The Impact of Electoral Reforms in Nigeria: A Comparative Analysis of the Outcome of Elections between 1999-2007 and 2011-2015 Eras

LukmanOlalekan, ALIYU

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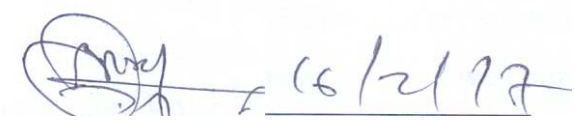
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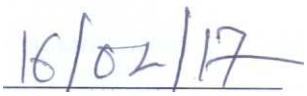
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Date

Professor AbdulraufAmbali

Main Supervisor





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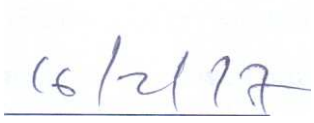
Dr. Kareem Adedokun

Co- Supervisor

Date

External Examiner





Date

Head of Department

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Date

Dean Postgraduate School

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LukmanOlalekanAliyu

Department of Politics and Governance, College of Humanities, Management and Social Sciences, Kwara State University, Malete, Ilorin

January, 2017

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DEDICATION

This research thesis is dedicated to:

Mrs. W. Aliyu:(*Iya'beji*, a mother) who died on Wednesday 24th February, 2016. In fact, nothing is more sorrowful and severely depressive than your exit at a very crucial age of my intellectual excursion. It saddens us that you could just depart like that as you hardly lived to witness the end of this academic program pensively and spiritedly began together.Axiomatically, you have painstakingly served us and conscientiously taken care of us, which makes you a cynosure and equally, a paragon of virtue. Ultimately, the inculcated moral importance is a crucial currency in the market place of our daily activity. Ma, your service and love would not only remain quite indelible but indeed ever shall it be profoundly appreciated. May almighty Allah forgive you and make***Aljannatu-Fidaus*** your final abode (Amin).

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Acronyms

ADR	Alternative Dispute Resolution
APC	All Progressive Congress
BSc	Bachelor of Science
EMB	Electoral Management Bodies
EMS	Election Management System
EU	European Union
FEDECO	Federal Electoral Commission
HND	Higher National Diploma
ICCES	Inter-agency Consultative Committee on Electoral Security
IIDEA	International Institute for Democracy and Electoral Assistance
INEC	Independent National Electoral Commission
ING	Interim National Government
IPAC	Inter-Party Advisory Committee

MSc	Master of Science
NBA	Nigerian Bar Association
NCE	National Certificate in Education
NEC	National Electoral Commission
NGOs	Non-Governmental Organizations
NPN	National Party of Nigeria
NYSC	National Youth Service Corps
OND	Ordinary National Diploma
PDP	Peoples Democratic Party
PhD	Doctor of Philosophy
PSLC	Primary School Leaving Certificate
PVC	Permanent Voter Card
RAC	Registration Area Centre
RMOBS	Re-Modified Open Ballot System
SCR	Smart Card Reader
SSCE	Senior Secondary Certificate Examination

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Abstract

As elections are indisputably crucial to democratic system, so also is continuous reform of the electoral process critical to credible elections in fledgling democracies. Following a series of elections conducted in Nigeria that were marred with frauds, violence and irregularities, substantive electoral reforms were carried out in 2010 and 2015 by the Jega led Independent National Electoral Commission (INEC). In order to establish areas that need to be adequately strengthened by the INEC with a view to improving its operational capacity, and ultimately achieve desirably electoral integrity, assessment of these reforms became imperative. Hence, the study examines the impact of electoral reforms on the outcome of elections in 2011-2015 as compared to the 1999-2007 in Nigeria. Methodologically, primary method of data collection was adopted which was augmented by secondary data. Questionnaires were administered and interviews were conducted with the stakeholders in the electoral process. Descriptive Simple Percentage) and Multiple Regression were used as statistical tools of analysis. The study found that various reforms introduced into the electoral process have positively impacted on the credibility that greeted the 2011-2015 general elections as opposed to the 1999-2007 elections. More importantly, the newly introduced electoral technology (Smart Card Reader) has significantly imbued the Nigerian electoral process with integrity, as it was adjudged to have along with other reforms reduced electoral fraud, violence, and election litigations. Also, these reforms have reposed citizens' confidence in the electoral process cum competitive politics. Conversely however, findings revealed that electoral reforms have not improved efficient and effective electoral administration in the 2011-2015 general elections despite the fact that these reforms facilitated credible elections. Hence, it is in views of this study that: various reform innovations by the Independent National Electoral Commission(INEC) should be sustained and even improved upon; citizens' trust in electoral process should be far less betrayed to ensure much needed political participation; while infrastructuralless challenged environment should be created to improve INEC's efficiency and effectiveness. All these became imperative because free, fair, credible and acceptable elections are incontrovertibly inevitable to desirably viable democracy.

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CHAPTER ONE

GENERAL INTRODUCTION

1.1 Background to the study

It is an axiomatic expression that credible elections are the main pillars of modern democracy. Representative government both at its establishment as well as its consolidation substantially acknowledge and accentuate credible elections. Put simply, free elections are tied to the concept of representation. In fact, it could be held without fear of contradiction that, to underscore the importance of well conducted elections is to think less of democracy without credible elections. In addition, meaningful elections give polling its most important political justifications and uses (Magstadt, 2006: 321). The above orientation sounds not illogical viewing elections being a major stem of not only leadership selection but government legitimacy in democracy. In a democratic understanding, election is a mechanism of acceding political office as well as justification for exercising political power. According to Omotola, (2010: 537) elections are central to the institutionalization of orderly succession in a democratic setting, creating a legal-administrative framework for handling inter-elite rivalries. Election in this context, if well managed, served as a conflict prevention and resolution strategy among the power-mongers. Hence, the connection between generally acceptable elections and democracy is considered to be so firmly established that some political scientists argued that all democratic variables revolve around elections. That is, democracy is best defined in terms of electoral politics and the institutional parameters that underpin them.

Unfortunately, in spite its centrality to a viable democracy, credible and acceptable elections still appear elusive in Nigeria, as the country proved unable to organize credible elections acceptable to all democratic players, particularly the opposition parties. Put differently, since her independence in 1960, it has not been quite easy for the Nigerian state to nurture desirably, her planted democratic system

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through the instrumentality of well organized, credible and generally acceptable elections. This implies that, series of elections conducted in Nigeria have been severely marred with naked irregularities, which span: manipulation of election results, ballot paper and boxes stuffing, intimidation and harassment of law abiding voters, Votes buying, rigging, violent killing and flagrant destruction of property. Indeed, Nigerian's "winner-take all" Philosophy has in addition to other factors made the case worse. It is of submission by Kurfi, (2005) that Nigeria elections have always been contested with a zero-sum-game mindset by political gladiators, a situation that made one observer describe rigging as synonymous with Nigerian elections (cited in Bolaji, 2015: 50). It is a statement of fact that badly conducted elections have a long history in Nigeria. According to Uwais Electoral Reform Report (2008: 2), Nigeria has had problems with democratic governance and the conduct of elections since the 1950s. The mobilization of citizens for elections in 1959 took both ethnic and religious lines which stimulates violence and crisis. In fact, the 1966 *coup d'état* was an aftermath of the election related crisis, and led to fourteen (14) years of military rule. In other words, the collapse of the First and second Republics were foreshadowed by controversial elections whose process and outcome suffered severe legitimacy deficit… The Third Republic failed because the presidential election that was to conclude the transition to civil rule program was annulled (Aiyede, 2015: 1). In a similar vein, the presidential election conducted in 1979 and 1983 were characterized by allegations of impropriety in the determination of the winners, thus necessitating litigations in the Supreme Court.

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According to Bolaji, (2015: 50) desperate measures taken by parties and candidates to win elections at all cost often led to the perpetration of a wide variety of electoral fraud. Also, Hounkpe and Fall, (2011: 1) maintained that, when it is not a clamp down on the political opposition, then it is an election without choice or a semblance of election which is organized with result known well in advance and a huge majority votes in favour of those in power. This unfortunately revealed that the rules and code of conduct in the electoral governance could not be adequately

implemented. It was averred that the second elections of Nigeria's Second Republic which was organized by the SheuShagari civilian administration, was massively manipulated in favour of the ruling National Party of Nigeria (NPN). …in a spontaneous reaction to the official results released by FEDECO, mayhem was unleashed on the two states of Oyo and Ondo (Animashaun, (2010: 7). This distasteful scenario, easily tumbled down the then nurturing civil rule.

Moreover, the rebirth of democratic governance in 1999 and the preceding 2003 polls was marked by organized violence and failed to meet basic international standards. In fact, concerned stakeholders of the Nigerian Democratic project argued that those thrown up by the elections could not be regarded as true bearers of people's mandate. Encapsulating this thought was an intelligible assertion that:

> The election years of 1999, 2003 and 2007 could arguably be described as bad, worse and the worst, respectively, in the annals of election administration in Nigeria. The credibility of these elections was further marred by a serious depreciation in civic culture by the political class, the militarization of politics with the use of violence as a means of gaining and maintaining political power, the unbridled influence of money in politics, an unprecedented level of corruption in the public and private sectors, and the weakness of the justice-administration system's response to the challenges, instrumentalized through badly flawed elections. Indeed, by 2007, 1,475 petitions (the highest in the country to date) were filed to litigate against the results declared by the INEC (Bolaji, 2015: 53).

Put differently, since the restoration of democratic system in 1999, Nigerians have been yearning for free, fair, credible and acceptable elections. This simply suggests that, badly conducted elections severely questioned the stability of the country's fledgling democratic system. Indeed, there has been the degeneration of the franchise, deepened the vulnerability of the country to conflict; alienation of citizens from political elite and reinforce violent groups narrative of bad governance and exclusion. According to Mustapha, (2007) between 1999 and 2007, Nigeria has held

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three elections and there has been a systemic persistent deterioration in the quality of the elections (in Tunde and Omotayo, 2014: 150). In 1999 and 2003, elections results in Nigeria were widely condemned by the oppositions and the European Union Election Observers. Obah-Akpowoghaha (2003) simply remarked that: the elections were marred by poor organization, lack of essential transparency, violence, widespread procedural irregularities and significant evidence of fraud particularly, during result collation process (Ebirim, 2013: 12).

Furthermore, the Uwais report notes that the failure to conduct credible and acceptable elections in a polity often generates outcomes that stunt the growth of democracy, on the one hand, and the development of the nation, on the other hand. The report regrettably averred that:

> The electorates, seeing their hopes dashed with each set of elections, have come to believe that politicians lack the will to use state power to transform the lives of ordinary citizens. This loss of confidence in governments by the electorate is a threat to our democratic project (Uwais Report, 2008:19).

However, a constant, concerted and un-relented effort towards the reformation of the electoral process is quite crucial in any setting found on the track of democratization. Electoral reform is akin to continuing education, as it has no immediate end, especially in fledgling democracies. The process should be professional, non-partisan and transparent; it must be seen as a true reflection of the people's will by politicians and the citizenry alike (Oquaye, 2012: iii). In essence, to undermine the importance of good and continuous electoral reform in any fledgling democracy is to place such country on a precarious democratic ladder. This simply suggests that, constant reform of electoral process in Nigeria became imperative owing in large part to her democratic fragility.

In order to achieve this goal, attempts were made by the Independent National Electoral Commission (INEC) towards the reformation of electoral process in Nigeria. In fact, successive INEC leadership had come up with various reform

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initiatives. For instance, in 1993, the then National Electoral Commission headed by Professor Nwosu introduced the Novel Voting System of option A4 and Open Ballot System both for which constituted to remarkable success recorded during his tenure.

Interestingly, on assumption of office as a new INEC Chairman in June 2010 various reform initiatives came up within the operational framework of the commission with a singular but ultimate goal of securing electoral integrity in the country. These reform initiatives were unique because it was Information Communication Technology (ICT) oriented and by implications was in tune with the current global electoral best practice**.** Of course, achieving electoral integrity is very crucial to the consolidation, stability and sustainability of Nigeria fledgling democracy. It is against this premise that, this study intends to analyze the impacts of electoral reforms in Nigeria by comparing the outcome of the 1999-2007 and the 2011-2015 elections.

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1.2 Statement of the Problem

It is incontrovertible that representative democracy is unthinkable without credible and acceptable elections. It means that being a system of government with distinct values and traits, liberal democracy widely celebrates free, fair and credible elections. In this context however, the option of the use of election as a preferred means of acceding power was not negotiable. Put simply, elections in a free and fair sense constitute a fundamental criterion of a good democratic order, owing in large part to being a platform through which people express their minds as regards political leadership and regime legitimization. Additionally, credible competitive elections have become a necessary, albeit sufficient, source of behavioural, if not attitudinal, legitimacy in Africa's emerging democracies (Mozaffar, 2002:86). In line with this orientation, Agbaje, (2011:7) asserts that, there is increasing global realization that credible elections constitute a major factor in democracy, democratization and good governance. However, when elections are poorly managed and fraudulently

conducted, its capability of fostering democratic consolidation and political stability is not un-doubtful. Put simply, good elections are said to be impossible without effective electoral governance.

Unfortunately, however, the yearning for free, fair and credible elections in Nigeria is as old as her existence as a political and sovereign entity. Apparently, Jega, (2012:25) averred that from the First to the Fourth Republic, regrettably, elections have increasingly and essentially been mere ritual with no substantive democratic outcomes, obstructing rather than nurturing democratization. Consequently, fraudulent electoral process has been of subversion, rather than nurturing and promoting Nigerian democratic aspirations. Disappointedly, it has been rightly remarked that:

> A study of conflicts in Africa states reveals two main causative factors ethnicity and elections. Indeed, the later often propels the former. the regional elections in Western Nigeria in 1964, for example, was the principal trigger of political conflict which erupted into ethnic violence and which ultimately degenerated into the Biafran war (Oquaye, 2012:ii).

Specifically, Nigerian elections from 1999-2007 have been argued to become progressively worse considering democratic content and popular choice. Moreover, former INEC chairman rightly remarked that:

> The 2003 elections, unfortunately, did not represent a substantive improvement over the 1999 elections in terms of transparency and credibility. Rather, the elections at the best represent "business as usual", in terms of inflation of votes, fraudulent declaration of results, use of armed thugs to scare away or assault voters and cart away election materials and many other irregularities and illegalities, which were committed with impunity" (Jega, 2015:2).

Jega, (2012:26) noted further that, not only were citizens disenfranchised, they on their own became frustrated with the process and began to lose confidence and increasingly became indifferent and then voluntarily withdrew or disengaged from the

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process. In a similar vein, the 2007 elections perhaps illustrated the crudest manifestations of all that have ever been wrong with elections in Nigeria in terms of the extent and magnitude of poor, fraudulent conduct and conflict-ridden nature of election or electoral politics (ibid).

Moreover, manifestly, 2007 elections were the worst in Nigeria history, as declared by both domestic and international observers. Indeed, the European Union Observer Mission noted that 2007 elections fell "short of basic international standard", and were characterized by violence and crude use of money to buy votes. Evidently too, the late Umar Yar'adua who was declared winner of the 2007 presidential election openly admitted during his inauguration that, there were serious flaws in the election that brought him to power. His words:

> We acknowledge that our elections had some shortcomings. Thankfully, we have well-established legal avenues of redress, and I urge anyone aggrieved to pursue them. I also believe that our experiences represent an opportunity to learn from our mistakes. Accordingly, I will set up a panel to examine the entire electoral process with a view to ensuring that we raise the quality and standard of our general elections, and thereby deepen our democracy (Yar'adua, 2007).

The foregoing self-admission by the then sitting president speaks volume about the frauds and irregularities that characterized the 2007 general elections. Additionally, the British High Commissioner to Nigeria Richard Gozney was reported to have said that "*It was not just a question of disorganization, but there was outright rigging and the results were frankly not credible*"(cited in NBA, 2007:3). Also, an insight benefit has regrettably revealed that: *The 85-year-old history of Nigeria's elections shows a progressive degeneration of outcomes. Thus, the 2007 elections are believed to be the worst since the first elections held in 1922. The compelling need to embark on electoral reforms is thus obvious* (Uwais Report, 2008: 19).

Subsequently however, the irregularities that characterized the 2011 general elections did not go unnoticed. In fact, (Bekoe, 2011; Gberie, 2011; National

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Democratic Institute, 2012) succinctly remarked that, despite the mark of improvement in the conduct of the 2011 elections, the process was not free from malpractices and violence (Samuel, et la, 2013:48). Sadly, the 2011 post-election violence is seen by many as the bloodiest incident of electoral violence in Nigeria's history. As captured by Urji and Ndozi, (2012:7) "in fourteen Northern states where post-electoral violence was prevalent, violent protesters killed several people, including an unspecified number of National Youth Service Corps (NYSC), private houses and churches were burnt, thousands of people were displaced from their homes and places of business". In a similar vein, albeit prior to the conduct of 2015 elections, Abdulahi Smith has maintained that all the eight general elections conducted in Nigeria since 1960 (including 1964, 1979, 1983, 1993, 1999, 2003, 2007 and 2011 elections) have been marred by various degrees of violence (ibid). In hisremark on the 2011 elections, former INEC chairman says: "*It is not yet Uhuru for there are still formidable challenge to be addressed and obstacles to be scaled if Nigeria is to be rid of its past and usher in free, fair peaceful and credible elections and hence move towards desired democratic consolidation*" (Jega, 2012:58).

It is pertinent to note that, the recently conducted 2015 elections was believed to some extent free, fair and credible, yet the elections still fell short of international best practices, because cases of violence were recorded in some places particularly in the Southern and Eastern parts of the country. In fact, the leader of EU election observers Fisa was reported to have asserts that "On 11 April, 2015 security incidence and violence were reported from across the country; predominantly, it involved inter-party clashes, an attack on election site by hoodlums often involving ballot boxes and election materials snatching. Credible reports show that problems were very severe in Rivers and AkwaIbom states (Agbaje, 2015 Newswatch Time). Additionally, another international observer Bekaren succinctly argued that "*what we saw did not meet international standard of electioneering, not even those ones set by the INEC*" (News Agency of Nigeria). Omotola, (2009: 200) held that since the first general elections in 1959, no election in Nigeria has been devoid of malpractices, although the degree of

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malpractice has varied somewhat. In another development, it is worth of note, that the 2015 general election was the worst in the series since 1999 in terms of voter turnout. According to INEC, 2015 (cited in Fagunwa, 2015:4) since 1999, less than half of registered voters in the country officially voted as 43.65% was recorded in the 2015 presidential election, compare to the 54% in 2011; 57% in 2007 or 69% in 2003 and lastly 52% in 1999. In Kwara state for instance, voters turn out in the 2015 presidential election was democratically distasteful, as just 39% of turnout was recorded. In fact, a total of 461,401 votes were cast against 1,181,032 registered voters (Oyeakd, 2015). This is arguably democratically unpleasant. This is because the consent of many to assume power in democracy was jettisoned. According to Altman and Perez-Linan, (2002) the assumption of voter turnout is that the higher the level of voter turnout, the higher the level of participation and by extension, the democratic quality of election (qtd in Omotola, 2014:6).

Indeed, former INEC boss Jega, (2015:3) unequivocally asserts that: my argument in this presentation is that "it is not yet Uhuru"!...there are still many outstanding challenges, which are yet to be successfully addressed. It was also captured in Uwais report that:

> Historical evidence shows that Nigerians have always had very high expectations from their intercourse with politics and democracy. However, these expectations have, more often than not, been dashed as politicians and political office holders seem to have less faith in properly conducted elections as a foundation for democratic governance than the electorate. Arising from the above, the electorates have become more vocal in their demand for positive action that will sanitize the electoral process (Uwais Report, 2008: 19-20).

Objectively however, it is inferable from the foregoing arguments that virile and constant electoral reform is quite imperative to secure much desired electoral integrity. This was substantiated by former INEC boss as he maintained that:

> There is therefore, the absolute need for a deliberate, purposeful and focused continuation of the reform of the Nigerian electoral process leading to the next general

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> elections in 2019, so as to tackle subsisting challenges, clean up, sanitize or cleanse the political terrain, stabilize the polity and create a solid foundation for consolidating and deepening democracy in Nigeria, as well catalyze economic growth and socioeconomic development (Jega, 2015:3-4).

Of encapsulation however, literature inundated as opinion of scholars converged on: deficits in the country's electoral process; the challenges this had bedeviled the system and the prospects of electoral reform in Nigeria. Meanwhile, scholars hardly touch-light the impacts of various reforms that have taken place in electoral process, specifically on comparative basis. Ultimately, this is a gap this study intends to fill. This research opines that, to fill this gap, is to help INEC identify those areas that need to be adequately strengthened to improve its operational capacity. Put differently, this research intends to examine the impact of INEC reforms on the outcome of the two classified election eras (1999-2007 and 2011-2015), with a view to identifying areas of challenges and have them scaled off through constant and periodic reform exercise.

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1.3 Research Questions

The study will put forward the following research questions:

I. Do electoral reforms impact positively on the outcome of 2011-2015 elections as compared to 1999-2007 elections?

II. Do reforms enhance improved electoral administration in 2011-2015 elections in Nigeria?

III. Has electoral reforms reposed citizens' confidence in the electoral process and partisan politics in Nigeria?

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