

ELECTORAL REFORMS AND DEMOCRATIC STABILITY IN NIGERIA

Samuel Ogwu O.

Department of Public Administration,
Federal Polytechnic,
Idah, Kogi State, Nigeria.

ABSTRACT

Democracy has been embraced across the globe as an essential tool of development. There is a palpable desire for the entrenchment of democratic norms in Nigeria. The nation's democracy witnessed a lot of distortions by the military anti-democratic orientation, perception and practice. The first two republics (1960-1966 and 1979-1983) were truncated by military bullets. What could have been the third republic was also sabotaged by the annulment of the June 12, 1993 presidential election by the military junta. Most stakeholders of the democratic process seems cultured to the militarization of democracy in Nigeria. Election which is the nucleus of the democratic process is now seen as a "do or die" affair. Virtually all the political parties are caught in the web of electoral malpractice. Rigging, thuggery, snatching of electoral materials, abduction, assassination, selection instead of election, absence of internal party democracy, lack of party discipline, money politics, lack of confidence in the electoral body as an independent, neutral arbiter are some of the problems plaguing the electoral process in Nigeria. The quest to correct such anomalies through electoral reforms which will guarantee democratic stability in Nigeria is the motivation for this study.

Keywords: Election; Electoral Reform; Democracy; Stability.

Introduction

The history of elections and electioneering in Nigeria is anti-theatrical to democratic stability. Political parties and politicians in the process of seeking for power, national relevance and identity circumvent the electoral process. Nigeria's dominant political leaders, before and immediately after the attainment of independence were so eager to control and monopolize the machinery of government that they encourage rivalry which had the effect of playing off one ethnic group against another. The attitudes of the first generation politicians foster a wrong negative orientation on the psyche of the successive generations of Nigerian politicians (Tamuno cited by Leslie A. Agu in Ofuebe and Jerome, 1999).

The nation also witnessed a lot of distortions by the military due to the anti-democratic orientation, perception and practice of most of the stakeholders of the democratic process. The first two republics (1960-1966 and 1979-1983) were truncated by military bullets, while what could have been the third republic was sabotaged by the annulment of the June 12, 1993 presidential election.

The present democratic dispensation was bequeathed on the nation by the military government of General Abdulsalam Abubakar in May 29, 1999. Prior to this period, most Nigerians especially, the

younger generation only experienced military rule which is characterized by looting, brutality, violence, stealing, advance fee fraud(419) and non-accountability (Dike, 2001).

The culture of militarization has gained wide currency in our national life. Election which is the nucleus of the democratic process is now seen as a “do or die” affair. Virtually all the political parties are caught in the web of electoral malpractice. The political elites adopt illegal and unconventional strategies either to acquire power or maintain their stranglehold on power. Rigging, thuggery, snatching of electoral materials, abduction, assassination, selection instead of election, absence of internal party democracy, lack of party discipline, money politics, and lack of confidence in the electoral body as an independent arbiter are some of the problems plaguing the electoral process in Nigeria. The natural response among a disenchanting populace is political apathy and cynicism. To the ordinary citizen, therefore, his vote does not count.

The nation’s political landscape is too fragile to allow the continued perpetuation of these anti-democratic perceptions and practices. These, Ake (973) posited will lead to considerable value-dissensus and political instability. Late president Umaru Musa Yar’Adua admitted the nagging problems confronting the electoral process in Nigeria, including the 2007 general elections that produced him and promised in his inaugural speech on May 29, 2007 to embark on electoral reforms. On August 28, 2007, he inaugurated the Electoral Reform Panel headed by a retired Chief Justice of Nigeria, Mohammadu Lawal Uwais. In this paper therefore, efforts will be made to study the correlation between the on-going electoral reforms and democratic stability in Nigeria.

The Concept of Democracy

The concept of democracy like most concepts in the social sciences means different things to different people. Ake (cited in Gyimah – Boadi 2004), is of the view that the democracy movement in Africa gets its impetus from the social and economic aspirations of people in Africa. On his part, Dahl (1989), sees democracy as a form of government offering a workable solution to the fundamental political problem of reaching collective decisions by peaceful means. He further stated that, we cannot understand democracy simply by looking at examples of even the most secure “democracies” because, judged against democratic ideals, they are found wanting. Indeed, the tension between high ideals and prosaic reality has itself become part of the democratic condition.

The basic idea is self-rule. The word itself comes from the Greek *demokratia*, meaning rule (*Kratos*) by the people (*demos*). Thus, in its literal and richest sense, democracy refers not to the election of the rulers by the ruled but to the denial of any separation between the two. The model democracy is a direct democracy, a form of self-government in which all adult citizens participate in shaping collective decisions, in a context of equality and open deliberation. In a direct democracy, state and society becomes one. In the Greek version of democracy, politics is a natural social activity not sharply separated from the rest of life. Rather, political life is only an extension of, and harmonious with, oneself (Dahl, 1989).

Gyimah – Boadi (2004) supported this position when he stated that, democratic values have been absorbed into popular political attitudes and discourse. He made this statement after conducting a study in ten Africa countries, including Nigeria. 7 out of 10 respondents name democracy as their preferred form of government.

The contrast between the classical democracy of ancient Athens and the modern democracies of today’s world are profound. Most obviously, citizenship today is extended to the vast majority of the adult population, no longer does citizenship imply to an elite status. Two other contrasts are equally important. First, today’s democracies are representative rather than direct. The principle is no longer self-government but elected government. Where the Greeks viewed elections

as an instrument of aristocracy – as a means of selecting qualified people for technical tasks but an unfortunate departure from self – government - we regard elections as a central feature of our own democracies. Second, modern democracy is based on a liberal philosophy in which the role of the state is restricted by the constitution. Modern concepts of representation and liberalism were grafted on to the original democratic idea. Example is the substitution of representation for rotation as the chief instrument of democracy (Dahl, 1989; Hague and Harrop, 2001 and Gymah – Boadi, 2004).

The concept of democracy, therefore, is universal with some cross – national variations in the way people understand it. It has already attained wide legitimacy. According to Hague and Harrop (2001), the Greeks invented two of the most potent political features of our present age: the very idea of citizen – as opposed to subject – and democracy. This invariably means that, the citizens should own their democracy. In other words, democracy should be tailored to meet the expectations and aspirations of the citizens.

Historical Background of Elections in Nigeria

Election is the hallmark of modern representative government. In 1885, the Berlin Conference established British claim to a sphere of influence over the Niger Districts. The Royal Niger Company had been formed to administer the area but in 1890, the administration of the area was taken over by the crown. In 1914, after the amalgamation of the Northern and Southern protectorates, the first Governor-General of British Nigeria, Lord Frederick Lugard set up a 36-member Nigerian council. Only six of the members were Nigerian. They included two Emirs who represented the North. The west was represented by the Alaafin of Oyo, while Lagos, Calabar and Benin/Warri had one representative each (Nwatu, 2004).

The Clifford Constitution of 1922 provided for only four elected members of an expanded legislative council of 46 members. This constitutional provision paved way for the first election in Nigeria in 1923 (Nnoli, cited in Ezeani, 2004). According to Nnoli (1990), the qualification for voting then was an annual income of 100 pounds sterling. This ostensibly was to disenfranchise many Nigerians the right to vote because of widespread poverty. Poor adults could not participate in electing their representatives. However, in 1958, the Universal Adult Suffrage was adopted for the whole country to take effect from 1959 with the exception of Northern Nigeria where women were disenfranchised on religious grounds. Prior to 1958, Nigeria practiced two systems of elections, namely:

1. An illiterate elector whispered the name of the candidate of his choice to the polling officer. The polling officer then cast the elector's vote.
2. The show of hands under the Electoral College System (Nwatu, 2004).

The two systems had inherent limitations. Firstly, the polling officer could cast the electors vote for another candidate since the latter could not understand the process because of illiteracy. The voter had to depend on the integrity of the electoral officials. Where such officials lacked this attribute, the votes of the voters never counted.

Secondly, in the situation where voters were expected to show their hands while electing candidates for political offices, there could be a lot of undue influence and sentiments. The voter might vote against his choice in order to avoid persecution from family members, community leaders, government officials or the candidates themselves. The best way out in the absence of courage, therefore, would be to go with the majority.

Nwatu (2004), however, further stated that, the electoral law of 1958 provided some remedies. The most significant provision intended to reduce some of the malpractices observed in

the two previous systems was the introduction of the secret ballot. In this system, the electors could cast their votes for the candidates of their choice without the knowledge of any one. According to him, whatever gains the introduction of the system of secret ballot achieved was obliterated by the attitude of both the politicians and the election administrators. Electoral campaigns were fraught with endemic problems, compounded by poor communication systems. He further, reiterated that, despite the promulgation of the Human Rights Bill in 1959 to guard against electoral violence, thuggery remained a major feature of electoral campaigns in Nigeria.

This position is corroborated by Adekanye (1973), who described the history of election in Nigeria as an unhappy experience. He noted that, with the exception of the general elections held in December 1976; August 1977; and July-August, 1979, most of the elections which had been organized in Nigeria since independence had taken place amidst acute inter-political violence, including armed thuggery, looting, arson and in some cases murder. Above all, almost all the elections conducted by post-colonial Nigeria had been characterized by electoral malpractices, corruption, and in some cases wanton fraud, including rigging of election result.

Since independence in 1960, the country has a history of controversial and flawed polls. The first in 1964 set the tone. In place of the most decent pre-independence politics, dominated by the nation's three founding fathers; Dr. Nnamdi Azikiwe, Chief Obafemi Awolowo and Sir Ahmadu Bello, it started a more sinister approach, defined by greed and violence. The federal elections of 1965 were rigged, with the opposition openly intimidated and threatened. The impatient military staged its first coup in January, 1966, citing the rigging of those elections and the violence that greeted the result as major reasons. The elections conducted in 1983 by the civilian government of President Shehu Shagari saw a return to the intimidation, rigging and outright elimination of opponents that had emerged as the defining features of those in the mid-1960s. The election administrators and law enforcement agencies were loyal to politicians, not the nation. The fraud and violence that attended the 1983 elections as in 1966 provided the basis for the return of the military in December that year (Crisis Group; Africa Report 2007)

In contrast, in the June, 1993 presidential election, there was minimal evidence of votes rigging or organized fraud and virtually no violence. This gave the hope that, it might have been Nigerian first free and fair election (The Nation, June 9, 2008, P.13). The nation lost a golden opportunity to experience a legitimate transition to democratic government when that election was nullified by the military under General Ibrahim Babangida.

The 1999 presidential election was a consensus by the political class and ruling military authorities to compensate the Yorubas for the annulment of the 1993 elections. The supposed winner of the 1993 presidential election, Chief M. K. O. Abiola, a Yoruba man died in detention in July, 1998. The two major parties, the Peoples Democratic Party (PDP) and the All Peoples Party/Alliance for Democracy (APP/AD) alliance hence fielded Olusegun Obasanjo and Oluyemi Falae respectively. However, Chief Falae who lost to Chief Obasanjo rejected the result of the election. He referred to the election as a 'farce' and alleged massive rigging by Obasanjo and the PDP. He challenged the outcome of the election in court but failed. The public acknowledged the irregularities in the election but urged Chief Falae to soft-pedal so that the military could be eased off. The restoration of democracy was of paramount interest to the generality of Nigerians. Falae dropped his earlier threat to proceed to the Supreme Court, but refused to recognize Obasanjo as the winner of the election (Dike, 2004).

The 1999 Constitution provides that elections are to be held every four years. Hence, in 2003, the incumbent president Obasanjo won again with 61.8% against the ANPP's candidate, Muhammadu Buhari's 32.1% and 18 others (www.nigeriacongress.org/elections).

In his assessment of the election, Kew (2004) posited that, the problems were so numerous and the gap in credibility so vast that the victor can hardly claim to hold the legitimate mandate of the Nigerian people. According to him, as many as 10 million voter's cards were fraudulently issued. Although, observer mission from the umbrella Transition Monitoring Group (TMG) in Nigeria as well as the National Democratic Institute (NDI), the International Republican Institute (IRI) and the European Union (EU) decried the election as deeply flawed, a semblance of democracy and the absence of widespread violence were enough to earn international endorsement. Even so, it was already clear from the experience that a lot of work was needed to improve the electoral environment, system and process. (Crisis Group: Africa Report, 2007).

The elections of April, 2007 followed the trend of previous flawed elections in Nigeria. The two main losers, Muhammadu Buhari of the All Nigeria People Party (ANPP) and Atiku Abubakar of the Action Congress (AC) went to the presidential election tribunal headed by Justice James Ogebe but lost their case against the winner, Umar Musa Yar' Adua of the People Democratic Party (PDP). The appeal to Supreme Court also failed. The 2011 presidential election between the two main contestants, Dr. Goodluck Ebele Jonathan of the People's Democratic Party (PDP) and General Muhammadu Buhari of the Congress for Progressive Change (CPC) was not exempted from accusation of malpractice. However, the Independent National Electoral Commission (INEC), under the chairmanship of Professor Attahiru Jega conducted what are arguably the most credible elections in 2015. The presidential elections held in April 4, 2015 witnessed the defeat of an incumbent president Dr. Goodluck Jonathan of the Peoples Democratic Party (PDP) for the first time in the history of the country by the opposition candidate of the All Progressive Party (APC), General Muhammadu Buhari.

Election and Democracy in Nigeria

According to Ezeani (2004), election is a vital aspect of modern representative government. In his own contribution, Nwatu (2004), posited that, election as a process is seen as a human-oriented and human-based activity, which finds fulfillment in democratic values. He further stated that, the systematic relationship between the electoral process and democracy should enthrone and promote effective citizen participation.

Several criteria have been suggested before a nation could be referred to as democratic. These include: periodic elections; the right to form political parties; secret ballot; and the right of the winning party to form a government with real power to govern (Halperin and Scheffer; Mirsky, cited in Dike, 2004).

However, Nwoba (2004) observed that the concept and context of election in Nigerian democratic process have been mechanistic to the extent that the ethics and ethos of democracy are either manipulated or discarded. He also maintained that, each election has brought in its wake political problems usually provoked by the unacceptable outcome of elections.

This, perhaps, explains the position of Ezeani (2004), when he strongly stated that, the history of elections in Nigeria has, regrettably, show that Nigerians cannot rely on them as veritable means of installing the kind of leaders they want. This is because; elections in Nigeria have been marred by the ugly incidents of electoral malpractice.

Election as a veritable tool for the people to choose their representative loses its democratic flavor due to the sourness of illegality.

The International Crisis Group: Africa Report (2007) concurred with this assertion when it noted that, the democratic process in general and elections in particular are major means of resolving conflicts between political constituencies. Elections marred by widespread irregularities

including violence would seriously undermine Nigerians confidence in their democratic system as a credible mechanism for peacefully resolving the country's numerous political disputes leaving many convinced that democracy cannot guarantee equity and justice and, therefore, cannot protect their interests.

The consequences of people's distrust of the democratic process are damaging to the psyche of the nation. Voters' apathy and post-election violence could degenerate into wider and more intense forms of conflict, threatening the nation's stability.

Electoral Reforms and Democratic Stability in Nigeria

Electoral reform in Nigeria is not a new development. Changes are meant to offset identified problems. Prior to Nigeria's independence in 1960, the quest for credible elections was demonstrated. Nwatu (2004) noted that the Electoral Law of 1958 made provisions to improve the administration of elections. He further stated that, the adoption of a national value system is a prelude to meaningful democracy in Nigeria. A developmental trend towards the entrenchment of a stable democratic system through constitutional reviews and electoral reforms was already noted. According to him, the reviews and reforms were not merely incidental.

Electoral reforms are deliberate attempts made by government to correct identified weaknesses, irregularities or illegalities in the electoral process. An election that produces widely disputed result could itself lead to post-election violence. Electoral malpractice and violence were the reasons for the military seizure of power in 1966 and 1983. Violence associated with elections, therefore, poses serious threat to stable democratic development in Nigeria.

Periodic elections are key factors in entrenching a stable democratic polity. The outcome of election is a means, not an end itself. The end result of the electoral process should present a delicate balance between the winners and the losers. The electoral process settles the problem of transition from one administration to another, from one governmental epoch to another. Prezeworski (1999) opined that, the strategic problem of transitions is to get to democracy without being either killed by those who have arms or starved by those who control productive resources. He emphasized that, the path to democracy is mined and the final destination depends on the path. Some Scholars, however, maintain that election is not the only obstacle to democratic stability. Anthony Lake cited in Ofuebe (1998), is of the view that, democracy means more than election. According to him, genuine democracy implies more, such as respect for individual and minority rights, and tolerance for loyal opposition. It should, however, be noted that election is the bulwark of the democratic process which could engender the necessary atmosphere for the achievement of the aspirations of the citizens in particular and the nation in general.

To realize this, education is a crucial factor for the development of attitudes necessary for achieving active participation of citizens in a democratic politics (Almond and Verba, 1963). Neuberger (1976), on his part, argued that, the nature and extent of democratic practices appear to be less a function of social and economic development. He maintained that other factors such as the social composition, pattern of social organization, political culture, and the traditional pattern of resolving political conflicts are important determining factors for democracy. These are important ingredients of stability that should not be ignored in the process of reforms for the enhancement of democratization and development of Nigeria.

Conclusion

Elections as the bulwark of the democratic process engender stability. A credible electoral process, therefore, is sine qua non for a stable democratic polity. The preponderance of electoral malaise in Nigeria's body politic and the attendant violence, apathy and insecurity does not augur well for the much needed national development.

There can never be any meaningful development in an atmosphere of instability. Nigeria became a pariah nation as a result of the annulment of the June 12, 1993 presidential election adjudged to be the freest and fairest in the history of the country. A lot of local and foreign investments were withdrawn as a result of the tension that gripped the nation then. Political and economic sanctions were imposed on the nation. The suspension of Nigeria from the Commonwealth of Nations was, indeed a deadly blow. Against this backdrop, the citizens and the international community want to see a strong democratic Nigeria. Nigeria is strategic to developments not only in West Africa. Nigeria is the heart of Africa and could determine the future of sub-Sahara Africa.

The change agenda of the present administration can only be realized within a stable democratic environment anchored on transparency and credibility of the electoral process. In as much as findings of this study holds, drastic changes are required in the electoral laws and political structures of Nigeria.

Recommendations

The Federal Government seeks to address the problem of electoral malpractice and instability in Nigeria. Based on the fore-going discussion, therefore, the following recommendations are made with the hope that their implementation will help in the realization of these objectives.

- i) Governments at all levels – Federal State and Local should embark on massive re-orientation and public enlightenment programmes using both modern and traditional mass media. There is an urgent and critical need for value re-orientation, especially, amongst the political class. Most Nigerian politicians view politics from selfish perspectives and a veritable means to quick affluence. Political office should be for selfless service.
- ii) The electoral law should be strengthened to address those areas that undermine the credibility of the electoral process in Nigeria. For instance, the electronic devices or processes are not admissible in court as evidence. This should be included in the Evidence Act.
- iii) Strict enforcement of electoral laws. Most electoral offences are treated with levity and offenders often go scot free. This does not augur well for the development of democracy in Nigeria. Violators of the electoral law should be appropriately sanctioned without fear or favour.
- iv) The electoral body should be truly independent. The Independent National Electoral Commission (INEC) as presently constituted is independent only in name. In order to make the commission really autonomous, the appointment of the chairman and commissioners should be by the recommendation of the National Judicial Council routed through the Council of State and confirmation of the Senate. The commission should also be funded directly from the Federation Account. This will go a long way to reduce undue influence or pressure from incumbent executives.
- v) There is pressing need for the computerization of the entire electoral process. The Smart Card Reader (SCR) presently in use only verifies the authenticity of the permanent voters'

- card. The electoral body should adopt an automated system that will cover registration, voting, collation and computation of results. This will minimize electoral fraud.
- vi) Introduction of the open ballot system. This system of voting to be conducted electronically will bring transparency into the electoral process.
 - vii) Establishment of Election Brigade to serve as “soldiers of democracy”. Their duties will be to safeguard election materials, protect electoral officials, and ensure hitch-free registration of voters and proper documentation of election results. The brigade should be situated in the Federal Ministry of Interior.

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