

Election Administration and Democratization Process in Nigeria: An Appraisal of 2007-2015

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Abstract: The study analyzed the impact of election administration and Nigeria's democratization process using 2007-2015 general elections as the focal point. The study avers that elections in Nigeria during the period were characterized by various problems, resulting in questionable electoral outcomes. This was largely due to weak political institutions, mainly, the Independent National Election Commission (INEC). INEC lacks financial, institutional and administrative independence, as evidenced by its funding and composition by the presidency, as well as its lack of professional staff and security of tenure for its officials. This study, therefore, critically examines election administration in Nigeria within the periods and how such elections influenced democratization process in the Country. In achieving this objective, the study relied on content analysis and adopted abstraction from liberal democratic theory. Elections can only promote and institutionalize democratization in Nigeria if the electoral processes are reviewed in certain ways that fundamentally address the capacity and independence of INEC, to discharge its responsibilities effectively and efficiently. This study revealed that democratization through election administration depends largely on the institutional foundations of the electoral processes, especially, the INEC. A professional, impartial and independent INEC would provide better prospects of effective election administration in Nigeria. This study, however, recommends, among others, that electoral laws should be strengthened to encourage stiff punishment for electoral offenders as well as beneficiaries of fraudulent elections. The study conclude that the trend towards challenging electoral fraud in the courts and the judicial decisions, signal a strengthening of democratic principles and gives some hopes for democratization.

Keywords: Democracy; democratization; elections; election administration; political institutions

1. Introduction

As Nigeria successfully conducted its fifth general elections, it is necessary to consider its democratic status and political development. In any society, elections and democracy cannot be separated because election serves as the bedrock of any democratic settings (Lindberg, 2006; Ajayi, 2012). Election and democracy,

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according to Ikpe (2004) are two close concepts. Election is useful and basic indicator of democracy. An election is a formal decision-making procedure through which people choose individuals for public office (Encyclopaedia Britannica, 2009). Besides aiding leadership succession, election as a concept embolden political accountability, participation and give voice and power to the people. It also symbolize the expression of the people's ultimate will and remain a stabilization machinery in any democratic process (Schedler, 2002a; Alapiki, 2004; Edet & Asua, 2013). Lindberg (2004) in his work concluded that democracy entails elections as the primary means of choosing political leaders. Based on this fact, democracy cannot be deliberated without giving necessary attention to elections (Edet & Asua, 2013). Chiroro (2005) sees election as the basis of democratic order. Ojo (2007) perceives election as the trademark of democratic development. Elections, therefore constitute the "body, soul and spirit of democracy" (Edet, 2015, p. 14).

In the developing nations generally and Nigeria in particular, the conduct of elections have been one of the major snags of the democratization course. Nigeria's recurrent efforts at endurable democracy have not been successful because of its inability to conduct free, fair and transparent elections and this has hindered its effective democratic development. After lengthened military regimes (1983-1999) characterized by repression and violation of the people's political, social and economic rights, the hopes of democratization begun in 1999, with citizens' expectations of sustained democratic practice in the country.

This study examines the role of elections, particularly, its administration in Nigeria from 2007 to 2015 with a view to evaluate the extent to which elections have contributed to strengthening or retarding democratization processes. The focal point of the study is on the Independent National Electoral Commission (INEC) and other core institutional and democratic factors that determine the independence of an electoral umpire. How are these institutions organized, funded and managed? Are these institutions accountable, independent and democratic? The study engages these questions and concludes that democratic qualities of Nigerian elections between 2007 and 2015 have been trifling because of weak institutionalization of INEC. These weaknesses include lack of independence and professionalism, political interference, lack of respect for rule of law, etc. This forms the basis for political instability, electoral crisis and poor election organization in Nigeria as well as questionable electoral outcomes.

2. Elections, Election Administration and Democratization

The existing literature on democratization in any society places emphasis on the significance of elections (Lindberg, 2006). Bone and Ranney (1971) averred that periodic elections remain the main institutional device for legitimizing government powers in a democratic nation. But the unfortunate thing about emphasizing the practice of democracy, especially in a political setting like Nigeria is that little interest is taken in the rightness or appropriateness of the procedures through which elections are organised. The international community, including the United Nations seems to be satisfied once an authoritarian regime conduct a multiparty elections. Whether the elections were flawed or rigged usually raises little or no reservations (Schedler, 2002a; 2002b). Democratization, according to Bratton (1998) means the general recognition of democratic procedures that guarantee people's participation and competition in the electoral process. This invariably allow citizens to pick from among competing contestants, their favourite political leaders, which clearly promotes democratic practice (Hughes and May, 1988; Lindberg, 2004). Omotola (2010) noted that elections are not solely a guarantor of democracy and democratization, but it can be used in disguise of authoritarian rule. Schedler (2006, p. 45) refer to such as "electoral authoritarianism". Under such circumstance, elections are only held as periodic formalities whereby the people have little or no choice on who become their leaders (Adejumobi, 2000). This becomes a huge democratic compromise which further undermines the process of democratization by subverting the important roles of elections (Schedler, 2006).

Lindberg (2006 p.6) however offered another scope to Bratton's (1998) submissions on what he referred to as the "surprising significance" of African elections. For instance, Lindberg (2006) argued that the implications of conducting frequent elections are not necessarily constrained to credible elections, especially at the early stages of the democratic process, electoral fraud such as political violence, fraudulent voting and counting of votes, inflation of voting figures/registries, and intimidation of voters and political opponents may rouse or engender political activism and solidarity in society even more than credible elections. But Jinadu (1997) and Pastor (1999) submitted that the component of credible elections, particularly in terms of organisation and credibility depends upon certain factors. The most crucial of these factors relates to election-related institutions like the media, political parties and the courts of law. These institutions are very important for effective election organization and management because the probability of electoral crisis is largely a

function of an unbiased and impartial election administration and organisation (Jinadu, 1997; Birch, 2008; Diamond, 2008; Omotola, 2010).

The creation of Clifford Constitution of 1922 gave rise to electoral politics in Nigeria when elective principle was introduced into the politics of Nigeria. In spite of the sustainability of the elective principle by the colonial governments, a body to organise elections was not established until 1959, when a special body named the Electoral Commission of Nigeria (ECN) was formed. The body conducted the first nationwide elections in 1959. In 1964, the Tafewa Balewa administration launched a new electoral body called the Federal Electoral Commission (FEC). The commission conducted the December 1964 and 1965 general elections. The political problems in the country that culminated in a military coup in 1966 led to the dissolution of FEC. By 1978, the regime of General Olusegun Obasanjo established Federal Electoral Commission (FEDECO). The commission conducted the 1979 elections that ushered in Nigeria's Second Republic. However, FEDECO was also dissolved in 1983 by the Military Administration of General Muhammadu Buhari. By 1987, the regime of General Babangida established the National Electoral Commission (NEC) (Moveh, 2015). NEC conducted the 1992/93 elections but was also dissolved in 1993 following the annulment of the 1993 Presidential election results and the exit of the Babangida's regime. In 1994, the Abacha regime established the National Electoral Commission of Nigeria (NECON). The commission conducted elections from local governments up to the national assembly level; but was also abolished following the death of General Abacha (Moveh, 2015). General Abdusalami Abubakar regime established the current Independent National Electoral Commission (INEC) and INEC has so far conducted five general elections in Nigeria between 1999 and 2015. While INEC is the longest serving electoral commission in Nigeria's political history, the elections it has conducted have raised questions, litigations and controversies.

3. Election Institutions and Electoral Processes in Nigeria

The Nigerian Constitution (1999) as amended and the Electoral Act (2010) as amended has empowered INEC as the electoral umpire in the country, to organize elections into various political offices. However, each elections conducted by INEC have always been flawed by INEC's poor organization, accountability and transparency (Edet, 2015). The weakness of election-related institutions such as police, INEC, courts of law, etc. had effectively reduced Nigeria's elections to

periodic rituals. This might have been the reason why Dudley (1982) averred that Nigeria has weakly institutionalized political institutions which are incapable of absorbing political pressures from the political system.

Omotola (2010) submitted that election administration entails legal-constitutional interaction, involving a combination of institutional rules and organizational procedures that ascertain the basic rules for electoral processes, political competitions, organization of political campaigns, registration of eligible voters, voting on election day, resolving election-related disputes and certification of election results. Therefore, electoral commissions are not only important component of the institutional set that jointly ascertain the efficacy of the electoral processes but they also determines the level of democratic maturity (Agbaje & Adejumbi, 2006).

Hartlyn, McCoy and Mustillo (2008) while conducting a comparative study of Latin America to investigate the level of significance of election administration on democratization process, identified significant professional roles within the context autonomous electoral commissions on transparent electoral outcomes. Their study revealed that the electoral procedures are likely to be respected when there exist considerable level of independence and professionalism within the election commissions.

Mozaffar and Schedler (2002) averred that credible elections are practically impossible without effective and efficient electoral institutions. Ibrahim (2007) agreed that electoral commissions are vital to overall election quality perception and define the level to which political participants see the entire electoral process as legitimate, valid and binding. International institute for Democracy and Electoral Assistance (IDEA) (2006) reported that political actors are likely to accept the electoral processes and outcome, when elections are effectively administered. It concluded that such is possible if the electoral commission has autonomy basically in terms of its structure, funding, composition and capability.

Diamond (2002) stated that the impartial treatment of opposition candidates and political parties by the courts and electoral umpires are indispensable components of electoral and democratic fairness, especially in transitional settings undergoing democratization such as Nigeria. Bratton (2008) and Fall *et al.* (2011) also accentuate significant roles of conventional courts, election tribunals, political parties and independent electoral commissions as essential institutions in electoral revival. As observed earlier, the roles of electoral commissions are affected by three major indicators. These indicators includes: its composition, tenure and funding.

Firstly, the composition of INEC is the perquisite of the President. INEC is composed of a Chairman, twelve national commissioners and 37 resident electoral commissioners, appointed each for the 36 states of the Federation and the Federal Capital Territory. This procedure makes INEC vulnerable to manipulation by the executive arm of government. The legislative powers of screening the nominees for INEC jobs in most cases, is rendered powerless if the President's political party has a majority in the legislature, that is, the senate. Here, the parochial party sentiments will supersede national interest. Secondly, the tenure of the INEC officials is not secure. The INEC officials can be removed by the President anytime on flimsy reasons. The last aspect of the indicator relates to the funding of the INEC. An independent INEC needs a consolidated account, where a specific proportion of federal revenue is allocated to it and under the direct control of INEC (Omotola, 2010). By this, INEC can enjoy independent funding, thus, limiting the financial control by the executive. This is yet to be seen in Nigeria, as INEC does not have independent budget, but depends wholly on the executive for funding. This, however, inhibits INEC in making adequate, timely planning and preparations for successful elections in Nigeria.

4. Theoretical Base of Election Administration and Democratization Process

Liberal democratic theory expounded by John Locke (1632-1704) was adopted as a theoretical guideline to explain the nexus between election administration and democratization process in Nigeria covering 2007-2015. This theory posits that all social and political institutions exist for the well-being of man as an individual as a unit of analysis in the society. Locke contended that people's political consent constitute the basic foundation of political power. Ball (1989, p. 43) identified the basic characteristics of liberal democratic theory to include: "existence of political parties competing for political power, openness of political competitions among contenders, laid down established and acceptable rules/procedures, openness of entry and recruitment to political process, periodic elections based on universal suffrages and recognition of civil liberties".

Animating this theory, democracy is seen as a form of government where people decide who rules them through free, transparent and credible elections. Election on the other hand, represents the most acceptable means of selecting political leaders. The implication of this is that INEC as a political institution exist for the promotion

of citizens' political choices and preferences. INEC does not exist to subvert their electoral wishes and will. Schumpeter (1975, p. 214) sees democratic method as "that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote". Przeworski (2000, p. 43) sees democracy as "a regime in which governmental offices are filled as a consequence of fairly contested elections". INEC, election administration and democratization process exerts contagious effects on each other.

The foregoing theoretical analysis on election administration and democratization has relatively linked the aspect of electoral processes on the quality of democratic practice.

5. The 2007, 2011 and 2015 General Elections

The 2007 general elections was the third in the series of elections in Nigeria. The elections were conducted on April 4, 2007 for the Governorship and State Houses of Assembly and April 21, 2007 for the Presidential and National Assembly. According to INEC, 50 political parties were registered for the polls, a number which was extraordinary in the nation's political process (Ajayi, 2007). Before the elections, the political atmosphere was very tense. The issues that contributed to the tensed political atmosphere was a statement credited to then President Olusegun Obasanjo that for him and his party- the People's Democratic Party (PDP), the 2007 general elections was 'a do or die affair' (Adejumobi, 2007, p. 61). INEC too, rather than concentrate on adequate preparations for the elections, was engaged in unnecessary distractions, notably litigations against opposition candidates in its attempts to disqualify perceived opposition candidates (Omotola, 2009). INEC's insistence on disqualifying Alhaji Atiku Abubakar - then Vice President and Presidential candidate of Action Congress - an opposition party, from contesting, even when the electoral law does not permit the commission to do so, raised the unnecessary tension. After the elections, INEC awarded questionable victory at all levels to PDP. The manner at which the ruling PDP garnered the votes was not only questionable but alarming. Across the country, there was unparalleled ballot stuffing, falsification of election results, rigging, intimidation of voters/opposition candidates and direct assault on the electorate. In some extreme cases, election did not take place but results were announced (Adebayo and Omotola, 2007). Commenting on the 2007 general elections, Dr. Chukwuemeka Ezeife, former governor of Anambra State said:

...democracy is associated with elections. How have the elections gone since 1999 till date? The 1999 elections were disputed but it was vastly better than the 2003 elections. People shouted foul about the 2003 elections but it was better than the non-elections of 2007. Each election has been worse, more flawed than the one before it. We cannot be getting a democracy by running further away from it¹.

The 2011 general elections was a significant improvement in the country's political history as the election represented the fourth elections since the return of the country to democracy in 1999. Despite logistical problems, complaints and skirmishes of electoral fraud, the elections were described by both local and international observers as "successful" compared to previous elections in the country, hence, rejuvenating hopes of democratization (NDI, 2012). Conducted in April and May, 2011, the elections set a new standard for democratic consolidation, fair participation, improved political environment for peaceful competition and rising hopes of free and fair democratic struggle in the country (NDI, 2012). David *et al.* (2014) asserted that the 2011 general elections, though endorsed by local and international observers credible, had some problems. The problems includes: controversy about presidential zoning between northern and southern Nigeria, underage voting, intimidation and harassment of voters/opposition candidates, ballot box stuffing/snatching and falsification of election results. These lapses were admitted by the Transition Monitoring Group (TMG) (2012), NDI (2012) and Think Africa Press (2013) in their final reports on the organization, conduct and declaration of the 2011 general election results.

However, the 2015 general elections was the fifth election conducted in the country since 1999, and the elections conducted in March 28 and April 11, 2015 recorded significant democratic landmarks. The 2015 general elections conducted by INEC was historic for two reasons. First, the introduction of an electronic accreditation process called Card Reader and Permanent Voters Card (PVC). Despite the challenges encountered in the new voting policy, it seemed to have remarkably increased the efficacy of Nigeria's election administration processes. Secondly, it was the first time in the political history of the country that an incumbent President lost to opposition party and conceded defeat (Moveh, 2015).

¹ Cited by Adeyemo, 2009, p. 22.

6. The Challenges of Democratization Process in Nigeria

INEC as the electoral umpire in the country suffers a number of challenges in all its electoral managements since its establishment in 1998. INEC suffers credibility problems, because most citizens lost confidence in its capacity to organize free, credible and transparent elections. From 1999-2015, all elections conducted by INEC have been criticized as riddled with various problems, resulting in questionable outcomes. INEC lacks financial, institutional and administrative independence, evidenced by its funding and composition by the presidency, as well as its lack of professional staff and security of tenure for its officials (Omotola, 2010; Edet, 2015; Moveh, 2015). INEC's capability has been severely questioned in two ways. The first relates to the appointment of people without necessary professional and intellectual competence to pilot the affairs of the commission. The second relates to INEC's continuous use of *ad hoc* staff, who are usually hurriedly briefed for about a day for their duties. These temporary staff lacks requisite knowledge and competence to administer credible elections using laid down electoral laws (Omotola, 2010; Edet, 2015).

The over-centralization of power in INEC responsibility also calls for serious concern. INEC lacks the necessary competence and skilled staff to administer elections in all the states of the federation including Presidential and National Assembly elections. Fall *et al.* (2011), Ajayi (2012), Oromareghake (2013), and David *et al.* (2014) have all raised qualms as to the true independent of INEC to conduct credible and transparent elections. The monopoly of an incumbent President in appointing electoral officials has further raised doubts as to impartiality of INEC to conduct free and fair elections (Jinadu, 2011; Kerr, 2013). The credibility problems faced by INEC strains electoral apathy and civic irresponsibility. For instance, the level of apathy during the 2011 general election was alarming as only 35 percent of about 70 million registered voters participated in the elections (Thisday Newspaper, 2011). In 2015, the level of apathy still subsist with only 43 percent of the registered voters participating in the elections (Durotoye, 2015).

7. Conclusion and Recommendations

The earlier analysis suggests that the prospects of democratization in Nigeria through effective election administration remains a big challenge. Democratization through election administration depends largely on the institutional foundations and capacity of the electoral institution, specifically the INEC. A professional, impartial and independent INEC would offer a better prospects for effective election administration in Nigeria. INEC enjoys limited legitimacy, acceptance and respect among Nigerian voters. Only an independent and impartial electoral commission can conduct credible, free and fair elections accepted by majority of Nigerians, including the opposition parties. The President's overbearing control of INEC by way of appointing its officials, grossly erode its independence and impartiality. This makes it impossible for INEC to provide level playing ground to all political competitors, actors and participants.

The high level of political instability in the country since independence in 1960 has effectively contributed to weak institutionalization of INEC. As a result of frequent changes of governments, electoral commissions in the country has been renamed six times between 1959 and 1998. The main considerations in these renaming exercises have been political, rather than institutional capacity, independence, impartiality, administrative effectiveness and efficiency.

There is an urgent need to reform electoral processes including election institutions. INEC represents the most important institutional foundations of any successful electoral processes in Nigeria. INEC should be detached completely from the presidency and make entirely independent. The funding of INEC should be charged to the consolidated account, while the appointment of its chairman and commissioners should be removed from presidency to the National Assembly (Senate and House of Representatives). INEC should incorporate media, civil society organisations and political parties as well as National Orientation Agency (NOA) in its political campaigns and enlightenments as they are crucial to the success of election administration. This will help in sensitization, education and mobilization of the citizens against the undemocratic tendencies of political competitors or actors in the society.

The emerging scenarios suggest that electoral laws should be further strengthened to encourage stiff punishment for electoral offenders as well as beneficiaries of fraudulent elections. The National Assembly should enact law establishing Electoral Offences Tribunal (EOT) to prosecute electoral offenders, instead of wasting time at

the conventional courts. However, the trend towards challenging electoral fraud in the courts and the judicial decisions, signal a strengthening of democratic principles and gives some hopes of democratization.

8. References

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