather than a representative of the collective interests of the people, there is no sense of unity of its powers. Instead, it exists as prebends parcelled out to various sectional and individual interests, whether as ethnic groups or godfathers. Thus, politics becomes fiercely prebendal as ethnic and individual interests engage themselves in a fatal contest for increasing and defending their share of the powers of the state and the enormous economic advantages therefrom (Joseph, 1987:28). Thus, elections in Nigeria have become unprecedented monumental fraud as all sorts of dubious means are employed to win at all cost, thereby turning Nigeria into the Hobbesian state.

### **Post-Electoral Violence in Nigeria in 2011**

It is no longer news that Nigeria's politics and elections have most often been accompanied, and marred, by violence. As noted by Zabadi (2012), since the return to democracy in 1999 and before the 2011 April polls, thousands had died in electoral violence. Before the April 2011 general elections, violence rocked a third of the 36 states – Akwa Ibom, Anambra, Bayelsa, Benue, Delta, Edo, Ekiti, Kwara, Niger, Oyo, Plateau and Taraba – between 22<sup>nd</sup> and 25<sup>th</sup> March. For example, the rescheduled National Assembly elections on 9<sup>th</sup> April were heralded by a massive bomb blast within INEC offices in Suleja, near Abuja, causing an unspecified number of deaths and significant

damage. There was also a bomb scare in Kaduna the same day. Two bombs exploded in Maiduguri, capital of Borno state and in Bauchi just before the presidential election on 16 April, claiming at least two lives.

The worst violence during the 2011 general elections followed the announcement of the results of the presidential elections. Protests erupted in northern states, the day after the presidential election, with supporters of General Buhari, alleging that PDP rigged the election to favour President Jonathan. The aftermath of the election witnessed widespread violence in several parts the Northern States; notably Adamawa, Bauchi, Nasarawa, Niger, Gombe, Kaduna, Kano, Katsina, and Zamfara. The violence resulted in breakdown of law and order and wanton destruction of lives and property in those states, largely along religious and ethnic lines. Businesses, churches and houses were torched, looted or destroyed. In some parts of the north, the violence lasted for three days until soldiers were deployed to put it down. According to Zabadi (2012):

The post-election violence claimed the lives of over 1,000 people, including an unspecified number of National Youth Service Corps (NYSC) members, who the INEC had recruited as ad hoc staff to help in the conduct of the elections. The Nigerian Police stated that about 75 civilians were injured, 165 churches and 53 Mosques, 444 vehicles and 1,442 houses were either burnt or destroyed. Also, 45 police properties, 16 government properties burnt and 987 shops were burnt in the Northern States, namely Adamawa, Bauchi, Nasarawa, Niger, Gombe, Kaduna, Kano, Katsina, and Zamfara. The Nigerian Red Cross estimated that about 74,000 people were displaced.

The above is just a summary of the loss of lives experienced in Nigeria just after the 2011 Presidential elections, especially in the North as a result of the perceived short-changing of their candidate, General Buhari, whom they had thought would win with a landslide given the groundswell of opposition of the North to Jonathan's candidature after the untimely demise of the erstwhile President, Umaru Yar'Adua (cf. Orji & Uzodi, 2012).

### **Preview of 2015 General Elections in Nigeria**

Inasmuch as there is a prevailing understanding that political science deals with empirical facts, we can predict the outcome of various political actions especially given past experiences. Thus, we are confident that we can preview the 2015 general elections that Nigeria is seriously gearing up for. The most important feature of a democracy is holding credible periodic elections; and there can be no legitimate government without credible election. Democracy means that the choice of the people is made manifest through credible elections, through their ballots. This process makes the people sovereign in the process of voting and electing their leaders. Essentially, a credible election is an election conducted following due process of law, accepted by the voters as representing their free choice, and is respected by political contestants as valid representation of their choice in vote representation. When votes do not count and they are not counted, the most important element of democracy is lost.

History and opinions of many scholars and commentators argue that once a credible head is appointed for electoral management body, the problem is solved. But this is doubtful. We may be guilty of reductionism but a look at the men who have piloted the affairs of electoral body in Nigeria since independence shows that many of them were men of honour and integrity before taking the saddle of leadership in the electoral body. There was Eyo Esua, a first class trade unionist, who conducted the 1964/65 elections, which was so chaotic that two of his commissioners resigned because of the outcome of the results. Chief Michael Ani, a retired permanent secretary, conducted the 1979 elections, that ended with the twelve two-thirds debacle that the Supreme Court had to resolve. Justice Victor Ovie-Whiskey organized one of the worst elections in Nigeria in 1983, an election described as a rape on democracy. We also had Professors Eme Awa, Humphrey Nwosu and Okon Edet Uya; then Chief Sumner Dagogo-Jack, Justice Ephraim Akpata, Dr. Abel Guobadia, a diplomat. Professor Maurice Iwu conducted the 2007 general elections that have taken the cake in terms of fraudulence in Nigerian history of elections. Even the greatest beneficiary of the sham elections, late President Yar'Adua, acknowledged that the election was not free and fair! Each of these men has had their integrity questioned at the end of their tenures. The same thing has happened to the present helmsman at INEC, Professor Attahiru Jega, a former academic activist and a former Vice Chancellor that conducted the 2011 general elections and expected to be in charge of the 2015 elections (Ezirim, 2010a&b).

The point here is that it is not the type of person appointed as INEC Chairman that matters, but the lack of will of the Chairman and his staff to follow due process. It is about leadership and the definition of the character of Nigerian politics. There is nothing wrong with our democracy, but there is something fundamentally wrong with us, particularly our political leaders.

Elections and election results have been a contested issue in Nigeria. Subsequently, there have been suggestions by groups and individuals on the best possible way to ensure well-planned, free, fair and credible elections in 2015. While there have been serious doubts about the wisdom of spending so much money for an election, as is the case in Nigeria where billions of Naira are wasted for no good results, others feel it is the only way to ensure that the 'one-man-one-vote' mantra of the present regime comes to fruition. Given the many judgments that have pitted the ruling party against other parties, and which have seriously put a dent on the swaggering pomposity of the ruling PDP with the losses of about four states in less than a year through court judgements, there is serious attempt by all parties concerned to ensure there is no repeat of such in 2015. However, the recent implosion in the ruling party is a pointer to what is to be expected.

This is more so since the 2011 elections was acknowledged as grossly flawed despite the hope that was raised with the appointment of Jega and the avowals of President Jonathan to raise the bar on elections. The elections did not go as people had hoped despite the huge amount of money invested in it. There were a lot of factors responsible. First, the National Assembly was a cog in the wheel of progress; they boxed the electorate and INEC into a corner, playing hide-and-seek about time and sequence of elections. The Justice Uwais Committee on elections had submitted its report early 2009, yet the rigmarole that the National Assembly embarked upon in a bid to make money from the exercise ensured that up till December 2010, the law that would guide INEC in

organizing the general elections was not in place. The constitution was amended, but the legal environment had not changed. The amended Electoral Act was yet to receive Presidential assent that would complete the process simply because the National Assembly was trying to force themselves on the people by ensuring that they became automatic members of the National Executive Committees of their various parties, thereby giving them stronger hold on the polity. Furthermore, the amended laws stated that elections must be held not later than January 2011 so that there would be enough time for other matters before the inauguration of the administration. This generated a lot of debate as to whether a new voters' register could be compiled in time for the election. The indices were not clear, and what was on ground did not show that the election was going to be done appropriately and credibly. Moreover, the celebrated seizure of arms that came into the country portended doom for the Nigerian democratic experience. These arms were nothing more than instruments of coercion, thuggery, ballot-box snatching and ensuring there was enough tension to allow the election to go as the strongest perpetrator wanted it. Even the resurgence of militant and insurgent activities in the south and north respectively helped to engender confusion, fear and tension in the front burner of the media and political circles. This in effect made it a do-or-die affair, *a la Obasanjo*. All the above violent attitudes to Nigerian elections have over the years affected the participation of the electorate in the elections as can be seen from Table 1 below. Whatever happened in 1999 could be excused as Nigerians were only interested in getting out of the clutches of the military, but after the 2003 general elections, the participation of voters began to dwindle and if care is not taken, and with the general mood of the nation now, the level of apathy in the 2015 general elections in Nigeria would make whatever results a laughing stock in the international community and further give whoever wins the election a very serious credibility problem.

**Table 1: Percentage of Voter Turnout at Presidential Elections in Nigeria, 1999-2011**

S/N	Election Dates	Election Statistics		% Voter Turnout
1	February 27, 1999 Presidential Elections	No. of Reg. Voters	57,938,945	52.26%
		Total Valid Votes	29,882,736	
		No. of Rejected Votes	397,316	
		Total Votes Cast	30,280,052	
2	April 19, 2003 Presidential Elections	No. of Reg. Voters	60,823,022	69.08%
		Total Valid Votes	39,480,489	
		No. of Rejected Votes	2,538,246	
		Total Votes Cast	42,018,735	
3	April 21, 2007 Presidential Elections	No. of Reg. Voters	61,567,036	57.32%
		Total Valid Votes	35,288,984	
		No. of Rejected Votes	N/A	
		Total Votes Cast	N/A	
4	April 16, 2011 Presidential Elections	No. of Reg. Voters	73,528,040	53.67%
		Total Valid Votes	33,209,978	
		No. of Rejected Votes	1,259,506	
		Total Votes Cast	39,469,484	

**Source:** INEC, 2011.

### **Recommendations on Credible and Peaceful 2015 Elections in Nigeria**

In a normal market society, the value of the vote in all aspects (technical and psychological) tends to be high. By contrast, Nigeria exhibits marked differences from the norms of the typical market society. This corresponds to primitive accumulation of votes which means winning of votes by use of both objective and structural violence, and disregard of the rule of law. Primitive accumulation of votes is justified in the name of communal interests such as clan, ethnic and religious groups, though in fact it is self-seeking, and electoral regulatory regimes are captured by sectional and special interests. All these sustain the belief that a legitimate way of securing political office is to steal the people's mandate (Ibeano, 2007:6).

It is commonly acknowledged that Nigeria does not have a credible voters' register. Therefore, a new voters' register has become inevitable in the run-up to the 2015 general elections. Without a register that commands the respect of Nigerians, political parties and stakeholders, there could be no credible election. The process should have started already.

Second, there is need for a complete audit of the electoral and constitutional framework of Nigeria towards determining where things have gone wrong. There is need to faithfully and honestly agree that the report of Mohammed Uwais' Electoral Committee is the benchmark on which we can conduct free, fair and credible elections in Nigeria. If this is done and the legal and non-legal aspects of the report implemented, then there may be the possibility of getting the electoral process right towards leading to what may be a semblance of free, fair and credible elections in Nigeria.

Third, the second chapter of the Nigerian 1999 Constitution which covers sections 13-24 and which helps Nigerians to enjoy the full benefits allowable from sections 25-46 need to be amended. The promises of these sections have failed to be achieved. Having given deep reflection on this, INEC should admit that on its part, it has not lived up to its obligations fully as demanded by the constitutional directives in the Third Schedule, par. F, sub.par 15a1 as well as in sections 221-227. On the part of the Commission, this anomaly should be corrected in a transparent and accountable manner, so that by 2015 elections all that INEC would require would be just an updated voters' register complete with biodata, passport photograph and fingerprints to check the possibility of multiple registration and voting (Igini, 2010:5).

In as much as we are not requesting that INEC should micro-manage political parties and their activities, the 1999 constitution, however, makes it obligatory in sections 221-224 for the Commission to ensure that goals and objectives of political parties conform with the promises to the Nigerian people in Chapter II of the constitution. Therefore, they should call parties to order when they deviate from these objectives. It is therefore important that INEC ensures that Nigerians know that only political parties with such objectives are allowed to canvass for votes and candidates are chosen by the parties and presented to the Commission for the general elections. This is clearly stated in the Electoral Act 2010, sections 86 and 87. Section 87(a) of the Electoral Act states that: "where a political party fails to comply with the provisions of the Act in the conduct of its primaries, its candidates for elections shall not be included in the election for the particular position in issue". It is our belief that if these legal templates were in place and INEC was alive to its obligations, several elections cases which were decided to court would have been averted. The Commission should be guided by the law.

Fourth, INEC should give significant attention to the modification of stakeholder behaviour on election day at polling booths as well as the counting, consolidation and release of election results. This can be done by mounting video recorders at all polling booths to ensure that election managers at the polling booths, law enforcement agents, party agents, voters and election monitors, all conduct themselves in a manner that can be subjected to scrutiny after the elections and may also be transmitted in real-time to a central location if necessary. Again, all elections results should be released and displayed at the polling booth after it has been counted and signed by all party agents. These results should also be recorded in digital and hard copies for transmission to the collation centres.

Fifth, INEC Returning Officers should be men of high integrity and not the Resident Electoral Commissioners who usually compromise by allowing themselves to be taken in by the ‘complementary largesse’ of the incumbents.

Finally, stronger legal consequences should be enacted for cases which are brought before election offences tribunals to act as a future deterrence to errant politicians and voters. Offenders found guilty should go to jail. Nigeria has been mired in crisis of governance ever since her return to civilian governance in 1999. The conduct of many public officials and government institutions has been pervasively marked by violence and corruption which are more of criminal activities than democratic governance. The INEC leadership under Professor Attahiru Jega has the opportunity, as well as the responsibility to urgently tackle the systematic violence associated with the Nigerian electoral process. However, the challenges are immense as no single individual can handle the huge mess with the electoral system in Nigeria without all hands being on deck.

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