



A Critical Insight into Independent National Electoral Commission (INEC): Implications for 2015 General Election and Democratic Advancement in Nigeria

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ABSTRACT:- The system of electoral administrations in emerging countries have witnessed a lot of setbacks and challenges on democratic advancement arising from the activities of feeble political parties, untrained electoral officers and the unenthusiastic and unpatriotic electorates. These challenges have been described as part and parcel of an emerging societies whose socio-political and cultural texture have characterised negative transition mechanisms being intensified by certain hash cultural values (toxic cultural values) which have caused democratic erosion. Scholars have ascribed most of these issues and setbacks due to the syndromes of godfathers, political bourgeoisies, bribery and patron-client politics being demonstration by these actors. But the issues and the technicality of elections, that is, before, during and after the elections that happened to be the hub of any electoral administration have attracted few academic scholarship perhaps these can be attributed to lack of conducive atmosphere to engage in such painstaking research endeavour. While researchers (Omanoi; Dike; Eme and Ogbochie) have contributed in their little ways towards resolving these electoral ills, this piece will examine the Nigerian Electoral Management Body (The Independent National Electoral Commission) under the auspices of Professor Attahiru Jaga in recent electoral administration. The Anambra State; Ekiti State; Osun State and its implications for 2015 electoral administration and democratic advancement in the country. The Paper used secondary data such as M.Sc theses, PhD dissertations, Newspapers, the internet, etc, that provide concrete information to this piece. It also adopts Elitists Theory due to the nature of the topic being considered and how patron-client/monetised politics have taken central stage in the country's polity. The paper pointed out that the recent elections conducted in the country were influenced by Nigerian Elites; hence the ever waiting 2015 general election will be dicey.

Keywords:- INEC; Elections; Electoral Administration; Democracy; and Democratic Advancement

I. INTRODUCTION

In the course of electoral administration in Nigeria, electoral violence has become a norm looking at past elections conducted in the country such as 1964, 1979, 1993, 1999, 2003, 2007, 2011 elections and the most apprehensive one is the forthcoming 2015 Elections, amidst increasing concern of high levels of insecurity and violence in the election days and the days immediately after. The concerns are that the current security situation such as continued insurgents attacks in the Northern part of Nigeria, the continue rise in the level of unemployment, prostitution and the proliferation of Small Arms & Light Weapons (SALWs) in the country, may fuel an outbreak of Nigeria 2nd civil war. The Nigerian government has currently biff-up its security mechanism towards the 2015 elections and this can be seen from the most recent elections conducted in the country where over 30,000 and 73,000 security agents were deployed to the Ekiti State and Osun State Governorship Elections respectively. The elections were conducted in June and August 2014 respectively and were bit incident-free. The Independent National Election Commission (INEC) has been lauded by some Stakeholders for this feat and also for suspending two Electoral Officers over administrative lapses during the Osun State Elections. Some see these events as a foreshadowing of free and fair, violence-free in ever awaiting 2015 General Election but that of Anambra State tells different stories that led to re-conduct of election in some areas(www.africapractice.com).

Most literature in area of elections do investigates electoral violence and the issues that concern the elites in the polity after the conduct of an election. For Omanoi (2005), sees it from the angle of “Democratic Developmental State in Africa”, on this piece Omanoi noted that *The African state’s weak internal institutional capacity as well as the lack of people’s participation are therefore said to have accounted for its inability to forge and sustain a developmental agenda*. Similarly, Dike (2003), viewed it from the perspective of “Nigeria and the Politics of Unreason: Assassinations, Decampments, and Moneybags”, here emphases were on different forms of irregularities perpetuated by political elites in a bid to gain power. Likewise for Eme and Ogbochie (2014), assessed it from “The Legal/Constitution Basis of Political Party Defection in Nigeria” where they concluded that:

The recent wave of defections in the National Assembly is product of cash and carry politics, as none of the two rival parties of Peoples Democratic Party (PDP) and the All Progressives Congress (APC) is immune from the business. The perennial defection of politicians was not informed by the resolve to fight and protect the interest of the general public, but for their own personal interests.

Hence, this piece examines the current Nigeria Electoral Body (Independent National Electoral Commission) under the management of Professor Attahiru Jega (A professor of Political Science) in view of the recent concluded governorship election in the country: Ekiti state, Osun state, Anambra State and the implications 2015 elections or expectations for Nigeria in 2015 elections.

However, deducing from the past elections conducted by various electoral bodies in Nigeria, 1960 election; 1964 election; 1989 election; 1993 election; 1999 election; 2003 election; 2007 election; and 2011 election. One may conclude that the June 12, 1993 general election conducted by Professor Humphrey Nwosu is still regarded as the freest and fairest election ever conducted in history of Nigeria in which late Chief M.K.O. Abiola was presumed or alleged to be the winner. The June 12, 1993 election looking out the past and present elections, it can be affirmed that the level of patron-client syndromes; monetised politics; intimidation and rigging was at its lowest form. This phenomenon can be attributed to the dissatisfactions demonstrated by Nigerians to military ruler-ship in politics, personality like the late Gani and some academicians wrote succinctly to discredit the continuation of military in politics. Option A4 and Open Ballot System methods of voting were introduced both of which constituted to the remarkable success recorded during the 1993 general election (Adejumobi, 2007).

However, in 1998, the Independent National Electoral Commission (INEC) was set to anchored and oversee elections in Nigeria. It is an electoral body that has been involved in numerous controversies and criticism since its formation. For instance, Justice Ephraim Akpata and Sir Abel Guobadia served as the chairman of Independent National Electoral Commission (INEC) in 1999 and 2003 respectively. During these periods (1999 and 2003), it was reported that elections results were widely condemned by the oppositions and the European Union Election Observers (Dike, 2003). The elections were marred by poor administration, lack of transparency, violence, different forms of irregularities and evidence of fraud particularly during results collation process (Adejumobi, 2007). In 2005, Professor Maurice Iwu became the chairman of Independent National Electoral Commission (INEC) and who conducted one of the most controversial elections when compared to past and present electoral chairs. The 2007 elections he conducted was marred by massive irregularities, blatant favouritism and was criticized by Nigerians and foreign observers for conducting elections that fell below acceptable democratic standard and the late President Umaru Musa Yar’Adua admitted that the election that made him president in 2007 was far from free and fair (Musa, 2011).

On June 8, 2010 Professor Attahiru Muhammadu Jega was nominated by President Goodluck Ebele Jonathan as the new chairman of the Independent National Electoral Commission (INEC), subject to Senate confirmation as a replacement for Professor Maurice Iwu who relinquishes the post of electoral chairman on April 28, 2010 (EU Election Observer Mission Report, 2011). However, before the April 2011 elections were conducted, the much-maligned Independent National Electoral Commission (INEC) had undergone an internal overhaul under its new boss Professor Attahiru Jega. INEC claims that a great deal of time and money had been invested in technology, for a high-technological registration process, and in staffing in order to ensure that the elections are free and fair. Extrapolating from the above analyses the study will be guided by the following research questions below and which will also serve as the research objective. “What are the challenges faced by INEC during the recent elections conducted in Nigeria such as Anambra State; Ekiti State; Osun State elections and the implications for 2015 elections and democratic advancement in Nigeria”.

II. CONCEPTUAL AND OPERATIONAL CLARIFICATION

1.2.1 Electoral Administration and Democratic Advancement

Electoral administration embodies a country’s electoral management body (EMB) and its operations, in Nigeria currently, the Independent National Electoral Commission assumed this position. Nigerian electoral body has the power to recruit ad hoc staff prior to the election, screening of candidates, involving

security agency, production of electoral materials and other strategic information needed before, during and after the election. The activities of the body in Nigeria have raised a lot of concern due to political interference and the question of technical know-how on the side of the Nigerian government and the commission itself respectively. The Independence Electoral Assessment team Report 2010 testified to the above involvement. In the report, late President Umaru Musa Yar-Adua admitted that the election that made him president encapsulates irregularities. Similarly, a PhD study carry out by Omotola (2009), titled "Electoral Administration and Democratic Consolidation in Africa: Ghana and Nigeria in Comparative Perspective" for presentation at the Global South Workshop 2009, which took place at the Graduate Institute of International and Development Studies (INSTITUT DE HAUTESÉTUDES INTERNATIONALES ET DU DÉVELOPPEMENT) in Geneva, 19 to 23 October, 2009. On the study a list of apple abnormalities were identified as factors working against the Independent National Electoral Commission:

.....This is in sharp contrast to the Nigeria experience, where INEC has become the butts of main political actors, including opposition parties, civil society, the international community and the generality of the people. INEC is widely known as not independent, partisan, partial, ineffective and non-professional. Based on the findings of the study, INEC is an institution with little or no credibility at all among Nigerians. 453 (95.16%) of respondents to the questionnaires revealed that they had no trust in the capability of INEC to successfully conduct elections in Nigeria. This contrasts the Ghanaian case where societal trust in the EC (*Electoral Commission*) was very high, such that 402 (98.62%) expressed strong confidence in the EC. Such a massive dismissal was predicated upon the abysmal records of INEC since 1999.

They further observe that:

The main failings of INEC include its usually poor preparations for elections, poor respect for the rule of law, failure to create a level playing field for all parties and candidates, among others. Respondents attribute these problems to INEC's gross lack of independence, given its composition and funding by the presidency; the poor quality of its leadership and its corrupt dispositions....

However, looking at the just concluded gubernatorial elections (Ekiti State and Osun State) in Nigeria one can affirm that there will be no security breakdown in the electoral administration in the forthcoming 2015 general elections if all things be equal. These two elections witnessed over 70 thousand security agents and coupled with security-trained dogs. But issues such as incumbency-influence in area of curving addition polling units, monetising the process, recruiting illegal security personnel such as assassins, thugs, etc, are big issues in electoral administration in Nigeria. These methods have made the Nigerian voters to lose hope on the entire system leading to voter apathy in the past. Voters during the Osun State August 2014 gubernatorial election decried of militarisation and the fear of insecurity that may arise between the Nigerian securities and the self-candidates' security agents who were armed directly or indirectly during the course of the election. However, the ruling party the People's Democratic Party in preparation towards the 2015 general election have voted for the incumbent president over #21 Billion and if other parties follow suit, then INEC and Nigerians as a whole have big issue to resolved. In the "Nigerian Daily Sun" Wike alleges that the serving governor of Rivers State in the person of Rotimi Amaechi spent 30 billion towards APC elections, in support for Retired Gen. M. Buhari for his election (Daily Sun 26, 2014. Vol.10.No.3043). Without much ado, it connotes buying and selling of electoral materials will be the order of the day come 2015. This monetary device has been used by politicians in the past to lure and threaten voters pre-election, during and after. The essence of democracy that is anchored on choices and freewill of voters have been constraint and jeopardised by political actors due to their self-centeredness and primordial interests (Obah-Akpowoghaha, 2013; Musa, 2011).

By democratic advancement in this paper, we mean conducting periodic elections, political actors observing electoral laws, freedom of information bill, political education, and institutionalisation of political institutions, economy growth and a vibrant civil society. In other words, is the process of stepping from one democratic stage to another phase of democracy after transiting from authoritarian regime. Policy analysts and academic scholars have classified Nigerian democracy as a nascent democracy right from the beginning of the Fourth Republic, 1999 to date and the question that borders on this piece is how many years will Nigerian democracy experience before it will move from this embryonic stage to another phase. Relating the above variables to Nigerian democratic advancement such as feeble political education, manipulation of the civil society through the mass media and political intimidation, lack of clear-cut mechanism to institutionalise political bodies leading to political prostitutions (decampment) and party alignment, shabby or leprous political parties, non-observance of electoral laws, these and among others have cause setback on Nigeria democratic advancement. In area of economy growth, freedom of information bill and periodic elections, the Nigerian democratic process has made reasonable attempt but these variables need to be prompted procedurally by other variables. The 2015 ever awaiting election is a test and it serves as an instrument of measurement after 14 years of uninterrupted democratic experiment whether the country's democracy can still be classified as nascent. The

Osun State and Ekiti Elections of 2014 June and August respectively singing a good melody that Nigerian democracy has move beyond a formative democracy (nascent) and that of Anambra State as at 2013 where all manners of abnormalities happened to be the order of the day tells different stories(www.africappractice.com).

Right from the inception of the ongoing democratic political dispensation different challenges have bedevilled the Nigerian political system such as *Inflated census count* (inflating of census figures of localities for political gain); *Voter registration exercise* (some politicians use crooked means to register more voters in their constituencies); *Printing of fake electoral materials* (crooks print fake ballot papers, after seeing the original ballot paper, to stuff ballot boxes); *Party Primaries* (manipulation of the political process to select a party's flag-bearer); this was rampant during the 2003-2007 elections; *Colluding with electoral officers* (bribing electoral officers, security agents, police officers, and thugs to stuff ballot boxes with fake votes, snatch ballot boxes, and allow multiple voting, under aged voters; stealing of boxes, etc); *Voter intimidation and political thuggery* (to scare away voters by threatening to kill or hurt them; and assassination of political opponents. This was also rampant, as many people were killed in election-related violence; *Stuffing of Ballot* (indiscriminately thumb-printing of ballot papers and putting them in ballot boxes to ensure the victory of a particular candidate (or a group of candidate); *Multiple Voting* (some voters casting more than one vote due to multiple registration and fake papers); *Underage Voting* (voting by people who are below the stipulated voting age; due to lack of use of ID card this was common during the 2003-2007 elections; *Inducement of Voters* (some politicians buy votes by distributing food items-Beans, Rice And Onions, Garri and Yam Tubers, Stock-Fish And Salt And Money to the poor and ignorant population); *ECOWAS Voting* (mobilizing immigrants from neighboring countries to vote for a particular candidate; *Colluding with Gate keepers* (gate-keepers in voting and collation center (in alliance with electoral officers), could manipulate election figures); this was a common problem during the period; *Deliberate counting mistakes* (unscrupulous election officers in polling centers could leave out counting the votes of some candidates, and inflate the votes of candidates that bribed them to ensure that they get the required votes to win an election); and *Deliberate technical errors* (results at polling centers could indicate that a particular candidate is winning or has won, but a wrong result could be posted; the officers could call it technical error if the trick is dictated (*ThisDay*, May 11, 2003; *The Guardian*, April 22, 2003; *Vanguard*, May 5, 2003; *Daily Trust*, May 5, 2003; *The Guardian*, April 22, 2003; Dike: *Daily Trust*, May 15, 2003; *ThisDay*, May 11, 2003; *ThisDay*, May 11, 2003; *ThisDay*, May 11, 2003 cited in Dike, 2003). Below are some of the factors.

1.3 Electoral Administration: Challenges encountered by INEC from 1999 to date

There are a lot of challenges with the conduct of elections in Nigeria right from 1922-1954 Colonial Elections, Independent Elections from 1960-1964, Second Republic Elections 1979, the ill-fated 1993 presidential election and the ongoing political dispensation has not proven otherwise and analysts have used different derogatory languagewatered down electoral administration in Nigeria especially the conducted by Professor Morris Iwu, an election even the presidential winner of the 2007 election also acknowledged that the election that brought him to power neither free and fair. It has been documented that elections in Nigeria are constant tales of political violence, fraud, thuggering, and general lack of party's internal democracy. It has been pointed out that money has become a seductive mechanism to exploit and manipulates the vast majority of Nigerians who are suffering from all kind of poverty ranging from shelter, education, security, liberty and so on. This juicy and seductive variable has been used as a determinant in view of who gets what, how and when; and how resources are authoritatively allocated in Nigerian politics. This Niccolo Machiavellian'sprinciple has caused retrogression on the country's nascent democracy right from the inception of the Fourth Republic. Consequently, Dike (2003),Abimbola and Adesote(2012), have identified the following as critical issues in Nigerian electoral administration:

1. Inadequate Personnel Training: From the interactions during focus group discussions with RERC both in the field and at INEC headquarters, it was easy to identify that this was due to problems related to:
 - (a) Late arrival of training materials and inadequate equipment for practical training of both the permanent and ad hoc staffs of INEC during the 2011 registration exercise.
 - (b) Insufficient time for training of both the permanent and ad hoc staffs of INEC before the 2011 registration exercises, which did not allow for proper assessment of personnel before deployment to the field.
 - (c) A number of personnel that participated in the training were not selected for the exercise.
2. Late Arrival of Registration Materials: In all the geo-political zones visited by RERC, there were complaints about the inadequate number of and late arrival of DDC machines and other registration materials during the 2011 registration exercise.
3. Distribution of Materials: There were delays in the distribution of materials during the 2011 registration exercise. These delays led to the late commencement of voter registration, especially, in rural areas of the south eastern part of Nigeria.

4. Technical Capacity of Ad Hoc Staff: There were technical challenges in terms of the ability of many of the ad hoc staff to use the DDC machines. This was especially the case during the first week of the 2011 registration exercise.
5. Multiple/Underage Registration: Multiple registration and underage registrations were other major challenges faced by INEC during the 2011 registration exercise in Nigeria with particular reference to south eastern region.
6. Lack of Public Enlightenment on the Display of Voters Register: Although INEC did display the voters' register after the 2011 registration exercise, but there were complaints from stakeholders during RERC interactions that the registration exercise was not given sufficient publicity by INEC, resulting in the poor response from the public.
7. Logistic Challenges: There were noticeable lapses in the logistics and management which affected the success of the 2011 general election in Nigeria. Among these were:
 - (i) Inadequate storage facilities in the states during the conduct of 2011 general election in Nigeria.
 - (ii) Late arrival of materials at the voting centres during the conduct of 2011 general election in Nigeria.
 - (iii) Inadequate of provision of vehicles for some local government areas and state headquarters in south eastern Nigeria(www.africappractice.com).

1.4 ELITE THEORY

This piece prefers to adopt the Elite theory especially as it helps to unfold the scheming, manoeuvring and political machinations of the elites during inter and intra party decisions. The elite theory as popularized by VilfredoParato, Gaetano Mosca, Roberto Michels, Wright Mills among others (Varma, 2006), no doubt obviously explicates the Nigerian political system considering the fact that most political parties that exist in the present democratic dispensation are built on personal and primordial interests of the few who possess economic and social power. One of the advocate of elitism Pareto believes that society, consists of two classes: (1) a higher stratum, the elites, which are divided into governing elite, and a non-governing elite, and (2) a lower stratum, the non-elite. In general "individual interest" is what the elites emphasised. They cling desperately to their new powers and privileges, and become almost irremovable. Once a leader reached the pinnacle of power, nothing could bring him down. If laws are passed to control the dominion of leaders, it is the laws which gradually weaken, and not the leader(s). To preserve itself and to avoid change and stress, it concedes to some welfare programmes and public demands. The masses of the population are on the other hand, unorganized, passive and uninformed and have little influence over public issues. In representative democracies, the masses still have little or no control because elites select the candidates and manipulate the voters through propaganda and economic resources. Election as an instrument of controlling the elites does not limit, confiscate and constraint the elites' supremacy and power because the elites direct and manipulate both the elections' mechanisms and the society as whole. It is on these grounds this paper takes a brief analysis in view of Anambra State, Ekiti State and Osun State Elections.

1.4.1 THE ANAMBRA STATE GUBERNATORIAL ELECTION

The following proceeds below were retrieved from Guardian Newspaper, 18th November, 2013

1.4.1 Incumbency factor

The Anambra State Election exhibited the personality of the outgoing governor (Peter Obi) through his financial and political will in support of Mr. Willie Obiano his political godson. This was apparent in Obiano's posters and billboards, which dotted all nooks and crannies of Anambra State. In most cases, such posters and billboards were adorned with the photographs of Governor Obi as if he was the one running in the election. Consequently, critics accused the governor perpetuating "godfatherism" issue that was thought to be out of Anambra Politics and forgone during the first taste of Senator Ngige as governor of Anambra State and his then godfather Chief Chris Uba. Although it was not a surprising action to different analysts because Mr. Peter Obi came in through such political scheming, manoeuvre and manipulation. Recall that Ngige's political godfather then, Chief Chris Uba, used all means, including "kidnapping" of the governor when Ngige failed to honour a pledge to be paying a certain monthly amount to defray the expenses he (Uba) incurred in ensuring that Ngige was manipulated electorally into the governor's seat. The courts were to remove Ngige from power on the strength of the petitions/appeals filed by Mr. Obi, who was eventually sworn-in as governor after almost three years in the political/litigation. This position tells us how strong and powerful Mr. Peter Obi installing Mr. Willie Obiano his political godson (Guardian, Nov. 18, 2013).

1.4.2 Role and power of money

In the State of Anambra, expensive and gigantic billboard was erected for Mr. Obiano and the image of the serving governor Peter Obi was placed beside it. This issue was raised based on the accusation levelled against the Mr. Peter Obi for using the state recourses to advance the interest of the APGA candidate, the source

pointed to the giant billboards in all the corners. And giving more grounds to his critics was Governor Obi's last-minute distribution of vehicles to traditional institutions and religious bodies in the state, and initiating multi-billion Naira projects that may not even be on the drawing board before his term expires in early 2014 - all obviously geared towards getting supports and votes for his party and candidate.

Moreover, at the governorship poll, money played a significant part, as certain business mogul cum politician as "voting and dropping" N2 million for each of the 327 wards (some said in each of the 4,608 polling units) in the 21 local government councils, for "mobilisation of voters to cast the ballots for the candidate of the ruling Peoples' Democratic Party, Comrade Tony Nwoye, who entered the race "very late" due to intra-party litigation.

Reports also spoke of the candidate of the All Progressives Congress (APC), Senator Chris Ngige, getting financial boosts from the party big-wigs and the rebellious governors of the PDP. But many poll watchers doubted this, as such financial enhancement was not apparent in erecting even billboards or posters of the candidate across the state except in his "presumed strongholds" of the two Idemili local government councils, and by extension in Anambra Central senatorial district.

In the camp of Mr. Ifeanyi Patrick Ubah, the Labour Party candidate who deals in oil and gas, it was a different ball game, as it was still bubbling, financially on the eve of the election, despite initial reports that "he was down." As one of his campaign aides explained, "we made a tactical withdrawal at a time in order to save money for the final push to get Dr. Ifeanyi Patrick Ubah elected. Indeed, Ubah was the first candidate to go full-throttle at the election, campaigning in all the wards and councils of the state. Reports spoke of a "bazaar" at the campaign headquarters of the LP flag-bearer at the election, as he distributed "thousands of foreign branded household appliances and equipment" on that day - a situation that didn't represent someone that was broke.

1.4.3 Instrument of coercion

The state-ruling APGA and the national-ruling PDP reportedly employed this method through several sources. There were reports that the Obi government ordered heads of the caretaker committees of the 21 local government areas to "deliver your council" or be shown the way out. This was in anticipation that the APGA would win the election. A source noted that this was a double-edged sword employed by the state government, as Governor Obi had been running the councils with caretaker committees for almost eight years now. Respondents' reading of the situation was that, "if any of the council committees failed to deliver its area, that committee would be replaced, in the event that Obiano wins the election." "Yet, if another party wins the poll, the caretaker committees would also be dissolved, as the winner would assume, and rightly, too, that after all, the committees did not canvass votes for him and his party." Obi's government also reportedly "cajoled or blackmailed" those who had benefitted from its recent "largesse", to reciprocate the gesture by persuading, encouraging and/or compelling their wards, supporters or followers to vote the APGA at the election. Such beneficiaries included traditional rulers, who have the voice, power and reach to carry out the government bidding. The state government also allegedly pressurised contractors that do business with it to "deliver" or kiss their contracts bye. "These people are told in plain language that they have to contribute not only money, but also votes to the cause of the APGA and its candidates," said a respondent.

Interestingly, the PDP and its candidate were also said to rely on "federal might and contractors to give maximum supports" to the capturing of Anambra State from the APGA. According to a source, they (contractors) were told that if they failed to deliver their constituencies to the PDP, they stood the chance of losing new contracts or getting paid for contracts already executed. But the Federal Government might did not seem to work unless credence is given to the PDP and its candidate, Comrade Nwoye, who was disenfranchised at the poll, winning two local government councils, as being speculated as at the time of writing. So, without discountenancing other factors, INEC conduct, incumbency of Governor Obi, money, and coercion of people of influence and power to deliver their areas played a major role in the APGA and its candidate, Mr. Willie Obiano, emerging victorious at the Anambra governorship election.

1.4.4. Parties await INEC's result of Anambra poll

APGA's Chairman, Chief Victor Umeh, was full of praises for INEC. But the governorship candidates of the other parties, Tony Nwoye of the PDP, Chris Ngige of APC, and Ifeanyi Ubah of LP, vilified the electoral umpire, and united in a bitter protest against what they described as a 'charade' of a governorship election.

At a joint press conference last night addressed by Ngige, Nwoye and Ubah, they described the election as a charade, a disappointment, and worse than the 2007 general elections. On behalf of the three, Ngige said: "We want to speak to Nigerians and the world on the exact position of this election that is ongoing and wish to make our stand categorically clear. "Our stand is that this election is marked by a lot of irregularities and fraudulent practices and therefore we reject the election and ask the INEC to put in process another gubernatorial election for Anambra so that the people will be able to elect a new governor for their state for March 17, 2014. "This position is predicted on the fact that it is neither in conformity with the Electoral Act nor

of the law of the federation of Nigeria. These irregularities range from massive and gross irregularities in the voters' register throughout the 21 local councils. By the Electoral Law, the parties were to be given the electoral register for us to make sure that voters in our constituencies are accredited and not disenfranchised.

1.5 INEC and the Rationale of Military Deployment (Ekiti State and Osun State Elections)



Since President Goodluck Jonathan came to power in May 2011 military deployments have taken different shapes namely, Edo and Ondo states in 2012; Anambra in 2013; and Ekiti and Osun in 2014. It is also evident that the scale of the deployment has increased with each successive election. The last of these elections is that of Osun State, over 70,000 security operatives, including 15,000 soldiers, 30,000 policemen, 8,000 operatives of the Department of State Service, and 20,000 civil defence officers were deployed in the state just for the governorship election. And one hundred trained dogs were also deployed in the state. Fifteen of the dogs were imported from the United States, where they were trained to detect Improvised Explosive Devices (<http://elotitv.com/entry/2015-elections-and-limited-roles-for-the-military>).

However, the Ekiti State and Osun state elections have come and gone but the question of security personnel deployment during the elections still remain fresh in the minds of Nigerians particularly those in the western part of Nigeria. The debate about the constitutionality of soldiers and security apparatus in elections remained contentious with the fast approaching 2015 elections. It was not the first time military personnel were being deployed to states for elections. Edo, Ondo and Anambra gubernatorial elections witnessed same, but in the case of Ekiti State and Osun State Elections there was a general consensus, suggesting that no state in Nigeria had witnessed such military presence during an election as Ekiti State and Osun State Elections.

Consequently, but what is yet to be established is whether or not the presence of the troops had any direct consequence on the way the Ekiti and Osun elections panned out. For the records, the Peoples Democratic Party (PDP) and the All Progressives Congress (APC) clinched Ekiti and Osun respectively. However, the development seemed to have divided opinions for and against the deployment of military troops for elections. In July, federal lawmakers in the House of Representatives were sharply divided along political party lines on the powers of the president to deploy military troops for elections. The House of Representatives debated a bill seeking to further amend the Electoral Act, No.6 of 2010, the House deputy leader, Leo Ogor (Delta/PDP) and the chairman, House Committee on Rules and Business, Albert Sam-Tsokwa (Taraba/PDP) insisted that the powers of the president to deploy troops was backed by the 1999 Constitution (as amended) as well as Section 8 of the Armed Forces Act. According to Tsokwa, the Armed Forces Act particularly gave the president proxy, powers to deploy troops for “operational use”. But the position drew a harsh response from the House minority leader, Femi Gbajabiamila Lagos/APC). Efforts by the presiding deputy speaker, Hon Emekalhedioha to douse the situation failed as Ogor and Gbajabiamila continued to trade harsh words over the matter. While acknowledging that the Constitution allows the president to deploy the military, Gbajabiamila insisted that the powers were not “absolute”. Gbajabiamila stated that the president can only exercise such powers subject to such conditions as may be prescribed by an Act of the National Assembly ([www.http://dailyindependentnig.com/2014/06/militarising-elections-nigeria](http://dailyindependentnig.com/2014/06/militarising-elections-nigeria))

Moreover, the massive security personnel deployed for the recently conducted governorship election in Ekiti and Osun elections had never been seen. For the federal government, a few violent clashes recorded before the Ekiti governorship election was enough reason to warrant the deployment of about 12,000 troops. It would be recalled that soldiers, on June 12, arrested three men – OlufemiOse, SegunAkanbi and BiodunErinfolami – who were conveying a truckload of election materials meant for the election. The electoral materials included ballot papers, rubber stamps, ink pads and reflective jackets bearing INEC, among others.

While some of the ballot papers bore 2007 election and 2009 rerun governorship election marks, the rubber stamps and ink pads bore 2014. The materials, which were being conveyed in a Mercedes Benz truck marked Lagos APP 952 XL with the inscription 'Adewole F Odunayo Enterprises' on its sides, were intercepted and impounded at Itawure Junction near Efon-Alaye, in Efon Local Government Area. The Brigade Commander, 32 Artillery Brigade, Akure, Brig.-Gen. Aliyu Momoh, had told journalists that his men, at a checkpoint in Itawure, stopped the men, who could not provide satisfactory answers to questions posed to them by the soldiers.

III. THE INEC AND ISSUE OF MILITARY DEPLOYMENT

In response to the legality of massive security deployment that has been tag as militarisation by the public, Professor Attahiru Jaga, the INEC chair attended a public hearing organised by the House, INEC backed the amendment of Section 29(1) of the Electoral Act which inserts a new paragraph(b) that limits the role of the military to "securing the distribution and delivery of electoral materials". The new paragraph (b) reads: "Notwithstanding the provisions of any other law and for the purposes of securing the vote, the Commission shall be responsible for requesting for the deployment of relevant security personnel necessary for elections or registration of voters and shall assign them in the manner determined by the Commission in consultation with the relevant security agencies. "Provided that the Commission shall request for the deployment of the Nigerian Armed Forces only for the purpose of securing the distribution and delivery of electoral materials." He reiterated that giving INEC the statutory power to manage security forces during elections would aid to sanitise the nation's electoral processes. It was the practice in many countries around the world that electoral bodies were given the power of management of security forces during elections. Also he stated that:

On the insertion of a new section 29 (1) (b) to empower INEC to control security agencies at election time, there are a few countries that are doing this because they feel it is good practice. "In fact in some of the countries, the entire management of the security forces in the period of the election are given to the electoral management body....." "Proper synergy of the NSCDC with other security agencies is to ensure that there is peace in Osun. We are committed to ensuring that the electorate, ad hoc staff and materials of the Independent National Electoral Commission (INEC) are protected and secured.... "We are not only deploying human personnel, but we are also deploying about 100 dogs to Osun State and out of the 100 dogs, we have about 15 of them that have just arrived from the United States of America and they have been trained. These dogs have been undergoing training for the past one month by American experts. Their assignment for coming here is to detect the composition of every IED.

In support of the position of the INEC chairman some political observers argued that the presence of military personnel was indeed necessary, considering the cases of violence that characterised the pre-election campaigns by the three main political parties vying for the election in Ekiti State and the ugly incident of past elections in the country. Prior to the election in Ekiti State, series of violent clashes between rival political parties became the order of the day. On several occasions, hooligans allegedly sent by a rival party clashed with those they felt were obstacles to the chances of their party at the polls. Some members lost their lives in the process while some were injured. The Transition Monitoring Group (TMG) also backed the deployment of soldiers for elections in the country including the Ekiti and Osun elections owing to past experiences where politicians take elections as do or die affair or act of war. Chairman of TMG, Ibrahim M. Zikirullahi, said the soldiers' deployment was not new and that the success recorded by the Independent National Electoral Commission (INEC) in Ekiti may not have been possible if they were not on ground to ensure security. Similarly, the PDP National Publicity Secretary, Olisa Metuh, stressed that the primary responsibility of President Goodluck Jonathan is to protect the lives and property of all Nigerians; hence the deployment of security men to the state was to ensure this, in the interest of all (www.punchonlineextraosun/ekiti/elections).

Conversely others held the view that it was a tactic by the Peoples Democratic Party (PDP) led Federal Government to intimidate the incumbent governor, Kayode Fayemi of the All Progressive Congress (APC) and in turn pave way for its candidate and eventual winner, Ayodele Fayose, to emerge victorious in Ekiti Election. It was further stressed on the basis that the use of military for electioneering purpose was premature and dangerous for the country's nascent democracy. On this note, former Vice President, Atiku Abubakar and Nobel Laureate, Professor Wole Soyinka, was one of those who questioned the decision to involve the military during electioneering activities. Their concern was on the deprivation of the APC big wigs from attending a political rally, describing the action of the military as unconstitutional. Soyinka urged the National Assembly to set up a commission of enquiry to unravel those behind the act, even as he regretted that the military dishonoured itself for accepting to be used to influence a democratic process. In a similar message the National Chairman of the APC, John Odigie-Oyegun negates military deployment during a press conference in Lagos that the Federal Government had overreached itself and engaged in series of arbitrariness and unconstitutional acts that threaten nation's democracy (<http://dailyindependentnig.com/2014/06/militarising-elections-nigeria>)

Over 600 APC members were involved Ekiti gubernatorial election: Governors Chibuike Amaechi and Adams Oshiomhole, The state's federal legislators Senator Bayo Salami; a serving member of the House of Representatives, Folarin Fafowora; commissioners in the state government, the state Attorney General, Wale Afolabi; the Commissioner for Agriculture and Food Security, Wale Adedoyin; and the Commissioner for Tourism, Sikiru Aiyedun. Likewise other parties' members storm the venue in order to influence the system.

IV. THE OSUN STATE ELECTION

Retrieved from [The Guardian, 09th August 2014](#)

Palpable tension and fear hovered over Osun State Friday ahead of Saturday's governorship election in which 986,177 voters will decide who governs the state in the next four years. Although 1,407,222 residents registered for the election, only 986,177 persons, representing 70.13 percent, collected their Permanent Voters Card (PVCs), according to the Chairman of the Independent National Electoral Commission (INEC), Prof Attahiru Jega. Only voters with the PVCs will be allowed to vote for any of the 20 candidates fielded by political parties for the exalted office. The anxiety gripping the polling derives mainly from the mutual mistrust between the leading political parties- the All Progressives Congress (APC) and the opposition Peoples Democratic Party (PDP).

“There is also no love lost between the APC and the INEC”.

While the APC battles the PDP to retain control of the state, which Governor Rauf Aregbesola won in 2010, via a judicial pronouncement, the party is also flexing muscles with the INEC on allegation of connivance with the PDP to rig the election. The mutual antagonism between the APC and INEC boiled over midweek when the party asked its supporters to go to today's balloting armed with cell phones to record the colour and serial numbers of the ballot papers at the voting cubicles. But the INEC (and by extension, the PDP), said to have been panicked by that directive, quickly labelled such action as illegal and punishable in accordance with the provisions of the Electoral Act (as amended). Interestingly, two INEC officials had reportedly been arrested trying to divert electoral materials in Obokun and allegedly confessed that election materials for over seven councils had been diverted. The suspects and the INEC vehicle, with registration number FG 816 VO1, used in transporting the materials were being held at the State CID of the Police Command in Osogbo. The police indicated yesterday that they were working on the INEC officials for more information, but a report later in the day alleged that an Assistant Inspector General of Police (AIG) had ordered the release of those arrested.

Following the back and forth allegations between the APC and the PDP, which is fielding Senator Iyiola Christopher Omisore for the election, there are fears that the exercise might be disrupted in several areas. The heat already generated in the usually peaceful state had prompted the deployment of thousands of security operatives, who have been doing some road shows to scare the daylight out of would-be mischief-makers prior to, during and after the election. However, the APC, which has labelled these drills as nothing but a show of force to prevent the voters from coming out massively, called for their withdrawal. But in a retort, the PDP said it was Aregbesola that wrote to the Director General of the Directorate of State Security (DSS) for a contingent of its operatives to provide security for the election.

Fears of Voter Apathy Allayed

There was apprehension of low turnout of voters because of the heavy presence of security personnel that have taken over all the strategic points in the state. But Commissioner of Police in charge of the election, Mr. Austin Evbakhavbokun, yesterday assured the public of their safety, stressing that there would be restriction of movements throughout the voting period. He warned miscreants and party thugs to steer clear of voting centres, as security personnel were combat-ready to resist them with maximum force. He said: “We are determined to provide a conducive environment for all residents with PVCs to cast their votes. We shall not be partisan, but we warn residents without PVCs not to go near voting centres at all because they will be arrested.

“We are not expecting any voter to carry ammunition today, as all the orderlies of the politicians & eminent Nigerians have been withdrawn. “So, we do not expect any politician or anybody to go to the polling centres with armed personnel. And there shall be no room for ballot box snatchers to operate, because our men will be everywhere.” Though Evbakhavbokun declined to disclose the number of security personnel deployed to the state, sources said no fewer than 60,000 of them were on standby to provide security at the 30 councils, while 3 security men will man each of the 3,379 voting points.

V. CONCLUSION

The Ekiti State and Osun State elections reversed the downward trend in the country's electoral processes and set a new benchmark for credible elections, towards 2015 and other subsequent election in Nigeria. The gubernatorial elections conducted in were neither perfect nor faultless; thereby revealed persistent challenges, which includes logistical and operational problems. Nevertheless, the elections provided a genuine

opportunity for larger number of citizens to exercise their right to vote and for their votes to count compared to that of Anambra State 2013 governorship election that speaks different ugly tune and other elections that have been held in the country. However, since the formation of INEC on July 8, 2010, the institution under the auspices of Professor Atahiru Jega has managed to bring substantial development to the electoral process and by extension democratic advancement. Although, this progress is yet to reach a level of faultlessness whereby there will be a general satisfactoriness of the election results. Consequently, the country is on the edge for another general elections, 2015, this piece seeks the support and assistance of various stakeholders both in and out of Nigeria in motivating the institution to substantially improve and build on the Anambra 2013 and Osun/Ekiti 2014 States elections performance by fulfilling the aspiration of Nigerians in conducting free, fair and credible elections. However, looking out the incident that engulfed the aforementioned gubernatorial elections above, Nigerians should be mindful and conscious towards the forthcoming ever awaiting 2015 general election, there are tensions and animosity within the Nigerian political system especially against the ruling political party, the Peoples Democratic Party (PDP) arising from its members, and this juicy meat pie erupted within the PDP has given the opposition party, the All Progressive Congress (APC) a veritable grounds to institutionalise itself in the minds of Nigerians. This is the first time in the history of Nigerian political system that an opposition party ever gain an unprecedented popularity locally and internationally. On these bases there will be violence in some quarters and the Nigerian political system will be dicey in view of the ever awaiting 2015 general election. Nigerian elections have not be free and fair (Election Observer Mission, 2011), and if the ruling party or any elite attempt to rig or act against electoral laws, and these may lead to crisis that will last for months.

VI. RECOMMENDATION

Arising from the body of the paper the following recommendations are made: The Nigerian police force should be highly equipped and strengthen towards security issues especially electoral matters while the armed forces should be restricted to the defence of the nation's territorial integrity. INEC as an electoral management body (EMB) that oversee elections in Nigeria should be holistically independent (in area of appointment and other logistics) and be proactive against any politicians that violate the stated electoral laws. The institution should work with the Nigerian legislative body and other stakeholders towards reviewing the sections of the constitution and the Electoral Act to address all gaps and ills in the legal framework of electoral administration in the country. Such review should be concluded before the ever awaiting 2015 general election if possible. Also, there should be identifications and definitions of duties and scope of INEC department with regards to the discharge of the duties/mandate of the commission and security matters; and electoral crime commission should be established to serve as a watchdog in view of the operations of the commission.

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