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### **ELECTIONS IN NIGERIA: A MARCH TO DEMOCRACY OR DEMOCRATIZATION OF THE POLITICAL SPACE?**

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#### **Abstract**

*Election is undeniably one of the features of democracy that presupposes freedom of citizens to seek political mandate or make choices from among those intending to take up elective political positions. Thus, election stands to lose its democratic flavour and relevance when there are practices that limit the choices of citizens in this regard. The picture of the electoral process in Nigeria has been abysmal. Aside issues relating to outright electoral malpractice, there are certain tendencies being consciously injected into the system, which appear to run contrary to the tenets of democracy. By adopting qualitative method of data collection and analysis based largely on documentary evidence and content analysis, this paper beams searchlight on these noticeable tendencies with a view to establishing whether they are helping in strengthening or eroding the democratic culture. Findings reveal that practices such as rotational political arrangement, consensus candidature, manipulated party primaries, etc destroy rather than strengthen the democratic culture. It is recommended that there is need to expose elections fully to democratic currents instead of adopting anti-democratic measures that appear to shrink the democratic space while serving the primary interests of the political elite.*

**Keywords:** Consensus candidate, democratic freedom, party primary election, rotational presidency, sectionalism, zoning.

#### **Introduction**

Nigeria did not emerge out of a democratic process. The arrangement that gave birth to the country was an imposition from the colonial masters. Whatever gains that were realized in terms of exposing the colonial system to a modicum of democratic current came as a struggle. As such, the learning field for acquiring the practical experience of democratic culture was very limited within the colonial period (Okolie & Odum, 2018). The post-colonial era has not equally offered exceptional opportunity for the deepening of the democratic culture. Using elections as a yardstick for assessment, it can be seen that the country is yet to attain a satisfactory position in the democratic chart and still unable to deepen the democratic culture. A casual assessment of the Nigerian electoral process would reveal the existence of certain practices that have led to the devaluation of the electoral mandate and bastardization of the democratic values.

Though the attempt at organizing elections in the country started in 1922, it can be seen that the space for electing political office holders began to gain wider opening at a period the country was inching closer to her independence (Odum, 2006; Edoh, 2018; Ibeanu, 2018). It has to be noted all the same that even while the space was being opened up for the practice of democracy, certain undemocratic manipulations that manifested in such forms as gerrymandering and political favouritism were injected into the system, which limited the chances of the blossoming of democracy in an unhindered manner (Nwabueze, 2013). Thus, Nigeria transited into her independence era on a frail democratic footing. The weak democratic structure that was bequeathed to the country by the departing colonialists witnessed sustainability crisis and eventually crumbled within a very short period. The consequent emergence of military into politics truncated the development of democracy and inhibited the chances of deepening its values within the political system. The onslaught launched against democracy by the military junta lasted for several years and this led to the militarization and further de-democratization of the society. In clear terms, the military took over the reins of power and operated fully in the political arena from 1966 to 1979, stepped aside briefly, then launched a comeback in 1983 and remained effectively in power till 1999. Within this period, civilian rule operated only between 1979 and 1983.

Indeed, the long years of military rule affected the country adversely with regard to democracy generally and elections specifically. One of the practices exhibited by the military junta, which affected the psyche of Nigerians, was the centralization of power in such a manner that appointments into all the political offices (including that of chief executives at the state levels) emanate from the Head of State. As such, having connections to the seat of power at the centre gives one the leverage to take up political appointments even when the person has no support from his/her constituents. Incidentally, the mindset of gross centralization of power and the tendency to align with the wishes of the Head of State over political appointments found its way into the civilian era. It is based on this mindset that it became possible for a political aspirant to declare to her/his constituents that s/he has secured the blessings of the Head of State/President (Abuja) or the Governor (at the state level) to run for a position and, by this declaration, other aspirants would be expected to drop their ambition in this respect. Based on this understanding, voters would equally be expected to align with the *favoured* candidate from the *favoured* political party. Aside developing the mindset that the president or the state governor can actually determine for the people the best candidate to occupy an elective position, there exist other seeming anti-democratic practices that have permeated the democratic process in the country. Interestingly, it has become common for some of these practices to be explained away and justified in some quarters in the name of home-grown democracy. The task of this paper is to beam searchlight on these practices associated with the electoral process with a view to appraising whether they are actually contributing towards the strengthening of the democratic culture or whether they constitute danger to democracy.

### **Theoretical Discourse**

Going by popular definitions of democracy such as the one offered by the former American President, Abraham Lincoln (cited in Omelle, 2003; Nnadozie, 2007; Nnoli, 2011), one can say that the question of who owns democracy, as raised by writers like Jinadu (2007), has been resolved in favour of the people. However, certain practices exhibited under a purported democratic dispensation tend to point to the contrary. This must have explained the basis upon which Nnoli (2011) deems it necessary that the people should be demystified in the bid to appreciate the nature and content of democracy.

Weighed on the scale of general democratic principles, it stands to reason that situations where the people are relegated to the background represent deviations rather than the standard. This is to the extent that no matter how it is described, the people features prominently in the discourse about democracy even when they are viewed from the elitist perspective as being manipulated by the few. It is, perhaps, with regard to its popularity and the 'voice' it seemingly accords the people (or the majority) that Omelle (2005) contends that democracy remains the best form of governance ever devised by man. In the same vein, Sen (1999) admits that in spite of the fact that it is not yet universally put to practice, democratic governance has achieved the status of being taken to be generally right.

Taking a look at the Democratic Consent theory, which is traceable to John Locke, the salient points deducible from it include the following: (a) when a person consents to the creation of a political society, he necessarily consents to the use of majority rule in deciding how the political society is to be organized, (b) it is whatever the people choose that determines the line of action to be taken by the government, and (c) participation guarantees legitimacy. In effect, the Democratic Consent theories share the view that there is a direct linkage between democracy and legitimacy (Tom, 2015). According to Fukuyama (2011), legitimacy means that the people who make up the society recognize the fundamental justice of the system as a whole and are willing to abide by its rules. Attributing legitimacy to a quality often associated with that prong of authority that leads to justice, Nnoli (2003, p. 101) refers to it as the positive attitude of the population toward authority positions and those who occupy them. In his words, "such a positive attitude leads to a belief in the population that it is right and proper for those in authority to command the others and for the latter to comply with these commands". It is quite agreeable that this theory recognizes participation as a means of guaranteeing legitimacy. In effect, it does not envisage any form of exclusion in the democratic process. With this knowledge at the back of our minds, it becomes undemocratic to exclude anybody that is constitutionally qualified to participate in the electoral process under whatever guise.

The major criticism launched against the Democratic Consent theory has been in form of the question raised as to how the consent of the majority can be treated as consent granted by all. This is to the extent that those in the minority actually disagreed with the position of the majority over the issue at hand but are still bound by the position of the majority and are deemed to have consented. But the question remains whether it is possible to have a society where everybody must necessarily agree on a particular course of action before it is taken. Besides, the nature of democratic competition makes it open for any

group on the either side of the divide to have their way. The implication of this is that those who belong to the group that is in the minority over an issue can equally find themselves among the group that is in the majority over another issue. Thus, the keyword here is participation, which means that both the majority and the minority have unfettered opportunity to take part in the process. The Democratic Consent theory is apt in analyzing the electoral process in Nigeria with regard to appraising the existing space for political participation and the extent to which it is in conformity with democratic standards.

### **Nigeria's Path to Democracy**

Nigeria was not founded on democratic principles. The different ethnic groups that had existed within the geographical area that eventually became known as Nigeria were brought together as one country without the consent of the peoples. The pattern of rule imposed on them was equally bereft of democratic content. The earlier consultative assemblies were not truly consultative in the true sense of the word. The country started having opportunities for democratic openings at a period the colonialists were preparing to grant independence and depart from the scene. This manifested in the form of having legislative assembly drawn from amongst the Nigerian citizens that were voted into position by the Nigerian citizens. To this extent, one can say that the democratic space was opened up towards the end of colonial rule in the country. It is necessary, however, to point out that there were certain acts entrenched in the system by the colonialists, which created opportunity for according advantage to certain groups while keeping others at disadvantage. For instance, some scholars raised the issue of political maneuverings and gerrymandering undertaken by the British with the aim of favouring the north politically (Odum, 2016a; Nwabueze, 2013; Gana, 2003; Bretton, 1962). The reason it is necessary to highlight this point is because the issue of manipulating the democratic process or elections per se begins even from the delimitation of constituencies. When such delimitation is done in a manner as to confer undue electoral advantage to a group, one can as well say that the election has been rigged even before the commencement of voting. It is equally necessary to highlight this because of the effects it has continued to create on the country's democratic process.

Certain practices and issues inherited from the colonial period played major role in charting Nigeria's path to democracy during the era of independence. The ethnic consciousness that had already permeated the minds of the people deepened in such a manner that actually blinded them from making a free choice during periods of elections. Political mobilization, campaigns, followership, and voting were anchored on issues bordering more on ethno-religious sentiments than considerations about good governance. The struggle for political power based on ethnic appeal and the manner in which the political elite jostling for power went about the political business created an atmosphere that deviated dramatically from what should be applicable in a true democratic setting. Hence, violence, intimidation, and different manners of manipulations featured in the country's democratic process (Adebisi, Ishaq & Abubakar, 2015; Odum, 2016b). The inability to contain the anti-democratic tendencies exhibited within the period led to the collapse of the First Republic whereupon civilian rule gave way to military rule.

Though the First Republic witnessed gross violation of democracy in many respects, one can still say that the mere fact of having civilian rule in place suggests that there were traces of democracy – even if it exists only at the level of having in place democratic structures that seemingly lack democratic contents. The same cannot be said of the military regime that succeeded the civilian rule. Upon assumption of power, the military junta crippled democracy completely by proscribing all political activities and suspending all democratic structures like the legislature and political parties. As their rule progressed, the civil environment became poisoned and got militarized. Among others, the country was exposed to the unified command structure of the military whereupon the Armed Forces Ruling Council that had no representative character became the highest recognised organ for making laws (in form of Decrees) and the Head of State stood out as the man that must be obeyed *with immediate effect*. This military command structure caused further destruction on the democratic elements in the country. For instance, it is a known fact that federalism has certain unique features such as its power sharing arrangement that thrives better under a democratic atmosphere. The military government, with the unified command style, defaced the federal nature of the country and gave it a unitary outlook. Under the circumstance, Heads of Executive at the state level became appointees of the federal government and owe their loyalty to the centre rather than the people being governed. Thus, it became possible for a military officer to be appointed as military administrator for a state that he had little or no knowledge about and can be reposted to another state at the whims and caprices of the Head of State and Commander in Chief of the Armed Forces.

The extent of the damage done to the system vis-s-vis the erosion of democratic culture manifested clearly when the country returned to civilian rule in 1979, that is, after the military had spent about fourteen years at the political arena. The major test for democracy came in 1983 when the first general elections were organized under the civilian government. During the elections, the politicians demonstrated their penchant to go against the will of the electorate in the bid to capture or retain political power. Just like the events of the First Republic, the inability of the political class to inject democratic spirit into their politicking gave the military reason to overthrow the civilian government for the second time.

The *second coming* of the military that occurred in 1983, which bought the four-year-old civilian government to an abrupt end, signaled another phase of regimes that were totally anti-democratic in nature. This second phase witnessed coups and counter-coups and from the way they carried on, it became clear that the junta loathed steering the country towards the democratic direction. They embarked on what appeared to be an endless transition to civil rule and continued to advance reasons for clutching unto power. At different times, the head of the junta made attempts to transform from a military Head of State to a civilian president. The cases of Ibrahim Babangida and Sani Abacha serve as ready examples.

It is worth mentioning that the military government, under the incumbency of Babangida, prosecuted a transition programme that almost turned out successful but was eventually truncated at the last minute through a notorious pronouncement known

generally as the annulment of the June 12, 1993 presidential elections. Part of the outcome of the annulment of the election that was seen by many as being free and fair was the establishment of an Interim National Government (ING) under the incumbency of Chief Ernest Shonekan. Events were to show eventually that the ING merely served as a ploy for the handing over of power from Babangida to Abacha and a continuation of the military regime. Within the period, different groups sprang up to demand for a return to civil rule. As expected, the military government fought back by clamping down on the various associations formed to clamour for the return of democracy (or return to civilian rule) and even forcing some of the individuals engaging in the struggle into exile.

The second phase of military rule that took off in 1983 finally came to an end in 1999 through what could be described as divine intervention. This is to the extent that it actually appeared as if Abacha had perfected plans to transform into a civilian president but died under mysterious circumstances. It was after his demise in 1998 that Abdulsalami Abubakar took over the mantle of leadership and prosecuted the transition programme that eventually launched the country into civilian rule in 1999. With the return of civilian rule, the country witnessed another opportunity to not only re-establish democracy but also deepen it. However, events began to reveal that the country still has a long way to go in her march towards democracy. From every indication, the military orientation infused on the system found its way into the era of civilian rule. In the final analysis, the country still witnesses anti-democratic tendencies within a supposed democratic era. Unfortunately, the civil society organizations that had engaged the military and struggled for a return to civilian rule appear relaxed and do not seem to be interested in embarking on struggles for the deepening of democracy within the era of civilian rule.

### **Elections in Nigeria**

Nigeria has gone through electoral process at various times during the colonial and post-colonial era. Within the independence era, general elections had taken place in 1964/65, 1979, 1983, 1993, 1999, 2003, 2007, 2011, 2015, and 2019. Unfortunately, accounts given over the elections generally appear unsavory. Egwu (2014) observes that the country's post-independence electoral history has been characterized by impunity and fraud. From the contributions of Kurfi (1983), Tijani (1986), Eya (2003), Ibrahim and Egwu (2005), Nnadozie (2007), Ujo (2012), Odum (2016b), and Saliu & Agara (2018), the kind of electoral malpractices that characterize the Nigeria's electoral process include money politics, rigging, thuggery and violence, unauthorized printing of ballot papers, stuffing of ballot boxes with ballot papers generated and thumb printed fraudulently, snatching of election materials, smashing of ballot boxes, inflation of votes, announcement of results for areas that elections never took place, and announcement of results before the conclusion of voting at the polling stations. Other anti-democratic acts pointed out include the abuse of power of incumbency, which usually takes the form of denial of permission from opponents to hold public meetings or processions, abuse of right to free assembly, as well as arrest and detention of political opponents. Just as the *European Union Election Observation Mission* (2003) noted about the 2003 general elections, other elections conducted in the country (especially those conducted under civilian regimes) usually fail

to meet the minimum standards for democratic elections. Indeed, results of the elections usually remain questionable based on the defective nature of the electoral process.

Whether well-intended or not, the government has undertaken different measures at various times to make the electoral process work better. For instance, the country had adopted the secret ballot system during the First and Second Republics. In order to curb such malpractices that take the form of stuffing of ballot boxes with ballot papers, the country adopted the open ballot system commonly referred to as Option A4 during the 1993 general elections. Under this arrangement, voters were required to queue behind the candidate of their choice (or behind their posters) while the presiding officer in charge of each polling unit would count the voters loudly and thereafter declare the results on the spot. For inexplicable reasons, this method did not last beyond the 1993 presidential elections despite the positive results it yielded vis-a-vis the manner it helped in reducing electoral malpractice drastically. In fact, many people shared the opinion that the method was so transparent that the authorities rejected its use for subsequent elections because they preferred a system amenable to manipulations. Hence, a modified version of the open ballot system was introduced during the 1999 general elections. Known as the Open-Secret ballot system, this arrangement requires a voter to do the thumb-printing of the ballot paper(s) inside a slightly secluded area, after which the person would drop the thumb-printed ballot paper(s) into ballot boxes positioned in an open area.

Beginning with the electronic registration of voters that started in 2007, the Nigerian Election Management Board has continued to make steady steps towards adopting electronic application in the electoral process. While there are positive indications that the adoption of electronic technology in the electoral process is capable of eliminating or drastically reducing certain forms of electoral malpractice (Odum, 2019), events show that politicians are steadily devising means of frustrating the process for selfish reasons. Hence, Ibeanu's (2018) position continues to remain relevant as he posits that Nigeria's elections are clearly contentious to the extent that they repeatedly involve major challenges, with different degrees of severity, to the legitimacy of electoral actors, procedures, or outcomes.

### **A March to the De-democratization of the Political Space in Nigeria**

As already established from the earlier discussions, elections in Nigeria fall short of democratic standards. This is largely due to the glaring attempts made by some of the stakeholders to subvert the will of the people. Some of the most prominent undemocratic acts that trail the elections include violence geared towards intimidating voters, rigging that manifest through such means as stuffing of ballot boxes, snatching of ballot boxes, manipulation of election figures, manufacturing of non-existent results when elections did not take place, vote buying or money politics, misuse of power of incumbency, subversion of federal might etc. However, there are some other forms of manipulations and practices that have become part of the electoral process, which limits the space for democratic participation. Anybody following the trends of political process in Nigeria must have heard of certain terms like rotational arrangement, endorsement, unopposed candidature, etc.

Rotational arrangement (otherwise known as zoning at some quarters) is one that seems to have permeated the system deeply despite the fact that it has not been enshrined in the constitution. This arrangement entails the rotation of political offices among certain sections within a defined territory. With regard to the issue of rotational presidency, the rotation is broadly taken to be between the northern and the southern part of the country. In some quarters, however, it is taken to be among the three major ethnic groups (Yoruba, Igbo, and Hausa). The implication of this is that when it is the turn of each section to produce the president, individuals from the other section(s) would be effectively excluded from contesting for the presidential slot. To this extent, the electorate must perforce limit their political choices to the area whose turn it is to produce candidates for the election.

There is this general feeling in the country that the presidential slot for the 1999 elections was zoned to the South-west (Yoruba) in order to assuage them for the annulment of June 12, 1993 presidential elections – believed to have been won by a Yoruba. What played out at the end of the day was that the two candidates contesting for the presidential seat emerged from this part of the country. By the time President Obasanjo completed two terms in office, there seemed to be this unwritten agreement that power should rotate to the north. Hence, the three major parties that went for the election in 2007 fielded only candidates from the northern part of the country. When the president from the northern part of the country died in office, the country was exposed to different shades of drama surrounding the issue of succession, especially, as the Vice President who was constitutionally empowered to succeed the late president came from the south. Though the letters of the constitution regarding succession under the circumstance were adhered to, many a great number of northerners felt short-changed and kept insisting that the ascension of the Vice President to the presidential position amounts to usurpation of the turn of the *north*. This line of thought emerged as a major point of argument during the 2011 elections and most northern politicians never ceased to lament when Goodluck Jonathan (a southerner) won the elections.

It is, perhaps, in the spirit of rotation that all the contestants from the major political parties for the 2019 presidential election emerged from the north. Based on the unwritten understanding and general belief, the north was seemingly accorded the privilege of holding onto the presidential slot for another term of four years since the incumbent President (a northerner) assumed power in 2015. It was this belief that led some political players to start agitating that the presidential slot would rotate to the south by 2023. However, the trend of agitations resonating from the system shows that the demand for the rotational presidency does not just end at the north-south divide but also at the level of geo political zone.

It is worth mentioning that, in some states and local governments, this rotational arrangement has been manifesting. The Anambra State and Enugu State examples can be used as clear examples. During the 2013 and the 2017 Anambra State gubernatorial elections, all the major parties fielded candidates from the Anambra-North axis of the State. Same scenario played out in Enugu State during the 2015 and 2019 gubernatorial elections whereby all the gubernatorial candidates of the major political parties emerged from the Enugu North Senatorial District (Nsukka Zone). Preparatory to the State's 2021



gubernatorial elections, politicians from the Anambra South senatorial zone have started claiming that it is their turn to produce the governor and as such should be allowed to field candidates for the election. In Enugu State, politicians from the Enugu East Senatorial District (Nkanu) are already claiming that it is their turn to produce the next governor by 2023. Going by this, the area reserves the 'right' to field candidates for the 2023 gubernatorial elections. One clear thing about this arrangement is that it limits the space for robust political participation as it effectively excludes individuals from certain areas within the political system from enjoying the right to be voted for under a supposed democratic dispensation. Moreover, it helps to widen the existing social space between the different sections in the country, especially by making it seem as if the purpose of the rotational arrangement is to allow each section get a fair share of development when it is their turn to handle the position

In measuring the extent to which political competitions in a political system are democratic, the tendency is high for people to focus mainly on what happens during the elections proper. Oftentimes, the question of how the candidates of the different political parties emerge seems not to generate serious attention. However, the manner in which candidates for elective positions emerge from party primaries calls for concern. The general trend in the country is that party primaries are manipulated in such a way that usually generates crisis within the party and which keeps raising questions over the issue of internal party democracy (Uchegbue, 2019). More often than not, complaints about the manipulation of the lists of delegates trail party primaries. Beyond the issue of manipulation of the lists, sharing of money to the delegates by aspirants has become the rule rather than the exception. In fact, it is at this point that credible aspirants that are either not wealthy or willing to share money lose out in the race.

*Endorsed, unopposed, and consensus* are among the terms associated with party primary election in Nigeria, which indicates a move geared towards shrinking the space for an inclusive participation. It is common to hear that certain candidates have been endorsed by the stakeholders of a party or that they emerged unopposed during party primaries. Whenever a declaration about such endorsement is made, it is taken for granted that other aspirants must withdraw from the race to allow the 'endorsed' individual(s) emerge as the party's candidate(s) without being subjected to due test of popularity at the primary election level. In the same vein, candidates announced as having emerged 'unopposed' during the primaries turn out in most cases to be individuals that secured such endorsements under a circumstance where other interested contestants were denied the opportunity of freely participating in the nomination exercise. Individuals that emerge under the guise of *endorsements* or *unopposed* platforms are usually branded consensus candidates. In actual terms, such candidates are products of dictatorial imposition by the powerful forces with the political party. Generally speaking, this peculiar process of arriving at the 'consensus' defeats the test of democracy. It is not a situation where all the party delegates vote for a single candidate out of free will. What usually plays out is that a group of individuals branded as the party's stakeholders take this decision and force it down the throat of the party delegates who are supposed to make the choice from among the aspirants. In some cases, especially at the state level, it is the governor (perhaps, in

consultation with few powerful party members who produce the candidates from their respective constituencies) that compiles the list of those to fly the party's flag for the Local Government, State Assembly, and the Federal legislative elections and it is this list that they eventually announce as the consensus candidates during the party primaries. The practice is such that the stakeholder(s) make every attempt to shield the so-called consensus candidates from entering into an open contest with other aspirants for fear of being rejected by the delegates in a free and fair party primary. This could take the form of shutting out other interested aspirants at the point of the screening exercise such that the party delegates would be confronted with just one aspirant. Indeed, the propensity to impose candidates has become the rule rather than the exception and it is in view of this situation that, as highlighted by Adebisi (2019), primary elections in Nigeria are characterized by parallel Congresses, undemocratic conduct of the elections, mass protest, and gruesome murder of candidates. The implication of the above is that the space for political participation has been severely shrunk and highly regulated even before the candidates appear before the electorate in the general elections. It is therefore the candidates handpicked by the so called stakeholders that eventually run for the general elections.

Security is very necessary for the smooth conduct of elections. However, elections in Nigeria have been associated with violence. It is a common trend for unpopular candidates (such as those imposed on the political party through the undemocratic 'consensus' practice) to hire thugs for the purposes of rigging the election. It is the thugs hired by the desperate politicians that engage in snatching of ballot papers and ballot boxes, intimidation of voters and electoral officers, destruction of election materials, and various other violence acts during elections. Indeed, these acts that have become rampant during elections in Nigeria destroy the democratic content of elections.

Against the backdrop of Lindberg's (2006) findings concerning the flawed nature of elections in Africa as well as Okafor & Ilo's (2018) observation about the high level of violence associated with the exercise in the region, it becomes understandable when the government deploys law enforcement agents for the maintenance of law and order during elections. However, the manner of the deployment and the conduct of the security agents during the elections appear worrisome within the Nigerian context. In fact, the deployment of security agents stands out as the central instrument through which incumbents muster the power of incumbency against political opponents. It is against this backdrop that the security agents deployed during elections for the maintenance of law and order turn a blind eye to the violence and other forms of electoral misconduct being perpetrated by thugs hired by the candidates of the ruling party. Sometimes, the security agents even participate directly in the harassment and intimidation of political opponents and their supporters.

There is a trend that seems to have crept into the country's electoral process as it relates to the deployment of security agents. This is with regard to the direct involvement of soldiers in electoral activities (Adeniyi, Onyia & Nnamchi, 2019). The government has taken to involving military personnel in the electoral process and what appears more worrisome is that their involvement, rather than serve the purpose of beefing up security

to safeguard the electoral process, seem to be for the purposes of strengthening the use of power of incumbency against political opponents. The events that took place in Rivers State during the 2019 general elections, which involved the military, serve as a clear example. In this case, there was general public outcry concerning the incident of military intervention during the election (Ebiri, Akubo, Umeh, Ityokura & Agboluaje, 2019). Indeed, the manner of deployment of security agents and their ugly conduct during elections are clear indicators that the political space is being de-democratized.

It is within the democratic rights of the relevant stakeholders to challenge any aspect of the electoral process that goes against the law – provided that they do so through the right channels. There is no gainsaying the fact that the political players are most likely to adhere to the rules of the game and minimize the incident of electoral fraud when they know that Election Tribunals/Courts can reverse the outcome of elections associated with electoral fraud and misconduct. On the other hand, the political environment will continue to witness deepening crisis of fraud and electoral offences when candidates believe that they can get away with all manner of fraud perpetrated during the election once the result has been declared. The situation in Nigeria is such that the electoral judicial processes seem not to be working fully in favour of democratic consolidation.

Truly, there is a sense in which one can say that there is high tendency for people who feel dissatisfied with the outcome of elections in Nigeria to be discouraged from seeking legal redress. It has become normal to see people trying to mount pressure and discourage contestants who feel aggrieved over the conduct of elections from seeking legal redress. Oftentimes, those mounting such pressure of discouragement hinge their reason on the need to *let the sleeping dog lie and move the country/state forward* – even when they appear to be acting on selfish grounds. Mamah (2017) shared the story capturing a serving Party Chairman of APGA, Chekwes Okorie, trying to discourage his party's gubernatorial candidate, Peter Obi, from continuing with his lawsuit seeking to restore his mandate. Despite being aware that the election results were manipulated in favour of their opponent, and which made the Election Management Body declare him as the winner, the party Chairman felt that it was better to join hands with their opponent that had already been sworn in as governor than continue with the legal battle aimed at retrieving the stolen mandate.

Also, Ubandawaki and Jabo (2019) drew attention to how the US expressed disappointment over the manner the 2007 elections were conducted and despite their expression of disappointment, still went ahead to caution “that outright cancellation of the elections could trigger instability”. The implication of this is that, based on the claim of averting instability, the court was expected to uphold the results even if there was enough evidence to prove that electoral frauds were perpetrated during the election. Undoubtedly, it was this mindset that guided the judges in upholding the results of the elections notwithstanding the mind-boggling irregularities that characterized the entire electoral process. Further threats emanating from the judicial aspect of the electoral process, which create adverse effect on the democratization process, manifest in the form of frivolous injunctions and judgements granted/delivered by some judges. There are situations where some judges entertained election cases that fall clearly outside the jurisdiction of their

courts. The order given by Justice Stanley Nnaji of Enugu State for the removal of a Governor in Anambra State is a case at hand (Agbedo, 2016). Again, some Election Tribunals/Courts have on different occasions delivered judgements that seem largely to be at variance with the decision of the electorate. The Supreme Court judgement that recognized Hope Uzodimma as the winner of the 2019 Imo State gubernatorial election stands out as an example. Aside these, the country equally witnessed serious controversy that trailed the removal of the Chief Justice of Nigeria (CJN) from office under highly questionable circumstances and his replacement with a person preferred by the President. It was the belief of many that the removal of the CJN from office at a period close to the 2019 general elections was a grand plan by the President to use the judiciary as a tool for retaining power at all costs (even if he loses at the polls). These and other related incidents have seemingly created the impression that ruthless politicians can use the judiciary to achieve their selfish purposes while making a mockery of the democratic choices of the electorate.

The emerging trend of threat directed at certain groups during the election period is indeed making a mockery of democratic freedom in Nigeria. It can be recalled that violence erupted in some parts of the north after the results of the 2011 presidential elections were announced and Goodluck Jonathan declared the winner. The violence assumed an ethno-religious dimension as southerners and Christians living in the affected parts of the north appeared to be the main targets. *Human Rights Watch* (2011) reports that the post-election violence perpetrated by the supporters of the main opposition candidate (a northerner), which lasted for three days in twelve northern states, left more than 800 people dead. The only grouse the violent protesters had against their victims was that a southerner/Christian won a northerner/Muslim in the elections. Again, the online media was agog with video clips and reports containing the threat of violence issued by the Oba of Lagos to the Igbo people living in Lagos with regard to their electoral choices in the 2015 general elections (Ezeamalu, 2015; Tukur, 2015). There were also reports of attacks on Igbo traders in some parts of Lagos State over their electoral choices in the 2019 elections (Ezeobi, 2019). There is no doubt that these threats and attacks indicate clear attempts to intimidate and regulate the electoral choices of the victims.

The 2019 general elections and its outcome point in the direction that the country is still facing major challenges regarding democracy. The hopes of strengthening the electoral process through the adoption of electronic technology dimmed following the abuses associated with the elections and the inability of the system to arrest the abuses through the electronic system. It was shocking when the Election Management Body revealed during the trial that results were not transmitted online and that there was no backend server that stored any information relating to the results of the elections, which indicates that the system was still open for easy manipulations.

The local government level is one area in Nigeria where the status of democracy has remained questionable. Despite the fact that the Nigerian constitution guarantees the system of local government by democratically elected local government councils, the state governors have refused to loosen their stranglehold and allow the wind of democracy blow across this tier of government. In the words of Dauda (2018, p.13) "the state governors

never relinquished the inherited overlord authorities which the giant nationalist regional premiers took over from the colonial officials". Local Government elections conducted by the respective State Independent Electoral Commission usually leave much to be desired. In most cases, they turn out to be a selection process done by the State Governor/ruling party and merely formalized by the Election Management Body through a highly undemocratic electoral process. While there are complaints that the local government elections conducted in most states are fraudulent and bereft of democratic standards, it is worthy of note that there are states that do not even bother to conduct any form of election. The state governors in such states merely appoint Caretaker committee to run the affairs of the local government. The common feature in almost all the states is that the Local Government political officers (whether appointed or fraudulently elected) are completely tied to the apron strings of the state government and owe their allegiance to the Governor. This undemocratic practice has continued to render the arena of the third tier of government highly infertile for local democratic participation.

### **Conclusion**

The electoral process in Nigeria has generally fallen below expectations with regard to meeting up with basic democratic standards. Rather than show signs of improvement, the challenges have remained in the system and even continued to manifest in different dimensions with the passage of time. Aside the different shades of electoral misconducts that constitute outright violation of the electoral law, the system appears to be gradually accommodating certain undemocratic practices as a convention. One of the simplest explanations offered for adopting these undemocratic practices is that they serve the peculiarities of the Nigerian political environment. By taking this explanation on its face value, chances are high for people to take off their eyes from the democratic ball and ignore the real implications of those practices on the democratic process.

Going by the main essence of democracy, there is every need for the country to do away with those practices that sets undue limitations and hindrances on the democratic space. Citizens must perforce understand their role in the democratization process and refrain from being an easy tool in the hands of selfish and irresponsible politicians. There is no doubt that such practice like the rotational arrangement/zoning is a means devised by the elite to limit the democratic space in order to serve their selfish desires. Having instigated a deep rooted ethnic consciousness among the populace, they (elite) have tried to make this undemocratic practice seem as the right solution to the ethnic problems they had earlier generated. Unfortunately, most citizens have bought into this narrative without realizing that the practice only helps in shifting their attention away from the issue of qualitative leadership and good governance. By being trapped in the web of zoning/rotation, which is primarily hinged on ethnic/sectional politics, most Nigerians would rather prefer to have a criminal or dullard from their zone elected into a political office than allow a man of integrity from another zone take the position. It is based on this mindset that the rotational arrangement appears to be gaining ground despite its glaring democratic limitations. There is the need, therefore, for the people to understand that the limitations imposed by such practices as the rotational/zoning arrangement and

consensus/endorsed candidature are not in the general interest of the society. Hence, it is better for them to dismantle the ethnic/sectional sentiments as well as other undemocratic constructions existing in their minds so as to adopt a mindset that would help them make free political choice and avoid undue manipulations from the political elite.

Again, the deployment of security agents for the wrong purposes during elections as well as the use of political thugs should be discouraged within the system. The government must take decisive steps to eliminate all forms of intimidations, threats, and violent acts targeted at individuals or groups during elections so that the process would truly earn the free and fair attribute. Furthermore, the judiciary should be strengthened to perform its duties diligently so as to allow citizens develop confidence in the system and have the assurance that frauds perpetrated in the process of elections would be addressed judiciously. Moreover, necessary measures should be put in place to ensure the compliance of the State governors with the constitutional provision that allows the local governments to operate within a democratic milieu. In effect, democracy should be allowed to prevail at the local government level.

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