

## Internal Party Democracy, Electoral Law and Credibility of Elections in Nigeria: An Assessment of the 2019 General Elections

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### **Abstract**

*Nigerian electoral system has been grappling with a lot of inadequacies since the country's independence. These shortcomings have been purportedly attributed to a lot of factors. The major factor is the selfishness of the ruling elites that has left the country's democratic experiment in a tutelage state. The structure of the Nigerian economy, with the state as the most important source of economic opportunity is also another factor, the legacy of authoritarian rule and basically lack of solid democratic institutions to whole lot of other factors. Based on these insinuations, this paper examines the level of internal democratic principles imbibed by political parties and the strength of electoral legal framework in facilitating credible elections in Nigeria with special attention to the 2019 general elections. The structural functional theory as espoused by Gabriel Almond was adopted as the framework of analysis. The theory emphasizes the functional effectiveness and survival of political institutions or systems. Secondary source of data collection, which involves the use of journals, textbooks, periodicals and other relevant materials, was also used for the study. It was established that the Nigerian electoral system is devoid of credible electoral outcome largely due to weak institutional framework such as internal party democracy and robust electoral law. Nevertheless, a review and restructuring of the entire electoral system to entrench a strong institutional and legal framework was recommended.*

**Keywords:** Electoral Law, Election, Political Party, Democracy, Electoral body.

### **Introduction**

Electoral system is an architecture of rules and procedure explicitly defining how society are politically organized by drawing boundaries of interaction, eligibility and freedom of participant and roles of state institutions in the electoral process. Popular will is expressed against the reference mark. It implies that the vote of the electorate must count. As a system of rules, it gives command and protects rights, substantially requiring compliance in order to establish a firm foothold of democratic culture and governance (Jacob & Idris, 2010).

As well, Jacob and Idris (2010), also maintain that at the centre of liberal democracy is the electoral system with rule of law as its cardinal principle. The nature of the system is determined by the character of the dominant faction of the ruling elites wielding state power, the struggle of democratic force, and the capacity to arrive at consensus. However, the Nigerian electoral system imbibes a process that embraces within its ambit all the institutional procedures, arrangement and actions involved in elections (Nwabueze, 1993). It includes the suffrage, the registration of voters, delimitations of constituencies, the right to contest elections, electoral competition between rival political parties, election management body, the method of selection of candidates within the political parties, nomination of candidate, method of voting,

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

Furthermore, the electoral process in Nigeria includes election observation and verification activities carried out by local and international bodies or both. It also includes the establishment of institutions and structures that will mobilize the populace to get involved in the electoral process, and provides the rules and regulations that govern the process (Nwabueze, 1993).

Nigerian electoral system has been grappling with many inadequacies since the country's independence. These shortcomings have been purportedly attributed to many factors; for instance, some allege that the political system is faulty because it is built on ethnic foundation. To others, the selfishness of the ruling elites has left the country's democratic experiment in a tutelage state. Some trace the faulty electoral system to lack of solid democratic institutions, there are other insinuations as the invisible role of the colonialists interest in continuous domination of Nigeria after independence, the structure of the Nigerian economy, with the state as the most important source of economic opportunity, the legacy of authoritarian rule to whole lot of other factors (Ebegbulem, 2011; Jacob & Idris 2010; Chukwu, 2007).

At the moment, the democratic governance that is being nurtured since 1999 has become endangered allegedly due to deteriorating nature of our electoral system. The will of the people is always manipulated and pushed aside in the quest for power and selfish interest. This is evident in proven cases of vote buying, election rigging, ballot box snatching and other forms of electoral malpractices. The electoral process has been over-monetized to the extent that results announced after elections very often did not reflect the choice of the people (Ebegbulem, 2011).

At the centre of all these political wrangling is the twin issues of internal party democracy and robust electoral laws. The political party is the vehicle for the struggle for power in a democracy. Those who seek to serve their people through political office typically do so through the instrumentality of the political party. So, political parties are vehicles for citizen participation in the political process, the organizing centre of discourse, debates, and contentions and consensus molding for key policies. Thus, political party is critical for democratic governance and when it does not imbibe internal democratic process in its affairs; it supposedly affects other electoral processes adversely.

Additionally, electoral laws are the solid rock upon which electoral process stands. Electoral laws seek to modify, regulate, and clarify the mode and conduct of elections in the polity. Therefore, when such laws are watery, there is every tendency for a poor and unacceptable electoral outcome. Given this scenario, the imperativeness of electoral law in engendering credible elections becomes apt. Nevertheless, the most significant challenge to credible elections in Nigeria hypothetically involves the development of effective strategies for strengthening institutions of state in such a manner that they will be able to withstand the pressure of the democratic process. This intensification is particularly important for institutions like the political parties, electoral legal framework and the electoral regulatory body. Against this backdrop, this paper is poised to assess the level of internal democratic principles imbibed by political parties and the strength of electoral law in facilitating credible elections in Nigeria with special attention to the 2019 general elections.

## Theoretical Foundation

The study adopts the structural functional theory, which came into existence from the viewpoint of the scholars of systems theory. The Structural-Functional analysis originated in the biological and mechanical sciences. In the social sciences, it was first used in Anthropology. Later on, it was developed and refined as a mode of sociological analysis, predominantly by Talcott Parsons and Marion Levy. It has been under the influence of the sociologists, particularly these two, that the Structural-Functional Approach has come to be developed by political scientists, particularly by Gabriel A. Almond and his associates.

In 1960, Almond and Coleman, in their work 'The Politics of Developing Areas,' used this approach for the study of non-Western political systems. Six years later, Almond and Bingham Powell published their work 'Comparative Politics: A Development Approach'. Gabriel Almond, Amitai Etzioni, Peter, M. Blau, Talcolt Parsons, David Easton have supported structural-functional theory, among others who have studied the political systems or administrative units from a systemic view/approach.

The central theme of this theory according to Okoli (2004:16) is in "the functional interrelatedness of parts". The theory emphasizes on functional effectiveness and survival of political institutions or systems. A political system consists of several structures, which are patterned by action and resultant institutions. These institutions are pattern of actions as objective consequences for the system, which implies that certain structures perform certain functions and failure of these structures to perform their assigned functions results to dysfunction, which means destroying the existence and growth of the system. The proponents of this theory draw attention to certain conditions of survival or certain functions, which are essential for the maintenance, and preservation of basic characteristics of political system.

However, Almond divided these functions into four input and three output functions. The four input functions are political socialization and recruitment, interest articulation, interest aggregation, and political communication. The three output functions include rule making, rule application and rule adjudication. The first input function of the political system is political socialization and recruitment. Through the process of political socialization, people gradually adjust themselves to the political system. Political system according to Almond is the process of induction into the political culture (DeRosso 2012). Its end product is a set of attitudes cognitions, value standards and feelings towards the political system, its various roles and role incumbents".

In developed political systems of the West, schools, churches, political parties and other voluntary organizations generally play the leading role in socializing the people. The socialization process is not very much prominent in the Third World states but the very existence can never be denied. As society gradually develops, the process of socialization also proceeds. From the study of political system, Almond has come to know that socialization may be latent and manifest. When the transmission of values, ideas, thoughts, feelings etc takes place in a direct way, it may be called manifest socialization. Latent political socialization does not take place directly. Those of other systems influence the values, thoughts, ideas, feelings of one system. Both latent and manifest socialization work simultaneously in any political system and both are important. In order to revolutionize the people's thought and outlook, the latent method is resorted to (DeRosso 2012).

Defining political recruitment Almond says, “Political recruitment function takes up where the general political socialization function leaves off. It recruits members of the society out of particular subcultures, religious communities, statuses, classes, ethnic communities and the-like and inducts them into specialized roles of the political system, trains them in appropriate skills, provides them with political cognitive maps, values, expectations and affects” (DeRosso 2012).

The second important input function of political systems is interest articulation. In every political system, specifically pluralist political system, citizens claim the fulfilment of their demands or materialization of interests. Interest aggregation is the third function of the political system. In our analysis of the second function, we have noted that various organizations, groups and agencies as well as political parties raise demands and grievances in an articulated form. Now the problem is mere placing of demands or problems is not sufficient for their translation into fruitful policies. For that reason, the issue of interest aggregation arises.

Various demands and claims are to be aggregated into a consolidated form and after that the political system takes action. Aggregation may be accomplished by means of the formulation of general policies in which interests are combined, accommodated or otherwise taken account of or by means of recruitment of political personnel, more or less committed to a particular pattern of policy. So far we have noted the three different functions of political system, political socialization, interest articulation and interest aggregation. These three functions are performed by means of political communication. All sorts of interests are articulated through communication and, again, they are aggregated by means of communication. Naturally, without communication the political system will not be in a position to discharge any function.

In every political system, there exist a network of elaborate communication system and it must have enough autonomy to work independently. We can treat it as an important precondition and it is essential for successful functioning of the political system. The structural functional theory aptly captures the Nigerian electoral system. A system with interdependent parts, (political parties, electorates, election management body, electoral law, and security agencies) functions harmoniously with the intention to achieve a desirable outcome. All the organizations must have freedom to articulate interests, these, after being aggregated, must be communicated to the relevant authority. The input functions, which are performed by non-governmental subsystems of society and the general environment, are regarded as highly significant. While the output functions are performed by the traditional government agencies like the legislature, the executive, the judiciary and the bureaucracy etc.

The structural functional theory also has a feedback mechanism where the actors’ reaction to output affects changes in inputs to the political system. For instance, the outcome of electoral process determines the changes to be made in the polity mostly via decision-making and implementation. Therefore, the core idea of Almond’s structural functionalism is how the structures of the political system function and how (through the functions and other ways) to adjust with other systems as well as with the environment surrounding it.

## **Nigerian Elections in Historical Perspective**

The advent of Nigeria's electoral history was in 1922 when the then Governor General Hugh Clifford introduced elective principle in Nigerian constitution and body polity. For the first time, Nigeria under British colony exercised their franchise, though it was limited (Tamuno, 1966). Subsequently, the first political party, the Nigerian National Democratic Party (NNDP) was formed and political activities officially took the centre stage. Three regional and ethnic based parties emerged as the dominant parties; the Northern People's Congress (NPC), Action Group (AG), and the National Council of Nigeria and Cameroons (NCNC).

At independence, Nigeria took control of its sovereignty and adopted a federal parliamentary system of government. Nigeria has had several elections since then ranging from the 1959, 1964, 1979, 1983, 1993, 1999, 2003, 2007, 2011, 2015 and 2019 respectively. In these elections, none was adjudged absolutely free and fair. Nonetheless, the annulled 1993 general elections and the 2015 elections that resulted in the defeat of the incumbent for the first time was claimed to be relatively fair compared to others that have always been alleged to be full of irregularities starting from internal party arrangements of candidates' selection to the general elections proper.

However, General elections were conducted on 12 December, 1959 into local councils, Regional and Federal Legislature. Voting was by secret ballot. All registered adults in Western, and Eastern Nigeria were eligible to vote. In Northern Nigeria, only registered adult males were eligible to vote. The outcome was not generally acceptable.

In 1963, a Constitution referred to as the 1963 constitution was enacted. This enactment made Nigeria a Republic. The Constitution embraced the rule of law, fundamental rights, and the principle of derivation. An election was conducted in 1964. The 1964 elections witnessed the emergence of a two-party system: The Nigerian National Alliance (NNA) and the United Progressive Grand Alliance (UPGA). This election was allegedly manipulated. This resulted in an internal bickering that protracted and eventually led to the first military coup in Nigeria.

Similarly, in the second republic (1979-1983) After 13 years of military rule, the Murtala/Obasonjo military regime lifted the ban on political parties in September 1978. The then Head of State, Gen Olusegun Obasonjo signed Decree No.25 to usher in the 1979 Constitution which has the introduction of presidential system of government as its major feature. It was the requirement of the Constitution that registered political parties must have national spread and acceptance. Five political parties were registered to contest the 1979 elections. However, as the elections approached, it was obvious nothing really has changed in terms of credibility of the processes of electoral systems in its entirety as the politicians manifested ethnic and religious sentiments. These sentiments manifested in the selection of candidates to other processes of political participations in elections. Thus, elections outcome also confirmed that electorate pandered to ethnic-religious sentiments in their pattern of voting.

Subsequently, shortly after 1983 elections, there was a military intervention headed by Gen. Muhammadu Buhari. The regime was reputed for fiscal discipline and the war it waged against general indiscipline in the society. However, the regime had no immediate plan to return the country to democratic rule. Gen. Ibrahim Babangida toppled the military regime of Gen. Muhammadu Buhari in August 1985. Babangida then embarked on a seemingly endless transition to civilian rule, continuously shifting the hand over date as it suited him. Babangida

inaugurated a Constitution Review Committee (CRC) to examine the 1979 Constitution and make possible recommendations.

The recommendations were then incorporated into the aborted 1989 Constitution. Included in the 1989 constitutions are: provisions for a two-party system, and additional fundamental rights i.e. right to free education, right to property and right to healthcare. The Constitution came into effect in phases but was aborted after the annulment of the June 12 elections by Babangida. Prior to the elections of June 12, Babangida had created a two-party system he imposed on Nigerians. He proposed that the parties will have equal founders and equal joiners. This is an attempt to depart from the experience of the past, where political parties revolved around individuals and ethnic alliance, which were an attempt to depart from classical and parallel ideologies and lack of internal democratic tenets. The parties were named Social Democratic Party (SDP) and National Republican Party (NRC) (Odusote 2014).

The presidential election was held as scheduled on June 12 1993. The election held; people voted massively for their candidates of their choices. It was also adjudged to be free and fair and a winner was announced by the chairman of the Nigerian electoral body against pressure from above but general Babangida annulled the results. The two parties created by Babangida had contested the election, which was generally agreed to have been won by the candidates of the SDP; Chief M.K.O Abiola and his running mate Alhaji Babagana Kingibe. It was a golden opportunity lost. It was an election that was thought would erase religious and ethnic sentiments in Nigerian politics. The SDP enjoyed overwhelming support that cut across religious sentiments and ethnic divide. It was not to be. The election was aborted and the crisis that followed led to the famously stepping aside of Gen Babangida. Interim National Government (ING) of Ernest Shonekan was sworn in on 27 August 1993. The ING only lasted for about three months. It was swept aside by Gen. Sani Abacha on 27 November, 1993. Abacha aborted the 1989 Constitution in transition.

In the Fourth Republic (1999 to 2019), the 1999 Constitution was promulgated by Abdusalami Abubakar's regime through Decree No.24 of May, 1999. The Constitution embraced multi-party system. However, there were three dominant parties. The three dominant parties that participated in the elections conducted by the Independent National Electoral Commission (INEC) are: Alliance for democracy (AD), All Peoples Party (APP), and the People's Democratic Party. Chief Olusegun Obasanjo of the PDP won the presidential elections against Chief Olu Falae of the AD-APP alliance. It should be noted that there was a general apathy to the election as the electorates had become disillusioned about democracy basically for lack of democratic tenets especially in electoral process. They were also weary of the antics of the military for a better system that was not forthcoming.

In 2003, another general election was scheduled. The 2003 elections were generally regarded as landmark because it was the first time since independence that political leadership successfully changed hands from one civilian to the other. The elections were however, regarded as more fraudulent than the 1999 elections. In making general assessment of the 2003 elections, US-based Carter Center concluded that the elections were more pervasively and openly rigged than the flawed 1999 elections (Awopeju 2011). Out of the 30 registered political parties, only 20 fielded candidates for the presidential election. Chief Olusegun Obasanjo of the PDP again won the election. The other main contenders were; Alhaji Mohammed Buhari

of the All Nigeria People's Party, Chief Odumegwu Ojukwu of the All Progressive Grand Alliance and Chief Gani Fawehinmi of National Conscience Party.

As democratic governance continued to be consolidated in Nigeria, the electoral process tends to get fortified in the subsequent elections of 2007, 2011, 2015 that led to the defeat of the incumbent and emergence of opposition party's candidate Muhammadu Buhari of APC as the President and consolidation of his victory in 2019 elections, though it was alleged to be highly manipulated (Adelaku, 2019).

### **Internal Party Democracy in Nigeria**

Internal democracy refers to the creation of a permissible climate within a political party, which guarantees the participation of all-party members in decision making as well as the general administration of the party. Such a climate fosters active involvement of every party member and not a few powerful rich. The aim of internal party democracy in political parties is basically to create a level playing-field for the active participation of every member in the party affairs and to build a cohesive party that is vibrant enough to win elections and as such provide a strong government committed to quality service delivery that will meet the needs and yearnings of the citizens (Omotola, 2010).

In modern societies, the application of the concept of internal democracy in the conduct of the business of political parties, particularly with regards to primary elections, is inviolable and, therefore, sacrosanct. The concept of internal democracy operates on the premise of due process, fair play, equity and good conscience in the discharge of duties and obligations to organizations, groups or the society at large. Within the fold of most political parties in Nigeria, however, internal democracy as a concept seems to be honored more in the breach as primordial considerations such as avarice, greed, nepotism and outright inordinate ambition, have continued to be elevated over and above the wishes of the people.

However, the alleged absence of internal democracy in political parties in Nigeria has often created a scenario where some powerful elites in political parties would want to foist their own selfish ideas or in some cases their candidates or their candidatures on their party. Olisa Metuh, the PDP's publicity secretary in 2010 pointed out clearly that one thing he noticed in States where there are crisis, is that the governors don't want to let go their grips on the party structures and other stalwarts insist that there must be separation of party from government (Ojukwu and Olafia, 2011). Metuh maintains that though the governors fund the party to a large extent, he doesn't subscribe to the notion that they should run the party. The party should be the conscience of the people, the party should be able to control the governor and say, you haven't done enough roads, you haven't done this and that.

But it isn't happening, especially where the legislature isn't acting as checks and balances on the executive abuse of power. It is only the party that can do that, but the party isn't doing that. Meddling of the political leaders, especially those in the executive arm of government in the internal affairs of political parties has been possible because they control the resources of the state and in most cases; they are the major financiers of political parties in Nigeria. As a general saying goes; "the person who plays the piper dictates its tune". Consequently, the struggle for political power fuels intra or inter-party conflicts, which undermine members' participation in decision making thereby weakening the process of credible elections and democratization in Nigeria (Ojukwu and Olafia, 2011). However, there

have been some identified factors hindering internal party democracy in Nigeria (Ojukwu and Olafia, 2011). These factors are:

**Ethnic politics:** Ethnicism is highly pronounced in Nigerian politics, more so within political parties. The former colonialists used divide and rule to fragment and factionalize the people. In the circumstance, ethnic variable and consideration take precedence in the internal activities of political parties.

**Monetization of politics:** In the past, political offices did not attract monetary benefits as it has become today. The government in recent times has made politics more financially attractive that nobody wants to engage in any other profession than politics. Seeing these benefits, some Nigerians view politics as a sure means to making it big time; such persons join politics through various political parties and are willing to do anything at all cost to win election.

**Unnecessary Political Ambition:** Nigerians have become highly politicized. In fact, the demand to participate in politics keeps on increasing in geometrical progression while the absorbing capacity of these participants increases in arithmetic progression. This leads to intense competition among the political aspirants who are prone to take the most extreme measures in order to win and maintain political power.

**Overbearing influence of Governors on the party:** State governors wield a lot of influence as far as party politics is concerned in Nigeria. This is largely because they are one of the major financiers of political parties in Nigeria. Therefore, such governors tend to influence the policies of the party. They take major decisions at the detriment of other party leaders and organs such as influencing party executives elections, party ad hoc delegates during primary elections, candidates at elections, etc.

**Undue loyalty of elected officials to Godfathers:** Ordinarily, officials or political officeholders who are elected on the platform of a political party are obliged by the party to be loyal to such party. In the case of Nigeria, however, most times elected members switch their loyalty to their godfathers once elected. This occurs due to undue influence of such godfathers on the party largely because of their contribution to the growth of the party.

So far, we have seen the nature or factors that mar internal party democracy in Nigeria and the reason why politicians do what they do, in order to win elections at any cost.

However, with these actions, it is very difficult for political parties to perform their democratic duties. The reason for political existence in a democratic environment like Nigeria is simply to offer alternative platforms to citizens who have the passion to serve their country and have something serious to contribute to serve their country. That is why political parties are ideologically driven. Yet, in Nigeria, these multi-political parties seem to have no clear ideology, nor programmes, thereby endangering the democratic process (Atiku, 2015).

Consequently, lack of internal democracy in political parties seems to affect electoral outcome because members of the parties are the chunk of the electorates that vote in general elections. Therefore, when the primary elections did not reflect the wish of the people, it affects their voting pattern and participation in the entire process. However, other consequences of



lack of internal democracy in political parties include the proliferation of political parties, increase in electoral litigations, political violence and instability, creation of factions within the party, mass defection and cross carpeting of members and a host of other factors that encourage electoral irregularities.

### **Electoral Laws in Nigeria**

The constitution of the Federal Republic of Nigeria vested the powers to make laws on the legislative arm of the government. Consequently, the legislature makes additional rules and regulations governing the conduct of elections in Nigeria, this guideline are often referred to as electoral act. In line with its constitutional power to make laws for the peace, order and good government of the Federation or any part thereof with respect to item 22 under the Exclusive Legislative List, the National Assembly enacted the Electoral Act 2010. The Electoral Act 2010 is not the first of its kind. It was built on the provisions of the Electoral Act 2006, which it repealed. Its provisions made some marginal improvements over and above the 2006 Act, but it was definitely not sufficient enough to bring about an overhaul of the electoral system in the terms recommended by the Uwais panel (Alayinde, 2016). It is against this background that the Electoral Act 2010 (as amended), was passed by the National Assembly, after much deliberation and debate. The key provisions of the Act reflect government's attitude towards the recommendations of the Uwais Committee. Expectedly, the recommendations of the Uwais Committee that were not reflected by the government, including the one on independent candidacy, were not reflected in the Act.

Also, some of the seemingly novel provisions of the Act, such as the one on continuous registration, the oath of neutrality by election officials, prohibition of double nomination, among others, were merely lifted from the 2006 Act; the provisions of which are same in many material respects as the new Act. There are uniquely novel provisions however. Of note in this regard is the provision of the Electoral Act 2010, which prohibits substitution of candidates by political parties except in cases of death or self-withdrawal.

The bulk of the provisions of the Electoral Act 2010 relates to procedural issues that were already covered by the Electoral Act 2006, which was repealed by the new Act. The current Act is arranged in nine parts, with 152 sections and three schedules. The Act repeals both the Electoral Act 2006 and the INEC Act. It re-establishes INEC, an INEC Fund, and guarantees its independence. The functions, powers, revenue base and other matters connected with INEC and its staff remain essentially the same as in the repealed 2006 Act. The provisions of the 2010 Act in respect of the registration of voters, the provisions of registration officials and the creation of offences were more or less repetitions of the 2006 Act with some juggling of figures.

As for the procedure for election, the only major change was the prescription of the order of the election in section 25(1) of the 2010 Act. This provision is not only self-seeking as it was designed to serve the interests of the serving members of the National Assembly; it robs INEC of the unfettered power which it had under section 26 of the Electoral Act 2006 to determine the dates of elections. The other novel provision, which is commendable, is the provision of section 33, which bars political parties from substituting candidates after submission. This is to prevent the kind of ugly incident which Alabi (Alayinde, 2016) observed made it possible for voters not to know the candidates up to the point of voting.

Ironically, the procedure of voter accreditation before the actual voting commences, for which the INEC was commended in 2011, even though not a novelty in Nigeria's electoral history, is not officially provided for under the Act but was adopted, perhaps, in pursuance of the powers of the Commission to fix the day and hours of polls. In flagrant disregard for the recommendations of the Uwais Committee, but in line with the provisions of the 1999 Constitution, the Electoral Act 2010 vests the power to register and regulate the activities of political parties in the electoral commission. This was a consequence of the inability of the government to demonstrate sufficient political will to implement those recommendations of the Electoral reform committee (ERC) report which it purported to accept as far back as 2009.

The same could be said of the refusal to create an Electoral Offences Commission, notwithstanding the creation of several offences in relation to the registration of voters and their conduct of elections. In essence, the Uwais Committee's recommendation for unbundling INEC, which the government accepted, was not implemented, years after the recommendation was made and accepted.

The 2010 Act, like the repealed 2006 Act, stipulates a continuous voters' registration system. In section 10(2), an applicant for registration under the continuous registration system shall appear in person at the registration venue with proof of identity, age and nationality. Apart from preventing registration by proxy, the innovation helps to establish the true identity of voters and prevent voting by non-human objects as witnessed in the 2007 elections in Ondo State. Other adjustments to the contents of the repealed Act were designed to prevent frustration associated with litigations arising from the conduct of elections, as well as enforcement of internal democracy in selecting party candidates for election. Essentially, these changes were meant to ensure more credibility and reduce acrimonious intra-party crises often associated with the choice of party's flag bearers. Aside from this, the Act imposes stiffer punishments for culprits engaged in the buying and selling of voters' cards.

On the whole, while the Electoral Act 2010 contains a number of provisions that seek to enhance the conduct of free and fair elections, these provisions were mostly cosmetic and are not far-reaching enough to bring about the desired reform of the entire electoral system. The Act merely seeks to make some marginal changes within the limits permissible under the existing constitutional framework. Such changes in the texts of the Constitution that are necessary for tackling the ills of the electoral/political system were not made by the National Assembly. It is therefore not surprising that the maladies of the previous years, which had robbed Nigeria of the needed credibility for democratic consolidation, were repealed in various forms and different degree, before, during and after the 2011 and 2015 elections respectively.

However, in the quest to improve the Nigerian electoral system, the 7<sup>th</sup> and 8<sup>th</sup> National Assembly made additional constitutional amendments on electoral provisions so as to accommodate an acceptable electoral law that will guarantee free, fair and credible elections in Nigeria. Nevertheless, the clamour by Nigerians to restore credibility in the electoral process in Nigeria and ensure the conduct of free, fair and credible elections in the country in subsequent elections was further stalled by inability of the president to assent to the amended electoral bill sent to him from the national assembly before the 2019 elections.

## **A Survey of 2019 General Election in Nigeria**

The 2019 election was the seventh election to be held in Nigeria since the inception of the fourth republic. Ordinarily, it was expected that no matter how nascent our democracy is or rather the pace at which the process grows, it is supposed to be making a gradual and steady but progressive movement. But this seems not so, going by the perceived outcome of the 2019 general elections. The elections were adjudged to be violent, unfair and massively manipulated. This insinuation came from different quarters such as election observers (both foreign and local), the media, active participants, and other concerned members of the society. For instance, the European Union Election Observation Mission (EU EOM) in its report on the 2019 general elections said that the polls held across Nigeria were marred by irregularities (Suleiman, 2019). EU EOM in its report noted that several challenges were faced in the last elections. According to the group, as reported by Suleiman (2019), the 2019 general elections were:

Marked by severe operational and transparency shortcomings, electoral security problems and low turnout..... Inconsistent numbers during collation, “lack of clear checks and explanations, and insufficient public information undermined the integrity of the elections.

The EU EOM also rebuked the abuse of incumbency at federal and state levels during the elections. It also faulted INEC for not providing centralized information on the declared results, saying that the electoral body months after the election has not published complete results on its website. Speaking further on INEC’s role in the elections, the EU EOM berated the electoral body for failing to provide sufficient public information in line with international standards. It further stated that the discrepancies observed in the level of voter turnout shows the need for electoral reform.

In another development, in their report on the outcome of the 2019 general elections in Nigeria, the Nigerian Civil Society Situation room stated that the 2019 general elections had several challenges and failed to meet the threshold for a credible election, stating that this poses serious questions about the future of elections and the quality of democracy in Nigeria. They blamed the lapses observed in the concluded election mainly on watery electoral act and inability of the executive to assent to the amended electoral act by the national assembly (Situation Room, 2019).

Similarly, YIAGA AFRICA a youth based nongovernmental organization noted some lapses in the design, communication and lack of uniformity in the implementation of the guidelines issued by the electoral commission. The group also observed that election results management remains the weakest link in Nigeria’s electoral process. It also noted a budding trend of voter intimidation and assault against unsuspecting individuals, press and civil society during elections (Adelakun, 2019). There were other reports of violence, ballot box snatching, and compromise by some of the officials of the electoral body in support of the incumbent and many other irregularities observed during the polls. All these observations and reports have definitely buttressed the point that the 2019 elections were not credible.

## Impact of Internal Party Democracy on the 2019 General Elections in Nigeria

Lack of internal party democracy (IPD) or its weakness in Nigeria has a lot of electoral outcomes or consequences on her political leadership choice and development. For instance, the level of political domination of electoral process in Nigeria by few oligarchs (godfathers) in previous elections in Nigeria has encouraged political apathy amongst citizens. Godfathers create democratic setbacks by encouraging illegitimate means of seeking power that manifest in the forms of bribery and corruption, questionable fund-raising dinners, political thuggery and election rigging all of which may hinder many citizens from participating actively in politics. The emerging political apathy can be understood in the light of the *modus operandi* of the political kingmakers whose firm control of political parties is to ensure the formation of government of the few, by the few and for the few (Zakari, 2006).

To actualize this, the godfathers monetize party politics as party nominations and political appointments are reserved for the highest bidder just as political arrangements are often stage-managed at the expense of the masses that have no means of getting to the reach of the political godfathers. Therefore, the peoples' feeling of apathy becomes evident at election as a result of hopelessness on account of electoral malpractices being perpetrated by pro-godfather political thugs. Not only are the citizens denied their voting rights, the emergence of credible candidates for any political post is often frustrated by this factor. As a result, this makes electorates feel that their votes cannot determine the outcome of elections. In the end, they become disenchanted with the political process.

Given these viewpoints, the shortfall of the 2019 elections is not far from the above allusion. Lack of credibility of the elections just like previous ones in Nigeria has been mainly blamed on unavailability of strengthened electoral institutions, most importantly, the electoral body, electoral laws, unbiased security outfit and lack of internal democracy in the various political parties that participated in the elections. Lamenting on the ills of lack of internal party democracy, the Independent National Electoral Commission (INEC) said that the primaries conducted by various political parties ahead of the 2019 general elections, were the most rancorous in the history of Nigeria (Akinwale, 2018). The electoral body lamented that internal party democracy is still a source of concern in the country's electoral progress. INEC Chairman, Prof. Mahmood Yakubu, stated this in Abuja at a two-day capacity building workshop for journalists covering the commission's activities. The chairman maintained that the electoral body has been joined in 396 pending actions in various courts across the country and 52 petitions and protests from aggrieved party aspirants arising from the conduct of party primaries and nomination of candidates by political parties (Akinwale, 2018).

In another development, the Nigerian electoral body in their review of the 2019 elections lauded Nigerians for deepening democracy, noting that the successful conduct of the sixth exercise in a stretch showed improved integrity in the electoral system. The umpire reiterated that lack of internal democracy among political parties, desperation by aspirants and their supporters contribute significantly to the inconclusiveness of polls in the country.

More so, the former Nigerian senate president, Senator Ken Nnamani reiterated that critical to strengthening democracy is ensuring that the electoral process is free, fair and credible. To him, electoral process is broader than election. Many Nigerians, including respectable civil society leaders consider fair, free and credible election as if it starts and ends on the Election Day. This is wrong, focus should be on the entire process, starting with how

political parties elect or select their candidates up to declaration of results. This process involves different political and non-political authorities. Each of them must be willing to deliver according to its constitutional and statutory mandate and the highest level of public ethics for elections to be free, fair and credible (Onumah, 2019). Nnamani further restated the role of a rich electoral law in achieving this credible electoral process. He advocated for the adoption of Uwais election recommendation report for a credible exercise in Nigeria. With this plethora of assertions and observations by scholars and election stakeholders, it is observed that watery electoral law and, most importantly, weak internal party democracy in our political parties contributed immensely to the credibility question of the 2019 general elections in Nigeria.

### **Conclusion**

There is no doubt that the best way to restore the people's confidence in the electoral system and democracy is by creating an enabling environment for a free, fair and credible elections. This enabling environment has eluded Nigeria since the inception of its democratic structures. Nigerian electoral system is devoid of credible electoral outcome largely due to weak institutional framework such as strong electoral law that will ensconce internal democracy in political parties and an independent and unbiased electoral umpire. Therefore, it will not be out of place to aver that strengthened electoral law, entrenchment of internal democracy in our political parties and independent election management body remain a panacea for credible elections in Nigeria.

### **Recommendations**

This study recommends as follow:

1. The amended 2010 electoral law that the president declined assent to in the build-up of 2019 elections should be further reviewed in line with Uwais report and recommendations to give Nigerians a strong electoral legal framework.
2. Laws guiding the formation, structure and operation of political parties in Nigeria should also be revisited and strengthened to ensure strict compliance by parties fielding candidates in future elections, especially on the issue of internal democracy.
3. The election management body in Nigeria (INEC) should be restructured entirely and be made really independent to whittle the influence of the incumbent on the commission. This will also engender fair play in the process.
4. The body responsible for the prosecution and punishment of electoral offenders should be further fortified. There should also be political education and sensitization of the electorates, especially the youth by the relevant electoral agency on the dangers and consequences of election related crimes to curb violent elections in Nigeria.

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