



UNDERSTANDING  
**GOVERNMENT** AND  
**POLITICS** IN  
**NIGERIA**

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## CHAPTER TWELVE

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# ELECTIONS AND ELECTORAL ADMINISTRATION IN NIGERIA

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### ■roduction

The ■humpeterian tradition sees a modern democracy as a system of government that allows selection of the most powerful collective decision makers through fair, honest and periodic elections involving candidates that freely compete for votes of adult population. This is further underscored by the ■cription of democracy by Seymour Lipset (1960), as a political system which ■plies regular constitutional opportunities for changing the governing officials and social mechanism which permits the largest possible part of the population to ■fluence major decisions by choosing among contenders for political office. This ■mply highlights the central place of election in any democratic ■ension. Modern democracies can only be meaningful through the electoral

process which guarantees citizen the avenue to participate in governance either by selecting those who are invested with the authority to preside over affairs of the state for a specified period or through direct decision making in matters of policy and constitution through initiatives or referendum. Through periodic elections, state officials are held to account for their stewardship in government. Since modern governments strive to be democratic, where consent of the people confers legitimacy to the ruling elites, election has become very vital and important instrument in that process. But unlike the ancient Greek system where political offices were filled using the method of 'sortition' that involve selection of officeholders by lot, democratic elections in a modern state is a decision-making process that involves the mass of the people which means that a mechanism of determining this choice must be clearly determined (Ake 2000). This process of determining the choice of the citizenry in a modern democracy is through voting. In this process the voting system adopted must show that the outcome clearly reflects the will of the people. Therefore, clear rules and procedures that ensure the process is free and fair to the contestants, must be ensured to guarantee the legitimacy of the leadership that would emerge therefrom. This is why many societies strive towards creating a credible electoral system that will produce outcomes reflecting the will of the people at the end of every election cycle. In this sense, the systems of laws governing the electoral process must be generally acceptable to the participants, while the managers of the process especially the body that oversees the election process and security agencies must be seen to be neutral, transparent and working within the limits of the law.

Credible electoral system is lacking in Nigeria, as the experience of the country in democratic elections has always ended up in dispute (Chigbo 2001; Awopeju 2011). Disputes over outcome of elections in Nigeria stem from avalanche of allegations of fraud and massive rigging by those, who cash in on the fraud prone electoral system to thwart the will of the electorate (Ibrahim 2006). The tendency to thwart the will of Nigerians in past elections has ended up in crises with devastating consequences on the Nigerian state (Oyibo 1971).

## The Origin of Elections in Nigeria

Though democracy as a principle of governance in Nigeria predates colonialism, the origin of elections can be traced to colonialism. The agitation of Nigerians for greater participation in their affairs yielded to constitutional engineering one of which is the Clifford constitution enacted in 1922. The 1922 Constitution created four elective positions in the Legislative Council thus opening the floodgate for electoral politics in 1923. It can therefore be said that the Clifford Constitution of 1922 introduced the elective principle in Nigeria.

## Structure of Electoral Administration in Nigeria

One of the indispensable features of democratic governance is the existence of electoral management body or bodies. However, while the stability of democracy determines the stability of electoral management body or bodies, the

Transparency and fairness of electoral management body determines the stability of a state as well as the legitimacy of a government. Adetula (2007:7) argues the following:

"there exists a direct relationship between political instability and unstable electoral management system, and that this relationship are indeed, mutually reinforcing. Nigeria has experienced several dissolutions and re-constitution of electoral management bodies as a result of military incursion in Politics".

Right from the colonial era till the present dispensation, Nigeria has had several electoral bodies, some with limited functions, while others with elaborate functions. In this section we shall take a brief historical excursion into nature and functions of electoral administration in Nigeria. Electoral administration simply denotes the management and organization of the various stages of electoral process (Ajayi 2007: 23).

The British imperial administration was the first to set up Electoral Commission of Nigeria (ECN) during the colonial era but not much is known about this electoral body. At independence in 1960, the administration of Tafawa Balewa replaced ECN with another electoral body known as the Federal Electoral Commission (FEC). The commission conducted the December 1964 General Elections and the 1965 Western elections which were marred with irregularities (Ajayi 2007). The electoral fraud of 1964 brought about the crisis that eventually led to the coup of 15<sup>th</sup> January, 1966.

The military coup of 1966 led to the dissolution of all existing political institutions including the Federal Electoral Commission. However, in 1978, the military administration of Olusegun Obasanjo established the Federal Electoral Commission (FEDECO) which conducted the transitional elections in 1979 and the controversial and crisis-ridden general elections in 1983 (Musa, 2001). When the military struck again in 1983 to remove the democratic government of Shehu Shagari, it dissolved FEDECO. In 1987, when another military administration headed by General Ibrahim Badamasi Babangida came on board, it established the National Electoral Commission (NEC) that conducted elections in 1990, 1991 and 1993 as part of the transition to civilian rule programme (Musa, 2007). The transition was aptly described by some scholars as "transition without end (Diamond, Kirkgreen and Oyediran, 1997)

When General Sani Abacha came to power in November 1993, he dissolved all democratic institutions including NEC and established the National Electoral Commission of Nigeria (NECON) in 1995. Ajayi (2007) posit that NECON lacked credibility as it was well known to the public as instrument working towards an already known answer which was to transmute Abacha from military head of state to a civilian president. Unfortunately, Abacha died in office in June 1998 and his successor General Abdulsalam Abubakar dissolved NECON and set up the Independents National Electoral Commission (INEC). INEC conducted the transition elections which culminated in the handing over

of power to a democratically elected civilian government headed by Olusegun Obasanjo on 29<sup>th</sup> May, 1999.

## **Composition and Structure of Independent National Electoral Commission (INEC)**

The INEC is made up of a chairman and 12 national commissioners two of which were drawn each from the six geopolitical zones of the country. The president nominates the chairman and members of the commission in consultation with the National Council of States (comprising the President as chairman), the Vice – President (as Deputy Chairman), all former Chief Justices of Nigeria, the President of the Senate, the Speaker of the House of Representatives, the Governors of the 36 States of the Federation; and Attorney-General of the Federation as well as former presidents and heads of states. The appointment of members of the commission is subject to the confirmation by the Senate.

The commission has an office in each of the 36 states of the federation including the Federal Capital Territory. The commission also maintains offices in all the 774 Local Government Areas. Resident Electoral Commissioners heads each state office of the commission including the Federal Capital appointed by the President. Local Government Areas offices are headed by Electoral officers who are also staff of the commission (Musa, 2001).The functions of INEC as speltout in the constitution and electoral act are outlined in the appendix pages.

It is important to note that while the President appoints the Chairman and National Electoral Commissioner of the electoral body, the Chairman and members of State Independent Electoral Commission (SIEC) are appointed by the state Governor, subject to confirmation by the state House of Assembly. The tenure of such appointment is for a period of five years like that of national officers. The State Independent Electoral Commission are to organize, undertake and supervise elections to Local Government Councils, within the state; and also advise as it may consider necessary INEC on the compilation of the voter's register.

## **Elections and Electoral Administration in the First Republic**

After Nigeria became an independent state on October 1<sup>st</sup> 1960, the Electoral Commission of Nigeria (ECN) established by erstwhile colonial overlords was dissolved and Tafawa Balewa administration set up the Federal Electoral Commission (FEC). Thus, FEC under the leadership of Mr. Eyo Ita Esua, conducted the controversial general elections of 1964 and Western Region election of 1965. The way and manner FEC conducted those elections partly led to the collapse of the republic and military takeover in 1966 (Olaniyi, 2004).

This controversy on differences in ideological inclination was made worse with the conduct of census and its attendant crisis between 1962 and1963. In May 1962, a National Census was conducted basically for the purpose of

reallocating seats into the Federal Parliament in the coming election (1964). Going by the 1954 Census, the Delimitation Commission allocated 174 seats to the North, 73 to the East, 62 to the West and 3 to Lagos the then Federal Capital Territory for the December 1959 Federal Elections. In fact, out of the 312 member House of Representatives, half of the seats went to the North. The NPC which concentrated its campaign in the North would have formed the Federal Government alone and other parties coming together would have automatically become opposition party if it had won all the seats allocated to the North. But it only won 134 seats (all in the North), NCNC/NEPU had 89 seats, AG/UMBC 73 seats and other 16 seats thus necessitating the formation of coalition government between NPC and the NCNC.

Southerners had hoped that the 1962 Census would bring an end to Northern hegemony. This was not to be as most Southern politicians discovered to their chagrin that Mr. Warren, the Census Officer dismissed the result of the first census held in 1962 on the ground that the South figure put at 23.1 million was false and inflated while that of the North put at 22.5 million was accepted as reasonable. The results of the Census generated serious controversy and the Prime Minister after meeting with the Regional Premiers cancelled the results and fixed another census for November 1963. On February 24, 1964, the results of the Census were released, putting the figure of the North at 29.8 million, while the South had 25.9 million making a total of 55.7 million. The results did not go down well with the South especially the Eastern region. The implication of this was that the Census gave the North absolute majority over the rest of the country. It was obvious that their rejection was born out of the fact that, the NPC was likely to win all the seats in the North which is under its control. This led to the breakdown of the alliance between the NPC and NCNC (Akinsanya, 2005).

## The 1964 General Elections

In the 1964 general elections, two major alliances contested the elections, the Nigeria National Alliance (NNA) made up of NPC, Nigeria National Democratic Party (NNDP), Mid-West Democratic Front (MDF) and Dynamic Party (DP) of Dr. Chike Obi. The United Progressive Grand Alliance (UPGA) brought together, NCNC, AG, NEPU and the United Middle Belt Congress (UMBC). But certain problems arose that served as justification for calls for the postponement of the election given the complaints of UPGA. First, the voters list was not published even a day before the close of nomination and thirteen days to the election; second, members of opposition parties were intimidated and arrested on trump-up charges among others. On Election Day, the UPGA leaders told their supporters to boycott the polling-booth as a protest against the intimidation and arrest of their members who were to contest the election in the North and West. The boycott was a huge success in the East, relatively successful in the West and a complete failure in the North where it was needed most. At the end of nomination on December 19th, most of the candidates of NNA were returned unopposed. When the election came up, the NPC wing of the NNA had won 162 out of 167 seats in the North. The consequence of this was that without allying with any political party, NNA could on its own form a

government at the federal level. The fact that the NNDP had won 36 seats made the NNA alliance most comfortable (Oyediran, 1981). The irregularities that marked the conduct of the 1964 general elections were confirmed by Mr. E.E Esua, Chairman of the Federal Electoral Commission in a nationwide broadcast on December 22<sup>nd</sup>. Mr. Esua admitted in that broadcast that in some constituencies, opposition candidate had been nominated and in spite of this, names of (government) candidates had been announced as unopposed. He assured that election would be held in those constituencies where candidates were returned unopposed and also promised that his Commission was ready to correct all anomalies at the end of its tour of all Federal Constituencies. But the Commission never acted on those irregularities.

The electoral body chaired by Esua seemed to have been pressured to aid the abuse of electoral procedures by the ruling party to the detriment of opposition parties. Manipulation took the form of electoral officers being unavailable to take forms from opposition candidates. In addition, the officials of the electoral body made sure that agents of opposition parties were driven away on Election Day. In some cases, ballot boxes were set on fire or acid dropped into them (Chibgo, 2007). UPGA rejected the results of the elections sparking off widespread violence, killing, and destruction of properties most especially in the Western Region of the country. Three officials of FEC out of six that conducted the elections had to resign in protest of government actions and to show that they were not satisfied with the elections and as such not prepared to underwrite the results (Ajayi, 2007).

## **The 1965 Western Election**

From 1962 to 1966 when military took over political power, the Western region was riddled with internal conflict which manifested in form of personality clash between Chief Obafemi Awolowo leader of the AG and the first Premier of the Region, Chief S.L Akintola who took over the premiership position from him. The matter got to the point that a state of emergency was declared in the then Western Region of Nigeria and a Sole Administrator was appointed for the region. S.L Akintola with his supporters left AG and formed the United Peoples' party (UPP) which entered into a coalition with the Western regional NCNC. The aforementioned events weaken the power base of Action Group in the West and this weakening was completed when the Mid-West region was carved out from the Western region in 1963. The new region fell under the NCNC, and together with alliance with the UPP strengthened the foothold of the NCNC in the Western region. However, the strength of NCNC in the West was vitiated because after S.L Akintola consolidated his hold on power in the Western region with the support of the NPC, he dissolved the UPP-NCNC coalition government, co-opted several leaders of NCNC to form the Nigerian National Democratic Party (NNDP) which then controlled power in the region six month after emergency rule was introduced and Akintola restored to his premiership position (Oyediran, 1981; Osaghae 2002).

The last election to the Western House of Assembly before the crisis of 1962 within the ruling political party- Action Group was in August 1960. Since five years is the maximum life of any legislative house under parliamentary system, 1965 provided people of the Western region another opportunity to express their will as regard the party to govern them. Thus, they were to choose between NNDP the party that had remained in power in the region with the backing of the Federal Government or AG that has been in the doldrums at regional and federal levels.

The NNDP utilized its power of incumbency to the fullest in this electoral contest. The price of cocoa to be paid to farmers was raised from ₦180 to ₦240 per ton. In other words, government was paying ₦60 per ton more than the selling price to attract cash crop farmers as supporters. Lofty promises of development were made daily as the Election Day drew near. The Obas and traditional leaders were warned against opposing the government of the day. The election produced more violence ever experienced in the history of the region. On September 30, the NNDP announced that 15 of its candidates have been declared unopposed, leaving just 79 seats to be contested on Election Day (Oyibo, 1971; Oyediran, 1981).

The Election Day was characterized with serious rioting in various parts of the region. The Police opened fire and killed some civilians in some constituencies. After the election, both party claimed victory. On October 12<sup>th</sup>, the day following the election, Alhaji D.S Adegbeno announced the formation of an interim government; he was apprehended two days later and taken to detention with some of his supporters. S.L Akintola was announced as the winner of the election, and was subsequently reappointed by Governor Fadahunsi as the premier of the region. This was followed by large scale looting and killings of political opponents (Oyediran, 1981).

It was very obvious that the election was rigged. In fact, Mr. Esua the Chairman of the electoral body in his letter to Governor Fadahunsi on November 19, 1965 admitted that the October 11, 1965 election in the Western Region was rigged:

I am rather surprised to have read in the newspapers that I had personally notified Your Excellency of the results of the elections. This report is absolutely false as I have furnished no such results to anybody.... It was a notorious fact that some electoral officers refused to accept nomination papers of certain candidates or failed to report for duty.... The absence of such electoral officers clearly deprived some of the prospective candidates of an opportunity for registration. Where these irregularities occurred, some candidates were said to have been returned "unopposed", although opposition was latent (cited in Akinsanya, 2005:72).

After showing how the election departed from the acceptable norms in its various stages, Mr. Esua was doubtful of the possibility of free election in Nigeria in the future. Thus, he said, "Unless immediate steps are taken to effect necessary changes in the electoral laws... we may as well say farewell to Parliamentary democracy and the rule of law in Nigeria" (Akinsanya, 2005:73).

Despite Esua's revelation that the October 11, 1965 elections were rigged, Sir Balewa did nothing to remedy the situation. His non-challant attitude exacerbated disorder in the Western Region which eventually consumed him and his colleagues in NNA via a military coup 'detat' on January 15, 1966.

## **Election and Election Administration in the Second Republic: 1979 and 1983 Elections**

**The 1979 General Elections:** The Military takeover of political power lasted for thirteen unbroken years before it handed over power to an elected civilian government in 1979 giving birth to the Second Republic. The Murtala/Obasanjo regime as part of its transitional programmes established the Federal Electoral Commission (FEDECO) headed by Michael Ani that conducted the general elections in June/August 1979 (Ajayi, 2007). Murtala/Obasanjo regime in its transitional engineering process also made it a requirement that only political associations who had its membership spread nationally would be registered by FEDECO. The essence of this was to avoid ethnic and regional based political parties that affected the First Republic. In all, there were about 53 political associations that sought registration as political parties; only five were eventually registered by FEDECO. They were the National Party of Nigeria (NPN), Nigerian Peoples Party (NPP), the Great Nigerian Peoples Party (GNPP), the Peoples Redemption Party (PRP), and the Unity Party of Nigeria (UPN) (Aibieyi, 2008).

The above political parties were nothing but a reincarnation of the First Republic parties with some expansion in some cases. For instance, the NPN was a reincarnation of the old NPC, the UPN was comprised of a host of politicians from the former AG, while the NPP was former NCNC and the PRP composed of some former NEPU politicians. It is disappointing to discover that in spite of the registration requirements, the parties were still organized along ethnic and regional lines. Only NPN seemed to be fairly national in outlook with some southern minorities and strong Middle Belt supporters apart from the Hausa/Fulani that dominated the party. The UPN, a Yoruba base, the NPP, Igbo base, GNPP a Kanuri base and the PRP a Hausa/Talakawa base (Aibieyi, 2008).

FEDECO conducted five elections namely, the House of Assembly election, House Representative, Governorship, Senate and Presidency. The presidential election however generated intense controversy. The NPN won 36 out of 95 seats in the Senate and 165 of 443 seats in the House of Representatives. The NPN also won in seven states in governorship elections (Sokoto, Niger, Bauchi, Benue, Cross River, Kwara and Rivers). It also controlled the legislature although lost the governorship in Kaduna state. The NPN gained support from the minority areas in the east and from the far Northern states.

The UPN came second with 28 seats in the Senate and 111 seats in the House of Representatives. The UPN won Governorship elections in five states (Lagos,

Ogun, Ondo Bendel and Oyo). The NPP won 16 seats and 78 seats in the Senate and House of Representatives respectively. It took three states in Governorship elections (Imo, Anambra and Plateau). The GNPP captured 8 seats and 43 seats in the Senate and House of Representatives respectively, while also securing two states (Borno and Gongola) (Asia, 2001).

Shagari was declared the winner of the presidential election, although he failed to meet the constitutional requirement of 25 per cent of the total vote cast in two-thirds of the 19 states of the federation. Chief Awolowo the Presidential flag bearer of the UPN failed in a legal battle to upturn the electoral victory awarded to Shagari by the judiciary and the military (Asia, 2001). Before the declaration of the result, "FEDECO staff were variously accused of aiding and abetting the perpetration of electoral fraud" (Awopeju, 2011:7). In addition, three of the five political parties that contested the August 11, 1979 Presidential election rejected the results on the ground that it was full of flaws.

**The 1983 General Elections:** Justice Ovie Whisky headed the FEDECO which conducted the 1983 elections that re-elected the civilian administration of Shagari. Aibieyi (2008) noted that, the 1983 primary elections for the political parties appeared the single most fatal incident that brought the republic on its knee. The party's primaries were conflict ridden, preparations of FEDECO were shoddy. The list of voters, order of elections, counting and management of electoral materials and the conduct of the entire elections revealed NPN's control and manipulation. The federal media, the Police and FEDECO were used by the NPN to pave the way for its electoral victory.

The NPN led government usurped the constitutional power vested on FEDECO to direct and subsequently rigged the elections. The Chairman and the Secretary of FEDECO allegedly took orders from NPN national headquarters (Nwolise, 1988). It was observed that when FEDECO's Election Committee gave recommendation that the 1983 elections should follow the order of that of 1979, the recommendation was not only rejected, but the committee set up by the NPN was also disbanded. Thus, the strategic committee set up by the NPN forced FEDECO to reverse the order of elections by bringing the presidential election first so that the NPN could influence the remaining elections. And indeed, when FEDECO announced the new order of elections, only NPN out of the six political parties in contest for political power did not oppose it.

It is obvious therefore, that electoral victory at the presidential, gubernatorial elections as well as most of the elections into the Senate, House of Representatives and House of Assembly were not determined by constitutional stipulation, and rather, winners seem to emerge as dictated by the NPN government. The Police was also ready to do the bidding of the NPN, threatening to deal with any media organisation that published results not announced by FEDECO.

In fact, the voters register revealed unusual increases of voters in states that were controlled by the NPN and those the party anticipated to win. This arouse

suspicious and apprehension among parties in opposition to the NPN as they saw the apparent inflation as a convenient platform to facilitate rigging by the NPN (Osaghae, 2002). On August 6, 1983, the Presidential election took place and was followed by the gubernatorial, Senatorial, House of Representatives and states House of Assembly elections in that order between 13 August and 3<sup>rd</sup> September.

In the gubernatorial elections, the NPN initially won thirteen states but later reduced to twelve when the electoral tribunal reversed the result in Ondo state in favour of the UPN. Contrary to all predictions and expectations, NPN came up as the dominant party in all the elections. In the National and States Assembly elections, the NPN had landslide victories in the state House of Assembly elections, NPN won with overwhelming majorities in most states except Lagos and Ogun states the strong hold of UPN. The elections have been summarized as nothing but a mere allocation of seats and states as the NPN desired in connivance with the security forces and the FEDECO (Osaghae, 2002). These monumental rigging and violence that followed led to another military take over of political power in December 1983.

### The Aborted Third Republic

On the 31<sup>st</sup> of December 1983, the military under General Mohammed Buhari overthrew the Shagari administration; Buhari's government was however toppled 20 months later by General Ibrahim Gbadamasi Babangida. The latter embarked on another tortuous programme of transition. The Babangida administration in 1987 set up the National Electoral Commission (NEC) with Prof. Ema O. Awa as Chairman. In fact, when the ban on political activities was lifted in May 1989, about 49 political associations were formed (Ferreira, 2009). However, only thirteen (13) were able to apply for registration as a result of stringent conditions put in place by the National Electoral Commission (NEC). At the end none of the thirteen met INEC condition, therefore the Babangida junta had to create two political parties by fiat namely; the Social Democratic Party (SDP) and National Convention (NRC).

The frequent changes in the timetable of the transition programme undermined the credibility of Babangida's regime. The date originally proposed for completion of the transition was October 1<sup>st</sup>, 1990. Later, it was moved to October 1<sup>st</sup>, 1992; January 2, 1993 and finally to August 27, 1993. In short, in November 1992, Babangida announced that he needed to be advised by NEC to determine the date of hand-over (Osaghae, 2002). Babangida's regime transition programme was the longest and most expensive Nigerian ever had in the history of transitional electoral process (Ajayi, 2007). Eme Awa was removed as NEC chairman in 1988 and replaced by Humphrey Nwosu.

In December 1990, local government elections were conducted, the SDP led marginally going by the number of local government chairmanship and councillorship seats. The NRC won in 16 states in the governorship elections of December 1991 and the SDP won 14 states. In July 1992, the National

Assembly elections were held. The SDP won 52 Senate seats and 314 House of Representatives seats as against the NRC which won 37 Senate seats and 275 seats in the House of Representatives. The SDP therefore, controlled the National Assembly. The Presidential election in June 1993 which was acclaimed to be won by M.K.O. Abiola, the SDP flagbearer was annulled by Babangida. The voting pattern revealed that the SDP was strong in the West, including Edo and Delta, while the NRC proved itself strong in the North West and minority areas of the east. The South East, North Central, North East and Middle Belt were shared by both parties (Aibieyi, 2008). After the annulment of June 12, 1993 Presidential election, Humphrey Nwosu was removed and replaced with Okon Uya.

## **The Abacha Transition Programme**

The annulment of June 12, 1993 Presidential elections and the opposition of that action by a section of Nigerian politicians and democracy activists who could no longer take the incessant cancellation of results and extension of the transition time table led to the stepping aside of Babangida on August 27, 1993 and the coming on board of the Interim National Government (ING) headed by Ernest Shonekan to organise another presidential election. This government barely settled down when General Abacha the most senior minister in that administration sacked the Interim National Government and took over power. He consequently disbanded all democratic institutions and sacked all elected political office holders in the Babangida transition and started afresh with his own transition programme.

In December 1995, the military government of Abacha established the National Electoral Commission of Nigeria (NECON), which also conducted another set of elections. This was because NEC was dissolved in 1993 (Adetula, 2007). NECON was headed by Chief Sumner Dagogo-Jack. This electoral body had a broad range of functions including registering political parties, monitoring the organization and conduct of political parties, screening candidates, registering voters, organizing and supervising all elections. However, it has been observed that in some cases, NECON over stepped the bounds of its authority. For example, Chief Dagogo-Jack nullified the position of National leader and coordinator in the National Centre Party of Nigeria (NCPN) and the Democratic Party of Nigeria (DPN) respectively, on the ground of violation of the party's constitutions (Human Rights Watch/Africa, 1997).

In late September 1996, NECON registered 5 political associations out of 23 that beat the deadline for application. They were: The United Nigeria Congress Party (UNCP), Committee for National Consensus (CNC), the National Centre Party of Nigeria (NCPN), the Democratic Party of Nigeria (DPN) and the Grassroots Democratic Movement (GDM). This exercise surprised many because stronger associations such as Peoples Progressive Party (PPP) made up of remnants of the dissolved Social Democratic Party and the Peoples Front of Nigeria bankrolled by late Shehu Yar Adua were not registered (Asia, 2001). NECON claimed that registration decision was based on objective

criteria set forth in its guidelines announced in June 1996. By the guidelines, parties seeking registration were required to have at least 40,000 members in each of the thirty states of the federation and 15,000 in Abuja the Federal Capital Territory. In addition, it was the obligation of each party to pay a non refundable deposit of ₦500, 000 to NECON and also submit short profile of the party and ten copies of its constitution and manifesto. It was alleged that none of the parties registered met the requirements set above. It seems that NECON only registered parties that were apologetic and unwilling to challenge the military government in power (Human Rights Watch/ Africa, 1997).

While the transition process lasted, none of the five registered political parties could be said to have a presidential candidate. Speculations were rife that Abacha would run for the president on at least one of the parties' platforms. Many senior members of the registered political parties equally made it known publicly that they would be willing to promote Abacha's candidacy. It was therefore no surprise when all the parties in their presidential conventions returned General Abacha as their candidate when he has not declared intentions nor resigned from the Army. No wonder that the 5 registered parties were often referred to as five fingers of a leprous hand by Chief Bola Ige the former governor of old Oyo state. An explanation of this is the case of Don Etiebet one time minister of Petroleum Resources who initially expressed presidential aspirations as a principal officer and Chairman of the NCPN. He was arrested on March 16, 1997 by State Security Services (SSS) and shortly after he was released, he travelled to Abuja to meet with high ranking government officials. On April 4, 1997, he addressed a press conference where he announced that he was leaving the NCPN to join the UNCP and also renounced his presidential ambitions. It was believed that General Abacha had threatened to expose Etiebet's involvement in corrupt activities during his tenure as minister of Petroleum Resources if he (Etiebet) did not abandon his quest for the presidency. Allegations were also rife that a number of government ministers had been involved in running and financing the five political parties that had been registered (Human Rights Watch/Africa, 1997).

The local government and National Assembly elections conducted under Abacha's regime were marred with irregularities. For the first time in history, transition was run without a constitution and voters register. This gave room for rules, requirements and conditions to be amended with reckless abandon. The age requirement for Local Government Chairman initially was 35 years. It was reverted to 30, later to 35 and back to 30. The senatorial and gubernatorial from 40 to 53 and 45 to 40 then juggled back and forth again. Up to the time that transition was cancelled by General Abubakar, nobody could say what the requirements really were for a gubernatorial or presidential candidate (Newswatch, 2007).

## INEC and The Conduct of General Elections in Nigeria's Fourth Republic

The sudden death of Abacha on June 8, 1998 led to the assumption of power by General Abdulsalami Abubakar, who was the Chief of Defence Staff under Abacha's regime.

On 20<sup>th</sup> of July, 1998, General Abubakar's administration announced that the military would hand over power to a democratically elected government on May 29, 1999. He dissolved all the five political parties and cancelled all elections held under Abacha. He replaced NECON with a newly constituted electoral body- Independent National Electoral Commission (INEC) chaired by retired Justice Ephraim Akpata. Three political parties were registered by INEC; they were the People's Democratic Party (PDP), All People's Party (APP) and Alliance for Democracy (AD) (Asia, 2001).

INEC announced a time table for elections with local government elections fixed for December 5, 1998; gubernatorial and House of Assembly elections, for January 9, 1998; the Federal House of Representatives and Senate elections, February 20, 1999; the presidential election was slated for February 27, 1999. The turnout for the local government elections was good and there was no significant violence (Report of the Commonwealth Observer Group, 2007). In that election, PDP won by 460 Chairmanship seats, 4,787 Councillorship seats. The APP came in distant second with 188 Chairmanship seats and 1,092 Councillorship seats. The AD had 100 Chairmanship seats and 1,092 Councillorship seats. The gubernatorial elections on January 9, 1999 followed the same pattern with PDP winning 21 states and 528 in the House of Assembly elections, while AD won gubernatorial elections in 6 states and 166 seats in the House of Assembly elections. In the National Assembly elections conducted on February 20, 1999, the PDP had 59 seats of the 109 seats in the Senate and 206 of the 360 House of Representatives seats. The APP won 24 senate and 74 seats in the House of Representatives seats. AD had 20 seats in the Senate and 68 of House of Representatives seats. In the presidential elections, Chief Olusegun Obasanjo, PDP flag bearer had a resounding victory. He had 18.7 million votes, or approximately 63 percent, over Olu Falae of the APP/AD alliance, who got 11 million votes or about 37 percent (Asia, 2001).

Both local and international observers, including a Commonwealth Observer Group noticed irregularities in the poll, however, the results is believed to reflect the views of the Nigerian people. Chief Olu Falae rejected the results and challenged it in court but his protest was rejected by the courts (Report of the Commonwealth Observer Group, 2007).

## The 2003 Elections

Retired Justice Abel Guobadia succeeded Justice Emphraim Akpata as INEC Chairman. Initially, he refused to register more political parties and the matter was taken to court by aggrieved parties. He was compelled by the court to register more political parties (Ajayi and Olaniyi, 2004). The results of 2003

elections is as follows: President Olusegun Obasanjo who ran again as a PDP candidate was re-elected on April 19, 2003 with 61.97 percent of the votes, his closest challenger, General Buhari of the APP obtained 31.2 percent of the votes. General Chukwuemeka Odumegwu Ojukwu of All Progressive Grand Alliance (APGA) had 3.3 percent while the collective votes of the remaining candidates were just 3.6 percent of the votes. In the National Assembly elections held on April 12, 2003, the ruling party (PDP) won 76 senatorial seats, while ANPP had 27 seats, AD won four seats. The ruling party also had 223 seats in the House of Representatives, ANPP 96, AD 34, while other parties shared the remaining 6 seats, one seat was vacant. The ANPP and APGA, together with the Movement for Democracy and Justice (MDJ) and the Justice Party (JP) tried unsuccessfully in the courts to upturn the declared results of the presidential election (Reports of the Commonwealth Observer Group, 2007). Awopeju (2011) noted that, the 2003 elections had been tagged abject failure and that it is difficult to believe that Nigeria could not conduct election that will reflect the will of the people. In fact, the elections were widely condemned by the opposition parties and local and international observers.

## The 2007 Elections

In June 2005, the tenure of Abel Guobadia who conducted the 2003 elections expired and Professor Maurice Iwu was appointed as the new chairman of INEC. The 2007 general elections he conducted were marred with irregularities. Even the late president Umaru Musa Yar' Adua admitted that the election of 2007 through which he became president was flawed. It was generally believed locally and internationally that what INEC under Iwu did was not an election but a mere selection. Out of 36 gubernatorial elections conducted by him, the judiciary decided the victories of 32 state chief executives. In fact, calls for Professor Iwu to resign following a dismal outing in the 2007 election became loud among politicians and activists a (Awopeju, 2011).

In that elections, PDP won 27 states in gubernatorial elections, 89 out of 109 senate seats leaving the main opposition parties, the Action Congress (AC) and two others- the ANPP and Labour Party to share 37 senate seat, Yar' Adua, the PDP presidential flag bearer was declared winner with over 70 percent of the votes cast (Ploch, 2012). The two largest opposition parties, ANPP and AC rejected the poll results. In fact, domestic and international observer groups were highly critical of the 2007 elections. The U.S based National Democratic Institute (NDI) delegation stated that "in many places, and in a number of ways, the electoral process failed the Nigerian People" (Ploch, 2012).

## The 2011 Elections

Before the 2011 elections, one of the steps taken by Jonathan who succeeded Yar' Adua was to appoint Professor Attahiru Jega a civil society activist as INEC Chairman (Ploch, 2012). The presidential elections took place in 36 states and the Federal Capital Territory (FCT), 774 local government areas (LGA, s) and 8,809 wards. There were 120,000 polling units, with 73,528,044 registered

Voters, 65 percent of whom were less than 30 years of age. Gubernatorial elections were not held in ten states where governors had not yet completed their four years tenure. The National Assembly, presidential and state governorship elections were held on 9, 16 and 26 April 2011 respectively. Majorly the ruling party, PDP and other parties like Congress for Progressive Change (CPC), Action Congress of Nigeria (ACN), ANPP APGA among others competed for the elections. The PDP still maintained its dominant position in the polls but this time with splashes of losses in gubernatorial and legislative elections even though it retained the presidency, a majority of the seats in the National Assembly, the gubernatorial posts and state assemblies. However, its share of the total seats in state Houses of Assembly dropped to about 64 percent from 70 percent in 2007. President Jonathan's presidential victory with 58.89 percent of the popular vote was much below Yar' Adua nearly 70 percent four years earlier (ICG 2011). Buhari the presidential flag bearer of CPC followed with 32.3 percent of the votes, Ribadu came in third with 5.5 percent of the votes (Ploch, 2012).

The assessment of the 2011 elections was largely positive. For example, the United States Secretary of State at the time, Mrs Hillary Clinton declared, "this historic event marks a dramatic shift from decades of failed elections and a substantial improvement" over the 2007 election, but noted that "while this election was a success for the people of Nigeria, it was far from perfect" (cited in Ploch, 2012:6).

There were cases of irregularities, despite INEC's tough stance on electoral fraud. A senior official with the National Population Commission (NPC) in Ondo state who served as an ad hoc supervisor for INEC, was arrested on April 9, 2011 for illegal possession of election materials, some with thumb print ballot papers, some were equally in possession of multiple voters cards (ICG, 2011). Although the 2011 elections were quite better than that of 2003 and 2007, however, violence that occasioned the elections result announcement was quite horrific. For example over 150 people were estimated to have been killed in violence related to 2003 elections, 350 people were killed in violence related to the 2007 polls. But over 800 people were killed in the Mayhem that followed the release of 2011 elections results (Ploch, 2012).

## Challenges of Election Administration in Nigeria

Though no society can be said to have attained perfection in the process of election and recruiting of government personnel, the experience of Nigeria has not been palatable (Kaur 2007). Every single election that has been conducted in Nigeria especially since the country attained independence has been disputed (Ibrahim 2007). The Nigerian nation has undergone history of electoral malpractices that had to do with election rigging that thwarts the popular will of the people, which most of the time had been accompanied with social upheavals with negative impact on the polity. For instance in the First Republic, the manipulation of 1965 western region election process enraged the people

precipitating spontaneous rioting that contributed in part to the fall of that republic and military takeover of government

The use of conventional paper balloting in Nigerian elections has always produced disputed outcomes, but for the 1959 and 1979 elections which according to the report of the Nigerian Institute for Policy and Strategic Studies had minimal level of systematic rigging (Ibrahim 2007). The explanation for this is that those two elections were held under strong arbiters, the colonial state and the military that displayed attitude of neutrality to the outcomes of the election. All the other elections has been organised under a partisan government and have often ended up in disputes because the elections has been manipulated to favour the government in power (Ibrahim 2007). The pervasiveness and magnitude of electoral manipulation in Nigeria has threatened the democratic order and the unity of the country (Garuba 2007). This tendency to manipulate the system easily becomes obvious because of the vulnerability of paper balloting that have been in practice in Nigeria. The system is so fraud prone that Nigerian politicians have perfected ways to thwart the popular will of the Nigerian electorate expressed through periodic elections. The Nigerian electoral process had been imbued with many administrative and political problems that have consistently subverted meaningful open and democratic elections. The rigging spree has been so glaring in the elections of 1964, 1965, 1983, 1999, 2003 and 2007 as attested to by local and international observers (FGN 1986, IDEA 2000, EUEOM 2003, 2007, SDN 2007, TMG 2003, 2007). In all these elections the conventional paper ballot systems were in use. It is therefore necessary to say that the desperation of the Nigerian politician to acquire power, has led to the corruption of the electoral system in the country. The methods with which Nigerian politicians manipulate the system are not hidden. These identifiable methods of perpetrating electoral fraud in Nigeria are outlined below.

## Before Election

1. *Compilation of fictitious names on voters registers:* This practice is very pervasive in Nigeria and is perpetrated by politicians and community elites such that the voting strength of their bases or communities will be high in comparison with other communities. This gives the politician or the community an advantage over politicians from other communities contesting the same elective position.
2. *Illegal compilation of separate voter lists:* this act is perpetrated by desperate politicians in collusion with officials of the electoral bodies often times creating non-existent polling units which are used to inflate votes for their preferred candidates.
3. *Illegal printing of voters' card:* here the politician, mostly people in government collude with officials of the electoral commission to print cards of registered voters who were given temporary slip on presenting themselves for registration. The printed cards are then given to the politician, who distributes on election day to people who will vote for preferred candidates.
4. *Change of list of electoral officials:* either at the level of adhoc officials up to resident electoral commissioners, this act is done with the intention of

selecting the personnel that will be cooperative to allow fraud in favour of a preferred candidate and/or party.

5. *Illegal printing of forms used for elections and declaration of election results*: most often, these forms are used to enter results that are in favour of the preferred candidates against the popular will of the electorate.

## During Election

6. *Illegal possession of ballot boxes*: this act is also perpetrated by politicians in collusion with officials of the electoral commission. In this case the boxes are either stuffed and brought to counting centres or exchanged with the real box after it has been snatched;
7. *Stuffing of ballot boxes*: In this case, politicians who have scared the people away from the voting centres collude with election officials to stuff the boxes with votes for their preferred candidates;
8. *Voting by under-aged individual*: in this case, individuals who are not qualified to vote are recruited by desperate politicians who give them cards of fictitious voters to vote on their behalf during election for their preferred candidates;
9. *Deliberate refusal to supply election materials to certain areas*: here the electoral officials in collusion with politicians decide not to supply election materials to areas where support for the preferred candidate is weak. This can range from inadequate ballot papers and boxes, to non-supply of forms to be used to enter results that are taken to collation centres;
10. *Harassment of candidates, agents and voters*: this is done by people working for the ruling parties using security agencies or thugs to enable them perpetrate acts of fraud;
11. *Box-switching and inflation of figures*: are always perpetrated by politicians who are losing in the election. They deploy armed thugs to switch already stuffed boxes that contain votes in their favour (Ibrahim 2007).

## Post- Election

12. *Unauthorized announcement of election results*: this is a practice where pre-prepared results are announced even when the real process of collation is still in progress;
13. *Announcing results in places where no elections were held*: this practice is very rampant in most elections in Nigeria and is widespread across the country especially in the ‘riverine’ communities and inaccessible areas of the country;
14. *Falsification of election result*: perpetrated in situations where the vigilance of the electorate are high in the polling centres. As such, the result of the polling unit is changed in favour of that of the preferred candidate;
15. *Illegal thumb-printing of ballot papers*: this is done in some cases after the election has been concluded and the disputed outcome taken to tribunals for determination. Here the candidate that was rigged into power attempts to provide evidence for the court process (Ibrahim 2007).

The perverseness of these practices and other electoral fraud had made nonsense of Nigeria's democracy. The disillusionment people get from their powerlessness to effect change has created apathy among a huge segment of the populace. Respected scholars led by Richard Joseph after observing the rape on democracy as witnessed in the 2007 general election described it as a setback to democracy that have made Nigerians cynical and pessimistic and called for urgent reform of the Nigerian electoral system to restore people's confidence (Joseph et'al 2007).

In all the elections so far conducted under the Fourth Republic incidence of fraud and rigging that subverts the popular will of the people has been reported (EUEOM 2003, 2007, TMG 2003, 2007). The pattern seems to be degenerating as Nigeria moves from one election to another. For instance in the 1999 elections, observers reported incidences of fraud but concluded that the magnitude was insignificant to affect the final outcome of the election and called for improvement (IRI 1999). However, the suggestions by observers and monitors fell on deaf ears given the monumental scale of fraud that was recorded in the general elections of 2003, giving rise to calls for the cancellation of that election in certain section of the populace (TMG 2003).

The controversy that trailed the 2003 elections was carried into the 2007 general elections which held a promise for the country as the election that would mark the first time the country would transits from one civilian government to another. The Independent Electoral Commission (INEC), the body charged with managing election matters in the country, by the rhetoric's of its helmsmen raised a lot of hope that anomalies which easily contribute to potentially fraudulent electoral behaviour can be taken care of in the elections, more so when the incumbent was not going to run in that election. Professor Maurice Iwu who took over as INEC Chairman in 2005 from Dr Abel Gubadia, was quoted as saying that if conducting a free and fair election would entail his shedding his last blood, he would do that given the skepticism of the electorate and politicians in the process of elections. He moved further on this by hinting his intention to introduce the Electronic Voting System. It was therefore expected to be keenly contested, not only at the federal level, but also at the state levels where most of the incumbent governors had completed their constitutionally allowed two-term tenures.

Intra-party squabbles prior to the year 2007, especially within the ruling Peoples Democratic Party (PDP) sparked by the purported agenda of tenure elongation of President Olusegun Obasanjo had threatened to plunge the country into political crisis, yet Nigerians still looked forward to that election with excitement (PSM 2007). However, that excitement was turned into gloom by Economic and Financial Crime Commission (EFCC) and INEC's roles in the election process. The attempt to exclude some candidates from participating in the election removed the flavour of the build up. But thanks to the Courts that came to the rescue, some of the candidates including the former Vice President eventually participated in the elections and again the governorship elections in

Kogi, Adamawa, Bayelsa and Cross River were nullified by election tribunals as a result of this exclusion (Njoku 2008, Omonijo 2008). In spite of all the odds in the build up to the election, Nigerians were not deterred and their enthusiasm to exercise their right of vote did not wane (EUEOM 2007, TMG 2007). The reassurance coming from the repeated rhetoric's by INEC officials that the election is going to be free and fair as well as the doggedness of some of the opposition candidates who pledged their blood in the campaign to defend their votes were able to get the electorates out to vote in large numbers for April 14, 2007 gubernatorial and state Houses of Assembly elections. The Commission official, whose impartiality was questioned by its action of disqualifying some candidates, called prominent Nigerians and top political party members and their candidates and took them round on tour of the Commissions preparedness to be fair to all as a way of boosting their confidence in the commission.

Enthusiasm for 2007 elections became high given some of the innovations that INEC planned to introduce. One of the measures was the suggestion that the country should adopt electronic voting system (EVS) including the use of electronic voting machine (EVM) in the 2007 election (Umobong 2006). The EVS according to INEC is made up of four components; the register, the validation method, the balloting instrument and the rapid transmission of the results. This intention sparked off debates as to its feasibility in the country. The idea was debated at the committee level of the National Political Reforms Conference (NPC) which recommended the system for use in 2007. This notwithstanding, mounting opposition still trailed INEC's intention, but its Achilles heels were the lack of enabling legislation. Members of the political class mobilized the Legislature to stop INEC by prohibiting use of EVM in the 2006 Electoral Act, where it was stipulated in section 53(2) that 'the use of electronic Voting Machine for the time being is prohibited'. This led to a softening of position by INEC which subsequently dropped the idea of EVM but insisted that the EVS should continue in the aspects not affected by that legislation such as voter registration to enable the Commission to create a permanent voters register. The idea was to stop the practice of general registration anytime there was to be elections in the country. Some component of this process of registration include the Electronic Voters Register to be made up of database of eligible voters complete with photograph, biometric data (fingerprints) and other bio-data such as age, sex, address, polling unit, registration area among others. By such, voter accreditation and authentication prior to balloting is to be based on secure voter identification and biometric information and photograph on the card, an idea that can go a long way to eliminate multiple registration and impersonation during voting.

But inasmuch as INEC's intention raised some hope that the implementation of this idea may solve some of the identified fraudulent behaviours, poor management of the system by INEC during the 2007 registration of voters due to its lack of preparedness led to its failure and complete abandonment during voting rounds of 2007 elections (SDN 2007, Momoh 2010). The end was the colossal fraud recorded in that election which

both local and international observers described as falling below the African standard of democratic election and called it unacceptable (ACE 2007, EUEON 2007, TMG 2007).

The implication of this condemnation of the 2007 elections by observers, created a problem of legitimacy for the winners, including Umar Yar'Adua who was declared winner of the presidential election. As a product of that election, Yar'Adua was humble enough to recognize in his inaugural speech that the process that brought him to power was flawed and something fundamental needs to be done to the electoral process before the next round of elections. The president went further to constitute and inaugurate an Electoral Reform Committee. That panel has long submitted their report that commands overwhelming support of Nigerians. For instance, the Save Nigeria Group, a coalition of civil society groupings including faith based organization sprung up demanding an end to the impasse created by the health of Yar'Adua by organizing several rallies, also demanded implementation of Uwais Report as part of electoral reforms that shall bring back sanctity of the Nigerian electoral process. One of the recommendations submitted to the government by that committee is the adoption of electronic voting system which was poorly executed by INEC amidst stiff opposition by sections of the population. Even though majority of National Assembly members opposed the introduction of EVM, some interest groups from the North also opposed the system on grounds that embossment of photographs is against their culture.

## **Challenges of Electoral Politics Prior to Independence**

Even though the Clifford Constitution granted Nigerians the elective principle, it was restrictive in the sense that only Lagos and Calabar were chosen, ignoring the rest of the country. Moreover, the suffrage was limited to adult male with income of £100 and above. The condition for participation also required candidates to deposit £10 as part of the cost for the election (Nnadozie 2003). It did not end there as apathy was the order of the day even for the courageous ones that managed to register to vote. An example is the case of Calabar election of 1938 where only 200 of the 1000 registered voters exercised their franchise (Nnadozie 2007:51).

## **Challenges of Post-Independent Electoral Politics**

The seed of ethnic politics sown by British style of colonialism and encouraged by the leaders of the political parties became vociferous in the 1964 election which was the first to be held after the departure of the colonialists (Kirk-Greene 1972 cited in Nnadozie 2007: 56). The campaign assumed ethnic colouration with accusation and counter accusation of ethnic domination by the parties as a way of winning votes. The pre-independent alliance of NPC-NCNC collapsed and new alliances were formed to contest the election. For instance the NCND and the AG as the main parties formed the United Progressives Grand Alliance (UPGA). Other members of the alliance included NEPU and the United Middle Belt Congress (UMBC). The NPC on the other hand was able to form the

Nigerian National Alliance (NNA) with a new party called the Nigerian National Democratic Party, a fusion of Akintola's United Nigeria Peoples Party and a wing of the NCNC in the west that were not happy with the romance between NCNC and AG. Other members of the alliance included the Mid-West Democratic Front and Dynamic party led by the famous mathematician Dr Chike Obi (Nnadozie 2007).

The NNA fielded candidates only in the North and West but UPGA was able to field candidates all over the country. There were charges of harassment and intimidation especially from the camp of UPGA against NNA in the North and West where the NNA held the reins of government at the regional levels culminating in the call for boycott of the election by UPGA. Though this was successful in the East, it was partially successful in the West but failed completely in the North which plunged the country into a constitutional crisis because the president refused to appoint a prime minister. A negotiation to form a broad based government, resolved the crisis and Abubakar Tafawa Belewa of the NPC was re-appointed Prime-Minister. Elections were to be held in areas where it could not hold and a regional election was also to be held in the West in 1965. See the appendix, table 3 for the result of seats captured by the various political parties.

Apart from this acrimonious election, the Western Region election of 1965 was a test case for the leaders of Nigeria. Again the UPGA and NNA were the major contestants but the scenario of 1964 was to repeat itself in a larger scale. The UNDP of Akintola used the full weight of incumbency to overwhelm Alhaji Adegbenro's AG sparking off riots and mass protests in the region, precipitating the so called '*operation wetie*'. This incident, ultimately led to the collapse of the First Republic that ushered in a military rule.

The first military dispensation lasted for thirteen years before another set of election were conducted in the country, this time under a different electoral law and constitution. For instance, the Westminster cabinet system practiced under the First Republic was changed to the American presidential system and the initial four regions had multiplied to nineteen states and the president had the whole country as his constituency, so campaigning in a restricted region which was the style of NPC can no longer guarantee any party victory unless you have support across the country.

The 1979 elections though were contested under different political platforms but by the same old players of the First Republic. This has made scholars to characterise them as reincarnation of the old First Republic political parties (Uba 1989, Joseph 1991). But the pluralism of the country bifurcated along ethnic and religious lines continue to reflect in party formation and results of election.

At the end of the election, none of the five political parties that contested the election could secure control of both the senate or House of Representative to establish a dominance, but the new rule stipulate that a

president can be elected and still govern notwithstanding the fact that his/her party does not have controlling majority in the legislature. Consequently Alhaji Shehu Shagari of the National Party of Nigeria (NPN) was declared winner having secured the highest votes cast and a third of the votes in two thirds of the states even though this was challenged by Chief Obafemi Awolowo of the Unity Party of Nigeria (UPN) who believed that Shagari did not fulfil the requirements of the law. However, this was resolved by the law court which ruled that Shagari secured the requirement in the famous  $12 \frac{2}{3}$  ruling instead of the 13 states Awolowo was insisting on for a run off election. The results breakdown of seats in the National Assembly is shown in table 4 and 5 of the appendix.

For the governorship of the then nineteen states, there was an even spread of the parties. The NPN secured 5 states, UPN 4 states, NPP 3 states and PRP and GNPP 2 states each.

Even though Shagari and his NPN assumed power, they needed an accord with the NPP to guarantee a working majority to be able to govern for the four years they were in power (Nnadozie 2007:64). However, an attempt by the NPN to stand on their own in the election of 1983 culminated in the so called ‘moonslide victory’ that sparked off violence in parts of the country leading to another military intervention that ushered in another dispensation of military rule that lasted for 15 years.

Within this period of military rule, there was experiment at democratization including elections especially during the Ibrahim Babangida military administration that did not eventually lead the country to democracy. This notwithstanding, the election of June 12, 1993 was very instructive because in the bid to overcome most of the hiccups that characterised previous elections certain experiments were adopted in the botched Third Republic.. One of such is the option A4 electoral system, the open ballot system and the modified open ballot system. Option A4 system requires aspirants to political offices particularly the presidency to go back to their constituency, the ward level and from their be voted to elective office upto the national convention where delegates are gathered at a centre as was the case of Jos and Port Harcourt in 1993. At those two national conventions, Moshood Abiola and Bashir Tofa of the Social Democratic Party and National Republican Convention respectively defeated 29 other presidential candidates that emerged from the then existing 30 states. The electoral system adopted for that election was the option A4 that requires each state must elect their own presidential candidates for the national convention in each of the two parties. The open ballot system required supporters to queue up behind their candidates or their photographs openly. This system humbled most of the so called big time politicians as they saw their line get thinner against less fancied opponents. Unfortunately, however the results of the presidential election was abruptly stopped midstream and the election which most commentators described as free and fair was cancelled, thus plunging the country into political crisis that was only partly solved six years later after Abdulsami Abubakar organised a short transition programme that heralded the fourth republic dispensation.

The series of elections under Abubakar's transition started with the local government election which provided platform for the Independent Electoral Commission (INEC) to test the strength of the political parties that emerged and had indicated interest to contest the remaining transition elections. Part of the condition for further participation was for the political parties to at least capture 10% of the 774 council areas in the country. At the end of that election, only the Peoples Democratic Party (PDP) and the All Peoples Party (APP) met the condition. But to include the Alliance for Democracy (AD) who were mainly drawn from National Democratic Coalition (NADECO) that fought for the revalidation of June 12, 1993 presidential election, INEC has to review the condition to 5%, making it possible for the AD to meet the condition, thus setting a stage for a three way contests for the remaining elections.

The PDP established its dominance in those elections wining majority of the seats in both the Senate and House of Representatives, as well as majority of the governorship positions and the presidency overcoming and APP/AD alliance in presidential election.

Ever since 1999, the PDP has been dominating the political landscape in Nigeria's Fourth Republic like a colossus, expanding its winning streak in the post-transition elections held in 2003 and 2007 against every logical expectations. The presence of factions and fractions within the party and the unpopular policies of the party at the national level worsened the economic condition of the people. Expectations was high that in the first post-transition election on 2003 that the PDP is going to perform poorly, but instead, the party grew in strength against opposition parties which has increased in number prior to the 2003 election. The advent of the first general election under a democratic dispensation witnessed the increase of political parties from three in 1999 to thirty parties in 2003, but this plurality of the political system made little difference to the dominance of the PDP. For instance the party won more governorship elections from twenty-one (21) to twenty-eight (28) states and a comfortable two-third majority in the National Assembly. The same was repeated in 2007 when most of the incumbents at the national and state level could not go for another term due to constitutional limit; the PDP defying all logic swept those polls capturing more political offices in the country including the presidency (Akinyele 2003).

But can these winning streaks be attributed to the popularity of the party and overwhelming approval of its policies by the Nigerian people? Far from it as the report of monitors and observers of those election indicates massive rigging of the elections (TMG 2003, 2007, EUEOM 2003, 2007). Apart from the report of monitors, the outcome of petition filed at election tribunals across the country in both the 2003 and 2007 elections validates those reports. According to SDN, it was the failure of the PDP administration to deliver their responsibility to the Nigerian populace that created a situation where rigging and removal of citizen's right to vote was likely (SDN 2007: 13). Nnanna (2007) in his column have argued that the PDP transformed into a quasi-republican

institution with a heavy statist predilection. This deprived its members (the people) driving force of its internal dynamics and its purpose or mission, it was the state (the Presidency) that made major decisions on who got what in the party and outside it as well. Winning elections and staying in office was decided in the Presidency, with state institutions such as the Independent National Electoral Commission (INEC), the Nigerian Police Force, the security agencies and even some of the courts being used to subvert the will of the people.

A look at the results of the first two post-transition presidential elections shows an overwhelming support for the PDP as against the other political parties as the tables 5 and 6 of the appendix indicates. The trend, going by the number of votes and percentage indicate that the PDP have managed to retain the loyalty of its supporters, leaving the opposition to split their supporters. But how was it possible for the PDP to achieve this given its record in government as well as the ground swell of opposition against it prior to the elections. The explanation to this phenomenon lies within the political system which gives the incumbent regime overwhelming advantages over its opponents in an election. For instance, the constitution requires the president to appoint members of the Independent Electoral Commission (INEC) the body that is vested with the responsibility of conducting all elections in Nigeria except the local council which is handled by a similar body at the state level. Though members have secured tenure once appointed and must also be confirmed by the Senate, the Resident Electoral Commissioners in all the states that actually oversees the elections are directly appointed by the president without confirmation with the Senate. The Resident Electoral Commissioners in the states of the federation are the ones that recruit adhoc staffs and returning officers who are the field officers for election exercises. The accusation is that the incumbent who is an interested party appoints members of his party or their sympathizers who pander and manipulate the result in their favour (ACE 2007). Even when the commission want to assert its independence after ratification of appointment and want to introduce voting system that will be difficult to rig as is with the case with the botch intention to introduce electronic voting system in the 2003 and 2007 elections, the fact that the commission does not have financial autonomy puts a stall to the goal.

That apart, the huge financial resources at the disposal of the PDP giving it control of the centre and most of the states of the federation, almost makes the party invincible in terms of organization. The heavy financial outlay gives the party tremendous advantage over other struggling political parties in a country where money politics is very vital, not necessarily to organise to get voters out but to secure local chieftains all over the country to superintend the rigging machine that will return the party to power.

## Conclusion

Election remains the only instrument and means by which people in modern societies exercise their democratic right in the governance of their affairs either through direct choices of public officials to be invested with power and

authority, but also via direct decision making in form of referendum, plebiscite and initiatives.

It is through regular and periodical elections that public officials can be held accountable in a modern society. It is also by means of elections that the political arena is transformed into a market place of ideas. However, the history of election and democracy in Nigeria has not been palatable. This notwithstanding, the country has tethered along since the colonial period up to this era of post-independence.

Even though disputes arising from election result can be said to be a vital factor responsible for intermittent military takeover of governments in Nigeria, the Fourth Republic has provided a learning period with which mistakes that were made can be corrected as the country marches on the path of democracy

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### **Appendix**

Table 1 Results of 1954 Parliamentary Election

Political Party Affiliation	Eastern Region	Northern Region	Western Region	Lagos	Total
Action Group	3	1	18	1	23
NCNC	34	2	22	1	59
NPC	-	83	-	-	83
UNIP	4	-	-	-	4
NCLP	-	-	1	-	1
Independent	1	-	-	-	1
No Information	-	6	1	-	7
Total	42	92	42	2	178

Source (Okafor 1981 cited in Nnadozie 2003:54)

Table 2 Results of 1959 Parliamentary Election

Political Party Affiliation	Eastern Region	Northern Region	Western Region	Lagos	Total
Action Group	14	25	33	1	73
NCNC	58	-	21	2	81
NPC	-	134	-	-	134
NEPU	-	8	-	-	8
NDC	1	-	-	-	1
Independent	-	7	8	-	15
Total	73	174	1	3	312

Source (Okafor 1981 cited in Nnadozie 2003:55)

Party	Number of Seats
AG	21
NCNC	84
NNDP	36
NPC	162
NPF	4
Independent	5
Total	312

Table 3: Result of 1964/65 Parliamentary Election

Table 4 :Result of 1979 Presidential Election

Party	Candidate	Total Votes	Percentage of Votes
GNPP	Waziri Ibrahim	1,686,489	10.0
NPN	Shehu Shagari	5,688,857	33
NPP	Nnamdi Azikiwe	2,822,523	16.7
PRP	Aminu Kano	1,732,113	10.3
UPN	Obafemi Awolowo	4,916,651	29.2

Source (Ojiakor n/d p.217)

Table 5: Breakdown of Senate and House of Reps. Seats

Party	Nos of Senate Seats
GNPP	8
NPN	36
NPP	16
PRP	7
UNP	28
Total	95

Source(Ojiako n/d p.216)

Party	Nos of House of Rep. Seats
GNPP	48
NPN	168
NPP	78
PRP	49
UNP	111
Total	449

Source (Ojiako n/d p.214)

Table 5 : 2003 Presidential Election Result

S/N	Party	Candidate	Total Votes	%
1	PDP	Olusegun Obasanjo	24,456,140	61.94
2	ANPP	Mohammed Buhari	12,710,022	32.19
3	APGA	Odumegwu Ojukwu	1,297,445	3.29
4	Others	Others	1,016,875	2.58

Table 6 2007 Presidential Election Result

S/N	Party	Candidate	Total Votes	%
1	PDP	Umaru Yar'Adua	24,784,227	69.92
2	ANPP	Mohammed Buhari	6,607,419	18.64
3	AC	Atiku Abubakar	2,587,798	7.30
4	Others	Others	1,465,764	4.13