

THE INDEPENDENT NATIONAL ELECTORAL COMMISSION (INEC) AND THE 2011 ELECTIONS: A NON-ROMANTIC VIEW

Hassan A. Saliu & Solomon I. Ifejika

Department of Political Science,
University of Ilorin, Ilorin Nigeria

Abstract

Election management bodies are one of the most essential and strategic institutions in the democratic government system. To be specific, the whole idea of evolving a system through which rulers or leaders are popularly selected in a democracy begins first and foremost with working-out modalities on how to establish and institutionalize an umpire to moderate and manage the entire process. This, of course, is undeniably true of transiting or newly democratizing nations. In advanced liberal democracies of mainly Europe and America, the important role undertaken by these bodies in the electoral process has proven them one of the arch-engines or pillars upon which democracy as a system of governance stands. Despite the fact that these institutions operate under diverse names, organizational structures and sizes in different political context, one discernable element common among them lies in the primary responsibility they perform, that is, organizing and managing elections along-side other important functions. Upon this premise, therefore, this paper primarily sets out to appraise the performance of Nigeria's own election umpire, the Independent National Electoral Commission (INEC) with regard to its conduct of the 2011 general elections. In a bid to achieve this aim, the paper is divided into many sections. Section one constitutes the introduction, while segment two consists of the background of the paper, law establishing INEC and its organogram. The third section undertakes an overview of INEC under the Fourth Republic, and the fourth segment periscopes the 2011 general elections. The fifth part introspects into the forthcoming 2015 general elections with particular attention paid to current issues relating to INEC's preparation for the elections, while the sixth and seventh segments are the recommendations of the paper and the conclusion respectively.

Key Words: INEC, 2011 Elections, Election Management, Free and Fair Elections.

Introduction

In broad terms, election management bodies are established institutions responsible for carrying out all electoral activities in democratic government systems. At its most basic level, an election management body is one of the most essential and strategic institutions necessary for any political or governmental arrangement to be adjudged democratic. Situated within the ambit of this argument, it can be unequivocally stated that any said-democratic system without an election umpire is merely a pseudo democracy or disguised autocratic government. The complexities and sensitivity of the process involved in the selection of individuals to oversee the

affairs of a nation for a given period of time necessitates the existence of a specially constituted body to organize, moderate and manage the process.

Such bodies exist in every democratic system, howbeit under different names, sizes, and organizational structures. Based on the peculiarities and wishes of the political contexts in which they exist and operate, these institutions bear a wide range of titles usually to match the goals and objectives they are established to accomplish in each polity which include; Electoral Board, Election Unit, Electoral Council, Election Commission, or Department of Elections. These bodies or institutions, irrespective of their differing sizes, organizational structures, names, backgrounds or political contexts in which they operate are primarily established to manage elections or electoral activities in democracies, and their independence is of utmost imperative for purposeful existence and impressive performance and operation. The autonomy of these bodies also allows them relative freedom to make credible and impartial decisions while discharging their responsibilities.

The strategic role of effective and vibrant election management bodies in the building and sustenance of democratic ideals or practices in a polity cannot be overemphasized. Indeed, election bodies undertake a wide range of important functions that facilitate the rapid growth and development of democratic norms and values in a country. In both old democracies as well as new democratic or democratizing states they are very essential for the success of the transition process, participate in wider citizens' political enlightenment and voter education, foster unity and collaboration among political parties, contribute to nation building and national integration, increases citizens' faith in the democratic process, give legitimacy and transparency to procedures of assuming public office, and delineation of boundaries of districts or constituencies to make for peaceful and coherent political co-existence among cleavages in society, among others.

Importantly, Nigeria's own election management body or agency is the Independent National Election Commission (INEC). The Independent National Electoral Commission (INEC) conducted the 1999 general elections which ushered Nigeria into the current Fourth Republic, and has so far conducted three other general elections for the country namely; the 2003, 2007 and 2011 elections respectively since its establishment. This paper is therefore primarily an appraisal of the Independent National Electoral Commission (INEC) and the conduct of the 2011 general elections. To be precise, it basically examines the performance of INEC in the conduct of the 2011 elections. In order to achieve this, this study is divided into several segments. Section one constitutes the introduction, while segment two looks at the background, law establishing INEC and its organogram. The third section undertakes an overview of INEC under the Fourth Republic, and the fourth segment periscopes the 2011 general elections. The fifth part introspects into the forthcoming 2015 general elections with particular attention paid to current issues relating to INEC's preparation for the elections, while the sixth and seventh segments are the recommendations of the paper and the conclusion respectively.

Background, Law Establishing INEC and its Organogram

The Independent National Electoral Commission (INEC) is a reflection of the spirits and skeletons of the defunct electoral bodies that existed in Nigeria before it. Ultimately, the origin of the INEC goes back to the period before Independence when the Electoral Commission of Nigeria (ECN) was established to conduct the 1959 elections. Subsequently, the Federal Electoral Commission (FEC) was established in 1960 and it conducted the immediate post-independence federal and regional elections of 1964 and 1965 respectively. The electoral body was however dissolved after the military coup of 1966. And in 1978, the Federal Electoral Commission (FEDECO) was constituted by the regime of General Olusegun Obasanjo, and it organized the elections of 1979 which ushered in the Nigerian Second Republic under the leadership of Alhaji Shehu Shagari. The FEDECO also conducted the general elections of 1983. In December 1995, the military government of General Sani Abacha, which earlier dissolved NEC in 1993, established the National Electoral Commission of Nigeria (NECON), which also conducted another set of elections; Local Government councils to National Assembly. This electoral institution was however not inaugurated before the sudden death of General Abacha, on June 1998 aborted the process. And in 1998 General Abdulsalam Abubakar's Administration dissolved NECON and established the Independent National Electoral Commission (INEC) (Independent National Electoral Commission, 2014).

The Independent National Electoral Commission (INEC) organized all transitional elections that ushered in the Fourth Republic on May 29 1999. The mission of INEC is to serve as an independent and effective electoral management body committed to the conduct of free, fair and credible elections for sustainable democracy in Nigeria. As a permanent body, INEC comprises the workforce recruited since 1987 under the defunct National Electoral Commission (NEC). Its presence has been established in all the 36 states, the Federal Capital Territory as well as in the 774 Local Government Areas of Nigeria. The Independent National Electoral Commission (INEC) is a creation of the 1999 Constitution of the Federal Republic of Nigeria to, among other things, organize elections into various political offices in the country. It was established in accordance with section 153(f) of the Constitution of the Federal Republic of Nigeria (Independent National Electoral Commission, 2014).

The powers and/or functions of the INEC as contained in Section 15, Part 1 of the Third Schedule of the 1999 Constitution (As Amended) and Section 2 of the Electoral Act 2010 (As Amended) include the following:

1. Organise, undertake and supervise all elections to the offices of the President and Vice-President, the Governor and Deputy Governor of a State, and to the membership of the Senate, the House of Representatives and the House of Assembly of each state of the federation;
2. Register political parties in accordance with the provisions of the constitution and Act of the National Assembly;
3. Monitor the organization and operation of the political parties, including their finances; conventions, congresses and party primaries.

4. Arrange for the annual examination and auditing of the funds and accounts of political parties, and publish a report on such examination and audit for public information;
5. Arrange and conduct the registration of persons qualified to vote and prepare, maintain and revise the register of voters for the purpose of any election under this constitution;
6. Monitor political campaigns and provide rules and regulations which shall govern the political parties;
7. Conduct voter and civic education;
8. Promote knowledge of sound democratic election processes; and
9. Conduct any referendum required to be conducted pursuant to the provision of the 1999 Constitution or any other law or Act of the National Assembly (Independent National Electoral Commission, 2014).

Structurally, according to section 14, Part 1 of the Third Schedule of the 1999 Constitution, INEC shall comprise the following members:- A Chairman, who shall be the Chief Executive officer; and - Twelve other members to be known as National Electoral Commissioners. Section 14 also stipulates that the Chairman and the National Electoral Commissioner shall be persons of unquestionable integrity; and shall not be less than 50 years and 40 years old respectively. The Constitution also provides for the appointment of a Resident Electoral Commissioner for each State of the Federation and the Federal Capital Territory Abuja. This is because Sections 197 – 205 of the Constitution provides for the establishment of State Independent Electoral Commission (SIEC) for each state of the federation. Thus, INEC has its Headquarters in Abuja, with offices in the capital cities of the thirty-six (36) States, including the Federal Capital Territory (FCT) as well as in the 774 Local Government Areas in the country. At the apex of the organizational structure of INEC is the Chairman who serves as the Chief Executive Officer of the Commission; who together with the 12 National Electoral Commissioners constitute the policy-making organ. Until the introduction of the 2006 Electoral Act, the Nigerian President had the power to appoint someone from the ranks of Federal Permanent Secretaries to serve as the Secretary to the Commission. Such an individual is also usually the Accounting Officer and Head of the Secretariat. The Commission, at the National Headquarters, functions through Departments and Directorates. Significantly, in June 2005 a key institution within INEC-The Electoral Institute (TEI) was established for the purpose of the following objectives:

1. Facilitate capacity building and professionalism in the commission through training and manpower development of the commission's staff.
2. Engage in vigorous voter education activities with a view to achieving an increased and effective participation of the electorate in the electoral process.
3. Carry out electoral research and documentation (Igbani 2006: 56, in Moveh, 2012).

Importantly, in the performance of its duties INEC is constitutionally expected to be guided by the following values:

1. **Autonomy:** INEC shall carry out all its functions independently, free from external control and influence.
2. **Transparency:** INEC shall display openness and transparency in all its activities and in its relationship with all stakeholders.
3. **Integrity:** INEC shall maintain truthfulness and honesty in all its dealings at all times
4. **Credibility:** INEC shall ensure that no action or activity is taken in support of any candidate or political party.
5. **Impartiality:** INEC shall ensure the creation of a level playing field for all political actors.
6. **Dedication:** INEC shall be committed to providing quality electoral services efficiently and effectively, guided by best international practice and standards
7. **Equity:** INEC shall ensure fairness and justice in dealing with all stakeholders.
8. **Excellence:** INEC shall be committed to the promotion of merit and professionalism as the basis for all its actions.
9. **Team work:** INEC shall create a conducive environment that promotes teamwork among its staff at all levels (Independent National Electoral Commission, 2014).

The INEC is to operate and conduct all its activities on the basis of these essential values and principles, anything short of these is considered constitutionally unacceptable. However, to properly discern or ascertain the extent to which INEC has upheld these important values in discharging its responsibilities, there is the need to run an overview of how the electoral body has fared since the inception of the Fourth Republic till date.

INEC under the Fourth Republic (1999-2011): An Overview

Adequate appraisal of INEC and its activities since the inception of the Fourth Republic necessitates restating the fact that INEC's apex administrative position (chairmanship) has been manned by different individuals since its establishment in 1998, and this has had great imprint on how the electoral umpire has fared with the conduct of its activities as well as observers' judgement and perception of it over the years. However, in a broad context, the activities of INEC under the Fourth Republic have largely attracted popular concern on both local and international fronts. It may appear that INEC's performance at the 2011 general elections has paid-off for its abysmal performances at the previous elections of 1999, 2003 and 2007 respectively, which brought the election body under severe criticisms as a result of the copious irregularities that marred these elections, the 2011 elections were not also devoid of the shortcomings encountered by the elections that preceded it. Fundamentally, INEC was established by General Abdulsalami Abubakar with Justice Ephraim Akpata as the first chairman. Ephraim Apata conducted the 1999

elections that brought into power the first democratic government in the country's Fourth Republic – the Obasanjo administration. Akpata had to deal with 26 political associations, giving only nine provisional registration as political parties for the 1998/1999 elections, which eventually whittled down to three parties (Opara, 2009), all in a bid to ensure credible elections. However, despite efforts to ensure free and fair elections, the process drew serious criticisms from international observers (Carter Center, 1999), as well as local spectators due to apparent frauds and malpractices that accompanied the elections.

However, as compared to 2003 and 2007 elections, the 1999 round of elections was adjudged better than the two subsequent elections (Osuntokun, 2011). Nevertheless, many have argued that Obasanjo, the said winner of the presidential election did not actually win the election on the basis of fairness, credibility and transparency. This view has been consensually advanced and supported even by important individuals of the same ethnic extraction with President Obasanjo. The dominant argument is that he (Obasanjo) was only declared winner by the power brokers just to compensate the Yoruba ethnic nationality for the annulment of the historic free and fair June 12, 1993 presidential election by Ibrahim Babangida in which late chief M.K.O, Abiola, the candidate for the Social Democratic Party (SDP) and a Yoruba man was widely presumed to be the winner. To lend credence to the foregoing arguments and views, the South-West delegate to the ongoing National Conference, Senator Femi Okurounmu, recently observed that:

“Obasanjo did not win the 1999 presidential elections. He was anointed by the powers that be to pacify the South-west over the annulment of the June 12 election. We did not vote for him. I have said it to his hearing” (The Nation, May 14, 2014).

It can then be rightly argued, therefore, that the 1999 elections were a major factor that laid the foundation of poor conduct and management of elections by INEC in the Fourth Republic. Howbeit, following Akpata's death in January 2000, the government of President Olusegun Obasanjo appointed Abel Guobadia as Nigeria's Chief Electoral Officer, a position that was confirmed by the Nigerian Senate in May 2000 (*Elections Today*, 2010). Guobadia was responsible for the 2003 elections, which were also marred by widespread violence and other irregularities (Human Rights Watch, 2004) such as rigging, thuggery, snatching of ballot boxes and collaboration with INEC officials and security agencies at all levels to influence and manipulate procedures in favour of the ruling parties and candidates. Undoubtedly, the deterioration in the quality and character of Nigerian elections was evidently observed with the 2003 elections which renewed the mandate of President Obasanjo for a second term in office. Manipulation, rigging, thuggery, last minute change of candidates and other forms of electoral malpractices were displayed during the elections and that generated a load of election cases for the courts to adjudicate on (Saliu, 2012). For the first time in Nigeria, a sitting governor was sacked by the court

and replaced by the actual winner of the Anambra gubernatorial elections in 2006 (Odin, 2007). The trend has continued ever since especially after the 2007 elections which represented the worst point in the progression of bad elections since 1999 in Nigeria. Everything about the elections in the judgment of most Nigerians was bad (Saliu, 2012).

Guobadia retired in June 2005 after conducting the highly controversial elections and was succeeded by Professor Maurice Iwu, whose tenure brought a great deal of condemnation and bad image to Nigeria and INEC following the alleged affiliation and collusion of the INEC boss with the ruling party to manipulate processes and influence elections results. In fact, INEC's performance at 2007 under Iwu attracted the widest criticism against the electoral body both locally and internationally. The 2007 elections were characterized as the worst elections in the global history of elections and the worst elections in the history of election monitoring and observation in the world (European Union, 2007). It would be recalled that soon after being appointed as INEC Chairman, Iwu announced that foreign monitors would not be allowed during 2007 elections, but only foreign election observers. This was an impression that INEC under him was not prepared to deliver a free, fair, transparent and credible elections, though his decision was condemned by politicians and civil society groups who called for his immediate removal from office (*ThisDay*, 30 March 2009). This was later seen in INEC's highly poor performance at the 2007 general elections, which were generally described as worse than the 1999 and 2003 elections.

Indeed, the conduct of the elections had certainly armed critical observers of the Nigerian political scene with weapons to portray the country in a bad light in the world (Uhunmwangho, 2008). In its report on the elections, the Transition Monitoring Group noted that non-candidates in the elections were imposed and declared winners. The voters' register had contained names of persons such as Mike Tyson, Mohammed Ali and others who were not voters in the country. Results of elections conducted in some states were totally different from those announced in Abuja contrary to the provisions of the 2006 Electoral Act (cited in Saliu, 2012). One also observed that the electoral umpires were not too professional in handling their sensitive electoral assignments. Partisanship was openly displayed to the disappointment of Nigerians. Cases of insider abuse were legion (Saliu, undated). It would, however, be unfair to blame the Independent National Electoral Commission (INEC) entirely for all the ills of the elections (Saliu, 2012). Late approval of money and the Electoral Act by the National Assembly were issues and the phenomenon of feuding presidency cannot be ignored in appraising the 2007 elections in Nigeria. The posture of some politicians who were out to sabotage INEC's activities was another issue in assessing the elections (Iwu, 2003). In any case, from all accounts, the 2007 elections were a bad reference point in terms of preparations, actual elections and their outcomes. They surely added more worries to the irritating external image of Nigeria, a supposed giant in Africa (Saliu, 2007). From the preparations for the 2007 elections and their actual conduct, it was clear that the outcomes would take the country away from the list of countries with the acceptable records of credible

elections (Saliu, 2012).

Professor Maurice Iwu vacated the post of INEC chairman on 28 April 2010, and on 8 June 2010 Professor Attahiru Muhammadu Jega was nominated by President Goodluck Jonathan as the new INEC Chairman, subject to Senate confirmation, as a replacement (Shehu, 2010). The appointment of Jega as INEC chairman was greeted with warmth welcome as he is popularly known for his highly held integrity and uncompromising life style, which he has demonstrated during his long involvement in social and political activism in the country. Jega's appointment as INEC boss stirred-up hopes nation-wide that INEC would deliver credible and transparent elections to Nigeria in 2011. The 2011 elections were locally and internationally described as the freest and fairest elections Nigeria has witnessed so far under the Fourth Republic due to the clearly observed comparative improvement in terms of the relative transparency and openness in the management of the elections by INEC, but it cannot be argued that the 2011 elections were completely free and fair as there were also issues of alleged misconduct on the parts of INEC officials, coupled with various mass protests and violence before, during and after the announcement of elections results in parts of the country, particularly in the north. Thus, despite the marked improvement in the conduct of the 2011 elections, the process was not free from malpractices and violence (Bekoe, 2011; Gberie, 2011; National Democratic Institute, 2012). In other words, in all, it can be rightly argued that all the elections in Nigeria's Fourth Republic so far - the 1999, 2003, 2007 and 2011 elections respectively, were not free from the activities of thugs, ballot box snatchers, armed robbers, kidnappers, assassins, confusionists, arsonists, who often have a field day during these elections (Hounkpe & Gueye, 2010, Omotola, 2010, Bekoe, 2011, National Democratic Institute, 2012).

In fact, it is historically true that all the elections that have ever been conducted in Nigeria since independence have generated increasingly bitter controversies and grievances on a national scale because of the twin problems of mass violence and fraud that have become central elements of the history of elections and of the electoral process in the country (Gberie, 2011). Electoral processes in the history of Nigeria's democratic governance have continued to be marred by extraordinary displays of rigging, dodgy, "do or die" affair, ballot snatching at gun points, violence and acrimony, thuggery, boycotts, threats and criminal manipulations of voters' list, brazen falsification of election results, the use of security agencies against political opponents and the intimidation of voters (Rawlence and Albin-Lackey, 2007; Nnadozie, 2007; Adigbuo, 2008, Onike, 2010 Omotola, 2010, Bekoe, 2011). Thus, election malpractices and violence have become a recurring decimal in Nigeria's political history and they constitute enormous concern for the survival of Nigeria's democracy (INEC, 2011). Scholars have attributed this problem of election credibility in Nigeria to the weak institutionalization of the agencies for electoral administration, particularly the Independent National Electoral Commission (INEC), the political parties and security agencies in the country. The common argument is that elections can only engender the consolidation of democracy in Nigeria if the electoral processes are reformed in ways that fundamentally address the autonomy

and capability of INEC to discharge its responsibilities effectively (Obi, 2008) and the security agencies' high degree of neutrality, alertness, and commitment to maintaining law and order in the electoral process (Adigbuo, 2008; Omotola, 2010; Idowu, 2010). The above facts explain the characteristic realities of election in Nigeria in unfolding democratic dispensation.

Of interest, however, is the role of security personnel in aiding and abetting election malpractices in the country. Undoubtedly, since the beginning of the Fourth Republic in 1999, the public is wary of the security personnel made up of the army officers, Nigeria Police, Civil Defence Corps and State Security Service who have turned themselves into small gods aiding and abetting electoral irregularities in the country (Chukwuma, 2001; Idowu, 2010, National Democratic Institute, 2012). Observations reveal that the mode of involving Security Forces and how they carry out their duties while participating in the electoral process in Nigeria are part of the sources of violence and insecurity during elections (Gueye & Hounkpe, 2010). Their authority, power, and access to firearms, have on many occasions been used to intimidate the population and in extreme situations, reacted violently to constitutionally protected rights and activities such as opposition campaigns or rallies (Alemika, 2003). In the past electoral process in Nigeria's Fourth Republic – the 1999, 2003, 2007 and 2011 general elections, these security agencies have been very lethal and overly forceful in disbanding legally constituted gatherings and engaged in running battles with the civil society and opposition curtailing them to exercise their constitutional right to demonstration, assembly and balloting (Animashaun, 2010, INEC, 2011, Gberie, 2011, Jega, 2012). Security personnel are often mobilized to harass or intimidate political opponents and voters or take sides in undermining free, fair and credible balloting (Idowu, 2010). The systematic and reciprocal suspicion by the citizens towards the Police seriously complicates the involvement of the Nigeria Police in the electoral process. They are perceived by all key stakeholders in the process as biased in favour of those in power (Idowu, 2010).

It would appear therefore that the conduct of the men and officers of Nigerian security agencies during elections have constantly aided the already observed institutional weaknesses of INEC to subvert the democratic ideals of free, fair and transparent elections in the Fourth Republic. This is in addition to the activities of most of the political parties that have tended to both sabotage and to lure INEC to compromise formal procedures during its conduct of elections. Thus, while INEC has all alone been generally criticized for the ills that attended past elections in Nigeria's current democratic space, it is to be noted that INEC is not the only contributor to its poor performances at elections. The role of other stakeholders in elections is also germane to explaining and understanding why elections in Nigeria have characteristically fallen below standards in the unfolding democratic dispensation.

INEC and the 2011 Elections: A Non-Romantic View

As earlier observed, elections in Nigeria have historically fallen below standards and general expectations. Indeed, Nigeria has not had a clear-cut and

globally recognized free, fair and credible elections as all the elections that have ever been conducted in the country both before and after independence in 1960 have characteristically been marred by large scale violence and high level malpractices of all sorts. To this end, the most celebrated 2011 elections were merely slightly fairer than the 2007 and all other previous elections as it also suffered from the same lapses witnessed in previous elections in the country. For instance, the post-election violence that was witnessed in the northern part of the country vividly shows that the elections were not credible as the results did not meet the expectation of the people, and hence it resulted to violence protests and crises in many parts of the north.

Ultimately, there was a convergence of concerns among Nigerians and the international community on why the country should conduct good elections apparently to remove the stigma associated with the history of badly conducted elections in the country (Saliu, 2012). The characterizations of the 2007 Nigerian elections as the worst elections in the global history of elections and the worst elections in the history of election monitoring and observation in the world were not cheering news to the government and people of Nigeria (European Union, 2007). Thus, this underscored the resolve and determination of Nigeria to use the 2011 elections to redeem the country's image by conducting free, fair, credible and transparent elections. The elections, no doubt, were better conducted but more grounds need to be covered to reduce the tension and anxiety that are usually associated with the country's elections and raise their over-all rating in the world (Saliu, 2012). This is necessary as there is a need to repair the damages that badly conducted elections have done to the image of Nigeria since the country's history, and the bulk of the responsibility rests on INEC. INCE was thus generally expected to exhibit high level of diligence and professionalism in the conduct of 2011 election so as to salvage its already tainted image as a result of its poor management of elections in the previous years. In other words, the 2011 elections were therefore significant as it presented the opportunity for INEC to redeem both its image and that of Nigeria as country from the damaging effects of long history of badly managed and conducted elections. Indeed, the 2011 elections were looked at as a golden opportunity for Nigeria which has a good influence in Africa to get it right and serves as a good reference point in the continent. The potential of Nigeria serving as a good promoter of free, fair and credible elections with better conducted 2011 elections was a strong point that underscored the significance of the elections (*The Nation*, April 9, 2011).

Moreover, the high stakes of the 2011 elections were also informed by the belief in some quarters that the appointment of Professor Attahiru Jega as the new Chairman of INEC represented the determination on the part of the Jonathan administration to conduct credible elections in Nigeria. Until his appointment in 2010, Professor Jega was the Vice-Chancellor of the Bayero University in Kano who, before his appointment in 2005, had served as a former President of the Academic Staff Union of Universities (ASUU) between 1988 and 1994 (Saliu, 2012). During his stewardship in ASUU, he had given a good account of himself by becoming a thorn in the flesh of the Babangida administration reputed for confronting problems such as the one posed by the academic staff union through "settlement". Jega, however, stood

his ground until the government acceded to the requests of ASUU. The image of a social fighter and crusader for social justice which was propagated by the media gave some relief to the international community that with such a man at the helm of affairs in INEC, Nigeria would probably get it right with the 2011 elections (Saliu, 2012). As experienced in Bayero University Kano where Jega had served as the Vice-Chancellor, the door of the donor community was flung open for INEC to tap from. Assistance and support rained in to ensure the success of the elections under the watch of Jega. It should therefore be obvious that the confidence which Jega's appointment had engendered among international actors generated the concern for the 2011 elections (Saliu, 2012). Given these reasons, INEC was expected to be greatly outstanding in its conduct of the elections.

In comparative terms, the preparations for 2011 elections though had some challenges were evidently still better than the preparations for the 2007 elections. One area where this was most noticeable was in the compilation of new voter register which even though was costlier than the 2007 exercise, did not contain strange names and its error margin was minimal. It must also be pointed out that a better collaboration with the security agencies was struck by INEC and that played out largely successfully during the actual elections. That should not mean that there were no disagreements among them. For instance, the INEC driven by the principle of transparency had urged voters to wait behind after voting for the counting of their votes. Both the Inspector-General of Police, Hafis Ringim and the National Security Adviser, Azazi Oweye, frowned at the directive and therefore countered it (Saliu, 2012). Nevertheless, despite the generally expressed optimism and robust preparation by INEC, the elections still came face-to-face with serious road-blocks arising largely from poor logistics on the side of INEC. Unforgettably, for example, ballot papers were printed overseas and arrangements were made to transport them to the states and local government councils. But there were difficulties in transporting all the needed materials. While some of the DDC machines were stolen at the Murtala Mohammed Airport in Ikeja, Lagos and in some states such as Oyo during the voter registration exercise leading to initial shortages, the distribution of sensitive election materials suffered a setback as the contractors failed to supply all the materials that would have allowed the first round of elections on July 2nd 2011 to go on. This led to the shift in the date for the National Assembly elections to 9th July 2011 (Jega, 2011). In effect, despite the keen preparation by INEC and the huge amount of resources earmarked to ensure that the elections were clearly free and fair, it is obvious that the deficiencies suffered by the 2011 elections were largely as a result of poor logistics and planning.

Originally, as planned by the Electoral Commission, the first in the round of the elections was to have been held on the 2nd of April, 2011. This did not however hold due to non arrival of the forms for the entry of election results and a few of other materials. It was rescheduled for the following Saturday. On this second date, the elections however held across the country (Saliu, 2012). Two other elections for state governors and the Houses of Assembly and the Presidential elections were held all over the country on the same dates with some supplementary elections in a handful of the states. Voting procedures were followed in most of the polling booths and new

voting centres were created where there were many voters as directed by INEC. How INEC was able to ensure that fraudulent polling booths were not created could not be ascertained from it (Saliu, 2012). One was, however, sure that given the desperation of the country's politicians, a good number of the fictitious polling booths would have been created (Soyebi, 2011). This was the result of inadequate pre-election planning. From the reports, people had no difficulty in ascribing transparency to the public shows at most of the polling booths in urban Nigeria. Where there was a problem was in transmitting election results to the coalition centres, local government headquarters and the state headquarters. A lot of behind the scene activities that ran contrary to the electoral laws did take place (Madunagu, 2011). Reports from the rural Nigeria where most monitors and observers did not touch indicated that there were over presence of security personnel which invariably scared away the voters from coming out to vote. Where this was not the case, the security forces compromised their roles in the elections by making themselves available for use in preventing people from voting for the political parties of their choice (Saliu, 2012).

The outcomes of the elections have been used by some observers as the evidence of the quality of the elections especially with the unseating of sitting governors and National Assembly members. In both Imo and Nasarawa States, opposition parties had emerged as the winners of the gubernatorial elections in these states. The high number of Senators who could not be elected back into the Senate is considered in some quarters as reflective of the good conduct of the elections. We do not subscribe to this. The interplay of several forces above the level of INEC did come into the scene to produce what INEC is incorrectly appropriating to itself (Saliu, 2012). More significantly, the INEC and government officials are too quick to return a positive verdict to the country based on the reports of the local and international observers and monitors of the 2011 elections (*Maiden Media Chat*, 2011). However, a sober conclusion on the elections would be that a significant improvement did take place in the conduct of the 2011 elections in comparison to the 2007 elections (Saliu, 2012). Nevertheless, much still needs to be done in order to enthrone the good practice of free, fair, credible and transparent elections in the country. Therefore, as the 2015 elections draw very near, effort must be made by INEC to avoid the reoccurrence of any of these loop-holes before, during and after the elections as the 2015 elections itself has also come with another opportunity for INEC under the leadership of Jega to fully prove its intention to set precedence for the culture of credible and transparent elections in Nigeria.

But, unfortunately, from what can be observed of INEC currently, it has not shown any signs of readiness or full preparation for the great task ahead in 2015. Issues revolving around INEC so far create the fear that the much awaited 2015 elections are not likely going to be completely free and fair. At present, INEC has started to complain of the lack of funds for the forthcoming 2015 elections, but there is still some house-cleaning exercise for INEC to embark upon in view of the high stakes attached to the 2015 elections. In the first place, the issuance of permanent voters' card is observably slow and if it is further delayed till when the election tempo rises, INEC may not be able to control its distribution as there is likelihood of some

politicians to buy them over. Again, the issue of constituency delineation is on the table but has not taken off. The concern of creating new constituencies has not also been given needed attention, and the election is fast approaching. The problem of hackers who hack into INEC's register is still lingering. Moreover, there is no hope of having credible elections when the register of voters is compromised¹.

The INEC has called for a separate salary for its staffs, but in the view of Nigerians, INEC should give equal weight to checking insiders' abuse, blocking all the potential loop-holes to avoid under-hand practices and devoting more time to training. The political parties and their candidates have already started campaigning for the elections even when the official time is yet to come. This is against the rules of electioneering campaign and INEC has not done anything to enforce the law against the defaulters. There is need for INEC to collaborate better with security agencies to ensure fairness to all candidates and their parties as well as the voters. A review of Bayelsa elections reveals that INEC was unable to preach the gospel of fairness to all the participants in the elections including the parties and their candidates as well as the security forces that were meant to man and guard the processes. It was therefore not surprise that elections in the two states witnessed some ills such as hacking into INEC register by some politicians to influence the results, lack of uniformity in the results of the elections as some announced at the collation centers did not tally with those announced at the various polling boots, high number of invalid votes, intimidations and harassment of voters by security agents, post-election violence, litigations etc².

Furthermore, despite the popularly approved June 21 governorship election in Ekiti State, many have questioned the outcome of the election, arguing that it was marred by apparent breach of procedures. As an instance, the Governor of Lagos State, Mr. Babatunde Fashola openly disapproved the result of the election, arguing that Dr. Kayode Fayemi accepted the election result to prevent violence and bloodshed, which could have erupted as a result of the election outcome. According to him, "I am aware that there were instructions to cause mayhem during the election and Fayemi decided that rather than allow blood to be spilled, he behaved statemanly. He saved his people from being slaughtered if they had protested" (*ThisDay* 26 June, 2014). He further stated that the election of Ayo Fayose, who is currently standing trial for corruption and murder in different courts in Ekiti State would send a very dangerous message about the country to the international community, explaining that the result "must be a very dangerous message to simply suggest that once you give people money, then this is the way it will happen. It is frightening for me in a democracy" (*ThisDay* 26 June, 2014). Following the flaws that accompanied the election, the then incumbent governor, Dr. Kayode Fayemi himself noted that he was compelled to speak to the Inspector-General of Police after he failed to reach President Goodluck Jonathan over the violation of the election procedure by the

¹ Interaction with Professor H. A. Saliu on "Developments on INEC's Preparation for the forthcoming 2015 General Elections", Ilorin, July 17, 2014, between 6:45pm and 07:00pm.

² Ibid.

Minister of State for Defence, Musiliu Obanikoro. In his words:

“I haven’t been able to get Mr. President or his Chief of Staff. I had cause this morning to speak to the Inspector-General of Police, not once, not twice, particularly about this minister of state who was violating the election procedure. I have also had cause to speak to the Chief of Army Staff about some untoward activities by his own men on the ground here”(Channels Television News, June 22, 2014).

More worrisome are the high level irregularities and lapses that attended the just concluded intervention election in Anambra State, which also raises a fundamental question of whether INEC is really capable of conducting free and fair elections in 2015. The November 16 poll has been generally adjudged as flawed. It was declared inconclusive by INEC, with supplementary election fixed in two local governments (*The Nation*, 25 November, 2013). The poor conduct of the Anambra State election has propelled the former Minister of Petroleum Resources, Prof. Tam David-West to call for the sack of the Chairman of the INEC, Prof. Attahiru Jega. According to the ex-minister, going by the irregularities, leaving Jega to conduct the 2015 elections would put democracy in jeopardy. Commenting on the undesired development he noted that:

“I am ashamed of the outcome of the Anambra State governorship election. I am ashamed as a Nigerian and I am ashamed that I am an academic because Prof. Jega is an academic. I expect him to do better. His predecessor, Prof. Maurice Iwu, also an academic, did a terrible job. But Jega is worse than Iwu. I have never carried the card of any party in my life. All I want is a free and fair election” (*The Nation*, 25 November, 2013).

The ex-minister went on to state that:

“By the Anambra State election, Prof. Jega and his subordinates have put the 2015 election in jeopardy. With the way we are going, there may be a problem in 2015, if action is not taken. There may be cataclysm in 2015, if Jega is not changed. He can throw the country into chaos” (*The Nation*, 25 November, 2013).

He stressed further that the sack of the electoral umpire's boss and his lieutenants was necessary "in the interest of the stability of democracy and in the interest of peace and justice". He concluded by stating that despite the resources Jega got to do a good job, he failed the nation. He remarked that: "He has failed. He was given everything. He got all he wanted. He was more pampered than Prof. Iwu. In 2011, he made professors and vice chancellors returning officers. It was a stupid theatrical from an academic because it did not prove anything" (*The Nation*, 25 November, 2013).

Moreover, still on the Anambra State governorship election, one of the claimants to the governorship ticket of the All Progressive Grand Alliance (APGA), Mrs. Uche Ekwunife, has sued the party's standard bearer, Chief Willie Obiano (i.e, the winner of the governorship election) and INEC for alleged double registration. The governorship election has also been condemned by individuals, corporate organizations and civil society groups (*The Nation*, 25 November, 2013). The election ended in utter confusion. According to press reports, voting did not take place in many of the voting centres. Voting materials arrived very late in many of the centers. In many places, voting registers were either not available, or displayed. Where they were available, many of the voters could not find their names in the register and could not vote. There were huge protests by those who were thus disenfranchised (*The Nation*, November 21, 2013). For example, the election attracted a mass protest by a group of aggrieved women that identified themselves as "Anambra Women" who called for the cancellation of the supplementary election as planned by INEC after the actual election and described the exercise as "a disgrace to democracy". Of the five political parties that presented candidates for the election, four, including the APC and the PDP, have denounced the election as highly flawed and fraudulent and called for the outright cancellation of the results of the election. Even the Chairman of INEC, Professor Jega admitted that the election was badly flawed and promised that there will be fresh election in the state (*The Nation*, 21 November, 2013).

Furthermore, as part of the flaws in the elections, election could not take place in 65 polling units in Obosi in Idemili North Local Government Area following the late arrival of INEC officials and the materials for the exercise. Prospective voters waited till 4 p.m. when the officials arrived, eight hours behind schedule, prompting the elders of the area to call for the rescheduling of the election, but led at least two parties -APC and PDP to call for a boycott (*The Nation*, November 18, 2013). As a matter of fact, one senior electoral officer was apprehended and handed over to the Police for suspected complicity in the massive electoral fraud and the whole sordid affair is being investigated by an INEC panel. Also, the security agencies, particularly the police, have been accused of complicity in the massive electoral fraud in the state as many voters were allegedly denied access by the police to the voting centers. Some who were thought to be in support of the opposition parties were manhandled and not allowed to vote (*The Nation*, 21 November, 2013).

These are some of the reasons why the courts have over the years reversed election results declared by INEC and ousted out winners declared by INEC from office. This has not augured well for the country's democracy. These democratically

unhealthy developments stemming from the poor conduct of the various recent state intervention elections by INEC brings to mind the central question as to whether INEC will be able to deliver a completely free, fair, credible and transparent elections nationwide in 2015 as it apparently appears to be lacking the desired level of competence to achieve that. Thus, to protect and guard the nation's peace and stability as well as its growing democracy, there is need for urgent actions to be taken as the 2015 general election fast draws very near.

INEC and the 2015 Elections: What are the Issues?

Revelations from the assessment of INEC's performance under the Fourth Republic as evident in the preceding sections as well as current issues relating to its preparation for the forthcoming 2015 elections, obviously compels one to pre-empt that events in the awaiting 2015 elections would likely mete out odious consequences for the consolidation of democracy in Nigeria. To begin with, the complaint by INEC for lack of funds for the 2015 elections already poses fear in the mind of observers of Nigeria's government and politics about how the elections would be conducted and managed. With insufficient funding and the wide area INEC has to cover in the election, there seems to be the likelihood for it to be controlled and influenced by the powers that be and this may also affect other major arrangements that should have taken place before the elections such as constituency delineation, distribution of permanent voter cards to registered voters, voter sensitization and enlightenment, and other related issues. This can have undeserving consequences for the quality of the elections. Moreover, it would be remembered that the 2011 elections were characterized by non-payment of certain categories of staffs that INEC recruited for the election, especially the ad-hoc staffs. Consequently, most of them became obviously susceptible to pressures coming from politicians. Thus, approaching the 2015 elections with an INEC that is already crying-out for unavailability of funds invariably propels one to resolve that INEC cannot deliver credible elections. INEC and other stakeholders in the 2015 raised serious alarm over the delay in release of funds for the election, arguing that it could affect the quality of the elections.

However, it must be stated that following much out-cry by the INEC, the National Assembly later approved the commission's proposal for the conduct of the 2015 general elections. Attesting to this, the INEC Chairman, Prof. Attahiru Jega, while speaking at a one-day lecture organized by the African Policy Research Institute (APRI) on "Policy as a tool for political inclusion in Nigeria: INEC and the 2015 elections" in Abuja, made it clear that the Federal Government had approved and released funds required by the commission to conduct the elections (*The Guardian, January 18, 2015*). The INEC Chairman also disclosed that the National Assembly has approved the budget proposals from the commission for the election years, noting that the commission also took measures to scale down some of its demands for the election so as to get the best for the conduct of free and fair elections. He, however, urged the government to make funds available for other agencies which are in partnership with the commission for the conduct of free and fair election, stressing that it is only when they are backed with financial support that

they can mobilize their men and materials to play their required roles in the election (*The Guardian, January 18, 2015*). According to Jega:

“Funding is always an issue, but I can say that for INEC in terms of our preparation, it is no longer an issue, anybody will always want to have more money but we believe that we have sufficient resources to be able to conduct the 2015 general elections. So, we can say that funding is no longer an issue for us as far as the election is concerned. But we are also afraid with the position of other agencies that are partnering with the security agencies that will play complimentary roles. Our hope is that everybody should understand how important this year is as an election year. Adequate funds should be released to all organizations that are expected to play a key role in the electoral process. But we as an electoral commission, it used to be a concern but we now have enough fund to conduct the elections”(*The Guardian, January 18, 2015*).

Be it as it may, the point to note here is that in the event of failure by the INEC to ensure the credibility of the 2015 elections, the commission would have no ground any more to lay its argument, seeing that all the resources it needs to conduct a free and fair election has been released to it. Funding is no more a challenge. The ball is now in INEC’s court. Should the elections fall below standards, the commission and its personnel, especially the key officials should be ready to absorb the blame, and possibly be made to answer some questions. On its own, the issue of constituency delineation raises another serious concern. The INEC has commenced the exercise but has not completed it even as the election time comes very closer. This poses a serious fear, as non-completion of the exercise alone is enough to mar the quality of the forthcoming 2015 polls. With the exercise still not completed up till this time, one could boldly say that massive mal-administration or misconduct awaits the elections. Prof. Jega, the INEC Chairman himself stated concerning this at a public hearing on a Bill for an Act to amend the Electoral Act NO. 6 of 2010, before the House of Representatives Committee on Electoral Matters that though substantial work has been done by the Commission and its partners to delineate constituencies, the process cannot be concluded for submission to the National Assembly for its official seal until after the 2015 general election (*Nigerian Tribune, August 24, 2014*). Professor Jega told the committee that though the commission had covered substantial grounds, there was a lot to be done, adding that the commission was committed to doing a job that was “good, scientific and impartial.” He, however, expressed regrets that the country’s Polling Units (PUs) and Registration Areas (RAs)

currently, had not been mapped, adding that there was the need to configure Geographic Information System (GIS) while Registration Areas needed to be clearly demarcated (*Nigerian Tribune, August 24, 2014*). Jega explained thus:

“Without maps, you cannot configure the constituencies. You need to develop maps and then put the population figures.”

He went further to say that:

“The process (of delineation) was too close to the 2015 general election to say we’ll be able to complete it and come to the National Assembly.”

Despite these claims by the INEC, rational minds know that, given the nature and character of Nigerian societies, if the electoral commission and its partners were determined to make the delineation exercise worthwhile and completed before the election time, they would have commenced much earlier. Constituency delineation is one of the most important pre-election exercises that ought to be undertaken and concluded much earlier ahead of elections. Thus, the INEC has failed in its responsibility to make and carry-out plans on time in ensuring that the activity was completed prior to the election time. Necessary logistics that would help in accomplishing successful constituency delineation should have long been put into proper consideration in such a manner that nothing hindered timely completion of the exercise once it kicked-off. Hence, the reasons given by INEC for not being able to guarantee successful constituency delineation activity ahead of the 2015 elections cannot hold. The consequences of this lag will surely be realized during and after the polls if nothing is done.

Another issue that has attracted much concern about INEC and preparation for the February 2015 general elections is that of the distribution of Permanent voters Card (PVC) to registered legible voters in majority of the states across the federation. The inability on the part of the commission to make the PVC available to registered adult citizens across the states for collection up till this time that the elections are around the corner has been a matter of national concern, as different meaning has been attributed to it from various quarters of the Nigerians society. However, long before now, the Independent National Electoral Commission (INEC) had promised that it will spare no effort to ensure that every validly registered voter get his / her Permanent Voter Card (PVC) to be able to exercise their franchise in the 2015 General Election. The INEC Chairman, Professor Attahiru Jega, gave the assurance when he played host at the Commission’s head office to Special Representative of the United Nations Secretary-General for West and Central Africa, Dr. Mohammed Ibn Chambas, adding that the Commission had reached a comfort level to boldly say that the forthcoming general election will be free, fair, credible and transparent, and will be of far higher standard than what was achieved in 2011 (Independent national Electoral Commission, 2015). In his remarks, Jega affirmed that:

“The last phase of the distribution of PVCs and updating the register was to cover the remaining 12 states. I must say with regret that we experienced some challenges in the production of those cards within our defined time schedules, and this has necessitated adjustment of the timeline for distribution of the cards. Whereas we had wanted to distribute the cards within the same period in all the remaining 12 states, we now have to stagger it in order to ensure that we have all the cards before they are distributed. And, of course, people have been very anxious and many have been disappointed – not just by the change in the timetable for distribution of the cards but also by the logistical challenges and operational delays experienced in the field. But these are minor challenges as far as we are concerned. We are absolutely sure that before the February elections, every validly registered Nigerian will have his / her PVC to be able to exercise their voting right. And we are doing everything possible to ensure that happens” (Independent national Electoral Commission, 2015).

Observably, however, recent developments revolving around INEC’s effort at achieving this promise point to the fact that the commission is most likely not going to deliver on its promise as the elections period has obviously drawn very closely and many are yet to get their PVCs. As a result, the entire public is beginning to lose trust and confidence in the capability of the INEC to guarantee free and fair polls in February 2015. A lot of explanation has been offered from different segment of the society for the delay by INEC in distributing the PVCs to legible registered voters, who would not want their franchise to be denied them in the 2015 elections. For instance, the Lagos branch of Ohanaeze Ndigbo has accused INEC of ethnic bias in the distribution of PVCs in the state. The pan-Igbo socio-cultural body alleged that it had uncovered a calculated attempt by the electoral umpire to disenfranchise Igbos in Lagos, as it observed that many Igbos in Lagos had not got their PVCs not because they failed to register, but because the commission has refused to release the cards to them (*ThisDay, February 16, 2015*). Furthermore, alleging bias against INEC officials in Lagos, Ohanaeze stated that many Igbos who are registered have been unable to exchange the temporary voters’ cards (TVCs) for the new PVCs, because INEC officials refused to release the cards in bulk to Igbo community leaders to deliver to their kinsmen whom they know, just as the officials had done for Yoruba community leaders (*ThisDay, February 16, 2015*). At a joint media briefing attended by Igbo town and community leaders in different parts of Lagos, the President of

Ohanaeze Ndigbo, Lagos, Fabian Onwughalu, said that on request, INEC officials issued in bulk to Yoruba community leaders the PVCs of those they could reach but refused to grant Igbo community leaders similar consideration. According to him, the INEC officials are executing a well-calculated strategy aimed at ensuring that Igbo do not get their PVCs to exercise their franchise (*ThisDay, February 16, 2015*).

In another development, a political interest organization, Credible Alternative Alliance (CAA), led by former Kaduna State Governor, Alhaji Abdulkadir Balarabe Musa, has also alleged that INEC was tilting the distribution of PVCs to favour areas believed to be the strongholds of the presidential candidate of the APC, Major-General Muhammadu Buhari. The group presented a statistical analysis of the distribution of PVCs, which showed the number of registered voters yet to collect their PVCs in various zones. According to CAA, the South-east has 3,287,530, South-west - 7,411,205, South-south - 3,844,370, North-east - 2,429,763, North-west - 4,835,556, North-central - 3,907,849, and FCT - 421,559 (*ThisDay, February 16, 2015*). On the distribution of PVCs, CAA stated that it had observed “a criminal gross disparity of voter spread designed to tilt the election to a pre-determined outcome”, adding that it would take the INEC to court if all the 68.8 million registered voters are not given unfettered access to freely collect their PVCs and cast their vote as provided for in the constitution (*ThisDay, February 16, 2015*). What can be deduced from the foregoing is that, not only that the undesired development has already begun to erode public trust and faith in the INEC in the forthcoming February elections, the trend also has the tendency to instigate violence in some parts of the country that would further mar the credibility of the election and undermine our democracy as the time left for the INEC to distribute the PVCs before the elections is very short.

Similarly, the Peoples Democratic Party (PDP) has also stated that more facts have emerged on the connivance of some officials of the Independent National Electoral Commission (INEC) and the All Progressives Congress (APC) to deny non-indigenes in APC-controlled states of their Permanent Voters' Cards (PVCs) ahead of the polls this month. The PDP National Publicity Secretary, Olisa Metuh, in a statement, described the development as a crime against the electoral process, adding that the party has received overwhelming evidence from residents in APC states that non-indigenes who form the bulk of PDP supporters in Lagos were being denied their PVCs (*ThisDay, February 16, 2015*). The PDP alleged that apart from Lagos, the same scandalous practice is also being perpetrated in other APC-controlled states including Kano (*ThisDay, February 16, 2015*). As stated by the PDP:

“We have continued to receive calls and comments from residents in local governments and wards in APC states confirming the collaboration between some INEC officials and the APC to shut out non-indigenes in the affected states, made up mainly of our supporters, is deeper than earlier thought. Indeed, this inexcusable misconduct is also being perpetrated in Kano, Edo, Sokoto,

Kebbi, Nasarawa and Kwara, among other APC-controlled states where fraudulent INEC officials and the APC are orchestrating hitches to disenfranchise non-indigenes. Evidence of this crime abounds in Alimosho and Amuwo-Odofin local governments of Lagos State, Nasarawa Local Government and Sabon Gari area of Kano State, as well as other strategic places where PVCs belonging to non-indigenes are even burnt to ensure that they do not get to their rightful owners. We know that the aim is to deny the PDP of its well-deserved victory in APC states since over 90 per cent of these non-indigenes are supporters of the PDP and will vote en masse for President Goodluck Jonathan and other candidates of our great party at the elections. We are aware of a script already prepared to rationalize the eventual non-participation of the non-indigenes by attributing it to voter apathy” (ThisDay, February 16, 2015).

With all this claims and allegations, it becomes evident that much of the public is already in doubt about the integrity of the INEC even before the polls. It should not be a surprise, therefore, if the results of the February polls are disputed by the majority of the public and stakeholders in the elections. This also puts the security of the process at stake. Off course, the tendency for aggrieved groups and stakeholders to resort to violence during and after the polls is apparently very high. As it stands, the political atmosphere of the country is already tensed and those who will be denied the opportunity to vote by virtue of not having their PVCs may not take it lightly. More worrisome is the fact that INEC cannot remedy the ugly situation as it is left with barely one week to the elections. Hence, the conclusion by the generality of Nigerians is that INEC cannot guarantee credible, free and fair elections this February. Nigerians appear to have apparently loss confidence and trust in the election umpire and this could also discourage those who have gotten their PVCs to come en masse and casts their votes as the impression that the polls’ results will not be credible has been made on the minds of the people. Also, international elections observers may have concluded, based on the already preparation lapses on the part of the INEC that the elections would be marred by massive irregularities, given that disenfranchisement is a serious abuse of the fundamental human rights of citizens and stands as a weightier matter in the global community.

Furthermore, in the meantime, INEC itself has not been working as a group aiming at a single objective. Indeed, there seems to be lack of team-work within INEC and this can have serious devastating effects on the conduct of the 2015 elections. The role of residential electoral commissioners who are still left at the mercy of State

Governors whom Governor Donald Duke has argued, enjoy patronage and generosity from the Governors is a major issue. They easily compromise themselves and their offices for material gains. Unarguably, most of them have acquired private properties that are beyond their legitimate income, which lends credence to the fact that they receive financial support from certain political forces in their states including the governors to subvert electoral procedures and endanger the collective peace and security of the country. The practice of mere changing them a week or some days to elections cannot be said to be aiding the course of free and fair elections as the structures they have already established are easily passed over to the newly posted resident electoral commissioners. In any case, they are appointees of the ruling parties. This presents the fact that the possibility of them being influenced is very high.

As the 2015 elections draws nearer, the INCE chairman, Professor Attihiru Jega has made a number of open statements capable of eroding public confidence in INEC as not likely going to perform up to general expectation. It appears that the INEC boss is already filling excuses in defense of the commission for fear of envisaged failure in the forthcoming 2015 elections. As an instance, at the opening of a two-day retreat of the National Inter-Agency Advisory Committee on Voter Education and Publicity, Jega, represented by the National Commissioner in charge of publicity, Dr Chris Iyimoga, averred that “the electoral process was still being hampered by corruption, vote buying, snatching of electoral materials, intimidation and threat, among others.” The INEC chairman added that “these meant that the current strategies for meeting the challenges had not been altogether successful” (*The Nation*, June 5, 2014).

With this type of public statements it becomes clear that the forthcoming election might likely be marred by huge flaws and irregularities in the long run. Also, Jega has sent strong signals to the entire world that elections in Nigeria lack standard and uncompromised security arrangement, and that INEC itself cannot confidently guarantee the safety of electoral materials. To this end, it can also be added that safety of the voters is not also assured. This is quite inexplicable. The INEC Chairman needs to be circumspect, he should mind his utterances as negative statements would lead to loss of faith in the commission and demoralize Nigerians who look-out for credible, free and fair election in 2015 elections. INEC is already being suspected by Nigerians to be favouring one party or the other, thus more of these types of statements by Jega would mean that he is not mindful of building peoples’ confidence in the electoral umpire. INEC must work extra-hard, especially this time to restore public confidence in itself and activities, but unfortunately, it is not doing so.

In terms of political and voter education, INEC has been a failure as many votes were wasted or voided due to inadequate education by INEC during previous elections. Fundamentally, contrary to INEC’s good performance song in the 2011 elections, some aspects of electoral Act were violated by its agents as seen in the past elections. Notably, voters’ registers were not widely displayed and elections in some places extended beyond the stipulated time, thereby compromising INEC and its elections. Fundamentally, INEC is unfortunately a whistle blower rather than an enforcer of law. INEC seems to be very timid and unprepared to enforce the law on

campaign and fund raising by political parties. Its failure to reprimand political parties and their followers is not convincing Nigerians about its preparedness to organize a credible election in 2015. In a similar vein, clear cases of violation of electoral Acts were noted in Ekiti, Anambra and Bayelsa states elections, but INEC is just developing the capacity to apprehend the offenders. This brings to the fore a fundamental question about what then is the use of the Electoral Act, a body of rules and regulations meant to guide electoral procedures and the behaviours of all stakeholders and participants in elections into political offices in the country? INEC must wake up to its responsibilities. It must work hard to secure the future of Nigeria's democracy as no excuses would be tolerated by Nigerians if the commission fails to engender free, fair, credible and transparent elections in February 2015.

Recommendations

For the Independent National Electoral Commission (INEC) to be able to prevent the reoccurrence of the experiences or challenges that confronted it in the previous elections so as to deliver clear-cut free, fair, credible and transparent elections to Nigerians in the forthcoming 2015 elections, the following recommendations are succinctly put forward by this paper:

INEC should realize the enormity and significance of the tasks that awaits it and use the already limited time left before the elections to put its house in order, especially as it concerns planning and logistics which can easily make or mar the elections as experienced in the past. Early preparation is key to making the soon-coming 2015 elections what Nigerians and global observers want it to be.

Pragmatic effort must be made by the INEC to ensure that it does not deny the legible electorates their right to vote for the candidates of their choices by making sure that all registered voters get their PVCs before the February general elections. Achieving this would not only redeem the already battered image of the commission, it will also save our grow democracy certain unprecedented consequences.

Every effort must be made by INEC to avoid deferring the election time to later dates so as not to give room to suspicion against the electoral body by its critics as well as local and international observers. Proper time management is, to a large extent, proof of professionalism and a way of demonstrating INEC's commitment to giving Nigeria credible and transparent elections in 2015.

Issues relating to constituency delineations should be given appropriate attention. The exercise, should be hastened and completed in order to avoid the usual practice of creating emergency constituencies or other resultant complexities which often gives fraudulent political parties and their candidates the opportunity to subvert the process of free and fair elections.

There is need for genuine and proper in-house cleaning within the institution of INEC itself. INEC should sanitize itself so that the scent of free, fair, credible and transparent elections would percolate its entire structure ranging from INEC permanent staffs, consultants and to its ad-hoc staffs. There is also the need for teamwork and unity among national electoral commissioners and the directors in order not to give room to loop-holes that politicians can exploit to their advantage in

the forthcoming 2015 elections. This is highly needed as that would give the commission the best outing in 2015, clear the controversies revolving around its integrity and that of its staffs and send good signal about the image of the commission locally and internationally.

As part of its duties, INEC should embark on effective political and/or voter education which must entail some field works rather than the usual practice of sitting in the office and educating the mass of the public. The more effectively INEC performs its enlightenment duties, the better the voters are educated on the need to participate and how well to exercise their franchise in the interest of the highly desired free and fair elections.

INEC should strive to improve its relationship and collaboration with the political parties so as to increase the level of confidence of the parties in the commission. This would also afford INEC the platform to effectively educate the parties on the rules of the game in a bid to illicit their contribution to ensuring that the elections are free and fair by conducting their activities in modest democratic manners during the campaigns, the elections proper and after the elections.

INEC needs to work closely with the security agencies and imbue in them the orientation and value of credible elections as their overzealousness can be interpreted to mean favouring certain political parties against some others. This is absolutely necessary as the attitudes of the security agencies alone can impede on the quality of the elections and constitute a waste of effort by INEC to give the country credible elections as have witnessed in the past elections.

INEC Chairman, Professor Attahiru Jega must refrain from making further confidence eroding utterances that are capable of creating the impression that the commission is not fit or prepared to conduct a credible poll in 2015. He should rather demonstrate courage in his speeches so as to restore the confidence of Nigerians as well as international observers of the country's politics in the electoral umpire, especially at this time when the country's democracy and peace are being threatened by instability in some parts of the country. The INEC boss needs to convince the people that the elections will be credible and transparent and endeavour to work towards achieving same for the betterment of the country.

Conclusion

Elections in Nigeria have historically been characterized by high level irregularities including rigging, carting away of electoral materials, thuggery, violence, inducement or buying of votes, opaque procedures, intimidation of voters by security agencies, among others. Thus, Nigeria has not had a completely free, fair, credible and transparent election since independence in 1960 till date. The most celebrated 2011 elections were also not free of the historic irregularities and flaws that have continued to occasion elections in Nigeria. It may be stated that the 2011 elections were comparatively better than previous elections ever witnessed in the country, the fact still remains that Nigeria is yet to position itself on the path to credible and transparent elections. The performances of INEC under various leaderships in the Fourth Republic have altogether attracted wide criticisms and lack

of confidence in the commission by local and international observers as the electoral umpire has largely been blamed for most of the ills that characterise the country's elections under the current democratic dispensation.

Thus, as the 2015 elections draw near, there is anxiety and wary among the public over what can be described as the observed 'incompetence' or 'inability' on the part of INEC to engender free and fair elections in 2015. This is so as the performances of INEC in the recent intervention elections in some states do not portend the commission's capability to deliver credible elections that would facilitate the growth and consolidation of the country's democracy. Moreover, recent developments on INEC's preparation ahead of the February 2015 elections are also very worrisome as they are not sending good signals concerning the commission's readiness for credible polls. Obviously, INEC appears not to be making efforts to restore people's confidence in itself and to guarantee Nigerians of being able to make the forthcoming 2015 election a catalyst to the development of democratic ideals in the country. However, the 2015 elections presents another ample opportunity for INEC to erase the negative records it has created over the years and to redeem its already tainted integrity and the image of the country from the condemnation of the global community. This is can only be achieved by strict application and implementation of the recommendations put forward by this paper.

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