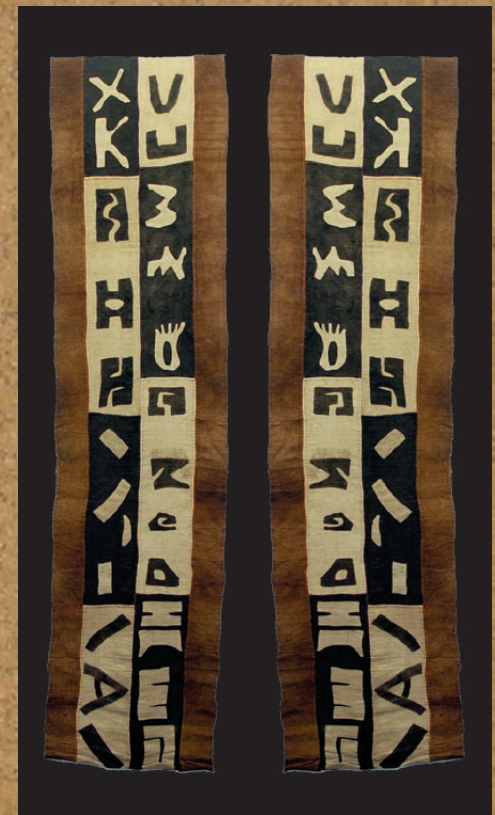


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Special Issue: Nigeria's 2007 General Elections

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EDITORIAL

On 14 and 21 April 2007 Nigerians went to the polls to elect their leaders. The first election was for governors and members of the state houses of assembly, the second, for the president and members of the National Assembly. The elections, the central institution of democratic representative government, were vital in a nascent democracy like Nigeria. Why? Because in a democracy the authority of the government derives solely from the consent of the governed. The principal mechanism for translating that consent into governmental authority is the conduct of free and fair elections at regular intervals.

Nigeria's 2007 general elections were remarkable in a number of ways. First, under President Olusegun Obasanjo, the country had had eight tumultuous years of democracy – the longest period since Nigeria gained its independence from the United Kingdom in 1960. The second significant factor was that for the first time in the country's history power was being transferred from one civilian government to another. It would have been even more significant if it were being transferred from the ruling party to the opposition.

All modern democracies hold elections, but not all elections are democratic. And that is what makes the difference and is why this special issue of the *Journal of African Elections*, focusing on the 2007 general elections, is important, investigating, as it does, just how democratic the elections were. The papers are carefully crafted by Nigerian scholars who followed the elections closely and as dispassionately as possible.

The issue is introduced with Ojo's theoretical postulations on elections, which serve as the theoretical framework. The hub of the theoretical perspective is a cue from Jeane Kirkpatrick, scholar and former US Ambassador to the United Nations, who believes that 'democratic elections are not merely symbolic ... They are competitive, periodic, inclusive, definitive elections in which the chief decision-makers in a government are selected by citizens who enjoy broad freedom to criticize government, to publish their criticism and to present alternative.' Ojo's paper highlights the crucial criteria for an election to achieve its democratic purpose.

Ojo's lead empirical paper analyses the elections in relation to the problem of political succession, concluding that without credible elections sustainable democracy in Nigeria might prove to be a mirage.

Aiyede considers the constitutional provisions on elections and the Electoral Act 2006 in the context of the challenges of achieving credible elections in Nigeria.

Albert reviews the campaign strategies adopted by candidates and political parties, looking at both pre-primary and post-primary campaigns. A key issue that emerges is that the environment within which the candidates in the 2007 elections campaigned was neither positive nor equitable. He expresses the view that the election campaigns were characterised by misuse of money and the media and by threats, restrictions, intimidation, pressures and other unethical practices.

Ijim-Agbor examines the role of the electoral body, INEC, which is expected to be an impartial umpire, finding that INEC compromised itself and its officials before, during, and after these crucial elections, thereby damaging their credibility.

In a joint work Adejumo and Kehinde bemoan a situation whereby politicians driving political parties are far from being democrats, either in terms of their ideological fluidity or in their political behaviour. They observe, further, that rather than political parties being a catalyst for sustainable democracy, they pose the threat of democratic reversal.

Mimiko, using case-study methodology, concentrates on Ondo State politics, considering the processes of party formation and electoral contests. His focus is on the Labour Party and the 2007 elections. Writing as an insider, Mimiko, a participating observer, believes that although wider space was provided for political engagement in the country, as represented by new, freer, party formations and administration, the bungling of the 2007 elections and the wanton deployment of state power in support of the ruling party, the PDP, was uncalled for.

One of the potent problems of democratic consolidation in the recent past in Nigeria has been the phenomenon of 'godfatherism'. Omotola examines this issue critically and calls for deepening of democratic institutions to limit the powers of domineering personalities, without which, he argues, Nigeria may relapse into what he terms a 'choiceless' democracy.

A concomitant effect of 'godfatherism' is electoral violence. O B C Nwolise chronicles the spate of election-related violence, describing it as unprecedented. Nwolise notes that no nation ever achieves a stable democracy in an atmosphere of prevalent electoral violence and sees violence as the greatest enemy of democracy and electoral processes in Nigeria.

Danjibo and Oladeji examine the phenomenon of vote buying and selling and consider its origins and possible solutions to the problem.

The last paper, by Adebayo and Omotola, looks at public perceptions of the elections. The authors express the belief that the elections were flawed and concede that the perceptions of both local and international observers accords with those of the average Nigerian.

It is imperative to note that the flawed election generated unprecedented legal battles across the country. Thus far six governors have lost their 'mandates' as a result of unfavourable election petition tribunals judgements while several

others have lost theirs in state assemblies and the national bicameral legislature. Two leading presidential candidates, Major General Muhammadu Buhari (rtd) of the ANPP and former Vice-President Atiku Abubakar of the AC, have also taken their grievances to the Supreme Court. The petitioners complained that, among other things, the voters' register was defective and ballot papers lacked serial numbers and were not in booklet form with counterfoils to allow for crosschecking. They also protested the deployment of the armed forces in an apparent attempt to intimidate voters.

In the words of Mohammed Haruna in his column 'People and Politics' (*The Nation* 5 March 2008, p 48), the courts not only refused to take judicial notice of these and other attempts by the authorities to fix the elections, they dismissed the oppositions' petitions as 'miniature complaints'! Yet, there were fundamental flaws in the very foundation of the elections.

This special issue is a modest contribution to efforts to explain and understand Nigeria's contemporary politics and a worthy addition to the extant literature on the subject.

Emmanuel O Ojo PhD

ELECTIONS: AN EXPLORATION OF THEORETICAL POSTULATIONS

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ABSTRACT

There is no doubt that a free and fair election is a sine qua non for electoral democracy, but not every election fulfils these criteria. Against this premise this paper attempts to explore theoretical postulations vis-à-vis elections. With brief introductory remarks emphasising the importance of elections to democratic sustenance and consolidation, the paper proceeds to examine the democratic utility of elections in all regions and climes and the misconception that elections held regularly are an end in themselves and not a means to an end. The third section dwells on the necessary prerequisites for the conduct of a free and fair election, thereby bringing out the peculiar existential reality of African politics. The paper infers that democratic sustenance via elections may not be easily attainable until African politicians become democrats themselves. This is not unconnected with the fact that no polity can nurture democracy until democrats evolve.

INTRODUCTION

Since the advent of democratisation in Africa in the 1990s a great deal of emphasis has been placed on holding regular elections (Molomo 2006). It is generally agreed that in all regions and climes of the world elections are a hallmark of democracy and an important instrument through which leaders are elected to public office (Molomo 2006, p 23). Exploring the nexus between democratic rules and elections Aristotle averred that ‘... from these fundamental principles, and in particular the principles of ruling and being ruled are derived the following features of

democracy: (1) elections: all citizens eligible for all offices...’ (Cited in Cola 1980 p 1). This perception from the past epitomises the central argument of this paper vis-à-vis the importance of elections to both the sustenance and the consolidation of democracy in both advanced and developing democracies.

Meanwhile, the major distinction between electoral democracy and electoral constitutionalism builds upon the common affirmation that democracy requires elections, but not just any kind of elections. The idea of democratic self-government is incompatible with electoral farces (Ojo 2006c, p 105). In the common phrasing, elections must be *free and fair* in order to pass as democratic. Under electoral democracy contests comply with minimal democratic norms; under electoral authoritarianism, they do not (Schedler 2002, pp 36-50). In an electoral democracy a free and fair election is indeed a *sine qua non* for an ideal democracy. No polity can be adjudged democratic if elections are not free and fair. Taking a cue from Jeane Kirkpatrick, scholar and former US Ambassador to the United Nations (cited in *What is Democracy?* 1991, pp 16,17), ‘democratic elections are not merely symbolic... They are competitive, periodic, inclusive, definitive elections in which the chief decision-makers in a government are selected by citizens who enjoy broad freedom to criticise government to publish their criticism and to present alternatives.’

Be that as it may, elections are the process of choosing people for particular jobs by voting. There are two major types of election – direct and indirect. In the case of the former voters participate directly, electing their representatives. The process of direct election is very simple. Each voter goes to the polls and records a vote in favour of one candidate or another. The candidate securing the maximum number of votes is declared elected. This method of election is the most popular and is used in all democratic countries to elect members of the representative chambers.

When a system of indirect election is in force voters do not participate directly in the election of their representatives but elect an intermediary body which, alone, makes the final choice. This intermediary body is usually known as an electoral college and the system involves a double election, which limits the power of the voters (Kapur 2006, pp 519-520).

A major advantage of direct election is that it makes people conscious of their rights and duties and is fully in keeping with democratic principles. Direct contact between voters and their representatives stimulates interest in public affairs and develops a sense of public spirit. It also sharpens the political intelligence of the people. Democracy has an educative value and there is no better way of educating citizens than giving them the opportunity to participate directly in the election of their representatives. The spirit of political vigilance so injected in the people enables them to judge whether their representatives justify

the trust reposed in them (Kapur 2006, p 520). Irreverent critics have, however, vehemently opposed direct election, maintaining that voters are not necessarily in a position to exercise their political rights wisely (Kapur 2006).

Generally, in the global North, with the existence of solid structures for good and efficient governance, politicians are chosen for their particular qualities. Political parties do their homework thoroughly in the search for those to represent them at the polls so that they will not be disgraced. In contrast, in the global South, generally, the parties force their representatives, irrespective of their background, on the electorate. Most of these parties do not follow the rule of law but engage in fake primaries and strive to win elections by all means. They come to power crudely and behave selfishly. In essence, parties are unable to field people of sterling qualities (Ajakaye 2007, p 11).

The second section of the paper examines the democratic utility of elections, which concerns the basic function of elections in a democratic setting. The section is followed by the prerequisites for free and fair elections and the requirements for an election to be of democratic value. The paper infers that the attainment of an ideal electoral system is still the ultimate aim of virtually all democratic polities.

THE DEMOCRATIC UTILITY OF ELECTIONS

The link between elections and democracy is clear, for, thus far, no superior method has been evolved for selecting the leadership of a democratically ruled society (Ogunsanwo 2003, p 11). Thus, democratic elections provide the answer to the fundamental question: who leads a people and under what agenda? This proposition argues further that elections are the primary stage in the realisation and maintenance of the common good sought by a people (Alao 2004, p v). In that vein elections, broadly conceived, refer to the process of elite selection by the mass of the population in any given political system (Anifowose 2003, p 21).

For a wider variety of political systems – competitive and non-competitive, developed and developing, Afro-Asian, communist and Western – there seems to be a general acceptance that elections are the means by which popular commitment to the regime may be mobilised. Indeed, some scholars have gone further and portray elections as the very heart of democracy (Anifowose 2003, p 21). In the words of Schumpeter (1942) democracy is an ‘institutional arrangement’, a means of filling public office through a competitive struggle for the people’s vote. According to Ojo (2003a) ‘elections do not only serve the purpose of peacefully changing government, it also enhances and confers political legitimacy on the government’. This is done through involving citizens in political decision-making. Put differently, elections are the instrument through which people choose their leaders and keep them accountable.

Ostensibly, elections are institutional mechanisms that implement democracy by allowing citizens to choose among candidates or issues. But elections also serve several other important purposes:

- *Elections socialize political activity.* They transform what might otherwise consist of sporadic citizen-initiated acts into a routine public function. That is, the opportunity to vote for change encourages citizens to refrain from demonstrating in the streets. This helps preserve government stability by containing and channelling away potentially disruptive or dangerous forms of mass political activity.
- *Elections institutionalise access to political power.* They allow ordinary citizens to run for political office or to play an important role in selecting political leaders. Working to elect a candidate encourages the campaign worker to identify problems or propose solutions to the new official.
- *Elections bolster the state's power and authority.* The opportunity to participate in elections helps convince citizens that the government is responsive to their needs and wants, which increases its legitimacy.

Janda, Berry and Goldman 1992, p 259

In an insightful work, Anifowose (2003, p 24) notes that elections do not possess one single character or function. He identifies the following function of elections:

- Recruiting politicians and public decision-makers.
- Making governments.
- Providing representation.
- Influencing policy decisions.
- Educating voters.
- Building legitimacy.
- Strengthening elites.
- Providing succession in leadership.
- Extension of participation to many people.

Anifowose (2003) goes on to distinguish two broad purposes or functions served by an election, which serve as models differentiating various electoral systems. The two purposes are, first, the competitive model where the elite compete for office, and, second, the non-competitive or ratificatory model, based on the ratification of elite preference by the mass electorate. The competitive model emphasises party competition and a possible change of government through elections, while the ratificatory model is characterised by the exclusion of critical

opposition, unfair electoral regimes and single-party systems, that is, the absence of party competition. For any electoral system or election to perform the above-mentioned functions it must satisfy a number of conditions. It is those prerequisites to which we now turn, with the attendant limitations in the African context.

PREREQUISITES FOR A FREE AND FAIR ELECTION

Undoubtedly all the elements of free and fair elections are difficult to come by, though they are a necessity in the attainment of a democratic polity, but a minimum number of such prerequisites is required for democracy to be consolidated (see Ojo 2006c, pp 3-24). This is because the epistemic conception of democracy proceeds from the position that there is a common good (common will) independent of voters' preference but towards which an aggregation of voting can point. The voting process is a truth-searching process. Joshua Cohen, cited in Alao (2004, p viii), argues that every epistemic conception of democracy is based upon three elements.

- (a) An independent standard of correct decision-making, that is, an account of justice or of the common good that is independent of current consensus and the outcome of votes.
- (b) A cognitive account of voting, that is, the view that voting expresses views about current policies according to an independent standard, not personal preferences for policies.
- (c) An account of decision-making as a process of adjustment of beliefs, adjustments undertaken in part in the light of evidence about the correct answers provided by the beliefs of others.

Following from the above is the fact that there is a need for a free flow of information in order for people to be as objective as possible in making up their minds about social and political issues. But even though media machines are non-social the men and women who programme information into them are social beings, with biases, preferences and prejudices (Olorode 1990, p 3). Benn (1981) also correctly grasped the power of the media in relation to democracy when he wrote that the media 'have the power to decide how news is to be covered, who is to be covered, who is to be invited to comment, and who is not to be invited ...' There is no doubt that the mass media have an enormous role to play in the process of democratic sustenance and free and fair elections. As I have argued elsewhere (Ojo 2003b), the media are imperative to democracy, although they are susceptible to manipulation by the elite, a problem I have addressed extensively elsewhere (Ojo 1999, 2002, 2003b, 2006a, and 2007). Nigeria has a vigorous press

which is reasonable and, to a great extent, independent, a major plus for the country's march to democracy.

Perhaps the most potent prerequisite for the conduct of a free and fair election, particularly in Africa, is the state's capacity to achieve one. In any polity where the state is *weak* and *soft* the hope of an improved electoral system becomes a mirage. In the literature state power is said to consist of the following five elements: monopoly of the coercive power of society, that is, control of the instruments of coercion; the right to impose taxes and collect revenue; the power to make laws; sovereignty over territory and society; and control of the institutions of the state or the state apparatus/bureaucracy (Onyeoziri 2005, p 3). These five elements endow the state with the status of statehood. But nation states which qualify for the status of statehood may differ in their degree of *stateness* (Nettle 1963; Tilly 1975) – some are strong, others are weak.

The 2007 elections showed that there is little law and order in Nigeria. Neither the state nor its agencies and operators readily obey court orders; citizens frequently resort to taking their own action rather than go to court; trust in the judiciary is low; suspicion of the police as the principal law enforcement agency and belief that that vital institution is corrupt is high and justice is frequently delayed and, at times, denied.

Consequently, Nigerians frequently resort to extra judicial remedies (Onyeoziri 2005, pp 5, 6). This situation did enormous damage to the credibility of the last general elections, as subsequent papers demonstrate glaringly. A great deal of violence was inflicted on citizens, particularly in the south-western parts of the country, to the extent that Chief Olusegun Obasanjo, then sitting president, admitted publicly that some political godfathers should be tolerated despite their political misdemeanours and heinous crimes against helpless citizens during the elections.

Violence was so extreme that hoodlums who went on the rampage injuring newscasters and vandalising equipment succeeded in shutting down the Oyo State Broadcasting Corporation for more than a month. By the time of writing no suspect had been arrested. After the elections the ruling party in the state claimed responsibility and apologised on air. Such incidents prove that Nigeria is far from able to conduct a free and fair election.

Another important prerequisite for the conduct of free and fair elections is the ability of the electoral body to deliver. Nigeria's Independent National Electoral Commission (INEC) was far from independent in its administration of the 2007 general elections.

In a perceptive study Elklit & Reynolds (2000) emphasise the significant role of election bodies in the successful conduct of elections. It is important for electoral bodies to be truly autonomous of the executive arm of government and

the ruling party, to be independent and be seen to be so – legally, structurally, financially and in all other respects.

The personnel who head the national electoral body and the national commissioners should be appointed in a manner that truly confers on them the garb of independence and, more critically, independence of thought and action. To achieve this, the appointment of electoral commissioners and their principal officers must be rooted in a system which does not allow a sitting president or governor to appoint the umpires who will supervise elections in which they are participants or have a personal interest (Tinubu 2007, p 8). Only under such a system will the people's confidence in the election process be restored. The arrangement should be akin to the judiciary's consolidated fund, which cannot be tampered with by the executive.

Where the reverse is the case two sets of problems may arise with the voting process – those related to non-compliance with electoral law and those related to fraud (corruption) during vote counting. With respect to the first set the vote is considered democratic if the voting procedure is democratic. According to Alao (2004) the procedure is democratic if all the following conditions are met.

- (a) Every preference is freely revealed, that is, the process is free.
- (b) The playing field is level for all candidates.
- (c) Every valid vote counts.
- (d) There is no single vote whose preference automatically determines a majority, that is, there is no autocracy.
- (e) No 'proxy' votes are allowed.

Alao (2004, p vii) observes further that fraud in the counting process is often systematically organised and that:

- (a) the greater the degree of centralisation of power the greater the possibility of vote rigging;
- (b) the larger the government the more forms of vote rigging there are;
- (c) the lower the degree of accountability of government/representatives, the higher the level of corruption;
- (d) in an environment of poverty, votes may acquire a market value determined by competition among the rich who wish to acquire power in addition to wealth. So, poverty may entrench a [corrupt] plutocracy.

Setting out the prerequisites for a free and fair election Mackenzie (1958) avers that the effective functioning of a competitive electoral system requires, first, an

independent judiciary to interpret the electoral law; second, an honest competent, non-partisan administration to run the elections; third, a developed system of political parties organised to put their policies and teams of candidates before the electorate; fourth, a general acceptance by the political community of certain rather vague rules of the game, which limit the struggle for power. Almond & Verba (1963) added that facilitating factors are the norms, traditions, and attitudes of social cooperation and interpersonal trust and high levels of consensus which must permeate the political process. In this vein, Aron (cited in Anifowose 2003, p 36) declares: 'What is necessary for competition between parties is that two different parties should accept the rule of the game, that they should have the feelings that the unity of the nation is a good, in itself, which should be maintained.'

Hence, the success of the electoral system requires a certain forbearance, tolerance of the opposition, and willingness to play by the rule of the game. Any flaw in the election rules and administration prevents the full achievement of this objective and constitutes a matter of great concern to democracy. As Anifowose (2003) notes further, one of the most prevalent deviations from this standard is fraud – the illegal manipulation of voting, ballots and the counting process by individuals or groups for the purpose of winning more votes than they otherwise could. There is no gainsaying that the history of elections in post-colonial Africa shows that the assumption of the competitive model is compromised by electoral manipulation.

Among the widespread methods used to rig elections are 'padding the register [putting fictitious names on the voters' roll]', 'intimidation and bribery of voters', and 'stuffing the ballot box'.

Nevertheless, it must be emphasised too that a corrupt system with a high rate of unemployment, extreme poverty and widespread illiteracy cannot produce a credible election. For instance, in the 2007 elections INEC used ad hoc staff for most of its election duties, the bulk of them drawn from the army of unemployed youths in the country. Independent sources put the unemployment figures at between 65 and 70 per cent (*Tell* 7 May 2007) and the United Nations Development Programme estimates that nine out of ten Nigerians live on less than \$2 per day. As at 2005 Nigeria was rated the 20th poorest nation in the world and listed as 146 of 182 on the United Nations Human Development Index. In 2006 the World Bank rated the country as among the 57 with the lowest incomes while the human index for 2006 ranked the country as 159 of 171 in terms of life expectancy, educational attainment and real income (*Tell*, 7 May 2007). Thus, whatever the dimension of electoral reform, the issue of poverty must be resolved in anticipation of a credible election.

CONCLUSION

In this paper we have theoretically analysed what it takes to guarantee a credible electoral system. It must, however, be emphasised that the factors highlighted are far from being exhaustive as such prerequisites as incumbent rascality, whereby state machinery is deployed to vent its anger on the opposition – a sort of ‘sit-tight’ syndrome, coupled with the use of naked power to intimidate perceived enemies – could not be analysed because of space constraints.

To sum up: there cannot be a credible election where there are no democrats. Democracy is about imbibing democratic instincts.

We now turn to empirical details of Nigeria’s 2007 general election.

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NIGERIA'S 2007 GENERAL ELECTIONS AND THE SUCCESSION CRISIS

Implications for the Nascent Democracy

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ABSTRACT

Undoubtedly, the events of the 2007 general elections coupled with the verdict of both local and international observers clearly demonstrated that the entire electoral process was controversial, thereby making the election flawed. The concomitant effect is a crisis of political succession, which has always been the bane of Nigeria's march to democracy. Thus, the thrust of this paper is an in depth analysis of the elections vis-à-vis political succession. After an introductory overview the paper proceeds to a conceptualisation of political succession, which forms its theoretical framework. Part three dwells on the flawed elections, discussing what went wrong. The final section calls for the restructuring of Nigeria's electoral system and recommends a number of remedies. The paper, however, infers that without a credible election sustainable democracy in Nigeria may become a mirage after all.

INTRODUCTION

Nigeria has had more than its fair share of transitions: from authoritarian colonial rule to elected democratic rule; from elected democratic rule to elected undemocratic regime (for instance from 1962 with the First Republic and from 1982 with the Second Republic, when elected civilians began to treat the democratic order with disdain, especially as it relates to the sanctity of the electoral process and of fundamental freedoms and group rights); from civilian to military rule and vice versa; and from one military regime to the other (Ojo 2004, pp 63-82). Despite all these changes the country has yet to witness a successful, orderly

and constitutional transfer of power from one democratic regime to another (Oyediran & Agbaje 1999, p 14). Simply put, the political albatross is that of peaceful, genuine political succession from civilian regime to civilian regime (Ojo 2006a, 254-272).

In a nationwide survey the International Institute for Democracy and Electoral Assistance (International IDEA) identified a number of factors responsible for the chaotic political succession in Nigeria. They are:

- lack of discipline in the form, spirit and implementation of the election process;
- excessive monetisation of politics in general;
- a 'winner-takes-all' philosophy pervasive among the political elite;
- the general level of poverty and illiteracy;
- the absence of clear ideological underpinning of the parties; and
- religious bigotry and, to a limited extent (now a large extent), ethnic chauvinism

International IDEA 2001, p 218

Nigeria's experience vis-à-vis political succession lends credibility to the findings of the survey. In the 39 years from independence in 1960 to the democratic transition of 1999 civilians have ruled for a little more than nine years, while the military was in power for a total of just over 29 years. The immediate post-colonial civilian government under Balewa lasted for just more than five and was followed by the first period of military rule spanning the period 15 January 1966 to 30 September 1979. The civilian interregnum of the Shagari era was short lived, lasting from 1 October 1979 to 31 December 1983; it ended with the return to power by the military, whose second period of rule – more entrenched and pervasive – lasted from 1 January 1984 to 28 May 1999. To date Nigeria has experienced five successful military coups or /and counter coups (in January 1966, July 1966, July 1975, December 1983, and August 1985), three inter-military arranged 'palace' transfers of power (in August and November 1993 and June 1998), and at least two major abortive countercoup attempts (in February 1976 and April 1990) (Adekanye 2005, pp 9 & 10). All of this indicates chaotic political succession.

POLITICAL SUCCESSION

Political succession means the transfer of political power from one group to another. The degree of orderliness with which the transfer is carried out is viewed as evidence of maturity on the part of the state and is an internationally accepted

barometer for assessing both the consolidation and the quality of democracy in a polity at any particular point (Diamond & Morlino 2004, pp 20-31; also see Schmitter 2004, pp 47-60). As Kris Obodumu (1992, pp 237-56) correctly observed, a discussion of political succession in Africa 'has the tendency to instantly direct academic imagination to the backward phenomenon of violent and unconstitutional overthrow of governments'.

Be that as it may, succession is classified into orderly or regular and disorderly or irregular. For Blondel (1980) regular succession of national political leadership involves adherence to some kind of rules or procedures of transfer, or should at least accord with the spirit of existing procedures. Conversely, irregular succession would involve a failure to adhere to procedures or a crisis in the process of transfer, a phenomenon Blondel (1980) sees as being on the increase in sub-Saharan Africa and which, to him, often takes the form of military coups in the region.

The problem is that Blondel's analysis is founded on a Western bourgeois perception of political succession which takes little account of the existential realities of the African context, which is quite antithetical to Western ideals of democracy. In the words of Larry Diamond and Leonardo Morlino (2004) 'talk of a "good" or "better" democracy implies knowing what democracy is'. At a minimum, democracy requires universal, adult suffrage; recurring, free, competitive and fair elections; more than one serious political party; and alternative sources of information (Dahl 1971).

If elections are to be truly meaningful, free, and fair, there must be some degree of civil and political freedom beyond the electoral arena so that citizens can articulate and organise on the basis of their political beliefs and interests. Once a country meets these basic standards, further empirical analysis can ask how well it achieves the three main goals of an ideal democracy – political and civil freedom, popular sovereignty (control over public policies and the officials who make them), and political equality (in these rights and powers) as well as broader standards of good governance (such as transparency, legality, and responsible rule) (Diamond & Morlino 2004). It is imperative to state that rarely in Africa has any vote beyond the first vote at independence determined political outcomes (Londregan, Biernen & Van de Walle 1995, pp 1-25). This has been the root cause of succession crises across the continent and particularly in Nigeria.

Nevertheless, leadership succession and regime change lie at the centre of two perennial problems of governance: how to ensure the political continuity of any regime without endangering the stability of the political community and how to protect both the regime and the political community against the natural disposition of those in power to attempt to extend their term of office or succeed themselves against the provisions of written or unwritten rules of managing political power and succession rights.

There can be little doubt, then, that the political acts that surround leadership succession and regime change constitute a serious aspect of political life in any society. In political systems in general, and in African politics in particular, such acts constitute an important index of development or determination of politics (Anise 1974, pp 507- 24). It should be recognised that there are aspects of both regime change and leadership succession that make it possible to study them at several sub-national levels. For example, we can study succession at the city (mayoral) level, country level, state level (succession of congressional representatives or governors), or at the national level (national congressional succession, Supreme Court succession and presidential succession), which is the focus of this study. In a nutshell, leadership succession exists, for example, whenever the head of the government is replaced by another person (Anise 1974). In the same vein, there is leadership succession when there is a transfer of power from one party to another but without major policy or ideological changes. In his typology of leadership succession Ladun Anise (1974) classified (a) conditional and (b) unconditional procedures of leadership succession. He went further to state that, in the African context, there are five types of leadership succession: assassination, coup d'état, abdication and/or resignation, and constitutional procedures. It is important to note that any of these modes, or a combination, could result in a succession crisis.

In the literature on political succession generally scholars have tried to ascertain whether there are basic features or even patterns that allow for a reasonable prognosis of failure. There have been many attempts to build models and develop new approaches to cast some light on the politics of succession in communist systems in general (Sandschneider 1985, pp 638-58). It is instructive to note that analysts of Soviet politics have put forward at least three different models:

- A totalitarian model, which regards the individual leader's personal and all-encompassing rule as 'paramount in determining the nature of both public policy and political structures'.
- A conflict model, which 'suggests that policy and political structures are shaped by the nature of the conflict between individuals jockeying for political power'.
- A bureaucratic model, which places less emphasis upon the individual leaders, suggesting that the way in which a system is governed is more a function of rules and norms within the political system.

In the specific context of Chinese politics Robinson suggests four approaches:

- An environmental approach focusing ‘on such matters as the stage and direction of the Chinese economy, the population-food balance, the Soviet border threat, and the status of Taiwan, rather than on how political decisions themselves are made’.
- A personality approach, particularly discussing ‘individuals, personalities, factors, and the generational question’.
- A societal approach, which postulates that society (defined as the social environment, including ‘the set of influences that stem from Chinese culture, Chinese history, and the structure and operation of Chinese social-political familiar-economic institutions’) determines politics.
- A political approach, which regards politics as ‘an atmosphere in which all political actors are immersed and which immutably conditions their every act’.

Cited in Sandschneider 1985

Pye (1976) differentiates between three perspectives on the succession question in China. These are:

- an historical perspective;
- a psychological perspective focusing on the dominant role of Mao;
- a generational perspective, which arises from the structures of clearly defined revolutionary generations within the Chinese leadership elite.

However elaborate and sophisticated the approaches described above may be they are unsatisfactory because crucial elements of political succession in communist systems remain unknown to us. It may not serve any useful purpose to extend the typology and conceptualisation further in view of a lack of consensus among scholars about what order political succession should take. But for the purposes of this paper an orderly transfer of power from one political elite to another via the ballot box reflects our understanding and perception of the concept. We now proceed to a brief survey of the political succession crisis in Nigeria to date.

NIGERIA'S SUCCESSION CRISIS

Nigeria's succession crisis dates back to 15 January 1966 when the first military coup was staged in which the Prime Minister, Sir Abubakar Tafawa Belewa, was killed and General Aguiyi Ironsi, the most senior military officer, took over the

mantle of leadership. Ironsi's government suffered enormously from a legitimacy crisis (Ojo 2003a, pp 104-30). The greatest policy mistake he was accused of making was the 24 May 1966 Decree 34 he promulgated, which unified the country's civil service, thereby changing from a federal to a unitary system. The concomitant effect of this policy somersault is a perceived sense of domination by a section of the country (the Northerners). This fear is understandable taking adequate cognisance of Nigeria's ethnic mix as a plural and deeply divided society. The policy blunder eventually ignited the coup that terminated Gen Ironsi's life.

Nigerians believed the military had an established hierarchy and would stick to the tradition of seniority in the force, allowing the most senior officer, Brigadier Babafemi Ogundipe, to take over. But this was not to be. Those who killed Ironsi selected General Yakubu Gowon, who was junior to Ogundipe, as head of state. The latter's leadership was repudiated by the northern oligarchy because he was a Yoruba man. General Gowon's leadership was also resented by Col Ojukwu, an Igbo officer and military governor of the defunct Eastern Region. In view of the fact that the northern officer was considered far too junior, officers from both the east and the west lost a sense of belonging in the federation.

This succession crisis led to an agonising civil war from 1966-1970. After a nine-year reign Brigadier-General Murtala Muhammed, capitalising on the general disdain for the government occasioned by the needless postponement of the handover from the military to the civilians coupled with the unprecedented kleptocracy that characterised Gen Gowon's regime, toppled his government in July 1975. Mohammed's regime was, however, short lived – reactionary forces represented by Col Dimka's abortive coup assassinated him, thereby allowing Gen Olusegun Obasanjo to assume the mantle of leadership in February 1976. In 1979 he handed over to civilian rule.

After 13 years of continuous military rule the civil populace became weary of military governments and anxiously awaited a civil regime, which, they assumed, would end the crises of legitimacy and succession. However, the election conducted by Gen Obasanjo's administration, which ushered in the Second Republic, was widely perceived to have been rigged by the military in favour of Alhaji Sheu Shagari. This resulted in a protracted legal battle between the Unity Party of Nigeria (UPN) and the National Party of Nigeria (NPN) – now both defunct.

The outcome of the litigation in favour of the ruling party, the NPN, resulted in a loss of faith in the Federal Electoral Commission (FEDECO), in the police, the executive, the legislature and the judiciary. The gap between government and governed widened, compounding the crisis (Ojo 2003a), and it was during that crisis that Generals Buhari and Idiagbon and their cohorts emerged at the helm in 1983. Their government lasted until 1985 when Gen Ibrahim Badamosi

Babangida terminated it in a palace coup, promising that his would be the last military government. Ironically, it was he who annulled the election of 12 June 1993. The attendant political logjam occasioned by his cutting short the long-drawn-out transition programme forced him to step aside and hurriedly put in place an Interim National Government (ING) headed by Chief Earnest Shonekan (Ojo 2004).

The interim government was declared illegal by a High Court in Lagos and on 17 November 1993 Gen Sani Abacha staged a coup, dissolving all the democratic structures sustained by the ING, and the country once again reverted to a full-blown military dictatorship. Abacha's administration was notorious for horrendous human rights violations, unprecedented kleptocracy, hostage taking, forced exile and the physical elimination of opponents (Adesina 1998, p 63). Abacha died on 8 June 1998 in mysterious circumstances.

Gen Abdulsalam Abubakar, who took over after Abacha's death, appeared to have learned a lesson from the legitimacy and succession crises of his predecessor and his transition programme was short. By 29 May 1999 he had handed over to Chief Olusegun Obasanjo.

The journey to the electoral sham of 2007 began with Abubakar's transition programme, which was not sufficiently entrenched to bring into being a democratic government – an administration that is inherently illegitimate cannot be a catalyst for democracy. By the time Obasanjo had settled the style of his governance glaringly reflected his military background and turned out to be a liability rather than a blessing for democracy. The 2003 general elections, which were handled by his administration, were perceived to have been rigged. Okechukwu Ibeanu (2007, pp 49-63), in a perceptive work on that election, noted that 'we can directly or indirectly include the more than 600 000 votes cast in the presidential election over those cast in the gubernatorial election in Ogun State'.¹ Two million votes were won by the PDP gubernatorial candidate in Rivers State, a victory the PDP Chairman ironically described as historic.

Although the widespread perception that the elections were rigged was a cause for worry Nigerians were unanimous in their determination to put their misgiving aside and to move on, in the hope of sorting out their election problems the next time. That 'next time' was the 2007 elections (Adetula, Albert & Marco 2007, pp 233-47). It is paradoxical, however, that many of the problems associated

1 Figures published on the INEC website show that in the presidential ballot in Ogun State more than 600 000 votes were cast over and above the total for the gubernatorial poll which was held simultaneously. This suggests that more than 600 000 voters voted for the presidential candidates and took the gubernatorial ballot papers away with them – a preposterous suggestion with no evidence to support it.

with the 2003 elections were replicated with even greater intensity in 2007 and that is the main thrust of this paper, which now turns to the conduct of the 2007 general elections and another succession crisis.

THE 2007 ELECTIONS: WHAT WENT WRONG?

The 2007 elections were remarkable in a number of ways. First, they followed eight tumultuous years of democracy – the longest period since independence from the United Kingdom in 1960 (*The Nation* 3 August, p 8). Secondly, for the first time in the history of the country there was a civilian-civilian transfer of power. It would have been even more remarkable if there had been a transfer of power from the ruling party to the opposition. The election was kick-started on 14 April with gubernatorial and state houses of assembly elections. A week later, on 21 April, the presidential and National Assembly elections took place across the country, with a total of 50 registered political parties jostling for office and fielding candidates at different levels. However, only 25 of the 50 actually contested the presidential polls.

Of the parties which participated in gubernatorial contests in the 36 states of the federation, the ANPP won in two states – Borno and Yobe – while the AC won in Lagos State and the PPA in Abia State. The remaining states went to the ruling party in a fiercely contested ‘landslide’ victory, to the consternation of the opposition parties.

The election was generally perceived to be the worst in the history of election administration in Nigeria, with both local and international observers concluding that it was badly flawed. The beneficiary of the elections, Alhaji Umaru Yar’Adua, admitted that the nation’s electoral process lacked credibility and that the 2007 elections fell short of international standards. In his words: ‘The April elections were so heavily marred by vote rigging that European Union observers said they fell far below basic international standards and were not credible’ (*Nigerian Tribune* 29 August, p 1).

This general opinion, as President Yar’Adua admitted, compelled the new administration to inaugurate a 22-man electoral reform committee.² The fundamental question at this juncture is: What really went wrong with the elections?

2 The members of the committee, which was inaugurated on 29 August and has a year to complete its assignment, are: Mohammadu Lawal Uwais, chairman and former chief justice, Godwin U Ononiba, Olisa Agbakoba, Okon Uya, Ahmadu Kurfi, Musiliu Smith, Bolaji Akinyemi, Gambo Balarabe Abdullahi, Grace Alele-Williams, Toyin Olakunmi, Jibrial Ibrahim, Oladayo Popoola, Ahmed Lemu, Attahiru Jega, Ndamusa Alao, John E Odah, Abduahim Ujo, Dije Bala, Aliyu Umar, Steven Dike, Festus Okoye, Hassan Kukar. For information on the background of each member see *The National*, Lagos, 23 August 2007, pp 1&2.

Election Administration

The 2006 Electoral Act charges the Independent National Electoral Commission (INEC) with sole responsibility for conducting elections. The 2007 elections, however, revealed serious logistical problems long before election day.

The problems began with the compilation of the voters' register. INEC opted for an electronic system, using imported direct data-capture machines. The system generated heated debate and Prof Maurice Iwu, INEC chairman, was called before the National Assembly on two occasions to convince them that there would be no hitches. In fact, the machines were grossly inefficient and required electricity to charge the batteries (this in a country which is experiencing incessant power cuts, with some communities being in total darkness for long periods) and the system left many Nigerians disenfranchised.

Once the chaotic registration process was over the registers were not effectively displayed and on election day many voters could not identify where exactly they should vote, particularly since polling booths were not clearly marked.³

According to both local and international observers, there was a lack of secrecy in the voting process, with voters who required help to vote doing so observed by security agents, party agents and other voters. The process was inefficient, with voters waiting for hours to confirm whether their names were on the voters' register and many being turned away because their names did not appear.

The performance of many of the ad hoc officials recruited by INEC was lacklustre, with agents arriving late at polling stations, some coming only a few hours before polling was due to close (*Tell* 7 May, pp 16-29).⁴ In the same vein, there were insufficient supplies of some vital electoral materials, particularly results forms. Party agents who were visible at polling centres were helpless because forms were not available to enable them to compare INEC's results with those from their agents in the field.

Security arrangements were inadequate despite the fact that the movement of citizens was restricted throughout the election period and policemen, along with other state security and law enforcement personnel, were deployed to man polling booths. Soldiers were drafted to major cities to complement the police, but they were not permitted to make arrests. The result was that ballot papers

3 This writer was an observer; the above account is based on incidents he witnessed.

4 Governor Orji Uzor Kalu of Abia State, who voted at about 7 pm, said the late arrival of election materials in his home state was a ploy to cheat him and the entire Igbo race (*Sunday Tribune*, Ibadan, 22 April 2007, p 5).

and boxes were snatched and burnt and voting was disrupted in several centres. In some areas a number of policemen were arrested by soldiers for openly thumb-printing ballot papers in booklets in favour of the ruling party, while opposition party agents and other supporters were intimidated by political thugs (*The News* 29(8) 3 September).

Insufficient time was set aside before the election to train electoral officials and neither regular nor ad hoc staff was well enough trained to man elections successfully in a country of Nigeria's size and diversity. To compound the problem many electoral officials compromised themselves, thereby doing enormous damage to the credibility of the elections.

INEC was far from being independent and was unable to assert its autonomy and to treat candidates impartially. For instance, despite the provisions of the 2006 Electoral Act, INEC ignored Vice-President Atiku Abubakar until a ruling of the Supreme Court, only four days before the presidential election, declared him eligible to stand. This introduced a new and perhaps the most difficult challenge to the provision of ballot papers, which had already been printed. The commission was forced to print 65-million new papers in three days. 'As gathered, these new ballot papers arrived the country at 10.00pm on the day before the presidential election and the commission had the Herculean task of distributing the ballot papers all over the country' (*People* July, pp 16-24).

Perhaps what actually brought INEC to its knees was the allegations of the active connivance of INEC officials in rigging the vote. The number of aggrieved politicians who have taken their problems to election petition tribunals is unprecedented (*The Nation* 26 August, pp 16 & 47). The orgy of violence which tainted the elections and gripped the polity both during and after them was also unprecedented. During the gubernatorial and state house of assembly elections the police recorded a total of 265 cases of electoral offences and violence and 1 093 people were arrested. Eleven civilians and 39 policemen died in the violence.⁵ (See Table 1 below for a state-by-state breakdown.)

Election violence became frightening when an oil tanker with no one in it was found stationed close to the INEC headquarters, a heavy stone placed on the accelerator. The INEC chairman blamed the failed bombing bid on 'desperate Nigerians not interested in contesting the elections'.⁶ In another incident a bizarre and brazen attempt was made on the life of a state electoral commissioner. In a detailed report, the lead story of *ThisDay*, Abia State Resident Electoral Commissioner Prince Solomon Soyibe wrote a petition to the Inspector General

5 For a breakdown of cases report across the country during these elections, see *ThisDay* 10 May 2007.

6 For a graphic account of the planned attack on INEC national headquarters see all national dailies 22 April 2007.

Table 1
**Statistics of Cases Recorded by Police During the Gubernatorial and State
House of Assembly Elections**

Command	Cases	Suspects	Person(s) killed
Abia	10	33	-
Adamawa	3	18	8
Akwa Ibom	6	52	-
Anambra	6	27	-
Bauchi	12	30	-
Bayelsa	-	-	-
Benue	5	24	-
Borno	10	25	-
Cross River	4	14	-
Delta	4	8	1
Ebonyi	10	56	-
Edo	10	24	5
Ekiti	4	19	-
Enugu	6	19	-
FCT Abuja	4	4	-
Gombe	15	88	-
Imo	-	-	-
Jigawa	2	11	-
Kaduna	10	25	-
Kano	11	24	16
Katsina	11	76	-
Kebbi	6	6	-
Kogi	9	57	2
Kwara	4	10	-
Lagos	10	23	9
Nasarawa	7	40	-

Niger	-	-	-
Ogun	11	21	1
Ondo	14	73	-
Osun	11	67	-
Oyo	13	83	1
Plateau	2	9	7
Rivers	-	-	-
Sokoto	20	89	-
Taraba	5	13	-
Yobe	2		-
Zamfara	3	15	
Total	260	1083	50

Source: INEC, Abuja and *ThisDay* 10 May 2007

Summary	
Total number of cases reported	260
Total number of people arrested	1 083
Total number of civilians killed	11
Total number of policemen killed	39

of Police alerting him to a plot to eliminate him (Soyibe). In the petition, routed through the Abia State Police Commissioner, Soyibe alleged that the chairman of the PDP in the state had attempted to throw him out of an aircraft when he came to Abuja to attend an INEC meeting. Soyibe claimed that he was saved by alert security officials at the Nnamdi Azikiwe International Airport when he was attacked by hoodlums who asked him 'why he did not declare PDP the winner of the governorship election in the State'. Soyibe claimed that if he had not held on to the railings of the aircraft steps he would have been pushed down to die.

Summarising the flaws in the 2007 elections a report in the *New York Times* (cited in *The Nation*, Lagos, 23 April 2007, p7) described the late arrival of ballot papers at most polling stations and the fact that the presidential ballots were printed without vital information to identify candidates and prevent fraud. In some cases voting for legislative seats was postponed because of an absence of

ballots, in others, voting started late and progressed slowly. There were widespread reports of shortages of presidential ballots in several states and, despite the fact that few people had been seen to vote, turnouts were recorded on tally sheets as being as high as 100 per cent in some areas, with the vast majority of votes going to the governing party.

In an editorial *The Nation* expressed the view that in most states the election was marred by stuffing of ballot boxes, the alternation and inflation of figures, the absence of requisite voter materials and the deployment of force and intimidation to cow opposition party representatives. In some instances the overt use of firearms crippled legitimate counting and the collation of results, with a deputy governor debasing his office by being at the forefront of this shameful episode. As *The Nation* noted in an editorial (19 April, p 16) in more than a dozen states there could be no joy over the conduct of the elections. 'Apart from Ondo, Edo and Osun states, other such states include Delta, Ekiti, Oyo, Independent National Electoral Commission (INEC) under Prof. Maurice Iwu has tagged itself as a partial and compromised umpire while President Olusegun Obasanjo has exposed his credentials as a democrat to the counterfeit and pitiful.' In essence, elections were far from being free and fair in most states, as observed in the editorial comment.

At the ongoing election petition tribunal sitting in Oyo State the Forum of Oyo State Governorship Candidates protested against malpractices perpetrated by the PDP.

In the whole of Oyo North and parts of Oyo central and South Senatorial districts, the logo, party name and photograph of the DPA gubernatorial candidate was, according to them, omitted from the ballot paper and the logo of the DPN was incorrect, thereby disenfranchising the candidates and the electorate.

The News 3 September, p 23

In their words, the election was:

[m]arred by wide spread electoral malpractices, monumental irregularities and violation of electoral processes in favour of the PDP, especially in Lagelu, Ogbomosho North, Ogbomosho South, Orire, Ogo-Oluwa, Surulere and Iseyin local government areas.

In their submissions they lamented that confidence in the participants who had participated in the gubernatorial and House of Assembly elections had been eroded by the results declared by INEC. They maintained that in those areas elections were:

[c]haracterized by violence, sporadic shooting, seizure of several ballot boxes containing votes already cast and taken to unknown destinations by thugs in connivance with agents of PDP and, in some cases policemen and INEC staff.

The News 3 September, pp 24-9

It is not surprising, therefore, that civil society organisations, local and international observers, and foreign journalists who monitored and covered the elections concurred that it was the worst in the annals of elections in Nigeria (*The Guardian* 24 April 2007, pp 10 & 11 and *Tell* 7 May 2007, pp 24-9).

There is no doubt that any government which emerges from such a sham election can only suffer from a legitimacy crisis. It is against this background that the newly inaugurated president, Umar Yar'Adua, is pursuing electoral reforms to 'anchor our democratic culture firmly with everlasting peace, security and political stability'. He avers, further, that 'this would enable us to turn our collective energy and effort to developing our nation from its current state of under-developments to join the league of developed nations' (*Nigerian Tribune* 29 August, p 4).

DIMENSIONS OF ELECTORAL REFORM

There is no doubt that the electoral system is in dire need of reform, but if such reform is not to be a mere cosmetic exercise it must be profound and touch on virtually all aspects of election administration. To begin with, INEC must be independent and be seen to be independent, not merely in name but structurally, legally, and financially. To attain this it must be detached from the apron strings of the executive arm of government. Appointment of the commission's chairman and state resident electoral commissions should not be the exclusive preserve of the president, because he who pays the piper will definitely dictate the tune.

Similarly, key INEC personnel should have security of tenure once appointed, as does the chief justice of the federation. INEC's financial autonomy is of paramount importance – the commission should be provided with a fund on which it can draw without executive interference. Such changes will entail constitutional amendments.

The commission should be relieved of a number of functions, particularly the security and financial screening of candidates, functions other state institutions can undertake.

Another stakeholder that cannot be ignored in the reform process is political parties, which are critical to the consolidation of democracy in any polity. The major change necessary in this area is to ensure that they are a catalyst to

democratic sustenance. To perform this function they should be a training ground for democrats. This process begins with the conduct of primary elections. At critical moments before the last election most parties failed in the conduct of primary elections, causing disharmony among their members and unnecessarily heating up the polity. In terms of the mobilisation and sensitisation of the citizenry prior the election the parties could not live up to expectations.

Campaigns should be enlightened and issue-based instead of being used to impugn other parties and their representatives. Interestingly, not many Nigerians can immediately identify the symbols of the 50 political parties, let alone describe their manifestoes or ideology. It is imperative that parties educate their members.

The judicial system must be altered to allow for speedy trials for electoral offences and hearings of grievances immediately after an election and before the inauguration of a new government. A system in which an interloper can hold sway for a lengthy period before justice is done is inadequate.

The saga of Amambra State, where Dr Chris Ngige of the PDP had ruled for more than two years before he was declared a usurper, is still fresh in our memory. If justice delayed is justice denied the system should allow for the lapse of a reasonable amount of time between election and inauguration.

Another important area is security arrangements for elections. Security agents must be properly trained in the roles they are expected to perform both during and after an election. The current tendency to over protect the ruling party is unacceptable. Security agents must be seen to be impartial and must resist being used for election rigging.

The Nigerian state itself must be strong enough to discharge its duties effectively. Currently, the state is weak and dominated by individuals who are too powerful to be brought to book in cases of electoral misdemeanours.⁷ In the recent past a number of politicians have assumed the status of 'godfather' to contestants, commanding thugs, hoodlums and militias who terrorised, injured and annihilated their perceived enemies or opposition. As far as the police were concerned, these 'godfathers' were 'untouchables' and their homes 'embassies'

7 Shortly after the general elections the outgoing governor of Oyo State attempted to conduct local government elections before handing over to his successor from the same party (the PDP). This did not, however, go down well with some party stalwarts. Their reaction was to mobilise thugs who fought their way to the premises of the state broadcasting corporation, attacking and injuring a number of journalists, including a TV newscaster, who was broadcasting at the time. The studios were vandalised. To date, no arrests have been made because the brain behind the attack was too strong a personality to be arrested. Both radio and television stations of the corporation went off air for days until a new governor was inaugurated who reopened it. The incident was widely reported in all the national dailies.

the police could not enter to effect arrests.⁸ In essence, observance of the rule of law is of utmost importance, it enhances the strength of both the law and the state.

The influence of money on Nigerian politics is too pervasive and reform in this area should focus on the phenomenon of vote buying, which I have addressed elsewhere (Ojo 2006, pp 105-123). Free and fair elections may become a mirage unless this tendency is controlled. Former President Obasanjo averred:

With so much resources being deployed to capture elective offices, it is not difficult to see the correlation between politics and the potential for high level corruption. The greatest losers are the ordinary people, those voters whose faith and investment in the system are hijacked and subverted because money, not their will, is made the determining factor in elections. Can we not move from politics of money and materialism to politics of ideas issues and development?

Obasanjo & Mabogunje 1992, p 138

In the same piece, he commented on the cost of conducting elections in Nigeria.

Even more worrisome, however, is the total absence of any control on spending by candidates and parties towards elections. I have said that we prepare for elections as if we are going to war, and I can state without hesitation, drawing from my previous life, that the parties and candidates together spent during the last elections more than would have been needed to fight a successful war.

Obasanjo & Mabogunje 1992

In recognition of this problem the 2006 Electoral Act makes it an offence to sell or buy votes and places a ceiling on the amount a candidate may spend to fight an election (s 24(5)a₁, b₄, and c). Section 87(5) a and b with s 93(8) 1-11 deals extensively with the issue. The snag, however, is that of enforcement.⁹

8 One such 'godfather' is known to be a strongman in Ibadan politics in Oyo, in South-West Nigeria. For the form and character of the debilitating influence of 'godfatherism' in Nigerian politics, see Ayoade 2006, pp 78-87. See also Omatola, p 134 of this journal.

9 According to the 2006 Electoral Act (s 93 subss 1-7) a presidential candidate may not incur election expenses higher than ₦500 000 000; a gubernatorial candidate ₦100 000 000; a National Assembly candidate ₦20 000 000; House of Representatives ₦10 000 000; state assembly ₦5 000 000; chairman ₦5 000 000; councillor ₦500 000.

CONCLUSION

This paper has covered the crisis of political succession in post-colonial Nigeria. The problems with the conduct and administration of the 2007 general elections have been highlighted, showing what went wrong with the system. However, the reform dimensions are far from being exhaustive in the sense that the expected role of civil society organisations and the mass media, which I have dealt with elsewhere (Ojo 2003, pp 821-840), are excluded here because of space constraints.

No matter how profound reform dimensions may be in the Nigerian context, they may not achieve the desired goal unless politics is made less rewarding than it is now. For instance, the take-home pay of a local government councillor is outrageous, to say nothing of that of state representatives, members of the federal House of Representatives and senators. The high salaries and other remuneration which make politicians super-rich also make it difficult for them to let go if they lose at the polls. This is why electoral contests in Nigeria become a do-or-die affair.

Finally, politicians, too, need to be re-orientated. Currently there are politicians but no statesmen. If the citizenry is not sufficiently democratic democracy becomes a mirage. It is only when profound electoral reforms are carried out that Nigeria's recurring succession crisis will abate and democracy be sustained.

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ELECTORAL LAWS AND THE 2007 GENERAL ELECTIONS IN NIGERIA

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ABSTRACT

Credible elections are a salient indicator of democratic consolidation and the principal institutionalised means of forming and changing democratic governments. A central determinant of the success of any election is the institutions which structure the behaviour of participants and the choices available to them, hence their belief in pay-offs to individuals and groups. The guiding principles and regulations of the 2007 general elections in Nigeria are to be found in the 1999 Constitution and in the Electoral Act 2006. These documents not only set out the rules, the enactment of the Electoral Act usually signals the beginning of the electoral contest. The Constitution and the Act together make elaborate provision for voter registration, party and candidate registration, campaign financing and regulation, election observation, ballot design, polling stations, voting, counting, and tabulation, election management bodies, and dispute-settlement authorities. This paper reviews critically the constitutional provisions on elections and the Electoral Act 2006 in the context of the challenges of achieving credible elections in Nigeria.

INTRODUCTION

Ever since 1959, when the first general elections took place, elections in Nigeria have been mired in controversy and characterised by court cases over electoral outcomes. Not only have such cases revealed widespread electoral malpractice and fraud which threaten democratic consolidation, the laws governing elections have been identified as critical to the dismal electoral practices. Albert (2007, p 1)

pointed out the 'past failure of the legal system to protect individual and political rights to prosecute those behind the many cases of electoral violence and fraud, and curb the excesses of political incumbents in the country'. It is therefore no wonder that the 1999 Constitution envisaged a need for constant review of the rules of the electoral process to deal with emerging problems by empowering the National Assembly to make laws to guide the general conduct of elections, in addition to making general provisions that govern electoral competition, electoral structures and political parties.

It also established and empowered the Independent National Electoral Commission (INEC) to manage elections within the general framework of the law. The emerging tradition since 1999 is that the National Assembly produces or revises an existing Electoral Act just before the commencement of a general election. Thus, the revision of an existing Electoral Act or the production of a new one usually signals the start of the 'high political season'. What is the character of electoral laws in Nigeria? What are the issues addressed by these laws? What are the consequences of these for the electoral system, the party system, electoral conflicts, campaign finance, and their general implications for democratic consolidation and political stability?

This paper reviews the basic laws that governed the 2007 general elections in Nigeria. It examines their coverage, consequences and effects on the electoral system, the party system, electoral competition and electoral dispute resolution. It explores their implications for democratic consolidation in the country. The paper argues that the electoral laws are very broad and cover a great deal of ground when viewed against the backdrop of the laws that governed the 1999 and 2003 elections. There are elaborate provisions about electoral malpractice and violence as well as opportunities for redress in cases of contrived exclusion of candidates.

It notes, however, that the provisions on political finance favour the ruling political parties and that the laws encourage the existence of small parties because they remove the incentive for such parties to merge into a strong opposition, thereby ameliorating Duverger's law that a single member plurality vote (SMP) leads to a two-party system. Furthermore, the electoral laws have succeeded in overcoming the tendency of parties to be ethnically based, because they require national representivity in the composition of party executive bodies. But the electoral laws give too many responsibilities to the national electoral management body, INEC – from voter and party registration to the scrutiny of the finances of the parties and candidates. This partly accounts for the woeful performance of the body, as demonstrated in the series of petitions in the aftermath of the elections in which INEC is implicated. Thus, the paper calls for a deconcentration of the functions of the electoral management body. To safeguard fairness in the electoral

process the judicial system needs to be strengthened and the rule of law promoted by political incumbents.

ELECTORAL LAWS, ELECTORAL SYSTEM, PARTY SYSTEM AND DEMOCRATISATION

Electoral laws form the foundation of an electoral system. Thus their character affects the possibility and speed of evolving a stable electoral system within given contexts. Electoral systems evolve out of electoral rules that have become embedded in a political culture as political actors acquire substantial skills in manipulating the rules in their self interest (Taagepera 2002, p 249). Whether those rules are simple or complex, the way in which they are chosen and the way they are put into use are important for the success of the electoral system. Thus, the effects of electoral laws must not be underestimated. Since Duverger published his *Political Parties* in 1954 it has generally been accepted that electoral laws have a mechanical and psychological effect on partisan competition and coalition formation. The dominant view is that the SMP system favours a two-party system.

Mozaffar argues that the choice of electoral rules is one of the most important decisions made in the democratisation process (2002, p 87). He considers two sets of rules to be important in this regard. The first endogenously structures electoral competition by encouraging strategic coordination among voters, parties, and candidates over votes and seats. It defines electoral formulas, district magnitudes, constituency boundaries and assembly size. In Nigeria, these rules are largely contained in the Constitution.

The second set of rules defines the broad institutional framework of electoral governance and the structures and procedures that regulate voter, party and candidate registration, election observation, campaign finance and media access, voting, counting, tabulation and reporting of results, and the adjudication of electoral disputes. In Nigeria the broad institutional framework of electoral management, campaign finance and dispute adjudication is defined by the Constitution, while the Electoral Act provides more detailed and specific guidelines for registration, voting, vote count, tabulation and reporting of results, electoral offences, penalties and guidelines for dealing with electoral petitions and disputes.

In the literature debates about the first set of rules have often centred on the choice between the single-member plurality (SMP) system, also known as first-past-the-post (FPTP), and the closed list proportional representation (PR) system, although there are intermediate systems. SMP electoral rules involve one-person legislative districts in which the person who receives the most votes is declared elected, while the PR is a system in which voters vote for a party list rather than an individual candidate in a multi-member district.

According to Duverger SMP restricts the number of political parties that are potential contenders for office and creates a tendency towards a two-party system. Indeed, it facilitates the emergence of single-party majority governments by turning pluralities of votes into a majority of legislative seats. SMP also leads to some votes being 'worth more' than others in vote-to-seat conversions. Relatively small parties whose support is diffused across the whole political system without a territorial stronghold are likely to be severely punished in vote-seat conversions, while parties of similar size with geographically concentrated support may get a bonus.

The system also tends to lead to centrist, non-ideological pragmatic or 'brokerage' politics as parties compete for the 'median voter'. It increases incentives for strategic voting, since a vote for a minor-party candidate may be wasted, leading to the voter's least-preferred candidate being elected. It tends to reinforce perceptions of regional exclusion and grievances because it expands the advantage enjoyed by the largest political party in a region in vote-seat conversions and punishes relatively smaller parties.

When used at the provincial level it may allow the majority social group in a territory to govern alone, while facilitating the consistent exclusion of ethnic, linguistic or religious minorities from political power.

It may allow a political party that is hostile to national unity to gain a strong power base through control of a single-party majority government in a state, which it can then use to pursue separatist policies and popular sentiments. Given the above, the tendency around the world is for countries to move away from SMP to some sort of PR or modified SMP to reduce its negative effects.

PR, on the other hand, tends to increase the number of parties that are likely to compete in elections, depending on the threshold and size of electoral districts. This is because no party is likely to be seen by voters as a wasted choice. It makes it unlikely that a single party will hold a majority of seats in the legislature, and thus makes either minority or coalition governments the norm in parliamentary systems. In such contexts, the composition of a government and the policies of that government are likely to be decided not by the election but as the result of post election negotiations among party leaders. The major problem is that this weakens the ability of legislators in parties that operate nationwide to act as regional representatives, since they are likely to be bound by party discipline. It leads to programmatic parties which seek distinctive appeals to relatively narrow shares of the electorates (Reynolds & Reilly 1997, ch 3).

Under the third wave of democratisation attempts have been made to examine how these tendencies found in established democracies play out in new democracies, such as the post-communist states in Eastern Europe, Latin America, Africa and Asia, as they trudge towards consolidation. These attempt, as Moser

(1999, p 1) has noted, not only assess the reach of Duverger's laws, they provide an avenue for interrogating the claims of the new institutionalism that institutions have a political effect that is, to some extent, independent of their social and political context. Thus, this paper is concerned with deepening our understanding of the challenge of electoral laws as instruments for managing elections in order to enrich reflection on the theoretical debate on the effects of electoral laws on politics and the possibilities of democratic consolidation, with emphasis on the experience in Nigeria.

The concern with the second set of rules essentially focuses on electoral fraud, electoral and administrative irregularities. The target here is to evolve electoral legislation to reduce fraud and irregularities and to design neutral and fraud-free election procedures. It covers the election management bodies, their functions or roles, as well as the roles of election tribunals. The most critical issue is the extent of the autonomy of election management bodies, their capacity to carry out assigned functions and the neutrality of electoral tribunals (see Lehoucq 2002). In Africa the controversies and disputes surrounding transition elections focused principally on such issues as pro-incumbent bias in rule application, inflated or incomplete voters' rolls, and restrictions on opposition access to state-controlled media (Mozafar 2002, p 88). This paper also attempts to characterise Nigeria's electoral system, as created by the various laws and the way they relate to Duverger's principles, as well as their challenges for democratic practice and consolidation.

RULES GOVERNING THE STRUCTURE OF ELECTORAL COMPETITION IN NIGERIA

Assembly Size, District Magnitude and Electoral Formula

The broad rules governing the structure of electoral competition are to be found in the 1999 Constitution. The provisions not only cover such issues as qualifications of candidates for election to the various posts, electoral formulas, district magnitudes, constituency boundaries and assembly size, they also reflect the federal character of the country by providing for each level of government.

Sections 48 and 49 of the Constitution provide, respectively, for three senators from each state and 360 members of the House of Representatives. While the distribution of membership of the Senate is based on an equal number per state, membership of the House of Representatives is based on the population of each state. Section 71 defines the magnitude of the districts and constituencies, while s 73 prescribes the basis and manner of the review of senatorial districts and federal constituencies. Such a review is to be done by INEC at intervals of not

less than ten years. Section 74 subjects such a review to the approval of the National Assembly. Section 75 requires that the population be ascertained by reference to the latest national census figures.

Following the single member district formula, s 77 stipulates that each senatorial district or federal constituency 'shall return one member who shall be directly elected to the Senate or the House of Representatives'. The federation is regarded as one constituency for the purpose of electing the president. If a single candidate is nominated as president there is a 'Yes' or 'No' vote. To become president, such a candidate must not only win the majority of 'Yes' votes, he or she must record 'not less than one-quarter of the votes cast at the election in each of at least two-thirds of all states in the federation and the FCT'. According to s 134, where there are two or more candidates the winner must have a majority of votes cast in addition to 'not less than one-quarter of the votes cast at the election in each of at least two-thirds of all states in the federation and the FCT'. Where no clear winner emerges there must be a run-off election between the two highest performing candidates.

Sections 32 to 42 of the Electoral Act 2006 deal with the nomination of candidates. Political parties submit a list of candidates to INEC not later than 120 days before the general election. The Act prohibits the nomination of more than one candidate for election to a particular office. A party may, however, change any of its candidates 60 days before the elections (s 34). In case of the death of a candidate the Chief National Electoral Officer or the Resident Electoral Commissioner must countermand the poll in which the candidate was to participate and set another date for the election (s 37). Section 65 (1 and 2) of the 1999 Constitution stipulates the conditions of eligibility for the Senate and the House of Representatives. It states that a candidate for the Senate should be a Nigerian citizen, at least 35 years old, hold a school certificate, be a member of a party and be sponsored by that party. The minimum age for membership of the House is 30 years.

RULES DEFINING THE BROAD INSTITUTIONAL FRAMEWORK OF ELECTORAL GOVERNANCE

Election Management Body

One of the most significant aspects of the electoral laws relates to the electoral umpire, INEC. Section 153 of the 1999 Constitution establishes the Independent National Electoral Commission while Section F Part I of the Third Schedule of the Constitution defines its composition and powers. The section states that the commission must be made up of a chairman and 12 other members (electoral commissioners) appointed by the president in consultation with the National

Council of States and subject to confirmation by the Senate. A resident electoral commissioner must be appointed by the president for each state of the federation.

INEC is charged with organising, undertaking and supervising all elections to the offices of president and vice-president, governors and deputy governors of states, and members of the Senate, the House of Representatives and the House of Assembly of each state of the federation. It must register political parties in accordance with the provisions of the Constitution and an Act of the National Assembly; monitor the organisation and operation of the political parties, including their finances; and arrange for the annual examination and auditing of the funds and accounts of political parties and publish a report for public information. In addition, the commission must arrange and conduct voter registration and prepare, maintain and revise the register of voters for the purpose of any election under the Constitution. INEC monitors political campaigns and establishes the rules governing political parties and ensures that all electoral commissioners, electoral and returning officers take and subscribe to the oath of office prescribed by law. It may delegate any of its powers to any resident electoral commissioner and must carry out such other functions as may be conferred upon it by an Act of the National Assembly.

The Electoral Act 2006, drawing on s 226 and 227 of the 1999 Constitution, expands the functions of INEC to include (a) conduct of 'voter and civic education', (b) promotion of 'knowledge of sound democratic election processes', and (c) conduct of 'any referendum required to be conducted pursuant to the provision of the 1999 Constitution or any other law / Act of the national Assembly' (s 2). Sections 157 and 158 attempt to guarantee INEC's independence by stipulating that the president may only remove members of the commission if requested to do so by a two-thirds majority of the Senate. In 'exercising its powers to make appointments or to exercise disciplinary control over persons' the commission is not subject to the direction of any person or authority. The Electoral Act 2006 further gives INEC the power to appoint its own secretary, who is the head of administration. It also makes it impossible for the president to single-handedly remove a resident electoral commissioner in any state. The Act prescribes that a resident electoral commissioner can only be removed by the president if requested to do so by a two-thirds majority of the Senate on the grounds of inability to discharge the functions of his or her office or for misconduct. In the past the president has been able to remove or redeploy these officers at will.

Party Formation

The Constitution envisages political parties that are national in character. It requires party membership to be open to every citizen of Nigeria irrespective of

his or her place of origin, circumstance of birth, sex, religion or ethnic origin. Parties must be registered with INEC. The name of the association, its symbol or 'logo' must not contain any ethnic or religious connotation or give the impression that its activities are confined only to one part of the geographical area of Nigeria. The headquarters must be situated in the Federal Capital Territory (FCT). Members of the executive committee of the party must also reflect the federal character of Nigeria, while its principal officers and members of its executive committee must be elected periodically on a democratic basis.

Part IV of the Electoral Act 2006 deals with the party system. It restates the conditions specified by the Constitution for the formation of political parties, with specific additions. These include: the penalties for contravention of s 227 of the Constitution, which prohibits the formation of quasi-military organisations. According to s 81 of the Act, such a contravention carries a fine of ₦500 000 for the first instance, ₦700 000 for any subsequent offence and ₦50 000 for every day the offence is committed. The party also forfeits the grant due to it 'for the year the offence was committed, and for every year in which the offence continues'. Any group or persons that 'aids or abets a political party in contravening that section of the constitution shall face a fine of ₦500 000 or three years' imprisonment or both'.

Sections 82 and 83 deal with party symbols, while s 84 deals with mergers of political parties. Section 85 contains regulations for party conventions, congresses, conference and meetings. It empowers INEC to attend or monitor such meetings without prior notice to the party, while mandating parties to give at least 21 days' notice of any convention, congress, conference or meeting convened to elect 'members of its executive committees, other governing bodies or nominating candidates for any elective posts...'

A political party must provide any required information or clarification sought by INEC on pain of a fine of not less than ₦500 000.

ELECTION TIMETABLE, REGISTRATION AND VOTING PROCEDURE

Section 31 of the Electoral Act requires INEC to produce a timetable not less than 150 days before the day set for the election. The timetable must be published in a notice in each state of the federation and the FCT. It must include the date of the election and the place where nomination papers are to be delivered. The notice must also be published in each constituency in respect of which an election is to be held.

Section 76 of the Constitution defines the specific time of elections for the National Assembly. While INEC must set the election date such a date 'shall not be earlier than sixty days before and not later than the date on which the House

stands dissolved'. Section 77 stipulates direct election in a single member district and establishes 18 years as the voting age. Section 78 empowers INEC to register voters and conduct elections, while s 79 empowers the National Assembly to make provisions in respect of electoral disputes. Similar provisions are made in ss 112 to 119 of the Constitution for state-level elections.

Sections 132 and 133 contain special provisions for presidential and gubernatorial elections. According to s 132 INEC must set the date for election to these offices 'not earlier than sixty days but less than 30 days before the expiry of the term of office of the last holder of the office'. This section also permits INEC to extend the date for nomination if by the time nominations close only one candidate has been nominated. Section 221 prohibits all associations except political parties from canvassing votes or contributing to the election expenses of any candidate. There are similar provisions in respect of gubernatorial elections in s 179.

Part III of the Electoral Act 2006 makes elaborate provision for voter registration, which must end not more than 120 days before any election (the Electoral Act 2002 set the period at 60 days). The Act prohibits surrogate registration. Although it provides that a duplicate copy of a registration card may be issued on application within 30 days before an election this can only be done by an electoral officer or other authorised persons once they are satisfied about the circumstances of loss, destruction or defacement of the original card. Any person who issues a duplicate voter's card on polling day or within 30 days of polling day is liable on conviction to a fine not exceeding ₦200 000, or to imprisonment not exceeding two years, or both. This section goes on to list a series of offences associated with voter registration with penalties attached. Such offences include unlawful possession of a voter's card and the buying and selling of a voter's card.

Copies of the voters' register are to be displayed for public scrutiny for a period of 5 to 14 days in each local government and area council or ward. This is to enable registered voters to crosscheck in case of omissions or errors. A supplementary voters' register may be created for the purpose of such corrections and integrated into the voters register not later than 60 days before a general election.

Part IV of the Electoral Act of 2006 empowers INEC to determine the procedures during an election. Election results are to be announced by the electoral officer, who is to act as the returning officer for election to the office of chairman of area council in the FCT. The results are to be announced by: the presiding officer at the polling station or the ward returning officer at the ward collation centre or the returning officer at the local government or area council or the returning officer at the state constituency collation centre or the returning officer

at the federal constituency collation centre or the returning officer at the senatorial district collation centre or the resident electoral commissioner, who shall be the returning officer for the governorship election; or the chief electoral commissioner, who shall be the returning officer for the presidential election (s 28).

CAMPAIGN FINANCE

Section 221 of the Constitution provides that: 'No association, other than a political party, shall canvass for votes for any candidate at any election or contribute to the funds of any political party or to the election expenses of any candidate at an election.'

Sections 225, 226 and 227 deal with the financing and accountability of parties. They require political parties to submit to INEC detailed annual statements and analyses of sources of funds and other assets and statements of expenditure. INEC is expected to submit to the National Assembly a report on the accounts and balance sheet of every party. Section 88 of the Electoral Act complements this provision by specifying the period to be covered as 1 January to 31 December each year. The Act also empowers INEC to authorise any of its officers to access the records and audited accounts kept by a party. The commission is to publish such examination or audit in three national newspapers.

Section 229 of the Constitution interprets 'association' as any body of persons, corporate or unincorporated, which agree to act together for any common purpose, and includes an association formed for any ethnic, social, cultural, occupational or religious purpose. Section 228 enables the National Assembly to make laws providing for the punishment of any person involved in the management or control of any political party, found after due inquiry to have contravened ss 221, 225 (3) and 227 of the Constitution.

The Electoral Act 2006 regulates campaign finances, expanding on the provisions of the Constitution. Section 87 of the Electoral Act sets out penalties for offences relating to the finances of political parties. Any party that contravenes s 225 (3) of the Constitution, which deals with money transferred from abroad, commits an offence and is liable on conviction to a fine of not less than ₦500 000 and the forfeiture of the funds or assets to INEC. Section 79 makes it mandatory for parties to provide INEC with a statement of election expenses.

Related to these provisions is the Companies and Allied Matters Act (CAMA), 1990. Section 38 (2) of this Act precludes a company from making a donation or gift of any of its property or funds to a political party or association for political purposes. The law provides that officers in default shall be liable to refund to the company the sum or gift. The company or its officers shall also be guilty of an offence and liable to a fine.

Section 90, however, empowers the National Assembly to approve a grant to political parties contesting elections. Section 91 2(a) states that 10 per cent of the grant (30% in Electoral Act 2002) is to be shared equally among all registered political parties. Section 2(b) states that the remaining 90 per cent must be shared among the registered political parties in proportion to the number of seats won by each party in the national Parliament.

Sections 92, 93 and 94 deal with campaign contributions. Each party must keep a record of all contributors and the amount contributed. Section 93 puts a ceiling on expenditure incurred by candidates according to the office for which they are standing. This is presented in the table below.

Table 1
Ceiling on Campaign Expenditure

Candidates	Maximum Election Expenses ₦
Presidential candidates	500 000 000
Gubernatorial candidates	100 000 000
Senatorial candidates	20 000 000
Candidates for the House of Representatives	10 000 000
Candidates for State House of Assembly	5 000 000
Candidates for Chairman of Local Government	5 000 000
Councillorship candidates	500 000

Section 93(11) states that any contravention of the above provisions is subject to a maximum fine of ₦500 000, or nine months' imprisonment, or both, while any accountant who ' falsifies or conspires or aids a candidate to forge or falsify a document relating to his expenditure at an election or receipt or donation for the election commits an offence that is liable to 10 years imprisonment'.

Section 95 also provides for adequate disclosure of the sources of campaign contribution. Parties must keep records showing the name and address of any person or entity that contributes money or other item in excess of ₦1 000000.

Electoral Offences

Part VIII ss 124-139 of the Electoral Act sets out a detailed list of electoral offences from improper use of voters' cards to disorderly behaviour at political meetings, wilful defacement or destruction of nomination papers, forgery of a registration card, or knowingly giving false information or making false statements in regard to any application for registration. The penalties for these offences are also clearly stated. Section 139 of the Act asserts that these offences apply to the recall of a member of the legislature and local government councillors.¹

Security

Section 96 of the Electoral Act provides for security at political rallies and processions. The police commissioner in each state must ensure security. Section 96(2) bars people from carrying 'offensive weapons or missiles', setting down a fine of ₦100 000, or imprisonment for a term of two years, or both, for contravention of the section. Section 97 prohibits the use of foul language which may provoke violent reactions and emotions during political campaigns. Places of religious worship, police stations, and public offices may not be used for political rallies. Masquerades are not allowed during political campaigns or for any political purposes.

Section 98 bars the use or threat of the use of force or violence during political campaigns. The contravention of this provision attracts a fine of ₦50 000 or six months' imprisonment. In the case of a political party the fine is ₦250 000 in the first instance and ₦500 000 for any subsequent offence.

Election Petitions and Electoral Tribunals

Part IX s 285 of the Constitution is devoted to election petitions and provides for the establishment of electoral tribunals. Specifically, it gives the president of the Court of Appeal, in consultation with the chief justices of the states, the presidents of the Customary Court of Appeal of the states and the Khadis of the Sharia Court of Appeal the power to establish one or more election tribunals to determine the validity of an election, the term of office of any person, when a seat has become vacant and when a petition presented to court in respect of an election is properly made.

¹ Recall is a political process whereby a member of Parliament is removed from office by his or her constituency if members of that constituency believe he or she does not represent their interests.

One or more National Assembly electoral tribunal must be established to hear petitions concerning the outcome of elections, the term of office of an individual, and whether the proper procedure has been observed in relation to a petition. Governorship and legislative house election tribunals are established at state level for the same purpose.

Appeals against decisions made by election tribunals go to the Court of Appeal, whose decision is final. However, petitions arising from presidential elections go directly to the Court of Appeal and it is the Supreme Court that is the final arbiter in respect of appeals against decisions made by the Appeal Court in these cases. The Electoral Act 2006 provides for the establishment of an election tribunal for the local council elections in the FCT. Election tribunals must be constituted not later than 14 days before election and an election petition must be lodged within 30 days after the results are declared (s 141).

Section 144 sets out those with *locus standi* to present an election petition. They are a candidate in an election or a political party which participated in the election.

According to s145 an election may only be questioned on the following grounds:

- that a person whose election is questioned was, at the time of the election, not qualified to contest the election;
- that the election was invalid by reason of corrupt practices or non-compliance with the provisions of the Act;
- that the respondent was not duly elected by a majority of lawful votes cast at the election; or
- that the petitioner or its candidate was validly nominated but unlawfully excluded from the election.

Section 147(1) empowers the tribunal to nullify an election if it determines that an elected candidate was not validly elected. Subsection 2 empowers the tribunal or court to declare as elected another candidate who is determined to have scored the highest number of valid votes cast where the candidate who was returned as elected did not win a majority of valid votes. Section 149 gives 21 days from the date of the decision of an election tribunal or court for an appeal against the decision. The rules of procedures for election petitions and appeals are set out in the first schedule of the Electoral Act.

On Media Access

The Act (s 102) sets out ways of checking bias in the application of rules or restrictions placed on opposition access to state-controlled media. Subsection 2

makes the denial of access and equal time 'an offence punishable, in the first instance, with a maximum fine of ₦500 000 and the withdrawal by the National Broadcasting Commission of the licence of the offending electronic media house for a period of 12 months on any subsequent violation'.

EVALUATION OF CONSEQUENCES, ISSUES AND CHALLENGES

The process of enacting the Electoral Act usually signals the start of the electioneering process in Nigeria. Public debates over the content of the Act usually take centre stage in public discourse as parties and candidates mobilise to ensure that their interests are catered for. The first Electoral Act after the return to democratic rule in 1999 was the 2001 Act, certain clauses of which were mired in controversy because they were perceived to have been smuggled into the document after the Bill had been passed by both chambers of the National Assembly. One of the contentious clauses (s 80(1)(c)) required new political associations seeking registration to secure at least 15 per cent of local council seats in two-thirds of the 36 states of the federation and the FCT before they could be registered as political parties.

This action was challenged in many newspaper editorials and by the general public and was interpreted as an attempt by the ruling Peoples Democratic Party to muzzle opposition and to prevent a schism within the party. The party has had severe internal conflicts over political appointments and resource distribution, with breakaway threats made by some powerful and influential members who allege that they are marginalised in relation to decision-making.

The 2001 Act also banned governors from standing for a third term of office. It was aimed at governors belonging to the opposition All Nigerian Peoples Party (ANPP) and the Alliance for Democracy (AD).

This effort to shrink the political space through legal provisions failed when Gani Fawehinmi, human rights lawyer and presidential candidate of the National Conscience Party (NCP), joined other aspirant political parties in seeking a judicial interpretation of s 222 of the 1999 Constitution relating to the registration of political parties (see Ologbenla 2003). The 2001 Electoral Act was repealed before it came into operation and replaced with the 2002 Electoral Act.

Although there was no similar controversy over the Electoral Act of 2006 it was preceded by an attempt to amend the Constitution to extend the tenure of the president and state governors, an attempt which generated strong divisions among the political elite. Indeed, it marked a high point in the conflict between President Obasanjo and vice-president Alhaji Atiku Abubakar, leading to the removal of the vice-president after he abandoned the PDP for the Action Congress (AC). It took a ruling of the Supreme Court to restore Atiku to the office of vice-president.

Once the constitutional amendment proposal was defeated in Parliament the president publicly declared the 2007 election a 'do-or-die affair' for the PDP, which was afflicted with political schisms. Thus, the atmosphere during the 2007 election was unusually tense.

Certainly the various provisions of the electoral laws have had consequences for the electoral system in Nigeria and the constitutional provisions have created a modified SMP vote system. This system is fairly simple to operate and has led to clear-cut wins by the PDP, which prides itself on being the largest party in Africa. But this simplicity has been overestimated and important logistical implications are frequently not addressed, leading to severe setbacks in the management of elections. These logistical difficulties provide opportunities for the more resource-endowed parties to manipulate the process to their own advantage.

Duverger's law that SMP will lead to a two-party system has not yet been proved in Nigeria, but it is clear from the performance of parties during the last elections that voters may eventually tend to rally to the two most acceptable parties.

Currently, the party system is unstable, with floor crossing and schisms leading to a proliferation of parties. Three parties contested the 1999 elections, 27 the 2003 elections and 50 the 2007 elections. Most of these parties are 'broad churches', encompassing all shades of opinion and ethnicity as a result of the constitutional requirement that parties reflect the federal character of the country in the composition of their executive bodies and membership, thereby preventing the emergence of extremist parties that are geographically concentrated.

Only 25 of the 50 political parties that contested the 2007 elections put up presidential candidates. Table 2 shows the relative strengths of the parties. Obviously, the PDP remains dominant, although many of the results are still in dispute.

INEC is the most visible and critical organ of governance for elections. It is not only central to the making and application of rules it also plays an active role in the process of adjudication. It usually plays a major role in drafting the electoral Bill, which the executive presents to the National Assembly. Since 1999 two such pices of legislation – the Electoral Act 2002 and the Electoral Act 2006 – have been crafted by INEC, presented to the National Assembly, and enacted.

In general, the functions of INEC are too broad. This is particularly obvious in relation to the monitoring of party finances. It is clearly impractical to expect INEC to acquire the investigative capacity to determine or track down political parties that cleverly flout the transparency requirements of the Electoral Act 2006, particularly s 95, which states that no party 'shall accept or keep in its possession any anonymous monetary or other contributions, gifts, properties, etc from any source whatsoever'. There is a similar problem with monitoring the ceiling placed

Table 2
Electoral Performance of Political Parties Since 1999

Parties	Presidential % of votes			Governorship			Senate			House of Representatives		
	1999	2003	2007	1999	2003	2007	1999	2003	2007	1999	2003	2007
PDP	62,7	61,94	69,82	28	27	27	59	76	85	206	223	260
APP/ANPP	37,22	32,19	18,72		7	7	29	27	16	74	96	62
AD		—	0,25	5	1		20	6		68	34	
APGA		3,29	0,44		1						2	
UNPP		0,43									2	
PPA			1,73			2			1			3
AC						1			6			32
PSP											1	
NDP		0,34	0,06								1	
PPP											1	
LP												1
Accord									1			

Note: Figures are for parties with at least one seat in the national Parliament

Source: INEC, Abuja

on election expenses (s 93 of the Act) and the clause that prevents political parties from holding or possessing funds outside Nigeria. INEC itself has admitted that it cannot effectively audit political party accounts (INEC 2005, p 19) and it does not appear to be able to cooperate with other law enforcement agencies to enforce the provisions.

Questions about the integrity and independence of INEC have emerged in the light of controversies and lawsuits that have followed successive elections and of court decisions on election matters since 1999. Indeed, there are several established claims of complicity of its officials in electoral malpractice and the courts have overturned its official decisions. INEC's bias could be linked to the fact that its chairman is appointed by the president, whose party also dominates Parliament.

The Electoral Act 2006 has taken into account factors that give incumbents an advantage with regard to their influence over INEC but it has not gone far enough in controlling those. *The Guardian* (19 April 2007, p14), in an editorial, observed that 'the Commission demonstrated its partisanship by taking actions, including flouting court orders, and initiating court cases of its own, all of which conspired to advance the electoral fortunes of the ruling Peoples Democratic Party'. The long-term goal should be to ensure that the members of INEC are drawn from all registered political parties and cannot be removed except by a resolution of two-thirds of the members of the National Assembly. This would require a constitutional amendment, since the structure of INEC and mode of appointment of its officers are constitutional issues.

There are also problems of capacity and competence, which aggravate INEC's bias and make it ineffective in performing many of its ascribed functions. It is particularly weak in monitoring and reporting and, as a result, no charges have been brought against parties or candidates who might have breached the laws on campaign finances. Indeed, there is no record that anyone has been prosecuted for electoral crimes. In October 2007, five months after the general elections, the Chairman of INEC, Professor Maurice Iwu, claimed that the police had compiled a list of electoral offenders but that if they were prosecuted it would affect ongoing cases before the tribunal 'because the criminal cases would supersede the electoral cases' (Fabiya 2007, p 11).

Some provisions of the Electoral Act do not take into account the logistical challenges for INEC. *The Guardian*, in the editorial cited above, bemoaned the shoddy 'preparations made by INEC' and its failure 'to release voters register to give Nigerians the chance to verify their names'. Section 64 (4) of the Electoral Act 2006 requires the presiding officer to count and announce the results at the polling station, but it fails to deal with the security implications of this action. Polling unit results are often not announced at the polling station. There is also

no evidence that defaulting officers are punished. The commission has apparently been unable to display the voters' register as required by ss 14 and 20 of the Act.

A significant number of election petitions have been lodged challenging results announced by INEC.

Table 3
Tribunal Cases Arising from the 2007 National Elections

Category	Number of cases
Presidential	8
Governorship	105
Senate	150
House of Representatives	331
State House of Assembly	656
Total	1250

Source: Adapted from Fabiyi (2007, p 11)

Several parliamentary elections at both state and federal level have been annulled by the tribunals, many of them because INEC failed to comply with various laws. In Oyo State INEC, in its submission to the tribunal, admitted to an 'error of omission'. In the FCT, Senator Jubrin Wowo's election was annulled because INEC unlawfully excluded the Progressive Action Congress (PAC) candidate from participating in the election. In her judgement Justice Josephine Tukur rebuked INEC for failing to abide by the provisions of the Electoral Act in the conduct of the elections. She pointed out that although INEC had excluded the candidate it had allocated votes to him in the declared results.

Seventeen political parties were screened by INEC for the polls, but the election results credited votes to 20 candidates. This is unlawful and unacceptable. We agreed with the submission of the petitioner that votes were just allotted to candidates by INEC. The omission of Ndako's party's name and logo in the ballot papers made it impossible for anyone to vote for him in the election.

Balogun 2007, B6

Thus far six gubernatorial election petition cases – in Ogun, Kogi, Adamawa, Kebbi, Anambra, and Rivers – have been decided by various courts and tribunals. The decisions and their status are summarised in Table 4. As noted above decisions of the election tribunals are subject to appeal.

Table 4
Court Decisions on Gubernatorial Election Petitions

State	Court	Decision
Anambra State	The Supreme Court	Election nullified on the grounds that the tenure of the incumbent governor had not yet ended and the election was a violation of the Constitution.
Kogi State	Election Petition Tribunal	Election nullified on the grounds of unlawful exclusion of opponents.
Kebbi State	Election Petition Tribunal	Election nullified because the governor was not duly nominated by the PDP, having initially stood for the ANPP before making an unlawful switch to the PDP when he was not even officially registered as a member.
Rivers State	The Supreme Court	Governor Omeha was deposed on the grounds that he had not won the party primaries and thus was never a lawful candidate for the PDP. Rotimi Amaechi, who was initially nominated as the gubernatorial candidate for the PDP but was replaced by the party leadership, was installed as governor.
Adamawa State	Election Petition Tribunal	Election nullified on the grounds that Action Congress (AC) candidate Alhaji Ibrahim Bapetel was wrongfully excluded.
Ogun State	Election Petition Tribunal	Petition of opposition struck down on technical grounds.

Source: Adapted from Nwachuku (2007, p 58)

One of INEC's major problems is finance. Not only is the body unable to muster enough funds, the Federal Ministry of Finance sometimes withholds payments, thereby causing it to postpone or delay the performance of some of its critical electoral functions. There should be a guarantee of funds to INEC bodies outside of the executive budget.

The provisions of the Electoral Act in relation to those seeking redress in the courts and the process involved is demanding, cumbersome, and discouraging and the process is long drawn out. The most notorious case is that of *Ngige vs Obi* in Anambra State where a governor who had been in office for almost three years of a four-year term, was proved to have been wrongly declared winner (Ameh 2006, p1). While the courts have tried to expedite action on election matters, any future Act should take this into account (Okoye 2007).

The categories of those who may seek redress in relation to an election result are restricted and exclude voters, a restriction of locus standi which limits justice. A liberal interpretation of locus standi would favour the search for even-handed justice in Nigeria. The capacity to sue must be re-addressed. Every Nigerian voter has a stake in the success of democracy in the country and the law should not impede any stakeholder from challenging actions that seek to threaten that democracy.

One positive element of the Electoral Act 2006 is that a person who is validly nominated but wrongly excluded from an election can apply to nullify the poll. This means that INEC cannot be used to prevent a candidate from contesting an election – a power used in the past by incumbents to exclude a strong opponent. It also checks the excesses of 'godfathers' who undermine internal party democratic processes by handpicking candidates to be sponsored by the parties, regardless of the outcome of the party primaries.

CONCLUSION

Four critical issues stand out in relation to the electoral laws. The first has to do with the need to ensure an effective and independent election management body. The Electoral Act 2006 has attempted to deal with this issue but the effort has been very limited. A real adjustment in this regard calls for a constitutional amendment. This is difficult under the very rigid 1999 Constitution. Nonetheless, the provisions concerning election petitions have proven to be an effective safeguard against incumbent executive use of INEC to determine who participates in an election.

Judicial intervention has clearly established the fact that INEC does not have the power to disqualify any candidate who has been validly nominated from contesting an election except if the candidate has been indicted by a court of law.

These provisions have also checked the tendency among political party kingpins to handpick candidates for election at the last minute, without due regard for party processes, as was the case in *Amaechi vs PDP*, in which the Supreme Court declared the former to be the legitimate candidate of the party in the 2007 gubernatorial election in Rivers and installed him as the governor of the state without calling for fresh elections.

Secondly, the laws, despite their elaborate provisions for electoral offences, have not been able stem the problem of rigging and violence. This is partly because the laws overload INEC with responsibilities which are quite beyond the scope of a single body. The logistics of conducting countrywide elections mean that INEC is overwhelmed during voting and counting. There is, therefore, a need to continuously strengthen INEC. Happily, the various judicial interventions have affected the timing of elections in some states and constituencies. Thus, gubernatorial elections will no longer be held simultaneously in all 36 states.

There is, nevertheless, a need to decentralise some of the functions of INEC. For instance, INEC (2005, p19) admits that it is unable to audit party accounts effectively. The anti-corruption bodies are better equipped to investigate and monitor campaign financing, while local governments or non-governmental organisations under the supervision and oversight of INEC could conduct the updating of the voters' register.

The provision on campaign financing favours the ruling party, since 90 per cent of the grant to political parties is distributed on the basis of the number of parliamentary seats they hold. However, the real challenge of campaign financing is the huge election expenditure which fosters corruption in government (*The Punch*, editorial, 9 June 2006). There is no evidence that INEC is able to ensure that parties observe the ceiling on campaign expenditure. Perhaps the anti-corruption bodies should have a special programme in this regard. There is a need for effective policing and prosecution of defaulters.

Fourthly, a major consequence of the growing regard for the rule of law under the Yar'Adua administration is the increased effectiveness of the tribunals as a part of the electoral process. In the past INEC, by flagrantly disobeying court orders, has made it impossible for petitioners to access electoral documents. This has not been the case since Yar'Adua's government assumed office in May 2007. As far as electoral justice is concerned, success in achieving free and fair elections depends not only on the careful crafting of electoral laws but also on an effective, alert, active and independent judiciary. Developments in the election tribunals since the April 2007 elections have made it clear that electoral laws cannot be effective without the operation of the rule of law.

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A REVIEW OF THE CAMPAIGN STRATEGIES

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ABSTRACT

This paper reviews the campaign strategies used in the 2007 elections in Nigeria and their outcome. The gaps between the Nigerian and global situations are also discussed and recommendations made on how to improve the situation in accordance with the electoral reforms proposed by President Umaru Musa Yar'Adua in his inauguration address in Abuja. The paper focuses predominantly on the presidential campaigns of the three leading political parties in the country, the Peoples Democratic Party (PDP), the All Nigeria Peoples Party (ANPP) and the Action Congress (AC).¹

INTRODUCTION

Elections play a significant role in deepening democracy in many parts of the world in the sense that they enable the governed to decide who governs them. However, an election is not just an *event*, it is, more importantly, a *process* involving a multiplicity of activities and stakeholders. Campaigns are one of these essential activities. They play an important role in the catalytic relationship between election candidates and voters (Barnes & Kaase 1979; Dinkin 1989; Thurber 2004) and enable candidates to motivate people to vote for them on the basis of the values and issues they present for consideration. Thus, campaign strategies are an important element in discussions about electoral democracy.

The data for the paper came from a variety of sources, the most fundamental of which is the data base of the consortium of IFES, Global Rights (GR), and the Nigeria Office of the Institute for Democracy in South Africa (IDASA-Nigeria),

¹ Most of the other parties lacked any serious campaign machines and cannot be said to be active in the strict sense. Their staggered campaigns were largely designed to enable them collect their official grants from the government.

which was set up by the UK Department for International Development (DFID) to support the 2007 elections. The three organisations worked with political parties, security agencies, the Independent National Electoral Commission (INEC) and civil society organisations in an attempt to ensure that the elections were credible. The consortium produced weekly reports detailing political activity in the country.

IDASA-Nigeria, for which the author of this paper worked as a consultant during the 2007 election, and of which he is now Country Director, focused its interventions on issues relating to the reduction of violence before, during, and after the elections (see Albert, Marco & Adetula 2007; Albert & Marco 2007; Idasa 2007). The organisation produced a quarterly *Conflict Tracking Dossier*, which contains information on some of the issues discussed in this paper. Additional information was obtained from interviews, focus-group discussions, analysis of the content of media advertisements, news reports, and non-participant observation of political campaigns in different parts of country as an independent conflict analyst.

CAMPAIGN STRATEGIES: A GENERAL FRAMEWORK

The *Open Encyclopedia* (open-encyclopedia.com/Political_campaign) defines 'political campaign' as 'an effort to reach a certain goal. In particular, the term refers to involving (or trying to involve) mass participation with a particular issue, candidate or proposition, most often through winning an election'. *Wikipedia* (en.wikipedia.org/wiki/Political_campaign), an online free encyclopedia, defines it as 'an organised effort to influence the decision making process within a group'. The goal is to reach as many people as possible and persuade them to support the campaign. This kind of political activity is as old as the earliest attempts to establish representative democracy.

Campaigning involves political advocacy, lobbying, and communication (Idasa 2007, p 89). It is a matter of 'knocking the other side' (Mayer 1994, p 115), with political campaigners frequently torn between the quality and quantity of the 'knocking'. There is much reliance on the mass media, most especially in the form of commercial advertising. Campaign strategies are usually dictated by candidates' reasons for running for office. A careful reading of the extant literature on campaigning shows that there are four possible reasons why people run for office:

- An obviously unpopular candidate may use the campaign period and process to attract attention to him or herself.
- An unpopular but public-spirited candidate may run not necessarily to win but to use the campaign period and strategies to educate people

about strategically important public policy issues that need to be underscored in an election season.

- The candidate's goal may be to build a community of like-minded people for strategic social and political action.
- The goal may be to win the election and take office.

Baron 1994

Voters can be divided into three main campaign targets. The first are those who are already committed to a candidate or political party. No matter the situation, such voters would vote for the particular candidate or party. The second are the 'hopeless voters', who have already made up their minds not to vote for a candidate or political party. The third are the undecided voters, who may vote either way and need to be convinced by the manifestoes of the candidates and what the party has to offer. West (1995) argues that the third group constitutes the principal target of political campaigns.

The point must be made from the outset that political campaigns start long before the candidates are announced – they start with the decision of the candidate to run for office. Two sets of candidates emerge at this level: those already known to voters and those unknown to them. The pre-campaign activities of both must be informed by their status in society. While those already known might merely have to announce their intention to run, those who are unknown must 'introduce' themselves. These factors help to explain why some campaigns are more rigorous than others. In all cases the candidates must begin by conducting some research and engage in (i) issue (ii) stakeholder (iii) context (iv) cost and (v) response analyses.

Issue analysis has to do with gaining a thorough understanding of the priority issues in the society. What do the people lack? What do they want? Which of their needs is the most important in an election season? What are the existing socio-economic, religious, ethnic and other cleavages in the society that could become critical issues in the election? Which issues are rooted in history and therefore combustible during an election season? Are the people interested in political change? What issues are involved in such popular demand for change? What kind of leaders do the people have and what kind of leadership are they clamouring for? What conflict-sensitive campaign strategies would be needed to engage the issues constructively?

Stakeholder analysis is the identification of the individuals, groups and institutions the campaign process must engage. Who are the stakeholders in the society? What constituencies are controlled by particular stakeholders? Which of the stakeholders are rooted in history? Which epitomise the collective interests of the people? Which constitute evidence of the decadence of the society? What do

the people really know about the stakeholders, their activities, and their altruism, or lack of it? What is the level of polarisation of the stakeholders? What is the power base of each of the stakeholders? Which of the stakeholders is the strongest? Which is the weakest? What kind of conflict-sensitive campaign strategies would be required to engage each of the stakeholders constructively?

Context analysis is research into the social, economic, political, environmental and security factors that shape issues and make stakeholders behave in certain ways. It identifies the sensibilities of the people and the precautions that need to be taken during the campaign.

The results of the analyses are collated for use in planning campaign strategies. While pre-campaign research activities lead to an understanding of the issues, the actual campaign has to do with directly engaging voters. The media, particularly advertisements, play a significant role in this stage of the campaign. Advertisements, according to West (1995, p 100), are 'developed to stir the hopes and fears of the 20 to 30 per cent of the electorate that is undecided, not the 70 to 80 per cent that is committed or hopeless'.

The use of the media in campaign processes differs from one part of the world to the other. In the United States (US) campaign messages are packaged as commercials and propaganda on television (West 1992, 1995; Schoenbach 1987; Kolbert 1992; Parisot 1988). While commercial advertising focuses on why one product should be preferred to another, propaganda has to do with influencing opinions or behaviour through indoctrination. Politicians rely more on propaganda as, in some cases, they have no concrete ideas to market. Propaganda techniques, according to *Wikipedia*, involve:

... patriotic flag-waving, glittering generalities, intentional vagueness, oversimplification of complex issues, rationalization, introducing unrelated red herring issues, using appealing, simple slogans, stereotyping, testimonials from authority figures or celebrities, unstated assumptions, and encouraging readers or viewers to jump on the bandwagon of a particular point of view.

The goal of propaganda is to evoke strong emotions. It helps a political candidate to bridge the gap between the real world and the imaginary world he wishes voters to envisage.

While playing down the less glamorous aspects of their life, some political campaigners try to exaggerate their worth through propaganda and commercial advertisement. Similarly, using a strategy known as 'negative campaigning', they demonise or discredit their rivals or opponents. This strategy is said to have originated in the United States (Swanson & Mancini 1996; Kaid & Holtz-Bacha

1995, p 207) but is now commonly practised throughout the world. The widely used 'negative campaign' strategy is to focus a campaign on attacking the personality of one's political opponent in media advertisements. Such campaigns are usually bereft of issues and often slide into mudslinging or smear campaigns in which the candidate who has been attacked launches his or her own negative campaign. It is such tactics that lead to politics being labelled a 'dirty game' (Jamieson 1993).

Other campaign strategies include conventional face-to-face contact, door-to-door canvassing for votes, public meetings, whistle-stop tours, and the use of mass communication systems such as the television, radio, newspapers and magazines, websites, online communities, solicited and unsolicited bulk e-mail, and mobile phones.

PHASES IN THE 2007 CAMPAIGN

The organisation and conduct of political campaigns during the 2007 elections in Nigeria cannot be fully understood outside the political context of the elections. The elections were the third to be organised in the country since the transition from military to civil rule. The first was the 1999 election, which brought Chief Olusegun Obasanjo to power after many years of military rule. The 2003 election gave Obasanjo his second term in office.

The 2007 election was thus the first election in which an elected president would be transferring power to another elected president. Within this framework, the election generated deep interest across the globe and was widely considered to be a litmus test of Nigeria's commitment to electoral democracy and the wider democratic ethos.

The first major threat to the success of the 2007 elections, which later had an impact on the campaign strategies of the candidates, came from Obasanjo's supporters when they attempted to change Nigeria's Constitution to enable the president and state governors to enjoy a third term in office as opposed to the two terms laid down in the 1999 Constitution. Most Nigerians were opposed to this 'third-term agenda', which even led to schisms within the ruling party. For example, Vice-President Alhaji Atiku Abubakar, who felt it was his turn to rule Nigeria, rallied support against the president. The latter blamed the failure of the third-term agenda on his deputy and, resolving to frustrate Atiku's presidential ambitions, accused him of having corruptly enriched himself through the management of the Petroleum Trust and Development Funds (PTDF). The case was hurriedly referred to the Economic and Financial Crimes Commission (EFCC) and the vice-president was indicted. The president instituted an administrative panel on 28 August 2006 to further investigate the matter and

make recommendations based on the report of the EFCC. Atiku was pronounced guilty for a second time. This, and the allegation that the vice-president was disloyal, became a reason for denying Atiku the ruling party's presidential ticket. Atiku went to court to challenge the two major grounds upon which his presidential ambition was frustrated by the ruling party and won. The decision of the Court on the question of disloyalty to Obasanjo is interesting:

I have painstakingly reproduced both the oath of allegiance and oath of office of the vice president and can find nowhere in both oaths where loyalty and faithfulness and true allegiance is owed to the President of the Federal Republic of Nigeria. I agree that the Vice President should have an undivided loyalty but that loyalty is due to the Federal Republic of Nigeria and not, I repeat not, to Mr. President nor Peoples Democratic Party who in any case is a stranger to the Constitution of the Federal Republic of Nigeria.

Court of Appeal Judgment CA/A/23/2007

Alhaji Umaru Yar'Adua, the former governor of Katsina State, benefited immensely from the Obasanjo/Atiku conflict – with Obasanjo's support he emerged as the PDP's presidential candidate. It was a strategic decision. Atiku and Yar'Adua were the two most influential members of the People's Democratic Movement (PDM), a powerful political block that played a significant role in the PDP between 1999 and 2004, when Obasanjo began to assert himself in the ruling party.

While Atiku presented himself or was perceived by some Nigerians² as the leader of the political bloc, Yar'Adua wielded great influence as the younger brother of the late General Shehu Musa Yar'Adua. The junior Yar'Adua is, in fact popularly believed to have been given the PDP presidential ticket partly to disempower Atiku and prevent other members of the PDM from leaving the PDP in support of Atiku's presidential ambition. The ploy seems to have been successful to some extent. Many former PDM members who would not want to risk their chances of gaining some benefits from remaining with a party that was certain to win abandoned Atiku and remained within the PDP.

Atiku left the ruling party for the newly created Action Congress (AC), which later nominated him as their presidential candidate. Constricted by grudge and seduced by malice, the campaign trains of the PDP and AC attacked each other

2 Atiku tried to prove this point by making one of the largest contributions to the construction of the Yar'Adua Centre in Abuja, contributing more than ₦10-m to the project, compared with Obasanjo's ₦1-m (information from the plaque in front of the centre).

violently at both national and state levels. Many people were killed and maimed in the process.

As in the 2003 elections (Albert, Marco & Adetula 2007), there were three campaign phases in 2007. The first, which was informal and clandestine, began immediately after the 2003 elections and terminated during the first half of 2006. Those involved in the campaign were those who had lost out (for whatever reason) during the 2003 elections but were assured by their political parties, godfathers (see Albert 2005(a) and Omotola, p134 in this journal), or their supporters of positions in 2007. In addition to strategically positioning themselves within their parties, most especially in terms of making large donations and engaging in public debate in which the activities of their parties were blindly defended, such candidates organised lavish social events with full media complements as a strategy for calling attention to themselves and currying favour with the leaders of the political parties. Some desperate politicians in this category sponsored visits by members of the public 'begging' them to run for certain positions.³

The second category of campaigners was those who succeeded in carrying their campaigns through to the second half of 2006, when their political parties formally lifted the embargo on campaigning. At this stage, many candidates who had been campaigning underground came out to announce their decision to run. This 'campaign period' ended with the party primaries (between December 2006 and January 2007). Before the primaries the candidates visited traditional rulers, prominent political godfathers, and their communities to announce their political interests. The 'philanthropists' among them began to invest in 'community development programmes'.

As the date of the primaries drew nearer, the number of campaigners in this category thinned out. There are four possible reasons for this. Some aspirants dropped out when they could no longer bear the campaign expenses. Some were paid off by (financially stronger) rival candidates. Some candidates voluntarily left the race having realised that the positions they were campaigning for (probably since the 2003 elections) were not available either because they had been 'sold' by godfathers to their godsons or because they had been handed out by their political parties to more strategically positioned candidates. For example, it took the third-term saga to bring Atiku Abubakar to the realisation that the PDP presidential ticket he had been spending money on since 2003 was not available; Obasanjo wanted a third term and when he could not have it, he turned spoiler by 'dashing' the presidential slot to Yar'Adua, who was widely reported not to

3 Nigerian politicians learned this strategy from General Sani Abacha (Albert 2005), who, having overthrown the regime of Chief Sonekan in 1993, tried to transmute into a civilian head of state by means of diverse crude strategies, one of which was to stage self-sponsored solidarity visits. Nigerians refer to this ploy as 'rent-the-crowd' visits.

be prepared for the position. Many other PDP presidential aspirants halted their campaign trains as soon as the intentions of President Obasanjo, who doubled as leader of PDP, became popular knowledge. Those who could not bear the shock decamped to other political parties to pursue their presidential ambitions.

The most interesting were those forced out of the race, whether directly or indirectly, by the EFCC, which became a 'clearing house' for candidates. The anti-corruption campaign produced a long list of 'indicted candidates', all of whom were automatically disqualified from contesting the election without being taken to any court of law. Most of the politicians targeted by these politically motivated anti-corruption prosecutions were associates of Vice-President Atiku and those who were likely to be strong contenders against Yar'Adua in the PDP primaries. The most prominent was Governor Peter Odili of Rivers State, who was rated, in the months before the PDP primaries, as the leading contender in the presidential race, a rating confirmed by the Chairman of the EFCC, Nuhu Ribadu, who claimed in a media interview: 'Odili would have been president. We stopped him' (Ogunlana 2007, p 1).

Some candidates resolved to continue to pursue their political ambitions despite the odds against them within and outside their political parties. A few died in the attempt, the most prominent among them Engineer Funso Williams, a leading Lagos State gubernatorial aspirant standing for the PDP and Dr Daramola, PDP gubernatorial candidate for Ekiti State.

Those who were not killed were humiliated by being allowed to take their campaigns as far as the party primaries, many of which were conducted outside clear democratic rules. Many were manipulated out of the race at the end of the exercise and the constitution of the parties prevented them from seeking redress in any court of law.

Where it was difficult to manipulate the outcome of the primaries, names of the 'unwanted winners' were substituted by the party leadership in the nomination papers sent to INEC in contravention of s 34(1) and (2) of the Electoral Act 2006, which states that an application for substitution of candidates must give cogent and verifiable reasons. Many of the cases were thus taken to court for settlement. It was often difficult for the PDP, which was largely implicated in this kind of political malfeasance, to provide cogent reasons for its actions. In most cases, the party compounded the matter by expelling those who dared to go to court. Commenting on the extent of this problem, the EU Election Observation Mission (2007, p 17) noted that:

In some cases, where candidates challenged their substitution, political parties responded by expelling such candidates from the party, thereby creating new legal issues to be resolved by the judiciary. This was so

in the case of Mr. Ifeanyi Ararume and Mr. Rotimi Amechi, who went to court to challenge their removal as the PDP gubernatorial candidates for Imo and Rivers States. The case of Mr. Amechi was still pending on the date of the election...the situation was exacerbated by the sudden, unexpected and unprecedented declaration of public holidays which prevented some of the cases being resolved prior to the state elections. As a result, it was not possible for many candidates to redress the decision of disqualification.

The third and last phase of the 2007 political campaign cycle in Nigeria took place after party primaries in December 2006 and lasted until election day in April 2007. While the earlier campaigns were intra-party, the latter were inter-party and involved candidates cleared by INEC for the elections. Most of the candidates who reached this phase of the 2007 political campaign combined the messages, money, and machines of the candidates from the other two stages. The rest of this paper focuses on this stage of the campaign.

NATURE OF THE POST-PRIMARIES POLITICAL CAMPAIGNS

As noted above the 2007 campaign was dominated by candidates from the PDP, the ANPP and the AC – none of the other parties campaigned seriously at national level. Candidates attacked one other verbally and physically in a manner that gives politics a very bad name. The ruling PDP was attacked by both the ANPP and the AC and, in turn, attacked the two rival parties. United by the goal of pulling the ruling party down, the AC and the ANPP did not wage much of a campaign against one another, though they did not pool their resources either, each fighting a separate battle against the PDP, with their presidential candidates, General Muhammadu Buhari (ANPP) and Atiku (AC), refusing to step down. For this reason Yar'Adua would have won the 2007 elections even if they had not been rigged by the ruling party.

In addition to the conventional face-to-face contact and door-to-door canvassing the parties conducted their campaigns by means of public rallies and whistle-stop tours; media advertisements and communication by internet and mobile telephone.

Public Rallies and Whistle-stop Tours

Rallies were organised at ward, local government, state, and national levels, their venues and the extent of the programmes determined by the positions being contested. The presidential campaign is used as an illustration here. In addition

to a big national rally (held in Abuja) each of the three major presidential candidates (PDP, ANPP and AC) travelled the country canvassing support. Campaigns at state, local government and ward levels were picked up from there by gubernatorial, senatorial and House of Assembly candidates.

The dates of the presidential rallies were fixed in advance and widely publicised in newspaper advertisements as well as the websites of the candidates. In most cases a dress code was specified for the occasion. The presidential candidate, leaders, and other prominent members of the party were expected to wear the appropriate 'uniform' (usually dress depicting the culture of the area). Musicians, praise singers, and media consultants were hired to enliven different stages of the event. At its height the national chairman of the party, the state chairmen in the geo-political zone, the presidential candidate, the gubernatorial candidates (in the zone) and other prominent leaders of the party would address the rally. In most cases speeches (and the abusive songs that accompanied them) focused more on what the 'opposition' had failed to do or had no capacity to do than on what the campaigner would do with power if voted into office. The crowd would shout, yell, and boo in acknowledgement of the tone of the speeches and songs.

President Obasanjo's insistence on participating in all campaigns organised by the ruling party turned some PDP rallies into whistle-stop tours for him, with campaign teams making brief appearances in many towns in a day. These are different from normal political rallies in that those engaged in them have little time to give detailed treatment to any campaign issue. The main goal is to reach as many places as possible within a short time. They are often 'solidarity visits' rather than anything else.

The President and the PDP presidential candidate would breeze into the rally in one state capital, address party members and race back to the airport to catch the flight to the next city for a similar function. The brief appearance of the president and the party leadership was a tacit way of formally boosting the campaign of the PDP presidential candidate in all the states. It was also a strategy for endorsing the candidature of the other candidates who were to address the rallies at different locations. It was difficult for the other political parties to engage in this kind of campaign strategy because of the cost and the logistical and security implications.

While presidential candidates conducted their campaigns in state capitals other categories of campaigns took place at local-government level, their structure not much different from that of the presidential campaign. The state chairmen of the political parties and the candidates took turns addressing the gathering. House of Assembly candidates added to their campaign strategies town hall meetings in many parts of the country.

Media Reports, Advertisements and Discussions

Media advertisements form an important component of the campaign process because of their supposedly hypodermic influence. The general belief is that a media message frequently repeated is absorbed hook, line and sinker by a mass audience, thus affecting the view of a particular candidate or political party. Media advertisements also affect the view of the important issues in an electoral process. For this reason election candidates all over the world invest heavily in advertising and the content of the advertisements is considered to be a medium for assessing the extent to which a society permits electoral participation and freedom of speech (Miskin & Grant 2004, p 11). The main goal is to influence positively the decision of voters.

The bulk of media advertisements for the 2007 elections in Nigeria were placed by the three leading political parties – the other parties were unable, financially, to use such media. In an article in *The Nation* Okoeki (2007, p 43) quoted a presidential candidate from one of the newly registered parties as asking: ‘...how many Nigerians read newspapers, how many voters would see my advertisements in the newspapers if I resort to campaign through that process, for me it is waste of money. I prefer to reach out to the people through other means.’ Most of the advertisements appeared in newspapers and some on televisions. More than 80 per cent of the advertisements were placed between December 2006, when most parties held their primaries, and April 2007, when the elections took place (see Albert & Marco 2007; Marco & Albert 2007).

The content of the advertisements is as interesting as their quantity. The PDP presented Yar’Adua and Goodluck (the vice-presidential candidate) to Nigerians as ‘First class intellectuals who have proven that integrity is still a driving force in public service’ (*Daily Trust* 16 April 2007, p 55). Unable to fault his moral integrity and academic credentials, the ANPP and AC tried to present Yar’Adua as an Obasanjo stooge who might not be able to do better than the outgoing president. It was argued that Yar’Adua could not have won the PDP primaries had the nomination process been free and fair. Against the background of popular knowledge that Yar’Adua has a kidney problem and is constantly on dialysis, the PDP presidential candidate was represented as a ‘walking corpse’ or as a Trojan Horse for achieving Obasanjo’s failed third-term agenda.

This school of thought predicted the death of Yar’Adua before the end of the election. On his death, Obasanjo would invoke s 37(1) of the Electoral Act 2006, which enables INEC to postpone the presidential election indefinitely. This would enable Obasanjo to continue ‘reluctantly’ in office as president with the connivance of the electoral body, led by another Obasanjo stooge (Albert & Marco 2007, p 68).

With a view to demonstrating that the claims of the opposition about his health were exaggerated Yar'Adua challenged his rivals to a game of squash (Reuters 2007). The response of the opposition was still awaited on 6 March 2007 when the PDP presidential candidate collapsed at a political rally. He was immediately rushed to Germany for treatment. The PDP blamed the incident on exhaustion, while critics of the party considered it to be a confirmation of their argument that Yar'Adua was unfit to rule. Rumours spread around the country the following day that Yar'Adua had died. The PDP used the incident to boost its presidential campaign. For example, the PDP-controlled government of Benue State placed the following advert in the *Weekly Trust* in March 2007 (p 46):

The elements of the opposition who chose to play God by spreading falsehood about your death have unwittingly boosted your presidential campaign tremendously. The genuine concern expressed about your health by Nigerians from all walks of life confirms the depth of acceptance, affection and support you command among our people from north to south, east to west. By playing this sinister card, the opposition has also exposed itself as untrustworthy and Machiavellian as it is bent on using foul means to attain power.

Atiku (AC) and Buhari (ANPP), like Yar'Adua Muslims from Northern Nigeria, tried not to attack Yar'Adua directly, turning their venom instead on Obasanjo, despite the fact that he was not standing. The logic was that if voters could be convinced of Obasanjo's failure as the country's leader they would not vote for Yar'Adua. In this context, they portrayed Obasanjo's eight-year rule as 'years of the locust'. In the process of defending Obasanjo the PDP portrayed Atiku as corrupt and Buhari as a religious fundamentalist.

Atiku's main criticism of Obasanjo was that the president had been a party to the PTDF scandal which had resulted in Atiku's exclusion from the ruling party presidential ticket. The result was that Atiku's campaign lost focus as, in his criticism of Obasanjo and his efforts to defend himself against the charges of corruption, he had too little time to address any other concrete campaign issues.⁴

By contrast, Yar'Adua's advertisements focused on his seven-point political agenda:

4 The court judgement forcing INEC to allow him to stand as a presidential candidate was delivered a few days before the election. To the extent that his attention to his campaign was effectively diverted by the charges against him and by INEC's refusal to confirm his participation early enough, Atiku's campaign can technically be characterised as a 'flash campaign'; 'a last minute entry into the political process due to unforeseen circumstances' (www.moveon.org). Such a candidate cannot be expected to be as successful as those who have had sufficient time to organise their campaigns

- Fight corruption.
- Resolve the Niger Delta crisis.
- Boost the oil and gas industry.
- Economic reform.
- Deal with the fuel shortage.
- Foreign policy trust.
- Deal with ethnic and religious mistrust in the country.

Responding to this agenda in the context of the perceived failure of Obasanjo's regime Buhari urged Nigerians to break their silence: 'You deserve more than megawatts of promises; what you need is uninterrupted power supply for your business and well-being. It's so easy. It doesn't take eight years to realise a dream. Vote right this time. Vote for Muhammadu Buhari' (*Leadership* 26 March).

In an interview Yar'Adua promised to achieve the following within his first 100 days in office:

- Make the power sector a national emergency.
- 100% compliance with the rule of law.
- Restore the federal government's moral authority and credibility.
- Make education and health urgent priorities.
- Make payment of salaries a priority.

Responding to this, the London chapter of the ANPP asked the the following questions:

QUESTION	ANSWER
Which party has been in office for the past 8 years?	PDP
Which party promised to restore and expand the power supply within 6 months of taking office in 1999?	PDP
Which party voted over a trillion Naira on power supply, only to guarantee us a future of darkness?	PDP
Which party has consistently defied court orders?	PDP
Which party has lost all moral authority and credibility in governance?	PDP
Which party neglected education and health?	PDP
Which party has failed to pay salaries and pensions, and refused to pay debts owed to long suffering local contactors?	PDP

IS YAR'ADUA REALLY PDP'S CANDIDATE?

For credible Leadership, trust Muhammadu Buhari

As Buhari raked up more and more reasons why the ruling party should be voted out of power the PDP changed its campaign strategy, devoting more than 80 per cent of its advertisements to demonising the ANPP candidates. Advertisements carried the photographs of prominent Nigerians (Obafemi Awolowo, Nnamdi Azikiwe, Abubakar Rimi, Adekunle Ajasin, Lateef Jakande, Umaru Dikko, the Emir of Kano, Aper Akur, Sam Mbakwe, Shehu Shagari, Ndugar Irabor, Tunde Thompson, and so on) from all the major geo-political regions in Nigeria who Buhari had jailed or subjected to structural, psychological and physical violence while he was Nigeria's head of state in the 1980s. Nigerians were asked if they wished to go through same painful experience again. If not, they should vote for Yar'Adua.

A related anti-Buhari advertisement targeted the Muslim community of Northern Nigeria, where Buhari had most of his political followers. The advertisement featured pictures of Buhari in military uniform and of Umaru Dikko, transport minister under the Shehu Shagari administration (1979-1983). The quotation on top of the advert, taken from Usman Dan Fodio, founder of the Sokoto Caliphate, reads: 'A nation can endure with unbelief, but it cannot endure with injustice'. The central message was: 'This man allegedly sent terrorists to kidnap Alhaji Umaru Dikko in London so that he can be sent to Nigeria in a crate. Let us forgive him, but must we forget?' (*ThisDay* 15 April 2007, p 87).

One other area on which the media made a significant impression during the 2007 political campaign was in the facilitation of open debate between and among the candidates. All over the country both the state-owned and private television stations, particularly the Nigerian Television Authority, provided the opportunity for the candidates individually and collectively to 'sell' themselves to the electorate.

The most interesting of these brought the candidates together to be interviewed by panelists. Viewers at home participated in these programmes, sometimes being given the opportunity of phoning the candidates to ask questions. Some professionals also organised similar programmes. For example, in the run up to the gubernatorial elections in Oyo State, the Nigeria Union of Local Government Employees (NULGE) organised an interview session for the candidates, each of whom was asked to tell the local government workers and the invited audience how he would improve the life of the people of the state. The Nigerian Union of Journalists (NUJ) in the state held a similar session.

Billboards and Banners

The use of billboards for political campaigns is not new to Nigeria but there was a significant improvement in the use of this communications medium during the 2007 elections. A few months before polling day most of the billboards used by

marketing companies were taken over by politicians and new ones were added. The billboards were located in strategic positions – usually at popular road junctions and commuters were thus ‘forced’ to see them every day. This attempt to add an aerial campaign to the media mix, we were told in interviews with some candidates, cost them 25 per cent less than advertisements in the electronic or print media.

Added to the billboards were glossy banners featuring campaign messages. The latter were also hung at locations where candidates were campaigning.

Internet and Mobile Telephone

The use of the Internet is a novel addition to campaign strategies worldwide (Foot & Schneider 2006). Though it was unable to replace grassroots campaign activities during the 2007 elections, e-technology provided some candidates with a cheap opportunity to get their message across to voters, to raise funds from far and wide, to defend themselves against negative campaigning, to research opponents and communicate effectively with campaign staff and volunteers. Most of the leading presidential and gubernatorial candidates created campaign websites.⁵ A close look at the websites shows that they contained more useful information about the candidates than was shared with voters through rallies and advertisements.

For example, Atiku’s website clearly identified some salient ‘national key priority areas’ with which the vice-president intended to engage if voted into power. These included wealth/job creation, poverty reduction, infrastructure, democracy and good governance, education, health and social services, and the Niger Delta crisis. The campaign team also identified a number of national emergency issues and how the AC government would solve them. Trying to defend himself against the PTDF scandal Atiku devoted two pages of the website to how he made his money and described himself as an anti-corruption crusader. Quoting from his published authorised biography, *Atiku: The story of Atiku Abubakar*, the vice-president claimed to have a ‘passion for entrepreneurship, wise investments, hardwork and luck’. He described himself as a large-scale farmer, wholesaler of imported goods, and an oil-servicing magnate. In addition to funding political activities, Atiku claimed to have channelled some of his wealth into building and equipping schools, mosques, churches and health centres (www.atikuforpresident.org/mymoney.htm).

5 The following are the websites of the three leading candidates: Yar’Adua/Goodluck campaign team: www.yaraduagoodluck.com; Muhammadu Buhari campaign team: www.buhari.org; Atiku Abubakar campaign team: www.atikuforpresident.org.

Buhari's campaign website also identified a long list of core issues to which the ANPP would give immediate attention when voted into power. These included defence and security, economic management, agriculture and water resources, power supply, transportation, telecommunications, industrial development, the petroleum sector, solid minerals development, education, youth development and empowerment, sports, women's development, health, housing, environment, foreign policy, science and technology, cultural institutions, traditional institutions and information and media. Trying to rake up anger among the Nigerian youth against the PDP-led government, Buhari devoted several pages of his 18-page manifesto on the website to lamenting how Nigerian leaders had failed to invest in the future of the young, preferring instead to exploit them to achieve selfish interests (www.buhari.org/The_Buhari_Programme.html).

Dr Kayode Fayemi, the former Executive Director of the Centre for Democracy and Development and the AC gubernatorial candidate in Ekiti State, ran and still runs a vibrant website (www.kayodefayemi.com) discussing several issues relating to the election in the state and in other parts of the country. One of the hyperlinks in the site contains the eight-point agenda of the gubernatorial candidate.

On his website Senator Isaiah Balat, a PDP gubernatorial aspirant for Kaduna State, presents information about his achievements as both administrator and politician. Like Fayemi, the former president of the Nigerian Labour Congress, Adam Oshiomhole, the AC gubernatorial candidate in Edo State (www.oshiomhole.com) established a website, as did other gubernatorial candidates. The interactive sites enabled the candidates to share their vision and mission with other Nigerians.

Some of the candidates, particularly those standing for positions at lower levels (Senate, House of Representatives and Houses of Assembly) sent text messages to their friends, urging them to use a relay system to get the message across to others. Many of the presidential campaign text messages concerned Obasanjo. Members of the public also used text messages to track trouble spots during the campaign. As soon as political violence was noticed in a particular place Nigerians warned one another to keep away.

AN APPRAISAL OF THE STRATEGIES

There are three key elements to a political campaign: message, money, and machine (en.wikipedia.org/wiki/Political_campaign). The 'message' refers to issues raised by candidates. 'Money' refers to campaign finance and the 'machine' refers to the human resources mobilised to run the campaign. Assessed against these three elements the 2007 campaign in Nigeria can clearly be regarded as having fallen

below acceptable global standards. The campaigns were bereft of issues and characterised by physical, structural and psychological violence (Albert & Marco 2007). There was also an absence of transparency and accountability in campaign spending (EU 2007, p 2).

Message

As indicated above the 'messages' of the 2007 campaigns were not focused and voters had a problem identifying serious campaign issues as candidates concentrated on name-calling rather than on policy. Atiku was represented as 'corrupt', Buhari was a 'religious fanatic' and Yar'Adua an unhealthy Obasanjo stooge. In the process of engaging in this character assassination candidates 'forgot' to address the educational, health and energy crises in the country.

All the candidates used the media to get their messages across. They did this in two ways: independent reporting on campaigns by media houses, and advertisements placed by the candidates themselves. The legal framework for media reporting on campaigns during the 2007 elections include the Electoral Act 2006,⁶ the Nigerian Broadcasting Code, the law on political advertising, and professional and in-house regulatory mechanisms such as the Code of Ethics of the Nigerian Press and the in-house codes for political reporting of some media houses. All these require that political campaigners be given equal access to the media.

IFES (2007), Arogundade (2007), SERI (2007) and the EU Observation Mission (2007) have reported in different contexts that the laws and codes regarding balanced reporting were not respected by campaigners in many parts of Nigeria during the 2007 elections. The problem was largely blamed on media owners. The federal and state governments own about 90 per cent of the electronic media houses in Nigeria, in particular the National Television Authority (NTA) and the Federal Radio Corporation of Nigeria (FRCN), which have the widest coverage in the country. More than 80 per cent of these media houses were under the control of the PDP. It was thus not surprising that the government-owned

⁶ Section 102 of the Electoral Act states as follows: (1) A government owned print or electronic medium shall give equal access on a daily basis to all registered political parties or candidates of such political parties. (2) A denial of such access and equal time constitutes an offence punishable in the first instance with a maximum fine of ₦500 000 and the withdrawal of the license of the offending electronic media house by the National Broadcasting Commission for a period of 12 months on any subsequent violation. (3) A person other than a political party or a candidate who procures any material for publication for the purposes of promoting or opposing a particular political party or the election of a particular candidate over the radio, television, newspaper, magazine, handbills or any print or electronic medium whatsoever called during 24 hours immediately preceding or on polling day is guilty of an offence and liable on conviction to a maximum fine of ₦50 000 or imprisonment for six (6) months or to both.

media houses over-reported PDP campaigns and under-reported⁷ those of other political parties (Arogundate 2007, p 3). Most of the private newspapers in the country were also pro-government because of their ownership.⁸ The campaign trains of some candidates were grossly disadvantaged by this factor, yet the National Broadcasting Commission failed to do anything about this lack of balanced coverage.

Money

Money plays a significant role in any modern political campaign. It determines who is able to contest an election, the quality of a candidate's campaign in terms of access to the media, the number of people who can be mobilised and reached, the number of politically relevant court cases a candidate can fund, and even the extent to which a candidate can corruptly influence the electoral process (IFES 2006, p 7). Election campaign funds are an important factor in the evaluation of a campaign process largely because of their corrupting influences and ability to disadvantage some candidates.

With a view to curbing such problems many of the world's democracies have campaign funding regulations detailing how candidates can obtain funds and / or setting limits to contributions for political campaigns (Ewing 1992; Porta & Vannucci 1999). These laws are aimed at ensuring that candidates compete on equal terms and also prevent 'the use of public office for unauthorised private gain' (see Pinto-Duschinsky 2002). There is, however, a worrying gap in many parts of the world between these laws and the actual practice of campaign funding. Desperate politicians still find their way around the laws, and only a few are caught. This is why the number of reported campaign fund scandals around the world is insignificant. Those involved in reported scandals are often members of the 'opposition' and victims of selective justice (Walecki 2006, p 19).

Conscious of this fact, s 225(3) of the Constitution of the Federal Republic of Nigeria 1999 stipulates that no political party should hold or possess any funds or other assets outside Nigeria. It also forbids political parties to retain any funds or assets remitted from outside the country. The Electoral Act 2006 puts a ceiling on the amount of money candidates may spend on their campaigns.

7 The government frowned on attempts to provide alternative information on the political situation and campaigns. For example, the State Security Service (SSS) raided the Abuja office of AIT on several occasions to stop the broadcast of programmes paid for by the 'opposition'. Many other private television and radio stations suffered the same fate (EU 2007, pp 23-4).

8 The following are the newspaper owners: ex-governor Orji Kalu – *The Sun*; ex-governor James Ibori – *Daily Independent*; ex-governor Bola Tinubu – *The Nation*; ex-governor Peter Odili – *National Interest*, and Governor Gbenga Daniel – *The Westerner*.

Before the Second Republic (1979-1983), political campaigns in Nigeria were traditionally funded by political parties (Onuoha 2002, p140) which generated the necessary resources from membership registration fees, monthly / annual dues, donations and contributions from members, economic activities, loans, and government grants. The situation changed in the Third and Fourth republics with the parties receding in importance in the funding of political campaigns. The candidates now bear the cost of their campaigns⁹ and those unable to raise sufficient money bring themselves under the influence of one political 'godfather' or the other. Both situations lead to corruption, as both politicians who fund themselves and those funded by godfathers strive after the elections to recoup their 'investment' in the 'political business'. The opinion of a former Senate President, Chief Adolphus Wabara, on this subject is very interesting. 'Membership of the National Assembly is an investment because most of us sold our houses to get to the Senate ... the maturity is there but it is the ability to recoup whatever you spent legitimately that is the problem' (*Sunday Punch* 5 June 2004).

Candidates whose campaigns are funded by godfathers usually find themselves in more trouble after elections than those who have funded themselves as, once they are in power, the godfathers force them to repay their 'debt' plus a substantial 'profit margin' using state resources (Albert 2005(a)). Most of the godfather vs godson conflicts recorded in Nigeria since 1999 have related to the desperate bid of godfathers to recoup their investment (Albert 2005(a)).

In the process of conducting their campaigns, incumbent political parties at both federal and state levels have openly contravened Article 103(2) of the Electoral Act, which states that 'State apparatus, including the media, shall not be employed to the advantage or disadvantage of any political party or candidate at any election'. Resources used by these candidates include state media, vehicles, civil servants, public funds, aid programmes, and public buildings, including stadiums.

According to the EU report (2007, p 19):

During the campaign, there were widespread reports of abuse of state resources ... These included the distribution of funds and motorbikes throughout Zamfara State by the agency responsible for the poverty alleviation programme (ZAPA) and the use of 60 official cars for election rallies by the incumbent candidate in Zamfara state. In Borno,

⁹ Section 91 of the Electoral Act 2006 provides for the allocation of money to political parties to assist them in their operation, including political campaigns. The amount is, however, usually less than that needed for any serious campaign and some political parties received even less than the amount budgeted for them (EU 2007, p 19).

the incumbent Governor was videotaped while using government vehicles on the campaign trail, from which he threw bundles of money into the crowds. Several cases of the use of state resources for campaigning were observed. For example, in the State Government premises in Abia, EU observers saw three buses with the PPA Governor's campaign slogans painted on them. In Akwa Ibom, in Sokoto and in Ondo States, allegations of the abuse of state resources were confirmed by EU observers at PDP rallies where government vehicles were used. In Cross River State, PDP campaign posters were placed in local government buildings.

The most outrageous example was the deployment by President Obasanjo of all the presidential jets in Nigeria in Yar'Adua's campaign rallies while some commercial airlines were coerced into refusing to allow their planes to be used by other political parties, most especially the AC. At one stage the government of Kaduna State denied the AC the right to use the Kaduna stadium for its rallies.

Machine

The goal of a political campaign is to build a relationship between candidates and voters. 'Campaign machines' require human capital, the 'foot soldiers' needed to build this relationship. In a normal society these 'foot soldiers' are true supporters of the candidate and serve as volunteers or provide money. The volunteers do door-to-door canvassing and make phone calls on behalf of the candidate.

The campaign machine of an average candidate in Nigeria consists of youth, women, ethnic, and religious networks, and people recruited from business who, rather than being voluntary supporters of the candidates, are interested in a transactional relationship with them based on the principle of 'you-rub-my-back-and-I-rub-yours'. The 'business' partners of the candidates, as noted above, are usually the godfathers who fund campaigns for some future pecuniary benefit.

It is customary in Nigerian politics for godfathers to surround their godsons with militant youths whose responsibilities include ensuring the candidate wins the election by any means. While the thugs provide security for their principals, they organise all manner of disruptive and morale-affecting activities that ensure that rival candidates do not enjoy their own campaigns. Such activities, as manifested during the 2007 elections, included organising counter-rallies with a view to generating violence. Thugs picketed the meetings of rival parties and damaged or defaced rivals' campaign posters and billboards. Among them were those hired to assassinate or physically harm political opponents.

Few women were nominated to contest the 2007 elections and those who were were frequently the wives, daughters and concubines of incumbent politicians. The role of other women in the 2007 campaign machines was largely limited to that of caterers and choirs during the political campaign, a situation reminiscent of that in Malawi under President Banda, who ordered Malawian women to be present at political rallies dressed in party uniforms. They were expected to sing and dance in praise of the president (Hirschmann 1991, pp 1679-94).

CONCLUSIONS AND RECOMMENDATIONS

A key issue that emerged from the research for this paper is that the environment within which candidates in the 2007 elections campaigned was neither positive nor equitable. The campaigns were not conducted within agreed rules, either those of the parties concerned or those specified by the Nigerian Constitution and the Electoral Act of 2006. Party leaders who should have been seen to be fair to all were partisan, imposing candidates on the parties and, in the process, sowing the seeds of factionalism. Where party leaders were not partisan they found it difficult to keep the activities of their members within the established policies, guidelines, and generally acceptable standards of democracy.

In some extreme cases aggrieved members were forced to decamp to other parties. The campaign strategies of those candidates who were nominated by their parties openly violated the rights and freedoms of Nigerians to seek and hold office. Most problematic were the post-party-primary campaigns, which were characterised by the misuse of money and the media. Other problems included the use of threats, restrictions, intimidation, 'deals', pressures, and other unethical practices.

In the process, most of the candidates failed to address fundamental questions of Nigeria's development such as the energy, education, health and environmental crises. The campaign strategies also contributed significantly to post-election violence in many parts of Nigeria. If these problems are to be corrected, the constitutional framework of electoral democracy in Nigeria must be further strengthened, particularly in the area of campaign financing and the conduct of politicians during campaigns.

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THE INDEPENDENT NATIONAL ELECTORAL COMMISSION AS AN (IM) PARTIAL UMPIRE IN THE CONDUCT OF THE 2007 ELECTIONS

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ABSTRACT

As a central agency in the democratic game, the role of an electoral body such as the Independent National Electoral Commission (INEC) is clearly of paramount importance in the process of transition to and consolidation of democracy. Unfortunately in Nigeria the performance of this institutional umpire since the First Republic has instead been a source of crisis and a threat to the existence of the Nigerian state. The widely perceived catastrophic failure of INEC in the April 2007 general elections was only one manifestation for the 'performance crisis' of antecedent electoral umpires in the Nigerian First, Second and Third republics. The paper highlights the malignant operational environment as a major explanation for the manifest multiple disorders of the elections and concludes that INEC's conduct was tantamount to partiality. Thus, while fundamental changes need to be considered in the enabling law setting up INEC, ensuring the organisation's independence, and guaranteeing its impartiality, the paper suggests that membership of the commission should be confined to representatives nominated by their parties and a serving judge appointed by the judiciary as chairman of the commission.

INTRODUCTION

In political theory the authority of the government in democracies derives solely from the consent of the governed. The mechanism through which that consent is translated into governmental authority is the regular conduct of elections. Modern

democracies, therefore, rely on this mechanism to fill offices in the legislature, the executive and, in some cases, the judiciary, as well as states and local governments. Elections, therefore, have become a universally accepted tool for selecting representatives. In recognising this established international criterion Africa has recently embraced elections as a condition for civilised governance.

The forms elections take and the purposes they serve, however, vary from country to country. The most important difference among national electoral systems is that some provide the opportunity for opposition while others do not. Democratic electoral systems, such as those that have evolved in the United States and Western Europe, allow opposing forces to compete against and even to replace current office holders. Authoritarian electoral systems, by contrast, do not allow for the defeat of those in power (Lowi & Ginsberg 2000).

To show further the popularity of elections Pammatt (1981) argues that elections are virtually omnipresent institutions in nations of the modern world, no matter how authoritarian the actual regime. Elections are popular because they serve a multiplicity of functions for almost everybody connected with them, including, of course, those who conduct them and the political system which sponsors them.

Within the political system elections perform first an initial recruitment role by providing an orderly way of choosing the rulers or elites which govern a society. Within the purview of legitimacy, the very fact that elections have taken place and have produced a result creates support for the political system, provided the contest is free and fair. At the same time, elections create a certain amount of legitimacy.

For individuals, elections forge a link between them and the political system. This connection can foster a sense of support for that system or a sense of personal efficacy and a belief in the potential to provoke a response from the system to personal or group demands. Palmer (1975) suggests that elections provide individuals with a voice in their own affairs. Elections also facilitate socialisation by providing individuals with education and information about politics as well as by influencing their political position.

Free and fair elections promote accountability in elected officials, socialise political activity and expand citizen involvement. They guarantee a stable polity, reduce conflict, and restore confidence in the government and the state (Ijim-Agbor 2004, p135). Iyayi (2005) notes that elections are the medium by which the different interest groups within the bourgeois nation state can stake and resolve their claims to power through peaceful means. The relevance of elections in a democracy is captured in Heywood's assertion (2002) that elections are a necessary condition for political representation, suggesting why some thinkers have gone further and portrayed elections as the very heart of democracy. Where elections

fail to bring about change freely and fairly they often lead to anti-social choices by individuals or groups. Such choices may include, among others, insurgency and guerilla activities. Recourse to history reveals that flawed elections in Nigeria have been precursors to major unwanted and uncivilised developments. As documented by Iyayi (2005), the controversial elections of 1965 were largely responsible for the coup d'état of January 1966. Again, the flawed elections of 1983 were used as the rationalisation for the military coup of 31 December 1983. Finally, the flawed elections of 1993 (principally the annulment by Babangida of the 12 June election) produced the Abacha palace coup of 1993 and paved the way for his memorable dictatorship. It is obvious that the heavily rigged and highly flawed 2003 elections set the scene for the attempt to extend the tenure of President Obasanjo beyond 29 May 2007 through what was termed the third-term agenda.

It is clear that elections in Nigeria share the common features of fraud and irregularities master-minded by the leadership of the state and hatched by the electoral body. The 2007 general elections were simply a further example. It is widely held by election observer missions and other participants that the 2007 elections were heavily flawed. INEC has been accused of partiality and outright collusion with the police, other security organisations, the executive arm of government and the Peoples Democratic Party (PDP) to rig the elections in favour of the PDP. This collusion manifested in massive stuffing of ballot boxes, deliberate delays in delivering election materials to areas considered non-PDP strongholds, and the issuing of fake election results sheets.

The manifest performance crisis of INEC raises questions not only about the future and recovery of democracy in Nigeria but also the possibility of INEC conducting any credible and reliable election in the future, given its antecedents.

This paper examines INEC and the question of its partiality in the conduct of the 2007 elections with a view to revealing the underlying factors responsible for the institutional weakness of the body, which led to the flawed election,. It hypothesises that the failure of INEC to organise an impartial election in 2007 was contingent on systemic pressures associated with a malignant electoral environment.

CASES OF MALPRACTICE IN THE 2007 GENERAL ELECTIONS

In strongly worded statements delegations from the European Union (EU), the Economic Community of West African States (ECOWAS) and the National Democratic Institute (NDI), among others, held the view that the elections were not credible. The European Union Election Observer Mission (EUEOM) reported that they were marred by violence, significant fraud, voter disenfranchisement,

lack of transparency, and widespread irregularities. The report holds that in 78 per cent of polling stations observed during the elections materials, especially ballot papers and results sheets, were missing.

The EU, which had 150 observers monitoring the election, said the polls had fallen short of basic international standards for democratic elections. Max van den Berg, the head of the team, described the elections as among the worst the EU had ever observed and said they had not lived up to the expectations of the people.

The International Republican Institute (IRI), with 59 observers, concluded that the election process had failed to meet international standards. The institute observed widespread underage voting, voter registration list errors, stuffed ballot boxes, absence of results sheets, falsified results sheets and party observers and police telling individuals who to vote for.

The NDI, which had 61 monitors deployed in 14 states, also believed the electoral process had failed and had represented a step backward, testing the viability of many of Nigeria's weak public institutions, especially INEC.

The Transition Monitoring Group (TMG), on behalf of the Domestic Election Monitoring Group, maintained that the elections were a charade, with irregularities so numerous and far-reaching they failed to meet the standards required of a democratic election. The body called for the cancellation of the polls as the federal government and INEC had failed woefully in their responsibility to conduct free, fair and credible elections.

The Joint Action Forum, comprising 50 civil society organisations, concluded that the elections revealed an INEC that was completely in support of the PDP (Royal African Society 2007).

The submissions of these groups, which have proven international credentials, attest to the fact that the elections were a colossal failure. The outright disregard for the people's mandate was proof that, in the words of Stalin, quoted in Adeagbo and Olaosebikan (2007), 'those who cast the votes decide nothing; those who count the votes decide everything'. This feat was achieved through a panoply of tricks, blackmail, intimidation and deceit by the presidency, INEC, the PDP and the law enforcement agencies. Millions of Nigerians have been scandalised by the crude violation of their voting rights.

The crudity of the election rigging was breathtaking. In many states across the country, particularly in the South-South, South-East and South-West, no elections actually took place. In Anambra State, for instance, in most cases polling stations visited by observers simply did not open at all – there were no officials and no voting materials. Observers from the Catholic Church's Justice, Development and Peace Commission reported that in Anambra central senatorial districts no votes were cast at all.

In Awka town, Human Rights Watch reported that several polling stations were open at about noon, but, because of widespread controversy surrounding the lack of voters' registers and results sheets at some polling stations many voters refused to participate and only a handful of ballots were cast.

One of the INEC officers in Awka town was quoted as saying he was ready to do his job but did not have the appropriate materials. The voter register INEC had given him contained only two names, although more than 100 people were registered to vote at that particular polling station.

Despite these flaws, INEC declared Andy Uba winner of the gubernatorial election with 1,9 million votes, when the total number of registered voters in Anambra State was 1,8 million. Recognising the absurdity of its action, the commission, with no sense of shame or explanation, consequently reduced Uba's vote to 1,09 million.

The elections in most other states followed a similar sinister pattern. In Edo, Ogun, Osun, Ondo, Ekiti, and Oyo states partial voting was allowed in a few areas, while theft of ballot boxes and organised violence dominated events. Predictably, working according to its predetermined agenda, INEC awarded victories to the PDP candidates in all these states, notwithstanding the visible and overwhelming rejection of the PDP ruling governments by the working masses (DSM 2007).

The gubernatorial and Assembly elections in Oyo State were characterised by snatching and burning of ballot boxes, intimidation of voters, harassment of journalists, and indiscriminate shootings. Notorious areas in which fraud was rampant were Olomi, Oke-Are, New Garage, Odo-Ona Elewe, Mokola all in Ibadan City. In the Lagelu and Egbeda Local Government Area INEC officials replaced the names of residents with those of non-residents, while the under-aged engaged in voting in the Akinyele Local Government Area of Oyo State (Adeagbo & Olaosebikan 2007).

In many instances government officials were involved. Although he later denied it vehemently, Omolade Oluwateru, Ondo State deputy governor, was allegedly sighted snatching ballot boxes in Akure, the state capital, under the gaze of a plethora of security agents, including soldiers, whose intimidating presence should ordinarily have made such acts impossible. Tony Ala, special assistant to Governor Olusegun Agagu, a PDP candidate, was also reportedly caught with ballot boxes. In Osun State a PDP member of the House of Representatives was caught by vigilant residents in his bid to escape with ballot boxes that had been stuffed with thumb-printed ballot papers. Later, policemen intercepted him and whisked him off to Osogbo, the state capital (Yusuf 2007, p 21). The drama attendant on the declaration of the Ondo State gubernatorial result shows INEC's level of commitment to rigging the election. While the state's

resident electoral commissioner informed the public that the result was still being collated, Umeadi, the federal INEC commissioner for information, had declared Agagu of the PDP the winner.

In Enugu State the PDP reportedly hired two floors of a popular hotel near the Enugu State Broadcasting Service in Uwani to thumbprint thousands of ballot papers. Meanwhile, there were no INEC officers at polling stations where security agents shot at random to intimidate voters and deter them from exercising their rights. In Bayelsa State, as in most states in the country, INEC officers and materials were absent from several polling stations and in some of the few places at which INEC officials made an appearance they arrived without election results sheets (Obi 2007, p 21). In Kogi State, PDP political thugs roamed the towns of Idah, Ankpa, Kabba, Ibaji, Emu, Ogbabon, Koton-Karfe, Ejuku, Olamaboro, Magongo and Lokoja, the state capital, with dangerous weapons, terrorising voters and forcing them to flee to safety.

In Edo State it was quite clear that the state power brokers were not comfortable with the candidature of Oshiomhole (one-time chairman of the Nigeria Labour Congress and the gubernatorial candidate of the Action Congress (AC)). Envisaging their political death in the event of the emergence of Oshiomhole as state governor, the PDP godfathers resorted to the use of thugs to manipulate the electoral process. The declaration by INEC of Osunbor of the PDP as winner of the gubernatorial election threw the state into uncontrollable pandemonium.

Delta State recorded widespread arson and destruction of lives and property as well as hijacking of electoral materials. At the headquarters of the Ukwani Local Government Area the INEC office was burnt down by angry protesters, who accused the PDP of manipulating the electoral process. In Abraka many people were shot, vehicles burnt, and houses torched. The orgy of violence extended to Kwale in the Ndokwa West Local Government Area, where youths went on the rampage after waiting until 1pm for electoral officials to arrive. In Rivers State in the early hours of the day of the gubernatorial election suspected militants invaded and bombed two police stations, killing seven policemen. Fear of violence made many voters stay away from the polls, however the state's resident electoral commissioner declared the PDP candidate the winner with an outrageous vote of 1 853 217 – 90 per cent of the total votes cast (Ajaero 2007).

In Kwara State, as in other states, elections were not held in many areas and, where they were held, ballot boxes containing genuine votes were forcibly replaced with those already stuffed with thumb-printed ballot papers in favour of the PDP.

In Ekiti State a serving high court judge was allegedly caught in Osi in Ekiti Local Government Area stuffing ballot boxes with thumb-printed papers. At Oro in Irepodun Local Government Area a PDP chieftain, assisted by weapon-wielding thugs, was alleged to have burnt a ballot box at a polling station, replacing it

with another, stuffed with thumb-printed papers (Adeagbo & Olaosebikan 2007). The situation was little different across the Niger, especially in Benue State, where there was no voting at all and what played itself out was a mockery of the electoral process. Armed soldiers and mobile policemen, under the influence of PDP supporters, carted away ballot papers to unauthorised destinations for thumb printing. In Nazarawa State there was a travesty of the electoral process. At the central collation centre in Lafia armed security men, accompanied by PDP thugs, stormed the place and carted away all the ballot boxes and results sheets, allegedly taking them to government house, where they were burnt and replaced with new sheets favouring the PDP.

The overall display of indecent electoral management by INEC is made manifest in the results of the gubernatorial election, as presented in Table 1.

Table 1
Results of the 2007 Gubernatorial Elections

Governorship				House of Assembly seats
State	Party	Candidate	Results	
Lagos	AC	Babatunde Fashola	828 484	37
	PDP	Musiliu Obanikoro	389 088	3
	DPA	Jimi agbaje	114 557	
Osun	PDP	Olagunsoye Oyinlola	426 669	15
	AC	Rauf Aregbesola	240 722	11
Oyo	PDP	Adebayo Alao-Akala	357 976	13
	ANPP	Abiola Ajimobi	239 189	11
	AC	Taoheed Adedoja	146 670	4
	LP	Bashiru Apapa		1
Sokoto	PRP	Magatakarda Wammako	392 058	22
	DPP	Muhammed Dingyadi	296 419	7
Ogun	PDP	Gbenga Daniel	426 132	25
	ANPP	Ibikunle Amosun	135 149	
	AC	Dipo Dina	79 915	

Ebonyi	PDP	Martin Elechi	506 44	22
	ANPP	Ogbonnaya Onu	28 579	
	AC	Henry Chima Ude	3 186	
Akwa Ibom	PDP	Godswill Akpabio	1 044 566	
	AC	James Iniama	19 865	
	ANPP	Sam Ewang	11 439	
Taraba	PDP	Danbaba Suntel	515 016	
	AC	Ahmed Yusuf	119 720	
Abia	PPA	Theodore Oriji	265 389	
	PDP	Onyema Ugochukwu	136 858	
	ANPP	Ikechi Emenike	36 374	
Yobe	ANPP	Mamman Ali	210 166	
	PDP	Adamu Waxiri	186 399	
	ADC	Zayanu Abagana	34 052	
	AC	Tijani Tansa	30 444	
Rivers	PDP	Celestine Omehia	1 853 127	
	LP	Ashley Emenike	101 347	
Katsina	PDP	Ibrahim Shema	1 185 489	
	ANPP	Abu Ibrahim	218 302	
	DPP	Usman Bugaje	54 449	
		Sani Abu	3 442	
Anambra	PDP	Andy Uba	1 093 004	28
	APGA	Virginia Etiaba	71 296	
	ADC	Njideja Ukochi	14 562	
Ondo	PDP	Olusegun Agagu	349 258	
	LP	Olusegun Mimiko	226 051	
	AC	Ademola Adegoye	33 507	
Kogi	PDP	Ibrahim Idris	724 839	16
	AC		304 335	5

	MRD		12 244	
	D			
Ekiti	PDP	Segun Oni	177 689	8
	AC	Kayoed Fayemi	108 305	15
	ANPP	Yinka Akerle	24 952	3
Edo	PDP	Oserheimen Osunbor	329 740	13
	AC	Adams Oshlomhole	197 472	7
	ANPP	Emmanuel Arigbe-Osula	8 253	
Delta	PDP	Emmanuel Uduaghan	1 004 043	22
	DPP	Great Ogboru	46 809	
	Accord			2
	AC			1
Enugu	PDP	Sullivan Chime	787 306	
	Accord	Ugochukwu Agballa	25 103	
Kano	ANPP	Ibrahim Shekarau	671 184	24
	PDP	Ahmed Bichi	629 469	12
	AC	Usman Riruwal	126 235	
Jigawa	PDP	Sule Lamido	523 940	28
	ANPP	Mohammed Ibrahim	260 055	2
Kaduna	PDP	Namadi Sambo	1 326 632	20
	ANPP	Sani Sha'aban	478 725	9
	AC	Suleman Zantu	109 415	1
Bauch	ANPP	Isa Yuguda	550 251	
	PDP	Nadada Umar	474 233	
	AC	Ahmed Shuaibu	9 354	
Niger	PDP	Babngida Aliyu	443 764	
	ANPP	David Umaru	210 359	
	AC	Isa Ladam	136 590	
Cross River	PDP	Liyel Imoke	836 207	

	NDP	Eyo Etim Nyong	14 062	
	ANPP	Paul Ukpo	9 996	
Bayelsa	PDP	Timipre Sylva	776 715	
	AC	Mohammed Kumalla	57 468	
Nasarawa	PDP	Allu Akwe	467 302	
	ANPP	Solomon Ewuga	232 709	
	AC	Sule Abdullahi	51 027	
Kwara	PDP	Bukola Saraki	572 938	
	DPP	Gbenga Olawepo	63 743	
	AC	Suleiman Ajadi	53 409	
Gombe	PDP	Banjuma Goje	985 013	
	DPP	Abubakar Hashidu	38 303	
	AC	Musa Mohammed	32 211	
Plateau	PDP	David Jang	465 364	
	AC	Pam Dung Gyang	269 273	
	ANPP	Victor Lar	195 911	
Kebbi	PDP	Saidu Usman Dakingari	469 595	
	ANPP	Faruk Bunza	134 553	
	DPP	Abubakar M. Abubakar	133 800	
Zamfara	ANPP	Mahmud aliyu Shinkafi	415 455	
	PDP	Yahaya Abdulkarim	122 351	
	DPP	Lawal Shuaibu	73 625	
Adamawa	PDP	Murtala Nyako	336 892	
	LP	Joel Madaki	86 684	
	ANPP	Abdulrahman Adamu	34 720	
Benue	PDP	Gabriel Suswan	1 086 489	24
	ANPP	Daniel Saror	276 618	4
	AC	Shima Ayati	58 238	

Source: *Tell* magazine 30 April

Given the level of political apathy and the threat by visibly armed security men stationed everywhere in Nigeria, there is no way there could have been the level of voter turnout reflected in the table. The result of the presidential election announced by INEC even stunned president Y'Aradua, who acknowledged in his inaugural speech that the electoral process had been faulty. The results simply show the crude manipulation by INEC in favour of the PDP.

The 2007 election aligns completely with the radical view of elections which portrays them as a means through which governments and political elites can exercise control over their populations, making them more quiescent, malleable, and, ultimately, governable. This view emphasises top-down functions, which include building legitimacy, shaping public opinion, and strengthening elites.

INEC AND THE PARTIALITY QUESTION

From the onset INEC operated as a stooge of the PDP-led government, making it impossible for it to organise the elections without abiding by the directive of the government and the PDP. INEC's partiality manifested itself in several ways which we strongly believe showed deliberate collusion between the commission and the presidency. As observed in an editorial in the *News Magazine* of 30 April 2007, President Obasanjo was the chief instigator of the hijacking of the electoral process and the weakening, if not destruction, of democratic tenets in the past eight years.

INEC's partiality was displayed in a number of ways. In the prelude to the elections, working in tandem with the PDP-led presidency, it ensured that there was maximum confusion about the candidature of those representing opposition political parties, especially the stronger ones. Right up to the election INEC refused to display the names of opposition party candidates. Where it reluctantly did so, in the cases of some AC gubernatorial candidates and Atiku Abubakar, images of some candidates were left off the ballot papers. The alliance between the PDP-led government and INEC was a calculated attempt to make the PDP appear to be the only party prepared for the elections.

Another tactic was the deliberate withholding of election materials from areas considered to be non-PDP strongholds. The materials either never reached the polling stations or reached them so late that effective voting could not be conducted. Very worrying was the deployment of armed soldiers to areas where the PDP feared it would meet with stiff opposition. The purpose of this militarisation of the electoral environment, which was supported by INEC, was to intimidate and instil fear in opponents and their supporters to discourage them from voting – soldiers and policemen mounted roadblocks and paraded the streets of the country, harassing non-supporters of the PDP.

Another disturbing factor was the deliberate absence of INEC officials from several polling stations. Where they did arrive they did so with inadequate electoral materials and, ostensibly, without results sheets. The outcome was the overwhelming declaration of results in these areas in favour of the PDP.

The electoral regulations laid out that INEC was to monitor restrictions on campaign spending in order to prevent disproportionate expenditure by political parties. INEC deliberately shied away from this responsibility in order to give the PDP the advantage, since it was surreptitiously using state resources to fund its election commitments.

Again, as reflected in the EUEOM report, contrary to international best practice INEC made no provision for results to be posted at polling stations or published at local government area offices and state INEC offices. This afforded the PDP the opportunity to change results before they reached the final collation centres.

INEC's decisions lacked transparency and the commission did not provide important information about a number of issues, including the final number of candidates and the final number of ballot papers printed and distributed (EUEOM 2007). The deficiency gave an important advantage to the PDP. Only PDP candidates were certain of contesting both the state and the national elections. Candidates of major opposition parties such as the ANPP and the AC were constantly in court, challenging illegal disqualifications.

Another factor was INEC's apparently deliberately shoddy preparations. The commission spent more than a year trying to impose electronic voter registration despite widespread opposition from civil society and even political parties, who saw it as a ploy to deceive people and disenfranchise many. It took about six months to conduct a so-called registration exercise and voters were not given the opportunity to verify their names and locate their voting centres before polling day. As a result many prospective voters were effectively disenfranchised because they were unable to locate their voting centres or because, although they had temporary voters' cards their names did not appear on the voters' register.

Copies of the voters' registers studied by election observer missions such as the EU showed serious deficiencies, several of them characterised by double entries, underage voters and some unrecognisable pictures. It is clear that INEC deliberately reduced the voting strength of opposition-controlled areas or areas in which it considered the PDP to be weak.

This deliberately shoddy preparation was also reflected in the presidential election. INEC reprinted the presidential ballot papers without pictures of the candidates and, contrary to the law, without serial numbers (EUEOM 2007).

INEC's partiality became even more evident when it employed among the 500 000 ad hoc staff during the elections card-carrying members of the PDP,

rejecting the Nigerian Bar Association's offer of 20 000 of its members for the electoral jobs. The selection of staff was conducted in a non-transparent manner, using inconsistent criteria and relying on a list of names submitted by PDP stalwarts and candidates across the country.

Finally, INEC acted more as official spokesperson for the PDP and President Obasanjo than as a non-partisan body organising a free and fair election. A few examples illustrate this point. Candidates whom the presidency and /or the PDP saw as threats were disqualified by the INEC from contesting the election. In Imo State, for instance, Senator Ifeanyi Ararume, who won the PDP primary, was replaced by the candidate who came 14th. INEC chief, Maurice Iwu, gave as the reason that Ararume could not run because he had been expelled by his party. But because Ararume's name was already on the ballot paper, it was not practically possible to exclude him. Apparently fearing he might win, the commission cancelled the gubernatorial election in the state on the grounds of electoral irregularities although it okayed the state assembly elections, which were held on the same day using the same ballot boxes as those used for the gubernatorial election.

As a willing tool in the hands of the PDP and the PDP-led federal government INEC frequently ignored the provisions of the 1999 Constitution concerning the limits of its powers, acting beyond those powers by disqualifying candidates. It also frequently expressed an interest in determining who should be allowed to stand. In a matter brought before the high court by Atiku Abubakar, Chris Ngige, and others challenging the constitutional power of INEC to disqualify them, the court ruled in favour of the plaintiffs, stating that INEC did not have the power to disqualify any candidate cleared by his or her party. INEC, again demonstrating its lack of objectivity, appealed against the judgement.

All these incidents call into question INEC's institutional impartiality and demonstrate the systemic pressure on the commission from a PDP intent on maintaining its hegemony.

THE ELECTORAL ENVIRONMENT AND THE PARTIALITY FACTOR

INEC's conduct in the 2007 election was no accident, it was the result of the environment in which it operated and reflected the acrimonious, murderous, intra-class struggle for political power between different sections of the ruling class in the country and President Obasanjo's battle to remain president beyond 29 May 2007. This ambition was openly challenged by his deputy, Atiku Abubakar, and independent-minded state governors such as Orji Uzor Kalu of Abia State, Boni Haruna of Adamawa State, Atahiru Bafarawa of Sokoto State and Ahmed Sani Yerima of Zamfara State. Their combined pressure, along with that of the revolutionary wing of the Nigerian Senate, scuttled the third-term agenda.

Having failed, Obasanjo resorted to a fake anti-corruption crusade through which individual rivals, mostly corrupt politicians, were exposed, with a view to ensuring that they would not pose a challenge to the president and his PDP supporters. A kangaroo administrative panel was set up to indict Atiku and its report was forwarded to the Senate for ratification and for his eventual impeachment. Dissatisfied with the report, the Senate re-established a second committee to study the situation. The report of the second committee indicted both Obasanjo and Atiku.

Obasanjo's next step, after Atiku emerged as the presidential flag-bearer of the Action Congress, was to declare the office of vice-president vacant. Atiku took the government to court on the matter and won. Obasanjo then turned to INEC, which disqualified Atiku on the grounds that he had been indicted by the administrative panel with supporting document from the Economic and Financial Crime Commission. Atiku again went to court to challenge what he called an unlawful disqualification. He won the case but INEC appealed against the judgement and won. Atiku took the matter to the Supreme Court and won. At this point Obasanjo was left with no choice other than to declare the 2007 general elections a 'do-or-die affair' and use INEC to accomplish his aims, thus poisoning the electoral environment.

In such an environment it was impossible for INEC to show any element of impartiality. As a creation of government, and with government responsible for its funding and for approving its decisions, INEC could not have been independent or impartial in the conduct of the elections.

SUGGESTIONS FOR A TRULY INDEPENDENT ELECTORAL BODY

More independence for INEC, as Iyayi (2005) has indicated, will make it more impartial in mediating between competing political claims, but independence is not a question of funding alone, although that would lead to improvements in logistics and the handling of elections.

One method of ensuring independence would be to change the method of selecting the members of the electoral body – currently the prerogative of the presidency. Instead, political parties should nominate one person each to the commission and the Nigerian Judicial Commission should appoint a serving judge as chairman. The same should apply to state and local government electoral offices.

We recommend that the number of registered political parties be reduced to no more than ten, a move that would streamline the opposition for effective monitoring of the ruling party.

Finally, we recommend that Nigeria embrace an electronic voting system, which has numerous advantages. As Ijim-Agbor (2004, p 139) points out, such a

system would eliminate multiple voting, it would prevent the snatching of ballot papers and multiple thumb printing, and it would eliminate rigging and result in popular candidates being elected rather than unpopular candidates foisted on the electorate by a few kingmakers.

CONCLUSION

There is no doubt that INEC exhibited a high level of partiality in the conduct of the 2007 elections but the flawed elections were also a result of the failed third-term bid and the gladiatorial contest between the president and his deputy, leaving as the only viable option for the PDP-led government the complete silencing of the opposition.

The President's declaration that the elections were a 'do-or-die' affair as well as his declaration that the PDP was certain of winning the majority of the states and could therefore not be pushed out of power contributed to the malignant electoral environment in which INEC was forced to operate. In the circumstances, INEC, as a tool in the hands of the PDP, had no choice other than to do the bidding of Obasanjo and his cohorts.

What these elections showed clearly, as Akinkuotu (2007) has observed, is that voters are free to pick the candidates of their choice but the power brokers have the final say. It follows that the pillars on which democracy should rest in Nigeria are not yet in place. After eight years of civil rule, the longest the nation has ever experienced, the path to democracy is still very rough.

We need to evolve an electoral process where each vote is taken into account. The Nigerian state must develop the ethics of participation, with citizens having a greater voice in government through their votes. As Naisbitt (1983, p 159) holds, 'people whose lives are affected by a decision must be part of the process of arriving at that decision'. The guiding principle is that people must be part of the electoral process. This participation is largely absent in Nigeria.

Franklin Roosevelt, quoted in Geraghty (2006, p 18), told his people during the depths of the Depression that 'the only thing we have to fear is fear itself'. Today, in Nigeria we can say that the only thing we have to fear is another four years of rule by unpopular persons with authoritarian tendencies who have been foisted on the people, and the damage they will do to our fragile democracy.

The above suggestions must be considered if we are to safeguard Nigeria's nascent democracy and nurture it to majority.

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BUILDING DEMOCRACY WITHOUT DEMOCRATS?

Political Parties and Threats of Democratic Reversal in Nigeria

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ABSTRACT

Political parties are not only a major agency for the recruitment and enthronement of political leaders in an electoral democracy they are the foundation and a building block of the process of democratic evolution and consolidation. However, the nature and character of the dominant political parties in Nigeria threaten the country's nascent democratic project. They lack clear ideological orientation, do not articulate alternative worldviews, rarely mobilise the citizenry, and basically adopt anti-democratic methods to confront and resolve democratic issues. Intra- and inter-party electoral competition is fraught with intense violence, acrimony and warfare. Put differently, these parties display all the tendencies and conduct of authoritarianism. The result is that what exists in Nigeria is 'democratism', the form and not the substance of an evolving democracy.

INTRODUCTION

The mass conversion of politicians and political thinkers to the cause of democracy has been one of the most dramatic, and significant, events in

political history. Even in Ancient Greece, often thought of as the democratic ideal, democracy tended to be viewed in negative terms. Thinkers such as Plato and Aristotle, for example, view democracy as a system of rule by the masses at the expense of wisdom and property. Well into the nineteenth century, the term continued to have pejorative implications, suggesting a system of 'mob rule'. Now, however, we are all democrats. Liberals, conservatives, socialist, communists, anarchists and even fascists are eager to proclaim the virtues of democracy and to demonstrate their own democratic credentials.

Haywood 1997, p 81

Democracy in Nigeria has had a chequered history. From the 'Wild-Wild West'¹ experience of the First Republic through prolonged autocratic military regimes and the truncated Second and Third republics² to the present democratic dispensation, democracy has suffered debilitating experiences in the country. The perennial travail of democracy is predicated on a number of factors, including ineffective structures and institutions, the foreboding presence of the military, corruption and money politics as well as the centrality of the state as the most important player in the economy. As such, whoever controls the state has at his / her disposal a well-oiled money machine; hence, the contest for access to the apparatuses of state becomes a matter of life and death. Unfortunately, political parties in Nigeria are locked in the Hobesian war of 'every man against every man', negating the very essence of the party system in a democracy.

This paper is concerned with the role of political parties in the process of democratic (de)consolidation in Nigeria. We argue that the origin, orientation and activities of the parties are antithetical to the process of democratic consolidation. The parties tend to repudiate the dominant orthodoxy in extant literature, which views political parties as central to the deepening of democratic values, culture and ideals. The paper seeks to understand the aberration of the Nigerian context by isolating the rationale behind the peculiar functioning of political parties in Nigeria, which, instead of promoting democratic practice and consolidation, works at cross-purposes with those ideals. The paper interrogates the political context, processes, contradictions and challenges to the operation of Nigerian political parties, underscoring why they are rarely an agency for democratic stability and consolidation. Key questions raised include:

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- 1 The term refers to the deluge of political crises that engulfed Western Nigeria in 1964/65, arising from incidences of election rigging which precipitated tremendous violence and eventually led, in 1965, to the collapse of the First Republic.
 - 2 The First and Second republics were from 1960-1966 and 1979-1983, respectively. The Third Republic was aborted by the Babangida regime with the annulment of the 12 June 1993 presidential elections.

- What is the context in which political parties are formed which denudes them of democratic ethos and practices?
- Can political parties led and controlled by retired military officers trained and acculturated in anti-democratic values internalise and promote democratic ideals?
- Can 'born-again' democrats (retired soldiers and their civilian protégés) with political pretensions to democratic credentials or ethos build and nurture democratic political parties?
- Can political parties bereft of internal democracy and consociational politics deliver and consolidate a democratic process?
- Finally, can democracy actually be built without democrats?

The paper begins with a conceptual and theoretical note on political parties and democracy. The second section examines the evolution of political parties in Nigeria in the Fourth Republic (1999 to today). The third part describes the impeachment saga which characterised the last two years of the Obasanjo regime and how this generated an intra- and inter-party crisis and general trepidation about the political process. The fourth section focuses on party primaries and how they promote undemocratic values, politics and practices. The fifth section takes up the issue of political violence, which has become intractable and endemic to party politics and threatens the nation's nascent democracy. Section six considers the electoral body and its relationship with the political parties in terms of its independence, neutrality and impartiality. The final section of the paper is the conclusion.

CONCEPTUAL NOTES POLITICAL PARTIES, DEMOCRACY AND DEMOCRATIC CONSOLIDATION

The world has witnessed a phenomenal shift from authoritarian to democratic rule in the past 20 to 30 years, especially in the Third World and the countries of the former Eastern bloc. Thus, many more countries are democratic today than ever before (see, eg, Huntington 1991; O'Donnell, Schmitter & Whitehead 1986; Adejumobi 2000). However, this was not the case at the beginning of the last century, when democracy was considered despicable.

The Aristotelean concept of democracy was that it was a form of polity in which every member of society was involved as a member of the governing council. However, in contemporary times democracy has come to be identified with the rulership of the people by elected representatives as against the notion of direct participation in the Aristotelean sense. Representative democracy is, therefore, the mode of modern democratic polity.

It is necessary to distinguish between democratic ideals, democratic institutions and democratic practice in order to gauge effectively democratic accomplishment and consolidation (Przeworski et al 2000). Democratic ideals are the normative and constitutive values of the polity. They include such principles as freedom of expression, uncensored participation of the people in the determination of their destiny, equitable distribution of power, public accountability of elected representatives, and so on. These ideals have tended to govern not only political values but also such other socio-economic values as interpersonal relations, the market, and so on.

Democratic institutions are those supportive structures that are needed to provide the framework for democratic practice towards achieving the goal of democratic ideals. They include constitutionally safeguarded rights, an independent and effective judiciary, independent media, efficient electoral and party systems, an effective parliament, and participatory local governance, all prerequisites for democracy. In other words, without them, democracy is unattainable.

Democratic practice is the actual exercise of the principles of democracy. The effective practice of democracy is contingent on political participation, public awareness, robust opposition, an active civil society, and the nature of political parties. In other words, democratic practice suffers where democratic institutions are not entrenched and where there is an absence of robust opposition, active civil society and public awareness (Przeworski et al 2000).

Competition or contestation is regarded as essential to democracy – for any regime to be regarded as democratic it must allow some, even if limited, guaranteed competition among conflicting views, interests and ideologies. To Przeworski et al (2000) contestation involves three features: ex-ante uncertainty, which means some positive possibility that at least one member of the ruling coalition will lose in a particular round of elections. Uncertainty here is not synonymous with unpredictability. All that is required for outcomes to be uncertain is that it is possible for some incumbent parties to lose. The next feature is termed ex-post irreversibility – the assurance that whoever wins an election will be allowed to assume office. Outcomes of elections must be irreversible under democracy even if the opposition or a less popular party wins in a free and fair contest. Another feature of democratic competition is repeatability. Elections must be periodic. Whoever wins the current round of elections must not use office – the power of incumbency – to impede the chances of other competing political parties in subsequent rounds of elections.

Przeworski et al further argue that democracy is government *pro tempore*. All political outcomes must be temporary; losers do not forfeit the right to compete in the future, to negotiate, to influence legislation, to pressure the bureaucracy, or

to resort to the courts. Even constitutional provisions are not immutable as rules too can be changed. Democracy is a regime in which those who rule are elected through competitive elections. It affords office-holders the authority to exercise governance free from the legal constraints of having to report or answer to a power not constituted by the electoral process. Thus, governmental responsibility to voters is a defining feature of democracy.

Alternation in office constitutes *prima facie* evidence of contestation, and contestation occurs where the opposition is likely to win office as a consequence of an election. To Przeworski democracy is a system in which parties lose elections. The democratic process is protected by constitutional provisions and supported by institutions and structures, which work together to deepen democratic culture and ideals.

POLITICAL PARTIES AND THE DEMOCRATIC PROCESS

Political parties drive the democratic process as well as democratic consolidation. Democracy is sustained as a form of government through participation in competitive and periodic elections on the platform of political parties. Periodic and competitive elections help strengthen democracy through the process of institutionalisation (Akinbobola 2003). Political parties are an integral part of the process of institutionalising democracy and, as Agbaje (2004) argues, it is difficult to conceptualise democracy either in theory or in practice without the existence or prevailing atmosphere of participation.

Guaranteed periodic electoral competition, characterised by *ex-ante* uncertainty and *ex-post* irreversibility strengthens the democratic process by establishing a pattern of regime change which is not subject to arbitrary intervention.³ The only platform through which periodic electoral competition is contested is the party system. It is political parties that present alternative electoral options to the voting public by providing contending manifestoes and worldviews. Political parties make electoral competition possible, reinforcing the peculiar characteristic of the certainty of electoral loss and the simultaneous irreversibility of such an outcome.

When this pattern has been established and practised for a considerable time, the democratic process can be characterised as consolidated, well able to withstand pressures that would otherwise have caused it to falter or be reversed (see, variously, Beetham 1994; Huntington 1991; Linz 1990; O'Donnell, Schmitter & Whitehead 1986).

³ Any such modification of the established pattern must be sanctioned by Parliament after being subject to constitutionally provided amendment procedures.

However, for political parties to be effective as instruments of democratic consolidation they must exhibit the following features: they must be composed of like-minded people whose worldviews are similar, or, at least, amenable; they must promote a set of programmes embodying the vision, mission and manifesto of the party and designed to meet the needs of the public; they must be mass-based, which helps to legitimise them; they must have evolved gradually and systematically over time, with identifiable leaders who constitute their rallying points; they must exhibit characteristics of internal democracy in their operations. This last point is central to understanding why Nigerian political parties have not served as agencies of democratic consolidation. The parties are mostly internally weak, with democratic deficits in their conduct and operations.

Contemporary political parties in Nigeria largely exhibit features that are at variance with acknowledged or orthodox norms of party formation, conduct and functioning. The parties are mostly made up of 'strange bedfellows',⁴ whose only convergence is the overwhelming desire to control the apparatuses of government. The parties lack any identifiable ideological underpinning, which should be the motivating force of their activities and from which they are expected to derive their manifesto. Again, lack of ideology is largely responsible for the shifting party allegiances so characteristic of party politics in Nigeria.⁵

The parties lack iconic features like charismatic leadership and ideology and are equally denuded of internal democratic norms. In Nigeria, a small clique largely controls the parties. Although the members of the clique come from diverse backgrounds, the dominant social or occupational group is made up of retired military officers, policemen and para-military agencies. This group, the result of long years of military rule, has, over the years, amassed stupendous wealth, vast political networks and connections, and political allegiances, which they deploy in the arena of party politics (Adejumobi 2002; Adekanye 1999). This partly explains some of the anti-democratic tendencies of those parties.

In addition, the process leading to the institution of the present republic was rushed; hence the political parties that emerged were hurriedly contrived rather than gradually evolving, allowing for acceptability and legitimacy.

4 The G54, which formed the nucleus of the PDP at its formation, included pro-democracy activists (Bola Ige, etc), retired military officers (Samuel Ogbemudia, Anthony Anenih, Buba Marwa, etc), and political jobbers like Jerry Gana, Iyiorcha Ayu, etc. The same is true of the APP (later ANPP), the AD and other parties. The case of the newly registered AC is far more intriguing: it is made up of splinter groups from the PDP, ANPP, AD, Justice Party and Action Alliance; a potpourri of elements) (see *ThisDay* 25 September 2006).

5 Politicians change allegiance at an alarming rate; the former vice-president moved to the AC from the ruling PDP when he was denied the opportunity to stand as the party's presidential candidate (see *ThisDay* 26 November 2006, p 1). There were other cases of defections (see *Vanguard* June 26 2006, p 12).

THE EVOLUTION AND NATURE OF POLITICAL PARTIES IN NIGERIA (1999-2007)

Following the annulment by the Babangida military regime of the 12 June 1993 presidential election results there emerged a groundswell of agitation, spear-headed by civil society, first, for the validation of those results and eventually for a return to democratic rule. The Abacha regime, which took over from the interim national government, initially vacillated, but ultimately capitulated and agreed to a transition programme which would, in effect, transform him into a civilian president. However, in 1998 General Abacha died suddenly and General Abubakar became head of state.

Abubakar immediately embarked on a programme of transition to civilian rule, culminating in the swearing in, on 29 May 1999, of a democratically elected president. The transition was rather short, hence, the political parties that emerged were hurriedly conjured up, lacking in any form of ideology and well articulated interests and programmes. Three major parties emerged to contest the elections, namely, the Peoples Democratic Party (PDP), the All Peoples Party (APP) (later the All Nigerian Peoples Party – ANPP) and the Action Congress (AC).

All three were reincarnations of the dominant parties of the Second and Third republics. The PDP was the National Party of Nigeria (NPN) of the Second Republic and is, as Agbaje & Adejumo (2006, p 35) have noted, a party of retired military officers, buccaneer capitalists, old politicians of conservative NPN stock and former technocrats. The AD metamorphosed from the pan-Yoruba socio-cultural group (Afenifere), the surviving arm of the Action Group (AG) and the Unity Party of Nigeria (UPN) of the First and Second republics, laying claim to the Obafemi Awolowo political dynasty. The ANPP has its origin and support base in the north, relies on religious and ethnic symbols for political support, and has, among its leadership, apologists for the Abacha regime, retired soldiers, and ethnic irredentists. The nature of these parties was succinctly captured by Lewis (2003, p 134).

The nebulous party system has little to do with any distinct ideologies, strategies or sectional appeals. The major parties are relatively diverse in their leadership and constituencies, but remain focused on elite contention and patronage. Ethnicity is still a crucial vehicle for political mobilization. Personalities and clientelist networks predominate; internal discipline is weak; internecine battles are common. Politics is 'winner-takes-all' because public office is still a high road to personal enrichment by dubious means.

These dominant parties are mainly elitist rather than mass-based. Party leadership and recruitment for elective positions are a function of social status. They exhibit a general lack of internal democracy, which reflects internal crisis and disorder. Their management of issues and events does not reflect mass-based considerations but the articulated interests of the party leadership. This is, unfortunately, a reflection of a countrywide disregard for the voting public.

A major trend in the PDP was the increasing personalisation of the party by former president Olusegun Obasanjo during his second term of office (2003-2007). Obasanjo reconfigured the party and installed his protégés at its helm. The PDP virtually became the president's personal political machine. As General David Jemibewon, one of the founders of the PDP, lamented: 'The initial hope, the initial vision, the initial objective of the PDP seems to have been lost. The founding fathers of the PDP did not imagine what is happening today would happen. And so, there were no kind of anticipated remedy against Obasanjo having a tight grip of the party' (*Sun Newspaper* 21 July 2007).

As later events revealed, Obasanjo needed to have total control of the party in order to pursue his abortive third-term agenda.⁶

Between 1999 and 2003 three parties (PDP, APP and AD) registered by the Independent National Electoral Commission (INEC) dominated the political space in Nigeria. They were the only parties that took part in the 1999 general elections, as the requirements for registration were very stringent. However, in 2002, three additional parties were registered out of a pool of 33 seeking registration. They were the United Nigeria People's Party (UNPP), the All Progressive Grand Alliance (APGA), and the National Democratic Party (NDP). The basis for INEC's decision was unclear, and dozens of smaller political associations challenged their exclusion in court. The Supreme Court in November 2002 ruled in favour of the associations by nullifying some of INEC's guidelines for party registration. Hence, the political space became liberalised and 27 new parties were registered in December 2002 to contest the 2003 general elections. At the time of the 2007 general elections there were 50 registered political parties in the country.

Another prominent feature of political parties in Nigeria, especially the PDP and the ANPP, is the presence of the retired military. The military had ruled Nigeria for much of its existence as an independent state (1966-79, 1983-99). The global wave of democratisation forced it to relinquish power, which it did by replacing the uniform of the general with mufti. In other words, after their retirement military officers were transformed into civilian political leaders. This mere change

⁶ Obasanjo wanted to remain in office beyond the constitutionally allowed two terms and attempted to have the Constitution amended to allow for a third four-year term. However, the combined forces of civil society, some segments of the political class and the media, aborted the agenda.

of form without substance has grave implications for democratic consolidation. From the executive at all levels to the legislature, retired military, police, and paramilitary officers hold sway.

Even in the hierarchy of the political parties retired officers hold key and sensitive leadership positions. The present national chairman and a vice-national chairman of the PDP, Chief Amadu Ali and Chief Olabode George respectively, are retired military officers. The immediate past president, Chief Olusegun Obasanjo, is a retired military officer, as is his deputy, Atiku Abubakar, formerly a customs officer. The ANPP's presidential candidate in both the 2003 and the 2007 elections, Major-Gen Muhammadu Buhari, is also a retired military officer and former head of state.

The present president of the Senate, Major-General David Mark, and many other elected representatives are retired military, police and paramilitary officers, men well schooled in the military tradition of command and control and who regard democratic niceties as unnecessary and diversionary encumbrances. They are not given to accepting dissenting opinions and view everything in the military tradition of the garrison.

Thus, the political space and the parties they lead have become acculturated to military values and politics.⁷ In August 2007 the European Union Observer Mission to the April 2007 general elections released and presented its final report to the political leadership and the general public. However, Gen Mark's response was to caution the EU team not to destabilise the country. For him, the report was inimical to peace, order and stability, and was therefore objectionable. David Mark could not appreciate the value of objective and scientific evaluation of the election or the necessity for a democratic climate that allows for critical views. His military notion of peace and order influences his conduct and behaviour as an elected official in a democratic dispensation.

Another recurring element in the party system is the hydra-headed issue of the political barons, otherwise referred to as political 'godfathers'. Politics is a very expensive venture, which many aspiring politicians can ill afford. The Electoral Act 2006 stipulates limits on electoral expenditure by candidates – the maximum sum that may, by law, be committed to presidential electoral campaigns is ₦500-m. In a country where more than 60 per cent of the people live below the poverty line, and the middle class has been all but wiped out, it is extremely difficult for many aspirants to come up with the wherewithal necessary for such

7 Speaking about what seems to be the military nature of former president Obasanjo's administration former vice-president Atiku Abubakar, who fell out with the president on grounds of irreconcilable political ambition, noted that the Obasanjo government 'is a government that does not respect the rule of law, that wants to govern this country autocratically... a dictatorship in a civilian and democratic garb' (*The Guardian* 16 February 2007, p 1).

a campaign. Lesser limits are set for aspirants for gubernatorial, parliamentary and other positions. This problem appears to be solved by the ominous presence of political godfathers political entrepreneurs who make their largely ill-gotten wealth available to politicians in return for state patronage. The godfathers see their involvement as a purely business investment which must yield multiple returns. According to Agbaje & Adejumobi (2006, p 39) the political barons 'hold no elective offices or party positions. They often constitute informal leaders who are more powerful than the party chiefs and formal office holders. They sponsor candidates, corrupt election officials ... they are virtual kingmakers.' The relationship is mutual, as these political barons hope to recoup their investment with substantial interest when their protégés assume office.

However, the godfather-protégé relationship is essentially conflict ridden. Just as the client in power seeks to assert himself and pursue the objectives set out in the statement of intent presented to the electorate, the political entrepreneur, whose sole aim is to maximize investment, insists on his payoff. This has frequently led to conflict and crises (Agbaje & Adejumobi 2006). The problem is almost nationwide but is more prevalent in Anambra and Oyo states, where the then governors lost their positions because of the overwhelming influence of the godfathers.⁸ This characteristic of the dominant political parties threatens the democratic project in Nigeria.

PARTY CRISES AND THE IMPEACHMENT SAGA

Knowledge of the political environment in which parties operate and elections are conducted is germane to an understanding of the capacity, activities and limitations of those parties and the intricate politics of party relationships. One such example was the political impeachments which characterised the Obasanjo presidency from 2004 to 2006.

There was an avalanche of impeachments and threats of impeachment, especially of elected governors. This reflected deepening intra-party and inter-party crises and the struggle for power by dominant political forces. When the friction that triggers the impeachment is intra-party it is either premised on factional battles within the party or the urge by a powerful force to tilt the balance of power in its favour in the state. However, when it is inter-party it is mostly triggered by the PDP, the ruling party at the federal level, and aimed at weakening opposition parties who control the state, as a pre-emptive move towards capturing

⁸ Governor Ladoja was reinstated following the intervention of the Court (*Independent* 10 December 2006). However, he faced a considerable threat to his position throughout his tenure as a result of his estrangement from his godfather, Lamidi Adedibu. Governor Obi of Anambra state also regained his seat.

the state in the next election. While the Constitution provides for impeachment of elected officials this step should only be taken in cases of grave misdemeanour. However, the constitutional provision was flagrantly abused by impeachments that were vindictive, unprocedural or illegal (see Adejumbi 2006; 2007).

In most cases the presidency was deeply involved. The state anti-corruption agency, the Economic and Financial Crimes Commission (EFCC) was deployed to harass, intimidate, cajole and blackmail members of the houses of assembly of the affected states into initiating impeachment proceedings against their governors. In the states in which impeachment proceedings were seen through, the procedures fell short of the constitutional provisions.⁹ For instance, Governor Ladoja of Oyo State was impeached by fewer than the two-thirds of the members of the House of Assembly required by the Constitution. The case of Plateau State reflects a graver violation, with only six members (less than 20% of the house) sitting (at 6.30am) to impeach Governor Dariye.¹⁰ Governors were also impeached in Anambra, Ekiti, and Balyesa states.

The principles of the rule of law and checks and balances integral to the democratic process were ignored in many of the impeachment cases. While some of the state governors may have committed impeachable offences, as later revelations confirmed the impeachment agenda facilitated by the presidency was driven more by political motives than by a genuine interest in punishing erring elected officials. The subversion of the rule of law and due process, which characterised the exercise in many states, was premised on the presidency's wish to remove certain governors and instal its protégés in an acting capacity in order to control the states for personal political purposes.

The consequences of the impeachment saga for political parties were fourfold. First, it absorbed the attention and energies of the main actors within the parties, diverting their focus from urgently needed internal party organisation and planning for the elections. Second, it reinforced the non-adherence to due process and the rule of law characteristic of the party system in Nigeria. Third, it created fear, apprehension and tension in the political milieu, decelerating preparations for the elections. Fourth, it created an uneven playing field for actors between and within political parties as those who were in government at the federal level, especially the presidency, were able to use the EFCC to cajole, intimidate and subdue other political forces within and outside the ruling party.

9 State chief executives who passed through the dark tunnel of impeachment amidst controversy include Governor Alamieyesiegha of Bayelsa State; Chief Rashidi Ladoja of Oyo State; Ayo Fayose of Ekiti State; Joshua Dariye of Plateau State; Mr Peter Obi of Anambra State and Boni Haruna of Adamawa State, whose impeachment proceedings were stopped by the courts.

10 It is instructive to note that the Court reinstated almost all the impeached governors, which is a reflection of the unconstitutionality of the process by which they were impeached.

PARTY PRIMARIES

Primaries designed to select party flag bearers in elections have always been controversial and acrimonious, with most parties exhibiting grossly undemocratic tendencies and disregard for popular choice. In the 2003 elections only a few parties held primaries (Akinbobola 2003) and even fewer did so for the 2007 elections, signalling a growing tendency towards anti-democratic practices.

The charade was beamed live on national television, with party flag bearers being anointed rather than elected.¹¹ The immediate consequence was massive defections from virtually all the parties. The situation in the PDP was particularly intriguing. Because of his ongoing feud with the former president, then incumbent vice-president Atiku Abubakar was prevented from running for the presidential candidacy. Long before the party's presidential primaries the president and his political cronies repeatedly maintained that the vice-president would never be allowed to run on the party's platform. In pursuit of this goal the president dissolved the party's executive committees, directing members to seek re-registration. In the process, those considered to be either supporters of or sympathetic to the vice-president were denied registration. Elections for positions of leadership within the party were devoid of credibility or democratic practice. Consequently, the president was able to gain effective control of the party and frustrate the presidential ambitions of his deputy. The vice-president was forced to defect to another party, the Action Congress (AC), in order to pursue his presidential ambition.

The situation was similar in almost all the other parties. In the ANPP almost all the aspirants melodramatically withdrew from the race in recognition of the 'apparent' qualities and capability of General Buhari, the preferred candidate of the leadership of the party. In the AC, Atiku Abubakar was 'adopted' unopposed in the presidential party primaries, reflecting not consensus, but overt political control by the dominant forces in the party.

Stage-managed primaries were not limited to the presidential level, they were acrimonious and conflictual at all levels, leading to deep schisms and realignments. A case in point is the AC gubernatorial primary in Lagos, where the leadership of the party lent its weight to a particular aspirant (Babatunde Fashola), who eventually emerged as the party candidate. The other aspirants, feeling short-changed, claimed the primary was manipulated to produce pre-

¹¹ Almost all the serious contenders were coerced into stepping down in favour of candidates preferred by the party leadership. Many serious presidential aspirants in the PDP, who had mounted intensive national campaigns, 'surprisingly' stepped down for Governor Yar'Adua, whose aspirations before the primary did not appear to be serious.

determined results and left the party for other parties, where they secured tickets to contest the election. Interestingly, in the parties they decamped to, the candidates adopted the same anti-democratic method to secure their nomination that they had decried in the parties they had left. Very few parties held primaries and, where they were held, they were mere charades, devoid of basic democratic principles and ideals.

The most bizarre primaries were those in the PDP, whose party leadership discounted the results and arbitrarily imposed candidates who either had not won or did not stand at all. The party leadership claimed it was 'supreme' and members could not challenge its actions. To give just two examples: in Imo State, Senator Ararume, one of 21 contestants, had won the gubernatorial primary. Ararume reportedly polled 2 061, followed by Chief Hope Uzodinma with 1 649 votes. Since both results fell below the party's requirement of 50 per cent for a clear winner, it was expected that a run-off election would be organised. However, disregarding the outcome, the party leadership in the state announced Chief Tony Ezenwa, who had come fifth in the vote, as the party's flag bearer.

INEC published Ararume's name as the aspirant with the highest number of votes but, in a dramatic turn of events, the party leadership announced Charles Ugwu (who had been in fourteenth position) as its consensus candidate (*Guardian* 11 February 2007, p 55). Ugwu, a former president of the Manufacturers Association of Nigeria, had supported President Obasanjo's aborted third-term bid. Many therefore believed that the president was rewarding a 'loyalist' with the party's gubernatorial nomination.

Senator Ararume's challenge to the party's decision was upheld by the Supreme Court, which directed INEC to list him as the party's gubernatorial candidate; thereafter the party leadership expelled Ararume. Complying with the Supreme Court decision INEC listed Ararume as the party's candidate, but the party worked against him to ensure his defeat at the polls.

There was a similar episode in Rivers State where Rotimi Amaechi, former Speaker of the state House of Assembly, was declared winner. The party hierarchy, however, decided otherwise, putting forward Celestine Omehia as the party candidate. The party won the gubernatorial election and Amaechi instituted legal action. In October 2007 the Supreme Court, in a landmark judgement, ruled in favour of Amaechi and directed that he should be installed as the elected governor. The party has since expelled Amaechi for anti-party activities deriving from this legal action.

Nigeria's political parties are fraught with internal crises and conflicts. From the PDP to the ANPP, AC and AD, and even the smaller parties like the All Progressive Grand Alliance (APGA), factionalisation and alignments based on almost irreconcilable differences have torn the parties apart. All three major parties

have suffered balkanisation, with factions splitting away from the parent party to merge with other splinter groups to form new parties. The People's Democratic Movement (PDM) caucus of the PDP pulled away to merge with a splinter group from the AD to form the Action Congress (AC) and another caucus, under the leadership of Audu Ogbe and Solomon Lar, two former national chairmen of the PDP, left the party.¹²

The problem is not limited to the PDP, indeed, it mirrors a general tendency. Congresses of parties convened to elect national leaders have ended up being charades where every principle of civilised conduct and tenet of democracy has been set aside.

The undemocratic nature of these primaries and the attendant unpopular choices of party flag-bearers contributed in no small measure to the spate of violence experienced across the country during the run-up to the 2007 elections.¹³

PARTIES AND POLITICAL VIOLENCE

The undemocratic tendencies of party politics resulted in an increase in politically motivated violence and assassinations. Indeed, the rate of political assassinations assumed proportions never before known in the country. The spate of arson, thuggery, unconstitutionality and general insecurity was, perhaps, second only to the *operation wetie*¹⁴ era in the old Western Region, when political violence was rampant and endemic (Kehinde 2007).

The party system contributes in no small measure to the escalating political violence. The zero-sum nature of electoral competition, which leaves no room for coalition and cooperation, propels parties to consider elections as 'must win'. The stakes are simply too high for losing an electoral contest to be considered an option. Thus, a range of devices is employed to outsmart fellow competitors in order to influence results. Since there can only be one winner there will always be losers; the losers denied access to state power become frustrated, which leads to aggression and violence.

12 The AC emanated from a fusion of six political parties – the Advance Congress of Democrats (ACD), a faction of the Alliance for Democracy (AD), led by Chief Bisi Akande; the Justice Party (JP), a faction of the All Nigeria Peoples' Party (ANPP); the All Peoples' Congress (APC); the Progressive Party Alliance (PPA); the Solomon Lar-led faction of the PDP; and, recently, the Action Alliance (AA) (*ThisDay* 25 September 2006, p 19).

13 Everywhere, there was wanton destruction and anxiety filled the land (*Sunday Sun* 19 November 2006, p 5).

14 *Operation wetie* (operation 'wet it') was the dousing of houses and properties with combustibles by political opponents at the height of the anarchy engendered by political instability in the Western Region following the electoral fraud of 1965.

The build-up to the general elections of April 2007 was particularly violent. The determination of the PDP to stage a clean sweep and the unwillingness of the other parties to be sidelined made violence – both inter and intra-party – inevitable. The polity was literally ablaze and police and other security agencies were compromised, as they became willing tools in the hands of politicians, especially those of the PDP, who employed them to perpetrate crimes and to look away when their goons were in action. As a result few perpetrators of violence have been brought to justice by the state security agencies. The assassination of serving Minister of Justice and Attorney General Bola Ige reveals the heightened level of political and social insecurity in the country.

The intention was to eliminate or intimidate potentially formidable opponents from contesting elections. In Ogun State Dipo Dina and Ibikunle Amosun, leading opposition politicians, were severally harassed and attacked in the build up to the elections. The state governor, Gbenga Daniels, employed state apparatus to intimidate key opposition figures. Dina was arrested and detained by the police on trumped up charges. He and Amosun were physically attacked. The senatorial candidate for the ANPP in Ogun East Senatorial district, Lanre Tejuosho, standing against Iyabo Obasanjo-Bello of the PDP, daughter of the former president, barely escaped assassination when assailants attacked him. In Oyo State, perceived opponents of the PDP gubernatorial candidate and their supporters and families were targets of violent attack and many had to relocate to escape assassination.

Intra-party violence was also rife. In Ekiti and Lagos states, Daramola and Funsho Williams, leading PDP gubernatorial aspirants, were assassinated in 2006 and thus far no one has been prosecuted or brought to justice for the crime. In Lagos state, electoral campaigns by PDP gubernatorial aspirants were theatres of violence, death, and destruction.

The scope of political violence is not limited to the parties, but extends to the general public. The violence unleashed in Anambra in the wake of the irreconcilable differences between Chris Ngige and his political godfather, Chris Uba, is a case in point. From Awka to Onitsha, to Nnewi and Nsukka, the whole state was involved. The state governor's lodge was attacked and set ablaze by political hoodlums, allegedly on the instruction of Chris Uba. The governor, Chris Ngige, had to go into hiding for fear he would be killed. The unending political crisis in Oyo State, where violence has taken over reason, is a direct fallout from the intra-party wrangling occasioned by Ladoja's assertion of independence from the stranglehold of his erstwhile godfather, and the acclaimed strongman of Ibadan politics, Lamidi Adedibu. At the height of this face-off, Ibadan and other major cities in the state became battlefields.

While the parties signed a code of conduct committing them to non-violent campaigns, most did not abide by or respect the spirit and letter of the code.

Violence reigned freely before, during, and after the 2007 elections, either in an attempt to forestall the rigging of elections or to perpetrate rigging, or to protest against it. More than 500 people were reportedly killed during the elections.

INEC AND THE ELECTORAL PROCESS

INEC has the primary responsibility for managing elections in Nigeria. Among its responsibilities are: registration and monitoring of political parties, voter registration, delineation of constituencies, conduct of elections, and declaration of election results. To perform these responsibilities effectively the electoral body must be truly independent and impartial. However, the experience in Nigeria indicates otherwise. As Agbaje and Adejumbi (2006, p 30) note, 'over the years, the autonomy and capacity of this body has been suspect. This is reflected in its endless renaming and restructuring by successive governments ... the problems of legitimacy and credibility are embedded in the institutional history'.

INEC, like its predecessors, has been unable to engender public confidence in the electoral process, or organise credible and transparent elections. Those who win elections, or, rather, those who rig their way into power, seek to rule in perpetuity, and those who lose elections wage unending 'wars' to gain power. In essence, power is not achieved by means of a democratic process but by the ability to out-manoeuvre others and perpetuate a hold on power, with the connivance of INEC.

INEC has neither political nor financial autonomy; all it has is relative administrative independence to recruit and discipline its staff (Adejumbi 2007). The members of the commission are appointed by the president and its financing is determined by the executive. Thus, the ruling party often has considerable leverage in influencing and compromising the integrity of the commission.

The ruling party, the PDP, frequently uses its majority status in the National Assembly as well as its hold on INEC to manipulate the electoral process in its favour. The Electoral Act 2006, initiated by the executive and ratified by a PDP-led National Assembly, tilts the scale in favour of the PDP. For instance, the Act provides a formula for distributing the money to the parties. Section 90 of the Act stipulates that the National Assembly may approve a grant for disbursement to political parties contesting elections. Though the law delegates to the INEC the responsibility for sharing out the money, as did the 2002 Act, the sharing formula has changed. Only 10 per cent of the total amount disbursable is distributed equally among all the parties, while the remainder 90 per cent is to be shared 'in proportion to the number of seats won by each party in the National Assembly'. This situation favours the PDP and further sharpens competition and struggle among the parties for electoral victory at all cost.

Historically, funding has been a lingering issue in party politics in Nigeria. In both the First and Second republics (1960-1966, and 1979-1983 respectively) the issue of party financing was a major factor in political corruption. Many functionaries and political office holders 'corruptly enriched' their parties from state funds. After the collapse of the Second Republic the succeeding military junta, the Buhari regime, jailed many politicians for allegedly siphoning off state funds to finance their parties. Although there are unambiguous legal stipulations for party financing, many parties, especially the ruling party, flout them with reckless abandon.

INEC exhibited gross partisanship in handling electoral matters, becoming enmeshed in issues that were outside of its scope and, in the process, displaying its partisan preferences. Acting on the promptings of the EFCC and the presidency it disqualified some candidates, including former vice-president Abubakar, from standing, citing allegations of corruption against them by the EFCC. However, the Electoral Law vests the power to disqualify candidates in the courts. Many of those disqualified were either leading opposition candidates or PDP candidates considered threatening to the interests of the leadership of the party.

In a landmark judgement in April 2007 the Supreme Court declared the disqualification of the candidates null and void and directed INEC to restore their names to the ballot papers. However, the first set of gubernatorial and parliamentary elections had already been conducted by the time the ruling was handed down, thus denying those disqualified their legitimate right to contest the elections.

CONCLUSION

Political parties, in a conventional sense, are the major agency for the evolution and nurturing of democratic ethos, norms and practices in a liberal democratic system, hence, they are the vehicle for democratic consolidation and progress. The Nigerian experience confounds that logic. In Nigeria political parties limit civic participation in the political process; they lack a clear ideological focus or worldview, articulating blurred agendas; and they are perverted in terms of their functioning, processes and relationships. The consequence is that Nigeria's democratisation process is faced with serious threats of political reversal as entrenched authoritarian values persist.

The dominant political parties in Nigeria connect neither with the people nor with organised interests like labour, human rights groups, and student movements. They are basically tools for power appropriation, material aggrandisement, and undemocratic practices. The future of democracy in Nigeria lies in reconfiguring the party arena, to allow for greater political space for smaller political

parties like the National Conscience Party (NCP) and the Peoples' Redemption Party (PRP), which show some promise in terms of their programmes and agendas and their mass appeal to grow and gain prominence. This will require a contestation of the political space with the dominant forces, and the better organisation of those smaller parties to connect effectively with mass-based organisations and people in society. In other words, a reconfiguration of the political space and the political elite in Nigeria.

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PARTY FORMATION AND ELECTORAL CONTEST IN NIGERIA

The Labour Party and the 2007 Election in Ondo State

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ABSTRACT

While principles like popular participation, accountability and majority rule, rather than institutions, define the framework of democracy the primacy of political parties therein cannot be overemphasised. Indeed, the effectiveness of political parties is directly proportional to the degree of resilience democracy enjoys. The deepening of the democratic system which should ordinarily accompany the paradigmatic shift in Nigeria's highly restrictive party formation system effective November 2002 was, however, lost through the widespread manipulation of the April 2007 elections by President Olusegun Obasanjo's PDP government. Yet the intervention of the Labour Party in the politics of Ondo State remains undiminished by the widespread abuse of the electoral process, validating the hypothesis that 'the process of party formation is highly dependent on the structural and institutional context of the individual politicians ...' (Perkins 2000); and that the capacity of a political party is largely a function of its organisational structure, itself influenced by the wider prevailing governance structure within which it operates. Even so, the LP faces the challenge of institutionalisation in the context in which it exists virtually in only one state, and in a country where the tortuous democratic transition trajectory is defined and undermined by the mushrooming of political parties.

THE CONTEXT POLITICAL PARTIES, ELECTIONS AND DEMOCRACY

It is in the nature of social interests to be inchoate, nebulous, fluid and unstructured. The management of this maze of special interests, with their sheer number and naturally conflicting outlook, essentially defines state-society relations. The difficulties attendant on managing such interests attain a critical dimension in the context of 'changing societies', enormously challenged by the 'revolution of rising expectations'. In practical terms, these particularistic interests, unstructured as they are, are hardly useful as a basis for the pursuit and deployment of state power via a democratic system. The need to process them into wholesome forms as inputs into the decision-making system, therefore, makes political parties imperative.

As Huntington (1968, p 196) argues, strong political institutions, including political parties, are a desideratum in a democracy. The political order which defines an effective political regime 'requires political structures equal to the task of "mediating, refining, and moderating" societal demands' (Huntington 1968, p 196; Perkins 2000). This precisely underscores the centrality of political parties in a democracy. Indeed, 'without well-developed parties as a buffer, the State is constantly battered and endangered by societal demands' (Perkins 2000). For all their faults, Sklar (2004, p xxi) argues, 'there are no substitutes for voluntary political parties in constitutional democracies'. For these reasons attempts to graft democratic institutions on zero-party (non-partisan) arrangements have historically come to grief. Thus, even in the best of zero-party democratic systems, where they last long enough, identifiable political tendencies in society invariably take on structures hardly distinguishable from those of formal political parties.

There exists, therefore, an organic link between political parties and democracy, such that where parties are weak the democratic process offers limited possibilities for consolidation. Indeed, I argue that the strength and effectiveness of political parties is directly proportional to the degree of resilience democracy enjoys. This is because a credible electoral process is sacrosanct to democracy, and it is in relation to elections that the prospects of (new) democracies are actually gauged, and the degree of their weakness ascertained. Thus the literature defines the periodicity and success of elections in which there is alternation of power between political parties, or what Malamud (nd) refers to as 'a full-fledged polyarchic regime', as a measure of the resilience and sustainability of democracy. Meanwhile, in the absence of political parties elections are difficult to manage, and are inconsequential and thereby ineffectual in modern, representative democracies. Herein lies the unbroken link between political parties, elections and liberal democracies.

The critical areas of focus in any scholarly study of political parties are social base, ideological content and organisational structure (Panebianco 1988, in Malamud nd). While these are all closely interwoven, in practical terms the critical platform through which sense is made of the other variables is organisational structure. A political party with a decrepit organisational structure cannot take advantage of an appropriate social base and make meaning of a clear ideological outlook.

In contradistinction good organisation may serve to overcome the limitations ordinarily imposed by a rustic social base and absence of ideological rigour in a political party. It would thus be appropriate to argue that the capacity or overall effectiveness of a political party is largely a function of its organisational structure, with the latter largely influenced by the wider prevailing governance structure within which such a political party emerges and exists. These provide the conceptual context within which the subject of party formation and electoral context in Nigeria's fledgling democracy is interrogated.

What is the regime of laws governing the formation and operation of political parties in Nigeria? Do they facilitate or impair the effectiveness of the party system? What implications do they have for the electoral system? Do the identified variables – social base, ideology and organisational structure – provide a useful tool for an adequate appreciation of political parties and the party system in Nigeria? These are the key questions this paper seeks to answer using the empirical evidence presented by the emergence and involvement of the Labour Party in the 2007 elections in Ondo State as the principal unit of reference.

Ondo State, one of Nigeria's 36 states, was created in 1976 out of the old Western State in the Yoruba heartland (Mimiko 1995, pp 91-94). It is the fifth-largest producer of crude oil in Nigeria, making it effectively one of the richest states in the country, with an average monthly income of about ₦4-billion since 2003 and a population of a little less than four million. With a long history of Western education Ondo State is widely regarded as one of the most enlightened, critical and politically sophisticated in the country. It also has a robust history of violent resistance to electoral manipulation, which has effectively become a reference point in the study of electoral violence in Nigeria (Apter 1987; Kolawole 1988, pp 135-143). In tandem with the country, Ondo State has passed through bouts of military and civil *democratic* regimes, with very few of them having demonstrated the requisite capacity and governmental effectiveness for institutional legitimisation. Infrastructures are decrepit, poverty is endemic and alienation, underscored by widespread distrust in government, its institutions and operatives, is deep. But in the context of Nigeria's highly prebendal and rent-seeking political economy, this is not regarded as out of tune with the general trend (Mimiko 2006a, pp 1-21).

The participant-observatory framework provided an apposite platform for this study. The author, as Head of the Research and ICT Project of the LP in Ondo State, was a participant-observer in the entire process of the evolution of the party, the development of its platform and the building of its structures. The following therefore effectively amounts to first-hand information, without which a study of this nature might be difficult to conduct.

THE PARTY FORMATION SYSTEM IN NIGERIA

Political party formation has followed a particular pattern in Nigeria's long standing, albeit tortuous, efforts at democratisation. At independence the formal approval of government before a party was allowed to operate was not really required. The requirement for government registration as a condition for operation was introduced via the democratisation programme of the Murtala Muhammed / Olusegun Obasanjo military government in 1978/1979. Two decades later, a pattern similar to that of the pre-military era played itself out with the 8 November 2002 Supreme Court judgement rejecting the Independent National Electoral Commission's (INEC) claim to a constitutional mandate to register political parties. All that was required, the Supreme Court ruled, was that a political party notify INEC of its desire to be involved in the electoral process. This paradigm shift facilitated an increase in the number of political parties in Nigeria from three in 1999 to 52 before the April 2007 elections.

One critical problem with the democratisation programmes the country had been through since 1979 was the suffocation attendant upon official regulation of the number of political parties. This injected a degree of stress into the electoral system that detracted sharply from stability. The *laissez-faire* approach to party formation that has existed since late 2002, on the other hand, has opened up the democratic space, making for less acrimony. The former arrangement made for the existence of distinct tendencies in the same parties, which invariably undermined the basis for harmony. The fact that all tendencies, groups and individuals are free to pursue their political fortune elsewhere if and when a party becomes incapable of providing them with an appropriate platform makes for overall stability in the system. In practical terms, the magnitude of the crisis attendant upon the feud between President Olusegun Obasanjo and Vice-President Atiku Abubakar for much of their second term in office would have been enough to damage fatally the fledgling transition to democracy but for the open space the new party registration schedule provided.

It should be noted that there are administrative constraints even in this relatively freer regime. Political parties are expected to focus on and, indeed, comply with the principle of federal character in appointing their officials. They

are also expected to locate their headquarters in the Federal Capital Territory. Although these fine details are hardly enforced after the formal approval by INEC of the entry of a political party into the electoral process, they nevertheless represent substantive constraints, which limit the freedom of individuals to form and operate political parties, especially those dedicated to special interests which do not necessarily have a national outlook.

It should also be noted that few Nigerian political parties have achieved or put in place a credible degree of internal democracy consistent with the minimum global standard. This is most evident in the candidate selection process, which has constantly changed in orientation, but not in form, from one in which a party mandarin, the presidential candidate or leader simply anoints candidates to one where the conditions for holding internal primary elections are so warped as to make vote rigging and corruption their most significant features. In some cases, even when primaries have been fought and won, the party leadership, which often equates to a single individual or, at best, a tiny caucus reserves the right to substitute such candidates with others who have never participated in such primary elections. Yet, as Gauja (2006, pp 1-8) argues, intra-party democracy remains potentially 'an effective means of increasing political participation, awareness and strengthening the legitimacy of parties as a key linkage between (government) and the electorate'.

Historically, ideology has played a very minor role in the formation and operation of political parties in Nigeria and the role has tended to shrink with the collapse of each transition programme. The difference between the socialism of the Alliance for Democracy (AD)/Unity Party of Nigeria (UPN) of the First and Second republics and the capitalism of the Northern Congress (NPC)/National Party of Nigeria (NPN) is therefore merely in the degree of efficiency and effectiveness the former sought to bring to the dominant capitalist orientation of the country. This reality is neatly captured in the 'a little to the left, a little to the right' cliché decreed for the Social Democratic Party (SDP) and the National Republican Convention (NRC) in the nation's Third Republic. This is why Nigeria's political parties have exhibited significantly similar orientation and behaved in identical ways in government over the years, all of them apparently committed to the dominant ideology of the dependent-capitalist enterprise (Mimiko 1999, pp 129-159).

Thus, in the context of limited ideological differentiation, the most important factor informing which party the average politician chooses to align with is the calculation of which of the hordes of parties/candidates is most likely to win an impending electoral contest. It has very little to do with an assessment of which party or candidate best represents the interests of the larger society. In this calculation dispassionate political analysis is as important as the counsel of

stargazers and the prophecies of orthodox and non-orthodox religious leaders. Party politicking inevitably, in the circumstances, becomes strictly a platform for elite negotiation of power as an end in itself, or, at best, a means to attain a degree of personal aggrandisement.

I argue that it is this very limited space for democratic expression in the parties and not as much the absence of clearly defined ideology which promotes the phenomenon of floor crossing and the attendant instability in the Nigerian political system. If fluid ideological orientation makes it easy for individuals and groups to move from one party to another without much stress it is the lack of internal democracy that constitutes the actual trigger-factor for floor crossing. All these realities had important implications for the 1999 elections and the overall outcome of the transition programme, as demonstrated in the next section.

POLITICAL MACHINE AND ELECTORAL CHALLENGE

Considered against the backdrop of the widely perceived, if tacit, endorsement of the People's Democratic Party (PDP) by the democratising military junta in 1999 (Mimiko 2004a, pp 83-97), it was a forgone conclusion that the party would become the single largest, both in terms of membership and, subsequently, in terms of the number of states it won, apart from the presidency – the ultimate prize in the Nigerian political system.

In addition to the presidency it won 19 of 36 states in 1999, 26 in 2003 and 29 in 2007 – establishing a clear pattern of transition from a one-party-dominant state to a one-party state. By the time it was fully settled into government in the early years of President Obasanjo's first term the PDP had paraded the key feature of a political machine – the use of 'public resources to support party and campaign operations', with political 'bosses' using their patronage 'to build stronger, more penetrative party organisations' (Perkins 2000). The insistence of Yar'Adua on a government of national unity and attempts to re-position the PDP by bringing back estranged members who are comfortably ensconced in other parties may further consummate this drive for a single-party system (Obi 2007).

Meanwhile, in line with the tendency for constitutional concentration common to the African political system (Mimiko 2006b, pp 189-202) and the idiosyncrasy of the men at the head of the government since 1999, the PDP succeeded in further consolidating the emergent unitary system, which belies the advertised commitment of the Nigerian Constitution to federalism. The situation today is such that the country is, more than at any other time in its long history of democratic experimentation, more centralised, creating one of its more important contradictions, in which a liberalising economic regime was delivered on the crutches of a centralised political system and in which the space for mass

participation, in spite of the existence of so many political parties, continues to shrink (Mimiko 2004b).

At no time was this tendency more pronounced than in the months before the 2007 election. President Obasanjo deployed the machinery of state to harangue his personal and his party's opponents and announced that the elections would be a 'do-or-die, life-or-death' exercise in which the PDP would brook no opposition and in which any resistance to the all-conquering proclivity of the party would be met with maximum force. Predictably, both local and foreign observers, including the European Union Election Observation Mission (2007, p 1) were virtually unanimous in regarding the election as the worst in the nation's history, falling 'far short of basic international and regional standards for democratic elections'.

The major formation confronting the PDP machine in the elections in Ondo State was the Labour Party (LP). Formed in the state on 1 December 2006, the LP was effectively four months and 14 days old by the election of 14 April 2007. The alacrity with which a defined political constituency (ie, Ondo State citizenry) embraced the LP was phenomenal and unprecedented in the history of party formation in Nigeria, however, its experience in the 2007 elections was not too different from that of the other political parties which stood against the PDP machine in virtually all the states of the federation. I return to this theme below.

LP INTERVENTION IN ONDO STATE

The LP was initially registered (in 2002) as the party for Social Democracy (PSD). Its registration followed the Supreme Court judgement of November 2002, which wholly liberalised the nation's party registration procedure. Its main promoter was the Nigerian Labour Congress (NLC), with Sylvester Ejiofor, a veteran of many labour struggles, as its first national chairman. Its mission is to 'address the issue of political power not as an end, but as the vehicle for the transformation of the country and for governance consistent with the ideology of Social Democracy' (LP 2006, p 5). It seeks to 'promote and defend social democratic principles and ideals for the purpose of achieving social justice, progress and people's democracy and unity in the country' (LP 2006, p 8).

No specific features distinguish the LP from the average middle-of-the-road political party. Although it identifies itself as socialist, its manifesto captures, at best, an aspiration to social democracy – in line with virtually all the parties in the country. The absence of a clear-cut ideological perspective can be gleaned from the party's view on the economy. While it desires an 'activist developmental role' for the state, with a view to making it 'a major player in the strategic sectors', it nevertheless seeks to 'engage [not oppose] the phenomena of globalization

and liberalization by adopting a cautious and step-to-step approach based on the country's national interest'.

The LP does not oppose privatisation. Rather, it seeks to avoid 'a doctrinaire approach to privatization without compromising a case-by-case privatization'. For the party 'public enterprise privatization needs to be undertaken side by side with establishment of adequate regulatory institutions that would safeguard consumer and employee interests and ensure that the big public enterprises also play the role of responsible corporate citizens' (LP 2006, pp 11-12). The party insists on 'providing basic social welfare services for the socio-economic benefits of the citizens' (LP 2006, p 13). It seeks to 'restore the credibility of the economy not by repeating the dogma of IMF and World Bank but ensuring ... consistent and creative policy measures aimed at genuine reform and transformation of the economy'. Thus, without any ideological purity to speak of, the LP remains essentially a middle-of-the-road formation, albeit one with 'a rich heritage of progressive and labour-based intervention in national politics' (LP 2006, p 3).

With the change in name came a change in the leadership of the party. Barrister Dan Nwanyanwu and Alhaji A A Salam, the personification of the well-educated and cosmopolitan wing of Nigeria's labour leadership, were given custody as national chairman and national secretary respectively. While neither was a prominent national figure by whom the party could be easily identified, they immediately set out to expand its membership base with a view to ensuring credible participation in the 2007 elections.

Unlike the situation at the national level, where the LP could not easily be identified with a leading politician, in Ondo State it made its mark through Dr Olusegun Mimiko, whose participation in politics dates back to 1980, when he joined the UPN soon after graduating from medical school. He was a leader in the Ondo State chapter of the SDP from 1989-1991 and emerged after the general election of 1991 as commissioner for health. Governor Bamidele Olumilua's government, under which he served, was terminated by General Sanni Abacha's military junta in November 1993.

As a foundation member of the AD in 1998 Mimiko returned to public office with the victory of the party in 1999, when he was again appointed to the Cabinet as health commissioner. In November 2002 a number of complex political developments, including what he called 'the limited opportunity for democratic expression' in the AD, made him dump the party for the PDP, where, having contributed substantially to the election of Dr Segun Agagu as governor and Obasanjo as president, he was appointed secretary to the state government in May 2003. By July 2005 Dr Mimiko was Federal Minister for Housing and Urban Development in Obasanjo's PDP government.

In spite of what looked like his steady rise in PDP structures it had become

obvious by the close of 2006 that the party would not serve Mimiko as a platform for the realisation of his ambition to be governor. Incumbent Governor Agagu had reneged on his promise during the campaign in 2003 to remain in office for only a single four-year term. And in consonance with the emergent complex interplay of political forces in the PDP at the national level Dr Agagu insisted on controlling the entire processes of the party in his own state, leaving no space for democratic participation in the choice of the party's flag-bearer for the 2007 elections. Meanwhile, Dr Mimiko's ambitions, which were well known within the party, had earned him official opprobrium and thinly veiled attacks from party apparatchiks and stalwarts already favoured in the governor's distribution of political patronage. By the middle of 2006 it had become obvious that a level playing field for the conduct of a credible primary election was not going to be available within the PDP either for Dr Mimiko or for any other opponent of the governor. Mimiko (2007) puts this in context.

At a point in the year 2003, it became obvious that the basis for democratic engagement no longer existed on the platform on which our State stood then.

The internal democratic mechanism for change within ... AD was abused and sabotaged. We reckoned then that there was no way new ideas for development would have flourished in such a restricted political space. We therefore decided, after the requisite consultations, that it was time to join hands with others to reposition our dear Ondo State if we as leaders must not continue to be limited in our vision and Ondo State hesitant in harnessing the developmental opportunities that beckoned at that historical juncture. That was the context in which we decided to lend our support to the incumbent Governor who was then the candidate of ... PDP.

Though the initial signal of primordial preferences were worrisome, we still thought that the Governor (Agagu) would manage to put Ondo State on a path of sustainable development, especially with the length of time spent on planning. By early 2005, however, it had actually become obvious that the State Government was on the way to making a colossal shipwreck of the vision that produced the electoral victory of April 2003. Unfortunately, the discreet but concerted efforts of men and women of goodwill to salvage what remained of the contract with the good people of Ondo State had not come to fruition before July 2005 when I had to leave office as SSG following my appointment by President Olusegun Obasanjo as the Federal Minister of Housing and Urban Development.

Significantly, this was not the first time Dr Mimiko had found himself in such a political quandary. As an aspirant council chairman in the Ondo local government in 1989, he could not persuade the party (SDP) leaders to support him. In the Democratic Party of Nigeria (DPN) in 1998 he had to jettison his gubernatorial ambitions and run for the Senate when it became clear that the party was split down the middle over whom to field. Again, in November 2002, the AD's refusal to permit free primaries for the choice of candidates for elective positions, despite the provisions of the party's constitution, resulted in Mimiko's decision to quit the party. With the unfolding events in the state PDP, it was thus obvious by the middle of 2006 that Mimiko needed a fresh platform on which to present himself to the people of Ondo State if he was to avoid the problem of unfavourable intra-party configurations which made it impossible for him to contest elections even where his mass appeal outside was not in doubt. Contesting the primary election in the PDP only to move from the party after a possible loss of the election would have presented a moral burden for Mimiko. Such a course of action would have brought back memories of November 2002 when he had to withdraw from the Alliance for Democracy (AD) when its leadership decided to simply adopt the incumbent Governor, Adebayo Adefarati, to run for a second term rather than allow a primary election to produce the party's candidate.

The Action Congress (AC), which had emerged as the dominant opposition party with which Vice-President Atiku Abubakar was aligned, was not a viable option for Mimiko. By mid-2006 the party was already well known in most states. It had identifiable structures and the high profile attendant upon its being substantially promoted by a crusading vice-president and by Bola Tinubu of Lagos, arguably the most progressive and successful state governor in the country. While accommodation within the AC would have given Mimiko the advantage of a national platform of support, he felt very strongly that it would be morally indefensible for him to join a party regarded as the major opposition to Obasanjo immediately after withdrawing from the latter's Cabinet.

There was also the possibility that the intra-party crisis consequent upon Mimiko joining the AC might be strong enough to deny him the party's gubernatorial ticket or that if he won the process might be so acrimonious as to give the electorate the impression that neither candidate nor party was to be taken seriously. A struggle would be inevitable in the light of indications that Agagu had planted an acolyte of his, Ademola Adegoroye, an AC governorship aspirant, to stand against Mimiko in the event of the latter deciding to use the party as a platform for contesting the governorship. This fear was subsequently given credibility in June 2007 by Adegoroye's decision to endorse Agagu, albeit to the disgust of many of his party members. He was subsequently suspended from the party.

Finally, the AC could offer no advantage in terms of existing structure in Ondo State which might especially attract Mimiko.

The paradox for Mimiko was that it was precisely the fact that the LP did not exist in the state before 1 December 2006 and that therefore there would be limited interest in the governorship ticket which constituted its main advantage over the established political parties. For Mimiko the choice of a platform which promised relative internal tranquillity was compelling. The situation would reduce the possibility of dissipating energy and wasting funds on a recriminatory primary election and allow the focus to be on the general elections just a few months ahead. An added attraction was the LP's progressive, labour-oriented outlook, largely contingent upon its name and the possibility of its being positioned as a labour-friendly party in an essentially blue-collar (civil service) state like Ondo.

Mimiko's conviction and that of his close aides of his state-wide acceptability and their confidence that the people understand that it is the individual who gives effect to a party's policy made the choice of the LP compelling. By choosing a party which had not existed four months before an election in which he was a candidate, Mimiko, perhaps unwittingly, underscored the viability of independent candidacy, an arrangement that was not provided for in the 1999 Constitution.

His decision taken, Dr Mimiko formally presented the party to a cross-section of his political supporters at Ondo on 1 December 2006. Thirteen days later the party was unveiled at a rally in Akure. National Chairman Nwanyanwu formally presented Mimiko as the party's gubernatorial candidate for Ondo State.

It must be noted that Mimiko's pivotal role in the emergence and growth of the LP in Ondo State was in sync with theoretical expositions on party formation. For, as Perkins (2000) argues, 'the process of party formation is highly dependent on the structural and institutional context of the individual politicians ...' The suggestion that the LP was *merely* four months old before the elections of April 2007 was therefore contextually incorrect. For parties are themselves inanimate objects. It is the people who populate them who inject life and relevance into them. The appropriate way to determine the inherent strength of the LP, therefore, is to look at the entire 'structural and institutional context' of the individual who served as its key promoter rather than the date of its formal presentation to the public.

THE 'INSTANT NOODLES' EXPERIENCE ERECTING A PARTY STRUCTURE *IN* ELECTION

In the taxonomy of political parties four fairly distinct types have been identified – 'machine', 'cartel', 'mass' and 'cadre' parties. The major features that distinguish the party types are the source of their resources and the nature of their mobilisation.

The 'machine' and 'cartel' types both 'rely on State resources but differ in terms of the degree to which their organisation penetrates the electorate' (Perkins 2000). 'Mass' and 'cadre' parties 'do not rely on State resources and vary based on the manner in which they mobilize the electorate' (Perkins 2000). As Perkins (2000) further points out,

Both *machine* and *cartel* parties rely on State patronage for their success ... However, *cartel* and *machine* parties differ in terms of how deeply their organisations penetrate the electorate. Obviously, they also differ in the amount of State resources they require. *Cartel* parties are organisationally weak and rely on indirect contact with the people to win elections whereas *machine* party organisations are more developed and run mass-party type campaigns utilizing more face to face contact with the public.

Just as the *machine* and *cartel* party types are similar in that they both rely on State resources and differ in terms of the degree to which their organisation penetrates the electorate, *mass* and *cadre* parties are similar in that they do not rely on State resources and vary based on the manner in which they mobilize the electorate.

Whereas mobilisation by the 'mass' party type is direct, it tends to be indirect in the case of 'cadre' parties, as the typology below, from Perkins (2000), depicts:

		Mobilisation	
		Direct	Indirect
Derivation of Resources	State	Party Machine	Cartel Party
	Private	Mass Party	Cadre Party

The lack of access to state resources and absence of public patronage in the context of the massive and direct mobilisation strategy of the LP in Ondo State cast it squarely in the mould of a 'mass' party.

To all intents and purposes the LP quickly became a phenomenon in the state. But the instant and wide acceptability it enjoyed immediately it was unveiled was a function of a number of factors. Beyond Mimiko's reputation, integrity, and personal charm was the issue of the governance failure of the preceding four years, during which Governor Agagu presided over the affairs of the state. It was clear that poverty was growing, opportunity was shrinking, and frustration was setting in for an overwhelming majority of the people. That this was happening in the context in which there was a geometric rise in revenue accruing to the state on the one hand and stories of stupendous wealth going the way of the governor

and his immediate family and closest associates on the other, was widely decried across the state. The LP deliberately played up this mass disenchantment with Agagu when it came on board. As Mimiko noted,

just before the advent of democracy in 1999, Ondo State's total budget was ₦3.719 billion. For 2006, it was ₦43.5 billion, a growth of 1,170% over the 1999 figure. Our State has had more revenues at its disposal than at any other time in its history. In fact, in relative terms, the resources available to the current administration are perhaps more than all the revenues the State had from 1976 when it was created, to 2003, when the incumbent Governor assumed office. Sadly, the State has little or nothing to show for it.

The inability and/or refusal of the incumbent State Government to take advantage of this largely favourable macro-economic template has created a fundamental disconnect between the government and our people. It is in this overall context of palpable and pervasive failure of governance in the face of so much promise that we refer, for want of a better phrase, to Ondo State under the current dispensation, as an inexcusable failure. We consider it our responsibility, in the circumstances, to take the relationship between the government and the governed to a new level. For us, mutual trust between the government and the governed is a fundamental condition for good governance.

Olusegun Mimiko 2007

Significantly, Eddy Olafeso, Ondo State commissioner for information and orientation and Agagu's top aide, apparently inadvertently gave vent to this widely-held claim of governmental ineffectiveness when he declared five months after the 14 April 2007 election that 'Poverty is rampant [in Ondo State] and there is so much hardship that people are going through on daily basis' (Olafeso 2007, p 45).

In building the party the leadership of the LP also extensively used secondary organisations already in existence and whose operations were directly or indirectly supportive of Dr Mimiko's aspirations. Some others were organisational relics of his previous attempts to run for office, the most visible being the Forum for the Reinvention of Democracy in Nigeria (FORD Nigeria), the Brighter Days Network (BDN), and the Ondo Study Group (OSG). This is apart from other independent organisations like the Centre for Policy and Democratic Practice (CENPIP), which could not, like those cited above, be dissolved into the LP but which nevertheless provided effective collaboration with the party at either the

group or individual level. Again, this is in line with the character of mass parties, which tend always to benefit from what Huntington (1968, p 70) refers to as evidence of 'revolution from below'.

Party Structure

The immediate challenge faced by the LP at its formation was to put in place a management structure that would be viable enough to trounce the PDP, the party that had ruled the country for eight unbroken years and the state for four years. This challenge comes into bolder relief when seen against the backdrop of the fact that beyond a small and modest national executive council and the bedrock of labour sympathy on which it rode into town, the LP was virtually non-existent anywhere in the country and completely unknown in Ondo State before 1 December 2006.

A few days before the official launch of the LP on 14 December its key leaders across the state, something of a caucus of frontline leaders, met under the chairmanship of Mimiko at a private house in Akure, the capital of Ondo State, and agreed on what became the state executive council of the party. Dr Olaiya Oni and Hon Marshall Omotuyi, from the northern and southern senatorial zones of the state, emerged as chairman and secretary respectively. The other levels of leadership – local government and wards – were to be constituted in the weeks following the public presentation of the party.

The decision to appoint Dr Oni, a technocrat rather than a run-of-the-mill career politician, as the first state chairman of the LP provided an immediate platform of identification for thousands of civil servants in the state, who constitute the single-most articulate and influential segment of the population. In the context of the widely held view that the incumbent governor was a protagonist of retrenchment in the service a party chaired by a man who is not only fond of the service but is highly respected by the average civil servant (Oni 1991; Oni 1999, pp 118-127) gained considerable political capital. Whatever the party lost by not appointing a hardcore politician as its head, therefore, was more than adequately compensated for by the extensive goodwill among civil servants with which Oni came into office.

The LP added a distinctive feature to party organisation in Nigeria when it came up with the idea of mini-wards, that is, breaking down wards into smaller units for organisational purposes. This was a strategic response to the urgent need for massive mobilisation required of a brand-new party determined, a few weeks after its formation, to contest effectively a major election – the context from which the 'instant noodles' characterisation takes its meaning. The mini-ward initiative soon became a platform for grassroots mobilisation, affording

hundreds of members the opportunity for leadership roles in the evolving organisation. It also facilitated the penetration of the party into the nooks and crannies of most of the constituencies in the state.

The LP's platform, entitled 'A Caring Heart', was jointly developed by party chairman Dr Oni, its gubernatorial candidate, Dr Mimiko, and Femi Mimiko, head of the Research and ICT Committee of the Mimiko Campaign. It drew extensively on a similar platform developed for the Mimiko Campaign Organisation under the Alliance for Democracy (AD) party in 2002 and had input from a wide range of individuals and groups across and beyond the state, including a body of retired permanent secretaries, associated at different levels with the party, and at least one independent private consultant based in Lagos. 'A Caring Heart' is an acronym for:

- A - Agriculture and Food Security
- C - Community-driven city and coastal region renewal and general development initiatives
- A - Aggressive capitalisation of our land resource
- R - Roads and Infrastructure
- I - Industrialisation
- N - No-to-poverty programme
- G - Gender equality and women empowerment

- H - Health Care and Housing
- E - Education and Capacity Building
- A - Artisanship development and empowerment programme
- R - Rural Development
- T - Tourism, Sports and Youth Development

Presented by the gubernatorial candidate, Olusegun Mimiko (2007), at a press conference in Akure on 19 February 2007, 'A Caring Heart' became the manifesto of the LP's campaign for the April elections.

Candidate Selection Procedure

The next challenge the LP faced was to pick candidates for the different elective positions across the state. Much of this depended on the gubernatorial candidate's extensive knowledge of the political terrain. His opinion went a long way towards helping the LP to resolve conflicts over candidature across constituencies. One guiding principle imposed by the urgency of the situation was that the time was not auspicious for open primary elections, with all their recriminatory tendencies.

While the place of internal democracy within political parties cannot be overemphasised, suffice it to note that there is a high level of fluidity in attitude to it vis à vis candidate selection procedures across democracies. In countries like the United States, Germany, Finland and New Zealand political parties are, in the words of the New Zealand Electoral Act, expected 'to follow democratic procedures in candidate selection' (cited in Perkins 2000). This is absent from the British and Nigerian systems. Indeed, in the latter, it is the established procedure that a political party reserves the right to decide through what process its candidates for elective positions emerge. Even when a legally nominated candidate is to be substituted all the Electoral Act (Federal Government of Nigeria 2006, A36) requires of a party is that the basis of the submission must be 'credible and verifiable' (s 34(2)).

Time was of the essence and the desire to avoid the bickering that inevitably follows party primaries in Nigeria compelled the LP to go for *consensus* in the selection of its candidates. In all cases, the party was able to beat the INEC deadline for the submission of names of candidates and fielded candidates for all the positions being contested in Ondo State.

Similar factors informed the choice of the party's candidate for deputy governorship, Alhaji Ali Olanusi. Olanusi was the immediate past state chairman of the PDP, with whom Mimiko had built a solid political relationship soon after the latter joined the party in 2002. Olanusi's defection and that of the state secretary, Boluwaji Kunlere, were a masterstroke from which the PDP could not recover before the elections. A key factor in his selection as the candidate for deputy governor was, therefore, to strengthen the impression that the LP had succeeded in decapitating the PDP. Kunlere was later picked as the party's senatorial candidate in the very strategic southern senatorial zone, the immediate geographical constituency of Governor Agagu.

CAMPAIGN STRUCTURE AND FUNDING

A structure for the campaign was put in place under Hon Oye Alademehin, a serving PDP legislator in the State House of Assembly and an arrow head in the Mimiko group's movement out of the PDP in 2006. Its duty was the planning and overall management of the campaign. It reported to the Central Campaign Committee (CCC) headed by the gubernatorial candidate.

The bulk of the party and campaign funding was provided by the gubernatorial candidate, who deployed his extensive contacts across the country to raise funds. And while the LP's capacity to deploy funds was nowhere near that of the PDP the leaders of the LP created the impression that the party had sufficient to fund all its critical programmes. It is, however, difficult to determine how much

each of the political parties/candidates spent and to what extent each complied with the ceiling stipulated in the Electoral Act (s 93).

Appreciating the need for a catchy slogan and jingle for the campaign, LP leaders spent a considerable amount of time selecting one from a host of commissioned jingles. Emphasis was on a fast-paced, danceable and lyrically deep jingle, colourfully packaged for the purpose of audio-visual advertisements. It eventually chose a rendition by an undergraduate in a state university.

The LP chose as its slogan 'Room Enough For All!'. This was inspired by the biblical 'Rehoboth', suggesting that the party would provide something for every citizen in its social welfare programmes. This was in contradistinction to Governor Agagu, who, immediately after coming into office, enunciated the idea of a 'compact government', leaving out many of the party cadres who had worked for his election and creating the impression that government was serving only the interest of the elites and the governor's own family members.

ELECTION ADMINISTRATION

The Deputy Chairman of the LP, Kayode Iwakun, was responsible for outlining issues relating to election administration, among them disbursement of funds/fund administration, deployment of party agents to man units, coordination of security for polling stations, especially where there were credible threats to persons and election materials, and collation and monitoring of results. A total of 3 900 polling units across the state had to be covered.

The LP was also involved in communication on the day of the elections. It was envisaged that the federal government might compel global system of mobile communication (GSM) telephone service providers to shut down operations, ostensibly for security reasons, but actually to limit communication and make it easier for the PDP to succeed in vote rigging. It was thought that even where a shutdown was not ordered the chances of effective service provision were remote, given the inevitable overloading of facilities on election day. In an effort to counteract this, the LP leased 25 mobile phones, each loaded with \$100 worth of airtime. These were distributed to key leaders of the party with a view to ensuring unimpeded communication with the information and communication technology (ICT) centre on the one hand and among party leaders on the other. Significantly, the nature of the violence and insecurity abroad on election day made it impossible for most of these leaders to put the facility to use.

The ICT centre was designed as a results and information collation centre to which all the key agents, through the Thuraya-empowered leaders, were to relay results as they became available. Again, because of the general crisis that defined election day this agency could not achieve much as there was virtually no

communication with the centre from the field except to report the growing spate of violence against LP agents and supporters across the state.

CONCLUSION

THE LP AND THE CHALLENGE OF INSTITUTIONALISATION

The result of the gubernatorial election, as announced by INEC, gave victory to the incumbent governor over Dr Mimiko. Mimiko and the LP are contesting the result before the Election Petition Tribunal sitting in Akure. Whichever way the case goes it will throw up fresh issues for analysis. These can obviously not be addressed in a paper of this nature.

One thing that is clear, however, is that the emergence of the LP in Ondo State politics and the rapidity with which it attained dominance after just four months is unprecedented in the history of party formation in the country. More than anything else, this has validated the theoretical postulation that 'the process of party formation is highly dependent on the structural and institutional context of the individual politicians ...' (Perkins, 2000). It also demonstrates the political savvy of the citizenry of Ondo State, who chose to support an individual (Mimiko) in whom they had confidence despite the newness of his party rather than to pander to the proposition that alignment with an established party or 'the political mainstream' was to be preferred (See Yoruba Progressive Union 2007, p 23 for such an argument). The LP phenomenon is also perhaps a testimony to the effectiveness of the leaders of the party with relation to party formation and organisation and grassroots mobilisation. But while all of these were consequent upon the space provided for political engagement in the country, as represented by the new, freer party formation and administration process, the bungling of the 2007 elections and the wanton deployment of state power in support of the PDP by the Obasanjo government detracted from a deepening of the democratic process that should have been its natural accompaniment.

Apart from the governance challenge a possible victory in the gubernatorial election at the tribunal may confer on it, the LP will continue to face the challenge of institutionalisation in the foreseeable future. Party institutionalisation consists of three broad components: leadership, financing, and candidate nomination, and 'the more routinized and autonomous the procedures for recruiting, promoting and selecting party leaders, for collecting revenues and for nominating candidates to public office, the more institutionalized the party' (Malamud nd).

Because of all the above variables the LP, like most of the relatively new (post-1999) parties, is still at a very rudimentary stage, but the fact that it is set to take control of a key, politically conscious state in the sophisticated Yoruba heartland indicates that it has the potential to build the capacity to endure. The

critical questions that emerge are whether the party will be able to stand alone and extend beyond the frontiers of Ondo State or will be compelled to be absorbed into or align with some of the larger political parties. The prediction of the state chairman that the LP will come to dominate the entire south-west geopolitical zone of Nigeria by the 2011 elections is based on what he regards as the mass appeal of the party's programme and the commitment to good governance on the part of its leaders in Ondo State (Oni 2007) and points to the fact that the party leadership is already engaged in thinking about its future.

The optimism of the leadership must, however, be tempered by the fact that over the years the mushrooming of political parties in Nigeria has successfully undermined any institutionalisation agenda. For many countries the historical abnegation of the democratic system, via military coups, for instance, is not enough to undermine the structures and orientation, if not the names, of political parties, as the cases of the National League for Democracy in Myanmar, Partido Revolucionario Institucional in Mexico, the Union Civica Radical and the Movimiento Peronista or Partido Justicialista in Argentina, and the Pakistan Peoples Party have demonstrated. In Nigeria, however, the high turnover of political parties is underscored by the eagerness of politicians to start the party formation exercise all over again, and with very exotic names for the new parties, each time there is a form of reversal to the democratic system. How these issues will play out vis à vis the LP remains in the realm of conjecture.

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PARTY FORMATION AND ELECTORAL CONTEST IN NIGERIA

The Labour Party and the 2007 Election in Ondo State

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ABSTRACT

While principles like popular participation, accountability and majority rule, rather than institutions, define the framework of democracy the primacy of political parties therein cannot be overemphasised. Indeed, the effectiveness of political parties is directly proportional to the degree of resilience democracy enjoys. The deepening of the democratic system which should ordinarily accompany the paradigmatic shift in Nigeria's highly restrictive party formation system effective November 2002 was, however, lost through the widespread manipulation of the April 2007 elections by President Olusegun Obasanjo's PDP government. Yet the intervention of the Labour Party in the politics of Ondo State remains undiminished by the widespread abuse of the electoral process, validating the hypothesis that 'the process of party formation is highly dependent on the structural and institutional context of the individual politicians ...' (Perkins 2000); and that the capacity of a political party is largely a function of its organisational structure, itself influenced by the wider prevailing governance structure within which it operates. Even so, the LP faces the challenge of institutionalisation in the context in which it exists virtually in only one state, and in a country where the tortuous democratic transition trajectory is defined and undermined by the mushrooming of political parties.

THE CONTEXT POLITICAL PARTIES, ELECTIONS AND DEMOCRACY

It is in the nature of social interests to be inchoate, nebulous, fluid and unstructured. The management of this maze of special interests, with their sheer number and naturally conflicting outlook, essentially defines state-society relations. The difficulties attendant on managing such interests attain a critical dimension in the context of 'changing societies', enormously challenged by the 'revolution of rising expectations'. In practical terms, these particularistic interests, unstructured as they are, are hardly useful as a basis for the pursuit and deployment of state power via a democratic system. The need to process them into wholesome forms as inputs into the decision-making system, therefore, makes political parties imperative.

As Huntington (1968, p 196) argues, strong political institutions, including political parties, are a desideratum in a democracy. The political order which defines an effective political regime 'requires political structures equal to the task of "mediating, refining, and moderating" societal demands' (Huntington 1968, p 196; Perkins 2000). This precisely underscores the centrality of political parties in a democracy. Indeed, 'without well-developed parties as a buffer, the State is constantly battered and endangered by societal demands' (Perkins 2000). For all their faults, Sklar (2004, p xxi) argues, 'there are no substitutes for voluntary political parties in constitutional democracies'. For these reasons attempts to graft democratic institutions on zero-party (non-partisan) arrangements have historically come to grief. Thus, even in the best of zero-party democratic systems, where they last long enough, identifiable political tendencies in society invariably take on structures hardly distinguishable from those of formal political parties.

There exists, therefore, an organic link between political parties and democracy, such that where parties are weak the democratic process offers limited possibilities for consolidation. Indeed, I argue that the strength and effectiveness of political parties is directly proportional to the degree of resilience democracy enjoys. This is because a credible electoral process is sacrosanct to democracy, and it is in relation to elections that the prospects of (new) democracies are actually gauged, and the degree of their weakness ascertained. Thus the literature defines the periodicity and success of elections in which there is alternation of power between political parties, or what Malamud (nd) refers to as 'a full-fledged polyarchic regime', as a measure of the resilience and sustainability of democracy. Meanwhile, in the absence of political parties elections are difficult to manage, and are inconsequential and thereby ineffectual in modern, representative democracies. Herein lies the unbroken link between political parties, elections and liberal democracies.

The critical areas of focus in any scholarly study of political parties are social base, ideological content and organisational structure (Panebianco 1988, in Malamud nd). While these are all closely interwoven, in practical terms the critical platform through which sense is made of the other variables is organisational structure. A political party with a decrepit organisational structure cannot take advantage of an appropriate social base and make meaning of a clear ideological outlook.

In contradistinction good organisation may serve to overcome the limitations ordinarily imposed by a rustic social base and absence of ideological rigour in a political party. It would thus be appropriate to argue that the capacity or overall effectiveness of a political party is largely a function of its organisational structure, with the latter largely influenced by the wider prevailing governance structure within which such a political party emerges and exists. These provide the conceptual context within which the subject of party formation and electoral context in Nigeria's fledgling democracy is interrogated.

What is the regime of laws governing the formation and operation of political parties in Nigeria? Do they facilitate or impair the effectiveness of the party system? What implications do they have for the electoral system? Do the identified variables – social base, ideology and organisational structure – provide a useful tool for an adequate appreciation of political parties and the party system in Nigeria? These are the key questions this paper seeks to answer using the empirical evidence presented by the emergence and involvement of the Labour Party in the 2007 elections in Ondo State as the principal unit of reference.

Ondo State, one of Nigeria's 36 states, was created in 1976 out of the old Western State in the Yoruba heartland (Mimiko 1995, pp 91-94). It is the fifth-largest producer of crude oil in Nigeria, making it effectively one of the richest states in the country, with an average monthly income of about ₦4-billion since 2003 and a population of a little less than four million. With a long history of Western education Ondo State is widely regarded as one of the most enlightened, critical and politically sophisticated in the country. It also has a robust history of violent resistance to electoral manipulation, which has effectively become a reference point in the study of electoral violence in Nigeria (Apter 1987; Kolawole 1988, pp 135-143). In tandem with the country, Ondo State has passed through bouts of military and civil *democratic* regimes, with very few of them having demonstrated the requisite capacity and governmental effectiveness for institutional legitimisation. Infrastructures are decrepit, poverty is endemic and alienation, underscored by widespread distrust in government, its institutions and operatives, is deep. But in the context of Nigeria's highly prebendal and rent-seeking political economy, this is not regarded as out of tune with the general trend (Mimiko 2006a, pp 1-21).

The participant-observatory framework provided an apposite platform for this study. The author, as Head of the Research and ICT Project of the LP in Ondo State, was a participant-observer in the entire process of the evolution of the party, the development of its platform and the building of its structures. The following therefore effectively amounts to first-hand information, without which a study of this nature might be difficult to conduct.

THE PARTY FORMATION SYSTEM IN NIGERIA

Political party formation has followed a particular pattern in Nigeria's long standing, albeit tortuous, efforts at democratisation. At independence the formal approval of government before a party was allowed to operate was not really required. The requirement for government registration as a condition for operation was introduced via the democratisation programme of the Murtala Muhammed / Olusegun Obasanjo military government in 1978/1979. Two decades later, a pattern similar to that of the pre-military era played itself out with the 8 November 2002 Supreme Court judgement rejecting the Independent National Electoral Commission's (INEC) claim to a constitutional mandate to register political parties. All that was required, the Supreme Court ruled, was that a political party notify INEC of its desire to be involved in the electoral process. This paradigm shift facilitated an increase in the number of political parties in Nigeria from three in 1999 to 52 before the April 2007 elections.

One critical problem with the democratisation programmes the country had been through since 1979 was the suffocation attendant upon official regulation of the number of political parties. This injected a degree of stress into the electoral system that detracted sharply from stability. The *laissez-faire* approach to party formation that has existed since late 2002, on the other hand, has opened up the democratic space, making for less acrimony. The former arrangement made for the existence of distinct tendencies in the same parties, which invariably undermined the basis for harmony. The fact that all tendencies, groups and individuals are free to pursue their political fortune elsewhere if and when a party becomes incapable of providing them with an appropriate platform makes for overall stability in the system. In practical terms, the magnitude of the crisis attendant upon the feud between President Olusegun Obasanjo and Vice-President Atiku Abubakar for much of their second term in office would have been enough to damage fatally the fledgling transition to democracy but for the open space the new party registration schedule provided.

It should be noted that there are administrative constraints even in this relatively freer regime. Political parties are expected to focus on and, indeed, comply with the principle of federal character in appointing their officials. They

are also expected to locate their headquarters in the Federal Capital Territory. Although these fine details are hardly enforced after the formal approval by INEC of the entry of a political party into the electoral process, they nevertheless represent substantive constraints, which limit the freedom of individuals to form and operate political parties, especially those dedicated to special interests which do not necessarily have a national outlook.

It should also be noted that few Nigerian political parties have achieved or put in place a credible degree of internal democracy consistent with the minimum global standard. This is most evident in the candidate selection process, which has constantly changed in orientation, but not in form, from one in which a party mandarin, the presidential candidate or leader simply anoints candidates to one where the conditions for holding internal primary elections are so warped as to make vote rigging and corruption their most significant features. In some cases, even when primaries have been fought and won, the party leadership, which often equates to a single individual or, at best, a tiny caucus reserves the right to substitute such candidates with others who have never participated in such primary elections. Yet, as Gauja (2006, pp 1-8) argues, intra-party democracy remains potentially 'an effective means of increasing political participation, awareness and strengthening the legitimacy of parties as a key linkage between (government) and the electorate'.

Historically, ideology has played a very minor role in the formation and operation of political parties in Nigeria and the role has tended to shrink with the collapse of each transition programme. The difference between the socialism of the Alliance for Democracy (AD)/Unity Party of Nigeria (UPN) of the First and Second republics and the capitalism of the Northern Congress (NPC)/National Party of Nigeria (NPN) is therefore merely in the degree of efficiency and effectiveness the former sought to bring to the dominant capitalist orientation of the country. This reality is neatly captured in the 'a little to the left, a little to the right' cliché decreed for the Social Democratic Party (SDP) and the National Republican Convention (NRC) in the nation's Third Republic. This is why Nigeria's political parties have exhibited significantly similar orientation and behaved in identical ways in government over the years, all of them apparently committed to the dominant ideology of the dependent-capitalist enterprise (Mimiko 1999, pp 129-159).

Thus, in the context of limited ideological differentiation, the most important factor informing which party the average politician chooses to align with is the calculation of which of the hordes of parties/candidates is most likely to win an impending electoral contest. It has very little to do with an assessment of which party or candidate best represents the interests of the larger society. In this calculation dispassionate political analysis is as important as the counsel of

stargazers and the prophecies of orthodox and non-orthodox religious leaders. Party politicking inevitably, in the circumstances, becomes strictly a platform for elite negotiation of power as an end in itself, or, at best, a means to attain a degree of personal aggrandisement.

I argue that it is this very limited space for democratic expression in the parties and not as much the absence of clearly defined ideology which promotes the phenomenon of floor crossing and the attendant instability in the Nigerian political system. If fluid ideological orientation makes it easy for individuals and groups to move from one party to another without much stress it is the lack of internal democracy that constitutes the actual trigger-factor for floor crossing. All these realities had important implications for the 1999 elections and the overall outcome of the transition programme, as demonstrated in the next section.

POLITICAL MACHINE AND ELECTORAL CHALLENGE

Considered against the backdrop of the widely perceived, if tacit, endorsement of the People's Democratic Party (PDP) by the democratising military junta in 1999 (Mimiko 2004a, pp 83-97), it was a forgone conclusion that the party would become the single largest, both in terms of membership and, subsequently, in terms of the number of states it won, apart from the presidency – the ultimate prize in the Nigerian political system.

In addition to the presidency it won 19 of 36 states in 1999, 26 in 2003 and 29 in 2007 – establishing a clear pattern of transition from a one-party-dominant state to a one-party state. By the time it was fully settled into government in the early years of President Obasanjo's first term the PDP had paraded the key feature of a political machine – the use of 'public resources to support party and campaign operations', with political 'bosses' using their patronage 'to build stronger, more penetrative party organisations' (Perkins 2000). The insistence of Yar'Adua on a government of national unity and attempts to re-position the PDP by bringing back estranged members who are comfortably ensconced in other parties may further consummate this drive for a single-party system (Obi 2007).

Meanwhile, in line with the tendency for constitutional concentration common to the African political system (Mimiko 2006b, pp 189-202) and the idiosyncrasy of the men at the head of the government since 1999, the PDP succeeded in further consolidating the emergent unitary system, which belies the advertised commitment of the Nigerian Constitution to federalism. The situation today is such that the country is, more than at any other time in its long history of democratic experimentation, more centralised, creating one of its more important contradictions, in which a liberalising economic regime was delivered on the crutches of a centralised political system and in which the space for mass

participation, in spite of the existence of so many political parties, continues to shrink (Mimiko 2004b).

At no time was this tendency more pronounced than in the months before the 2007 election. President Obasanjo deployed the machinery of state to harangue his personal and his party's opponents and announced that the elections would be a 'do-or-die, life-or-death' exercise in which the PDP would brook no opposition and in which any resistance to the all-conquering proclivity of the party would be met with maximum force. Predictably, both local and foreign observers, including the European Union Election Observation Mission (2007, p 1) were virtually unanimous in regarding the election as the worst in the nation's history, falling 'far short of basic international and regional standards for democratic elections'.

The major formation confronting the PDP machine in the elections in Ondo State was the Labour Party (LP). Formed in the state on 1 December 2006, the LP was effectively four months and 14 days old by the election of 14 April 2007. The alacrity with which a defined political constituency (ie, Ondo State citizenry) embraced the LP was phenomenal and unprecedented in the history of party formation in Nigeria, however, its experience in the 2007 elections was not too different from that of the other political parties which stood against the PDP machine in virtually all the states of the federation. I return to this theme below.

LP INTERVENTION IN ONDO STATE

The LP was initially registered (in 2002) as the party for Social Democracy (PSD). Its registration followed the Supreme Court judgement of November 2002, which wholly liberalised the nation's party registration procedure. Its main promoter was the Nigerian Labour Congress (NLC), with Sylvester Ejiofor, a veteran of many labour struggles, as its first national chairman. Its mission is to 'address the issue of political power not as an end, but as the vehicle for the transformation of the country and for governance consistent with the ideology of Social Democracy' (LP 2006, p 5). It seeks to 'promote and defend social democratic principles and ideals for the purpose of achieving social justice, progress and people's democracy and unity in the country' (LP 2006, p 8).

No specific features distinguish the LP from the average middle-of-the-road political party. Although it identifies itself as socialist, its manifesto captures, at best, an aspiration to social democracy – in line with virtually all the parties in the country. The absence of a clear-cut ideological perspective can be gleaned from the party's view on the economy. While it desires an 'activist developmental role' for the state, with a view to making it 'a major player in the strategic sectors', it nevertheless seeks to 'engage [not oppose] the phenomena of globalization

and liberalization by adopting a cautious and step-to-step approach based on the country's national interest'.

The LP does not oppose privatisation. Rather, it seeks to avoid 'a doctrinaire approach to privatization without compromising a case-by-case privatization'. For the party 'public enterprise privatization needs to be undertaken side by side with establishment of adequate regulatory institutions that would safeguard consumer and employee interests and ensure that the big public enterprises also play the role of responsible corporate citizens' (LP 2006, pp 11-12). The party insists on 'providing basic social welfare services for the socio-economic benefits of the citizens' (LP 2006, p 13). It seeks to 'restore the credibility of the economy not by repeating the dogma of IMF and World Bank but ensuring ... consistent and creative policy measures aimed at genuine reform and transformation of the economy'. Thus, without any ideological purity to speak of, the LP remains essentially a middle-of-the-road formation, albeit one with 'a rich heritage of progressive and labour-based intervention in national politics' (LP 2006, p 3).

With the change in name came a change in the leadership of the party. Barrister Dan Nwanyanwu and Alhaji A A Salam, the personification of the well-educated and cosmopolitan wing of Nigeria's labour leadership, were given custody as national chairman and national secretary respectively. While neither was a prominent national figure by whom the party could be easily identified, they immediately set out to expand its membership base with a view to ensuring credible participation in the 2007 elections.

Unlike the situation at the national level, where the LP could not easily be identified with a leading politician, in Ondo State it made its mark through Dr Olusegun Mimiko, whose participation in politics dates back to 1980, when he joined the UPN soon after graduating from medical school. He was a leader in the Ondo State chapter of the SDP from 1989-1991 and emerged after the general election of 1991 as commissioner for health. Governor Bamidele Olumilua's government, under which he served, was terminated by General Sanni Abacha's military junta in November 1993.

As a foundation member of the AD in 1998 Mimiko returned to public office with the victory of the party in 1999, when he was again appointed to the Cabinet as health commissioner. In November 2002 a number of complex political developments, including what he called 'the limited opportunity for democratic expression' in the AD, made him dump the party for the PDP, where, having contributed substantially to the election of Dr Segun Agagu as governor and Obasanjo as president, he was appointed secretary to the state government in May 2003. By July 2005 Dr Mimiko was Federal Minister for Housing and Urban Development in Obasanjo's PDP government.

In spite of what looked like his steady rise in PDP structures it had become

obvious by the close of 2006 that the party would not serve Mimiko as a platform for the realisation of his ambition to be governor. Incumbent Governor Agagu had reneged on his promise during the campaign in 2003 to remain in office for only a single four-year term. And in consonance with the emergent complex interplay of political forces in the PDP at the national level Dr Agagu insisted on controlling the entire processes of the party in his own state, leaving no space for democratic participation in the choice of the party's flag-bearer for the 2007 elections. Meanwhile, Dr Mimiko's ambitions, which were well known within the party, had earned him official opprobrium and thinly veiled attacks from party apparatchiks and stalwarts already favoured in the governor's distribution of political patronage. By the middle of 2006 it had become obvious that a level playing field for the conduct of a credible primary election was not going to be available within the PDP either for Dr Mimiko or for any other opponent of the governor. Mimiko (2007) puts this in context.

At a point in the year 2003, it became obvious that the basis for democratic engagement no longer existed on the platform on which our State stood then.

The internal democratic mechanism for change within ... AD was abused and sabotaged. We reckoned then that there was no way new ideas for development would have flourished in such a restricted political space. We therefore decided, after the requisite consultations, that it was time to join hands with others to reposition our dear Ondo State if we as leaders must not continue to be limited in our vision and Ondo State hesitant in harnessing the developmental opportunities that beckoned at that historical juncture. That was the context in which we decided to lend our support to the incumbent Governor who was then the candidate of ... PDP.

Though the initial signal of primordial preferences were worrisome, we still thought that the Governor (Agagu) would manage to put Ondo State on a path of sustainable development, especially with the length of time spent on planning. By early 2005, however, it had actually become obvious that the State Government was on the way to making a colossal shipwreck of the vision that produced the electoral victory of April 2003. Unfortunately, the discreet but concerted efforts of men and women of goodwill to salvage what remained of the contract with the good people of Ondo State had not come to fruition before July 2005 when I had to leave office as SSG following my appointment by President Olusegun Obasanjo as the Federal Minister of Housing and Urban Development.

Significantly, this was not the first time Dr Mimiko had found himself in such a political quandary. As an aspirant council chairman in the Ondo local government in 1989, he could not persuade the party (SDP) leaders to support him. In the Democratic Party of Nigeria (DPN) in 1998 he had to jettison his gubernatorial ambitions and run for the Senate when it became clear that the party was split down the middle over whom to field. Again, in November 2002, the AD's refusal to permit free primaries for the choice of candidates for elective positions, despite the provisions of the party's constitution, resulted in Mimiko's decision to quit the party. With the unfolding events in the state PDP, it was thus obvious by the middle of 2006 that Mimiko needed a fresh platform on which to present himself to the people of Ondo State if he was to avoid the problem of unfavourable intra-party configurations which made it impossible for him to contest elections even where his mass appeal outside was not in doubt. Contesting the primary election in the PDP only to move from the party after a possible loss of the election would have presented a moral burden for Mimiko. Such a course of action would have brought back memories of November 2002 when he had to withdraw from the Alliance for Democracy (AD) when its leadership decided to simply adopt the incumbent Governor, Adebayo Adefarati, to run for a second term rather than allow a primary election to produce the party's candidate.

The Action Congress (AC), which had emerged as the dominant opposition party with which Vice-President Atiku Abubakar was aligned, was not a viable option for Mimiko. By mid-2006 the party was already well known in most states. It had identifiable structures and the high profile attendant upon its being substantially promoted by a crusading vice-president and by Bola Tinubu of Lagos, arguably the most progressive and successful state governor in the country. While accommodation within the AC would have given Mimiko the advantage of a national platform of support, he felt very strongly that it would be morally indefensible for him to join a party regarded as the major opposition to Obasanjo immediately after withdrawing from the latter's Cabinet.

There was also the possibility that the intra-party crisis consequent upon Mimiko joining the AC might be strong enough to deny him the party's gubernatorial ticket or that if he won the process might be so acrimonious as to give the electorate the impression that neither candidate nor party was to be taken seriously. A struggle would be inevitable in the light of indications that Agagu had planted an acolyte of his, Ademola Adegoroye, an AC governorship aspirant, to stand against Mimiko in the event of the latter deciding to use the party as a platform for contesting the governorship. This fear was subsequently given credibility in June 2007 by Adegoroye's decision to endorse Agagu, albeit to the disgust of many of his party members. He was subsequently suspended from the party.

Finally, the AC could offer no advantage in terms of existing structure in Ondo State which might especially attract Mimiko.

The paradox for Mimiko was that it was precisely the fact that the LP did not exist in the state before 1 December 2006 and that therefore there would be limited interest in the governorship ticket which constituted its main advantage over the established political parties. For Mimiko the choice of a platform which promised relative internal tranquillity was compelling. The situation would reduce the possibility of dissipating energy and wasting funds on a recriminatory primary election and allow the focus to be on the general elections just a few months ahead. An added attraction was the LP's progressive, labour-oriented outlook, largely contingent upon its name and the possibility of its being positioned as a labour-friendly party in an essentially blue-collar (civil service) state like Ondo.

Mimiko's conviction and that of his close aides of his state-wide acceptability and their confidence that the people understand that it is the individual who gives effect to a party's policy made the choice of the LP compelling. By choosing a party which had not existed four months before an election in which he was a candidate, Mimiko, perhaps unwittingly, underscored the viability of independent candidacy, an arrangement that was not provided for in the 1999 Constitution.

His decision taken, Dr Mimiko formally presented the party to a cross-section of his political supporters at Ondo on 1 December 2006. Thirteen days later the party was unveiled at a rally in Akure. National Chairman Nwanyanwu formally presented Mimiko as the party's gubernatorial candidate for Ondo State.

It must be noted that Mimiko's pivotal role in the emergence and growth of the LP in Ondo State was in sync with theoretical expositions on party formation. For, as Perkins (2000) argues, 'the process of party formation is highly dependent on the structural and institutional context of the individual politicians ...' The suggestion that the LP was *merely* four months old before the elections of April 2007 was therefore contextually incorrect. For parties are themselves inanimate objects. It is the people who populate them who inject life and relevance into them. The appropriate way to determine the inherent strength of the LP, therefore, is to look at the entire 'structural and institutional context' of the individual who served as its key promoter rather than the date of its formal presentation to the public.

THE 'INSTANT NOODLES' EXPERIENCE ERECTING A PARTY STRUCTURE *IN* ELECTION

In the taxonomy of political parties four fairly distinct types have been identified – 'machine', 'cartel', 'mass' and 'cadre' parties. The major features that distinguish the party types are the source of their resources and the nature of their mobilisation.

The 'machine' and 'cartel' types both 'rely on State resources but differ in terms of the degree to which their organisation penetrates the electorate' (Perkins 2000). 'Mass' and 'cadre' parties 'do not rely on State resources and vary based on the manner in which they mobilize the electorate' (Perkins 2000). As Perkins (2000) further points out,

Both *machine* and *cartel* parties rely on State patronage for their success ... However, *cartel* and *machine* parties differ in terms of how deeply their organisations penetrate the electorate. Obviously, they also differ in the amount of State resources they require. *Cartel* parties are organisationally weak and rely on indirect contact with the people to win elections whereas *machine* party organisations are more developed and run mass-party type campaigns utilizing more face to face contact with the public.

Just as the *machine* and *cartel* party types are similar in that they both rely on State resources and differ in terms of the degree to which their organisation penetrates the electorate, *mass* and *cadre* parties are similar in that they do not rely on State resources and vary based on the manner in which they mobilize the electorate.

Whereas mobilisation by the 'mass' party type is direct, it tends to be indirect in the case of 'cadre' parties, as the typology below, from Perkins (2000), depicts:

		Mobilisation	
		Direct	Indirect
Derivation of Resources	State	Party Machine	Cartel Party
	Private	Mass Party	Cadre Party

The lack of access to state resources and absence of public patronage in the context of the massive and direct mobilisation strategy of the LP in Ondo State cast it squarely in the mould of a 'mass' party.

To all intents and purposes the LP quickly became a phenomenon in the state. But the instant and wide acceptability it enjoyed immediately it was unveiled was a function of a number of factors. Beyond Mimiko's reputation, integrity, and personal charm was the issue of the governance failure of the preceding four years, during which Governor Agagu presided over the affairs of the state. It was clear that poverty was growing, opportunity was shrinking, and frustration was setting in for an overwhelming majority of the people. That this was happening in the context in which there was a geometric rise in revenue accruing to the state on the one hand and stories of stupendous wealth going the way of the governor

and his immediate family and closest associates on the other, was widely decried across the state. The LP deliberately played up this mass disenchantment with Agagu when it came on board. As Mimiko noted,

just before the advent of democracy in 1999, Ondo State's total budget was ₦3.719 billion. For 2006, it was ₦43.5 billion, a growth of 1,170% over the 1999 figure. Our State has had more revenues at its disposal than at any other time in its history. In fact, in relative terms, the resources available to the current administration are perhaps more than all the revenues the State had from 1976 when it was created, to 2003, when the incumbent Governor assumed office. Sadly, the State has little or nothing to show for it.

The inability and/or refusal of the incumbent State Government to take advantage of this largely favourable macro-economic template has created a fundamental disconnect between the government and our people. It is in this overall context of palpable and pervasive failure of governance in the face of so much promise that we refer, for want of a better phrase, to Ondo State under the current dispensation, as an inexcusable failure. We consider it our responsibility, in the circumstances, to take the relationship between the government and the governed to a new level. For us, mutual trust between the government and the governed is a fundamental condition for good governance.

Olusegun Mimiko 2007

Significantly, Eddy Olafeso, Ondo State commissioner for information and orientation and Agagu's top aide, apparently inadvertently gave vent to this widely-held claim of governmental ineffectiveness when he declared five months after the 14 April 2007 election that 'Poverty is rampant [in Ondo State] and there is so much hardship that people are going through on daily basis' (Olafeso 2007, p 45).

In building the party the leadership of the LP also extensively used secondary organisations already in existence and whose operations were directly or indirectly supportive of Dr Mimiko's aspirations. Some others were organisational relics of his previous attempts to run for office, the most visible being the Forum for the Reinvention of Democracy in Nigeria (FORD Nigeria), the Brighter Days Network (BDN), and the Ondo Study Group (OSG). This is apart from other independent organisations like the Centre for Policy and Democratic Practice (CENPIP), which could not, like those cited above, be dissolved into the LP but which nevertheless provided effective collaboration with the party at either the

group or individual level. Again, this is in line with the character of mass parties, which tend always to benefit from what Huntington (1968, p 70) refers to as evidence of 'revolution from below'.

Party Structure

The immediate challenge faced by the LP at its formation was to put in place a management structure that would be viable enough to trounce the PDP, the party that had ruled the country for eight unbroken years and the state for four years. This challenge comes into bolder relief when seen against the backdrop of the fact that beyond a small and modest national executive council and the bedrock of labour sympathy on which it rode into town, the LP was virtually non-existent anywhere in the country and completely unknown in Ondo State before 1 December 2006.

A few days before the official launch of the LP on 14 December its key leaders across the state, something of a caucus of frontline leaders, met under the chairmanship of Mimiko at a private house in Akure, the capital of Ondo State, and agreed on what became the state executive council of the party. Dr Olaiya Oni and Hon Marshall Omotuyi, from the northern and southern senatorial zones of the state, emerged as chairman and secretary respectively. The other levels of leadership – local government and wards – were to be constituted in the weeks following the public presentation of the party.

The decision to appoint Dr Oni, a technocrat rather than a run-of-the-mill career politician, as the first state chairman of the LP provided an immediate platform of identification for thousands of civil servants in the state, who constitute the single-most articulate and influential segment of the population. In the context of the widely held view that the incumbent governor was a protagonist of retrenchment in the service a party chaired by a man who is not only fond of the service but is highly respected by the average civil servant (Oni 1991; Oni 1999, pp 118-127) gained considerable political capital. Whatever the party lost by not appointing a hardcore politician as its head, therefore, was more than adequately compensated for by the extensive goodwill among civil servants with which Oni came into office.

The LP added a distinctive feature to party organisation in Nigeria when it came up with the idea of mini-wards, that is, breaking down wards into smaller units for organisational purposes. This was a strategic response to the urgent need for massive mobilisation required of a brand-new party determined, a few weeks after its formation, to contest effectively a major election – the context from which the 'instant noodles' characterisation takes its meaning. The mini-ward initiative soon became a platform for grassroots mobilisation, affording

hundreds of members the opportunity for leadership roles in the evolving organisation. It also facilitated the penetration of the party into the nooks and crannies of most of the constituencies in the state.

The LP's platform, entitled 'A Caring Heart', was jointly developed by party chairman Dr Oni, its gubernatorial candidate, Dr Mimiko, and Femi Mimiko, head of the Research and ICT Committee of the Mimiko Campaign. It drew extensively on a similar platform developed for the Mimiko Campaign Organisation under the Alliance for Democracy (AD) party in 2002 and had input from a wide range of individuals and groups across and beyond the state, including a body of retired permanent secretaries, associated at different levels with the party, and at least one independent private consultant based in Lagos. 'A Caring Heart' is an acronym for:

- A - Agriculture and Food Security
- C - Community-driven city and coastal region renewal and general development initiatives
- A - Aggressive capitalisation of our land resource
- R - Roads and Infrastructure
- I - Industrialisation
- N - No-to-poverty programme
- G - Gender equality and women empowerment

- H - Health Care and Housing
- E - Education and Capacity Building
- A - Artisanship development and empowerment programme
- R - Rural Development
- T - Tourism, Sports and Youth Development

Presented by the gubernatorial candidate, Olusegun Mimiko (2007), at a press conference in Akure on 19 February 2007, 'A Caring Heart' became the manifesto of the LP's campaign for the April elections.

Candidate Selection Procedure

The next challenge the LP faced was to pick candidates for the different elective positions across the state. Much of this depended on the gubernatorial candidate's extensive knowledge of the political terrain. His opinion went a long way towards helping the LP to resolve conflicts over candidature across constituencies. One guiding principle imposed by the urgency of the situation was that the time was not auspicious for open primary elections, with all their recriminatory tendencies.

While the place of internal democracy within political parties cannot be overemphasised, suffice it to note that there is a high level of fluidity in attitude to it vis à vis candidate selection procedures across democracies. In countries like the United States, Germany, Finland and New Zealand political parties are, in the words of the New Zealand Electoral Act, expected 'to follow democratic procedures in candidate selection' (cited in Perkins 2000). This is absent from the British and Nigerian systems. Indeed, in the latter, it is the established procedure that a political party reserves the right to decide through what process its candidates for elective positions emerge. Even when a legally nominated candidate is to be substituted all the Electoral Act (Federal Government of Nigeria 2006, A36) requires of a party is that the basis of the submission must be 'credible and verifiable' (s 34(2)).

Time was of the essence and the desire to avoid the bickering that inevitably follows party primaries in Nigeria compelled the LP to go for *consensus* in the selection of its candidates. In all cases, the party was able to beat the INEC deadline for the submission of names of candidates and fielded candidates for all the positions being contested in Ondo State.

Similar factors informed the choice of the party's candidate for deputy governorship, Alhaji Ali Olanusi. Olanusi was the immediate past state chairman of the PDP, with whom Mimiko had built a solid political relationship soon after the latter joined the party in 2002. Olanusi's defection and that of the state secretary, Boluwaji Kunlere, were a masterstroke from which the PDP could not recover before the elections. A key factor in his selection as the candidate for deputy governor was, therefore, to strengthen the impression that the LP had succeeded in decapitating the PDP. Kunlere was later picked as the party's senatorial candidate in the very strategic southern senatorial zone, the immediate geographical constituency of Governor Agagu.

CAMPAIGN STRUCTURE AND FUNDING

A structure for the campaign was put in place under Hon Oye Alademehin, a serving PDP legislator in the State House of Assembly and an arrow head in the Mimiko group's movement out of the PDP in 2006. Its duty was the planning and overall management of the campaign. It reported to the Central Campaign Committee (CCC) headed by the gubernatorial candidate.

The bulk of the party and campaign funding was provided by the gubernatorial candidate, who deployed his extensive contacts across the country to raise funds. And while the LP's capacity to deploy funds was nowhere near that of the PDP the leaders of the LP created the impression that the party had sufficient to fund all its critical programmes. It is, however, difficult to determine how much

each of the political parties/candidates spent and to what extent each complied with the ceiling stipulated in the Electoral Act (s 93).

Appreciating the need for a catchy slogan and jingle for the campaign, LP leaders spent a considerable amount of time selecting one from a host of commissioned jingles. Emphasis was on a fast-paced, danceable and lyrically deep jingle, colourfully packaged for the purpose of audio-visual advertisements. It eventually chose a rendition by an undergraduate in a state university.

The LP chose as its slogan 'Room Enough For All!'. This was inspired by the biblical 'Rehoboth', suggesting that the party would provide something for every citizen in its social welfare programmes. This was in contradistinction to Governor Agagu, who, immediately after coming into office, enunciated the idea of a 'compact government', leaving out many of the party cadres who had worked for his election and creating the impression that government was serving only the interest of the elites and the governor's own family members.

ELECTION ADMINISTRATION

The Deputy Chairman of the LP, Kayode Iwakun, was responsible for outlining issues relating to election administration, among them disbursement of funds/fund administration, deployment of party agents to man units, coordination of security for polling stations, especially where there were credible threats to persons and election materials, and collation and monitoring of results. A total of 3 900 polling units across the state had to be covered.

The LP was also involved in communication on the day of the elections. It was envisaged that the federal government might compel global system of mobile communication (GSM) telephone service providers to shut down operations, ostensibly for security reasons, but actually to limit communication and make it easier for the PDP to succeed in vote rigging. It was thought that even where a shutdown was not ordered the chances of effective service provision were remote, given the inevitable overloading of facilities on election day. In an effort to counteract this, the LP leased 25 mobile phones, each loaded with \$100 worth of airtime. These were distributed to key leaders of the party with a view to ensuring unimpeded communication with the information and communication technology (ICT) centre on the one hand and among party leaders on the other. Significantly, the nature of the violence and insecurity abroad on election day made it impossible for most of these leaders to put the facility to use.

The ICT centre was designed as a results and information collation centre to which all the key agents, through the Thuraya-empowered leaders, were to relay results as they became available. Again, because of the general crisis that defined election day this agency could not achieve much as there was virtually no

communication with the centre from the field except to report the growing spate of violence against LP agents and supporters across the state.

CONCLUSION

THE LP AND THE CHALLENGE OF INSTITUTIONALISATION

The result of the gubernatorial election, as announced by INEC, gave victory to the incumbent governor over Dr Mimiko. Mimiko and the LP are contesting the result before the Election Petition Tribunal sitting in Akure. Whichever way the case goes it will throw up fresh issues for analysis. These can obviously not be addressed in a paper of this nature.

One thing that is clear, however, is that the emergence of the LP in Ondo State politics and the rapidity with which it attained dominance after just four months is unprecedented in the history of party formation in the country. More than anything else, this has validated the theoretical postulation that 'the process of party formation is highly dependent on the structural and institutional context of the individual politicians ...' (Perkins, 2000). It also demonstrates the political savvy of the citizenry of Ondo State, who chose to support an individual (Mimiko) in whom they had confidence despite the newness of his party rather than to pander to the proposition that alignment with an established party or 'the political mainstream' was to be preferred (See Yoruba Progressive Union 2007, p 23 for such an argument). The LP phenomenon is also perhaps a testimony to the effectiveness of the leaders of the party with relation to party formation and organisation and grassroots mobilisation. But while all of these were consequent upon the space provided for political engagement in the country, as represented by the new, freer party formation and administration process, the bungling of the 2007 elections and the wanton deployment of state power in support of the PDP by the Obasanjo government detracted from a deepening of the democratic process that should have been its natural accompaniment.

Apart from the governance challenge a possible victory in the gubernatorial election at the tribunal may confer on it, the LP will continue to face the challenge of institutionalisation in the foreseeable future. Party institutionalisation consists of three broad components: leadership, financing, and candidate nomination, and 'the more routinized and autonomous the procedures for recruiting, promoting and selecting party leaders, for collecting revenues and for nominating candidates to public office, the more institutionalized the party' (Malamud nd).

Because of all the above variables the LP, like most of the relatively new (post-1999) parties, is still at a very rudimentary stage, but the fact that it is set to take control of a key, politically conscious state in the sophisticated Yoruba heartland indicates that it has the potential to build the capacity to endure. The

critical questions that emerge are whether the party will be able to stand alone and extend beyond the frontiers of Ondo State or will be compelled to be absorbed into or align with some of the larger political parties. The prediction of the state chairman that the LP will come to dominate the entire south-west geopolitical zone of Nigeria by the 2011 elections is based on what he regards as the mass appeal of the party's programme and the commitment to good governance on the part of its leaders in Ondo State (Oni 2007) and points to the fact that the party leadership is already engaged in thinking about its future.

The optimism of the leadership must, however, be tempered by the fact that over the years the mushrooming of political parties in Nigeria has successfully undermined any institutionalisation agenda. For many countries the historical abnegation of the democratic system, via military coups, for instance, is not enough to undermine the structures and orientation, if not the names, of political parties, as the cases of the National League for Democracy in Myanmar, Partido Revolucionario Institucional in Mexico, the Union Civica Radical and the Movimiento Peronista or Partido Justicialista in Argentina, and the Pakistan Peoples Party have demonstrated. In Nigeria, however, the high turnover of political parties is underscored by the eagerness of politicians to start the party formation exercise all over again, and with very exotic names for the new parties, each time there is a form of reversal to the democratic system. How these issues will play out vis à vis the LP remains in the realm of conjecture.

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GODFATHERS AND THE 2007 NIGERIAN GENERAL ELECTIONS*

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ABSTRACT

The paper is a critical analysis of the role of the 'godfathers' in the 2007 Nigerian general elections from the perspective of the elitist concept of politics, with emphasis on its manifestation, implications and possible solutions.

The main argument of the paper is that the unprecedented influence of the 'godfathers' on the 2007 elections may not be unconnected with the weak institutionalisation of political parties and related infrastructures of democracy. This enables the monetisation, privatisation and criminalisation of politics, ably assisted by the undemocratic attitudes and behaviour of major political actors at the highest level. The result has been the deinstitutionalisation of core institutions of democracy and people who have been reduced to mere clients/consumers/spectators rather than primary stakeholders in the democratisation process.

The consequences have mostly been bad governance and rising conflict across the country. Unless something fundamental is done to address the situation Nigerian elections, as the 2007 experience suggests, will produce little more than 'choiceless' democracy. The paper concludes with recommendations for the reform of all democratic institutions and the initiation of a sustainable process of political re-engineering and social mobilisation at all levels. These are possible within a reformist developmental state.

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INTRODUCTION

The impact of the godfathers on Nigeria's 2007 general election was unprecedented. 'Godfathers' are those who have the security connections, extended local links, enormous financial weight, and so on, to plot and determine the success or otherwise of a power seeker at any level of a supposedly competitive politics. The complex processes of doing this from 'womb to tomb' is famously known as 'godfatherism'. Although godfatherism has been an institutionalised feature of Nigerian politics over the years (Joseph 1987; Falola & Ihonvbere 1985; Takaya & Tyoden 1987; Nnamani 2003), its contemporary manifestations suggest that it has assumed epidemic proportions, becoming one of the greatest threats to democratic consolidation.

In the main, this paper analyses the dynamic of this political enigma, its manifestations, form and character, implications and possible solutions, with emphasis on the 2007 elections. For in-depth study, however, it selects some case studies at federal and state levels to illustrate its position. The main argument of the paper is that the unprecedented influence of the godfathers on the 2007 elections may not be unconnected with the weak institutionalisation of political parties and related infrastructures of democracy.

The first substantive section places the paper in a theoretical perspective, interrogating the elitist conception of power and politics. The second situates godfatherism in Nigeria within a comparative-historical perspective. The next examines the role of godfatherism in the making of Nigeria's Fourth Republic (1999-2007). This is followed by the analytical fulcrum of the paper, which considers selected cases showing the impact of the godfathers on the 2007 elections. The next examines the implication of godfatherism for sustainable democracy in Nigeria. The final section contains some recommendations for taming the monster.

THE ELITIST CONCEPTION OF POWER AND POLITICS

Power is at the heart of politics. It connotes the ability of a person to force a given course of action on others even when those affected would ordinarily have preferred to behave differently. This is why power is a master-resource, the most important of all resources. With it, nothing seems impossible as it offers the surest access to all other resources as a central factor in the allocation of values. This rationalisation captures the Machiavellian concept of politics as an all out struggle for power, where the 'ends justify the means'. Against this background it is therefore important to situate this paper's analysis within the paradigm of the nature, composition and decomposition of power politics. The elitist conception of power politics offers a plausible window through which these can be examined.

The central postulations of the elitist conception of power politics are well known. Basically, the theory focuses on the acquisition, use, misuse, and consolidation of power. Its central assumption is the concentration of political power in the hands of a few, usually referred to as the power elite. The theory, therefore, presupposes that in every society at any point a minority rules over the rest of society (see Mitchell 1968; Mill 1980). The ruling minority, either political class or governing elite, comprises all those who occupy political power or influence governmental businesses and decisions.

This minority also undergoes changes in its membership and composition over time. However, such changes, according to the theorists, affect merely the form, not the structure, of rule, which remains at all times minority dominated. Again, there is an established system of reproduction of elites – what has come to be regarded as the ‘circulation of elites’, explained as ‘a situation whereby one set of elites is replaced by another set of elites possessing similar traits’ (Olaniyi 2001, pp 88-91); or as ‘the number of individuals occupying the post per unit of time’ (Lasswell et al 1963 p 49).

The concept of elitism is not only classificatory in nature, but also descriptive, designating the holder of high positions in a given society in contradistinction with those at the lowest echelon of power. It therefore raises the question of hierarchy and inequality. Hierarchy, according to Albert (2005, p 79), ‘has to do with the vertical ranking of people in the society into two categories, namely, those at the top and those occupying the lowest position’. In this pyramidal typology there are usually more at the bottom, but they are assumed to be less important than those at the top, who wield and exercise political, economic and socio-cultural power. As far as the classical elite theorists such as Pareto, Mosca, Mitchell and Marx are concerned, this is a group of inherently united people driven by a common agenda to dominate society at all times.

The monolithic concept of the elites has, however, not gone unchallenged. In his critique of the ruling elite model Robert Dahl came up with the idea of the multiplicity of elites, arguing that there were as many elites as there were values (Dahl 1958, pp 463-69). Apart from the elite of power (the political elite), ‘there are elites of wealth, respect and knowledge (to mention but a few)’ (Lasswell et al 1963, pp 49-50). Adekanye (2000, pp 164-5) drew largely on this concept to develop a much more comprehensive classification of elites, identifying political, bureaucratic, business, intellectual, aristocratic, religious and labour elites.

While the tendency toward unity of purpose and interdependence seems high among these varieties of elites, they are equally engaged in severe competition, given the divergent interests of each sub-group. For the overall elite to sustain coherence and mutually reinforcing interdependence it must possess sustaining qualities, most notably self-consciousness, coherence and unity (Dahl

1958, pp 463-9). But this is hardly the case because while the power elites actually occupy power and the government is merely in office, the former are often divided along several fault lines, a development that retards their consciousness. As such, the discipline of the power elite (ruling class) becomes poor and the government, which expresses its collective political power, will become weak as well (Ake 1996a, p 31).

The central concern of this paper, the impact of the godfathers on the 2007 elections, is well captured by the above concept of power politics from the elitist perspective. Since the birth of the democratisation process in Nigeria in May 1999 the heavens would appear to have let loose on the political system an unprecedented and suffocating downpour of godfathers. Chimaroke Nnamani, the immediate past governor of Enugu State, portrays the godfather in the Nigerian context thus:

... an impervious guardian figure who provided the lifeline and direction to the godson, perceived to live a life of total submission, subservience and protection of the oracular personality located in the large, material frame of opulence, affluence and decisiveness, that is, if not ruthless ... strictly, the godfather is simply a self-seeking individual out there to use the government for his own purposes

Nnamani 2003; also quoted in Albert 2005, p 82

Possibly because of this pivotal location of the godfathers in the democratisation process, which, in some instances, appears unreal or fictitious, the godfathers have been able, effectively, to privatise the game of politics to the extent that only the highest bidders, measured in terms of willingness to swear an oath of eternal gratitude and loyalty to the godfather, as well as the continuous lubrication by the godfather of the political machinery, are accredited for political office.

In the circumstances, only those willing to advance the selfish interests of the existing structures of power gain access to power. This mode of elite reproduction, therefore, relegates collective social mobility and even individual social, political and economic mobility based on merit. The result, as this study will demonstrate, is the criminalisation of politics and the deinstitutionalisation of the people and rule of law in the democratisation process in Nigeria.

THE NIGERIAN EXPERIENCE IN COMPARATIVE HISTORICAL PERSPECTIVE

The phenomenon of godfatherism is neither new nor peculiar to Nigeria. Societies have always been stratified into two seemingly opposing groups, the upper and

the lower classes, where the latter largely owe their material existence to the former. If anything, therefore, it has to do with the form and character of its manifestations, whether enabling or disabling to democratic development.

Albert (2005, p 81) documents how godfatherism manifests in the European and American context. According to him, France had what is referred to as 'godfathers of industry', which connotes 'corporate titans, that is businessmen with the most clout, and an interesting class of people who keeps the economy running'. These people manipulate the system either to further their selfish interests or to advance the cause of the poor. This trend also manifests in America through American films, where godfathers, according to Albert (2005, p 81), are associated with mafia gangs and are usually the 'big boss' who surrounds himself with all manner of criminal, often violent, clientele. The godsons take orders from the 'big boss' and defer to his 'good judgement' in virtually all things. This is usually done in exchange for the defence/protection of the godfather whenever the godsons run into problems; either with law enforcement agents or members of other gangs.

This socio-economic issue, according to Albert, gained entry into the politics of developed countries in terms of criminal underworld groups sponsoring politicians during elections in return for the protection of contracts. This, he writes, is euphemistically referred to in the American political science literature as 'party machine' politics. It was this system of political godfatherism that produced one of the best presidents in American history, Harry S Truman (Nwanna 2006, p 3). With the full backing of a godfather, Thomas J. Pendergast, widely known for bossing notorious political machines, Truman not only emerged as vice-president in 1944 against the wishes of President Franklin Roosevelt, but went ahead to become president.

A similar system also reportedly contributed to the emergence of Bill Clinton as governor of Arkansas in 1978, with the Arkansas poultry farmers as his godfathers. A unique factor was that when the alliance between the godfather and the godson collapsed it was handled in such a way that it would not jeopardise governance. As Nwanna (2006, p 3) puts it, 'there was no warfare'. This contrasts sharply with the Nigerian experience.

Godfatherism in Nigeria, particularly in its current form and character, is disturbing. Though it is a longstanding and deeply rooted feature of the cultural values of Nigerian society, where it is purely socio-economic in nature and mutually productive for both parties, its politicisation would appear to have contributed to the criminalisation of politics.

For example, the Hausa have a well-institutionalised system where the godfather is known as 'Maigida' (landlord or head of a household). The godfathers, according to Albert (2005, p 85) provide Hausa traders with various

facilities such as accommodation, storage, and brokerage services in order to facilitate their economic activities in exchange for compensation. Among the Yoruba of Southwestern Nigeria a godfather is variously referred to as '*baba kekere*' (the small father), '*baba isale*' (the father of the underground world), or '*baba nigbejo*' (a great help in times of trouble). Whatever the appellation, it 'depicts community leaders with whom people of less social status identified as a way of providing physical, social, political and economic security for themselves' (Albert 2005, p 86) in return for tributes from the 'godsons'. This system also finds expression among the Igbos of Southwestern Nigeria, most notably in the relationship between '*Nnam-Ukwu*' (my master) and '*Odibo*' (the servant). The master is expected to train the servant in social, economic, and moral adulthood in exchange for the services of the servant, who, in turn, expects to be established by the master in a mutually agreed business at the end of his/her training (Albert 2005).

The above scenarios suggest that the form of godfatherism known in Nigerian cultures is symbiotic, providing mutual positive reinforcement for godfathers and godsons. The founding fathers of modern Nigeria, that is, the legendary nationalists who led the struggle for independence, among them Ahmadu Bello, Nnamdi Azikwe, and Obafemi Awolowo, tried, as far as possible, to uphold this tradition. In turn they produced notable godsons such as Lateef Jakande, Bisi Onabanjo, Bola Ige, Jim Nwobodo, Sam Mbakwe, Abubakar Rimi and Balarabe Musa, all of whom were governors during Nigeria's Second Republic (1979-1983).

The roles of the godfathers in this golden era of Nigerian politics could be likened to 'political mentorism' (Ogbuju 2006, p 6), where the godfathers 'supported and nurtured their godsons positively rather than negatively' (Albert 2005, p 88). Then, the emphasis was on issues through which the godfathers motivated their godsons to adopt a higher level of political morality and made it necessary for them to be accountable to those who voted them into office, as much as they provided them with logistic support.

Unfortunately, the godsons, who became the new godfathers, could not sustain the tradition bequeathed to them. While professing the same political ideals and claiming to be the heirs apparent of their godfathers, they displayed contradictory attitudinal and behavioural dispositions. These manifested in the form of what Joseph (1987) referred to as prebendal politics, where clientelism was the order of the day. The failure to check the problem eventually contributed to the collapse of the Second Republic. The second coming of the military, particularly under the Babangida and Abacha regimes, exacerbated the problem and elevated it to the status of national ideology. Ever since, the phenomenon of godfatherism has become a monster which threatens democratic survival in Nigeria.

GODFATHERS IN THE MAKING AND UNMAKING OF THE FOURTH REPUBLIC

Prior to the inauguration of Nigeria's Fourth Republic in May 1999, the country had been under the authoritarian grip of the military for about 16 uninterrupted years. During this era, particularly under the Abacha regime, Nigeria demonstrated little or no understanding of the cherished values of democracy and human rights. The country's deepening crisis of democratisation and governance took it almost to the brink of collapse when Abacha died in 1998.

Very few Nigerians had confidence in the transition programme initiated by the Abubakar regime. This is understandable given their frustrating experience under successive military regimes (Ojo 2006). As it turned out, the apparent indifference of a critical mass of the people to the transitional process may have contributed to the hijacking of the process by the godfathers.

The validity of the above can be seen in the way in which Chief Olusegun Obasanjo emerged as the presidential flag bearer of the People's Democratic Party (PDP) in 1999 and eventually won the election to become president. His emergence, according to informed sources, was the result of a pact between him and some godfathers (Adekanye 2001, p 7). It will be recalled that when Abubakar began his transition to civilian rule it was the powerful northern powerbrokers, led by General Babangida, who negotiated Obasanjo's state pardon and plotted his emergence as president.

The pact theory gained credibility as influential PDP members confessed before the Human Rights Violation and Investigation Committee (HRVIC) to its existence. It came to the fore again during the troubled days of the 13 August 2002 impeachment motion against President Obasanjo in the House of Representatives (Omotola 2003).

The situation was not very different at state level, with the most notable and worst affected states being Kwara, Oyo, Anambra, Bornu and Enugu, where political godfathers played prominent roles in the emergence of governors. In Kwara, for example, Dr Olushola Saraki single handedly ensured the emergence and victory of Muhammad Lawal as state governor (Lawal 2005). In Bornu Senator Alli Modu Sherif bankrolled the political ambitions of Alhaji Mala Kachallah to become governor. In Oyo State Alhaji Lamidi Adedibu calls the shots, with almost all political aspirants in the state deferring to his dictates. Chief Chris Uba remains the undisputed godfather of Anambra politics and possibly the most influential of all the godfathers.

In all these cases the country witnessed the collapse of the pacts between the godfathers and the godsons, leading to serious breakdowns in law and order. The two most notorious instances were those of Anambra and Oyo States. In the

former, the apparatus of governance crumbled to the extent that the sitting governor, Chief Chris Ngige, was removed in a 'civilian coup' executed by the police and the government office was set ablaze (Nna-Emeka 2006; Aremu & Omotola 2007). In Oyo, as in Anambra, the godfather ensured the illegal impeachment of the governor for failing to surrender the state treasury to him. Adedibu told all who cared to listen that he had invested so much in the making of Rasheed Ladoja that he should be getting at least ₦15- million a month from the state security vote (Ogbuju 2006, p 8; Omotola 2006c).

'WE ARE THE STATE' SELECTED CASES OF GODFATHERISM IN THE 2007 NIGERIAN ELECTIONS

Louis XIV (1643-1715) of France was quoted as saying 'I am the state', meaning that 'his opinion and view, no matter how chauvinistic and narrow-minded, remains the opinion of the people he ruled' (Abanobi 2007, p 30). With this mindset Louis VIX ruled France in an authoritarian manner for 62 years. In contemporary Nigerian politics, particularly under the Fourth Republic, many politicians would appear to have approximated the state as their personal estate at different levels. While this attitude had been present since the outset of the democratisation process in 1999 (Gambo 2006) the manifestation of godfatherism in the 2007 Nigerian general elections was unprecedented. This perhaps largely explains why the elections were the most flawed in the annals of the country's electoral history (Adejumobi 2007a; Suberu 2007).

It is apposite to begin with what happened at the federal level, particularly with respect to the presidential election. In doing this, I shall focus specifically on the ruling party, the PDP, which was hell-bent on retaining the presidency at all costs. It was at this level that the deadly impact of godfatherism in the 2007 election began to manifest.

It began with the process of electing the party's presidential candidate. Ideally, this is done by means of party primaries used to assess a candidate's popularity and acceptability to the party and its supporters. This can be ascertained through strict adherence to the rules of the game and by ensuring that the processes are truly open, transparent and competitive. However, this was not the case, essentially because of the vested interests of the godfathers.

Initially Alhaji Atiku Abubakar, the then incumbent vice-president, indicated his desire to contest the presidency under the umbrella of the PDP. As his ambition grew, and given his growing profile as a probable successor to President Obasanjo, the godfathers within the PDP moved swiftly against him and his aspirations. The first move was an attempt to discredit him by means of the Economic and

Financial Crime Commission (EFCC), established to combat corruption in the country. He was alleged to have engaged in questionable deals with the Petroleum Technology Development Fund, which had been placed under the direct control of his office.

The response of the presidency was to set up an ad hoc administrative panel to investigate the allegations. The panel completed its work in a few days, found the vice-president guilty of corruption, and recommended that his name be gazetted and that he be disqualified from contesting the election (Adejumobi 2007a; 2007b). The Presidency adopted the report and its recommendation and gazetted it. The Independent National Electoral Commission (INEC), claiming to be acting on the basis of the indictment, subsequently disqualified Atiku from contesting the election.

The disqualification of Atiku, along with other disabling factors, most notably the aborted third-term agenda and the use of the EFCC for political purposes, led to what Adejumobi (2007a, p 13) called 'contrived political tension and confusion' over the politics of succession. What appears to have had a moderating effect on the deeply conflagrational political atmosphere was the opposition's preference for due process and respect for the rule of law. This manifested in several court actions initiated by leading opposition elements, notably Atiku, against INEC and the federal government. For example, Atiku opted to challenge his disqualification in court, arguing, quite correctly, that INEC did not have the power to disqualify any candidate as such powers are the prerogatives of the judiciary. The validity of this interpretation became evident when, on 16 April 2007, a few days before the presidential election, the Supreme Court, in a landmark but unanimous and widely celebrated judgement – a victory for democracy – ruled that INEC did not have the power to disqualify candidates and nullified its action (Soniya & Fabiyi 2007; Okanlawon et al 2007; Mojeed 2007).

Earlier, on 22 December 2006, the ruling PDP had declared the position of the vice-president vacant after Atiku had defected to a leading opposition party, the Action Congress (AC), in an attempt to achieve his presidential ambition, which, based on the exigencies of the time, might have been impossible to pursue in the PDP. The most notable of these exigencies were the reports of the administrative panel of inquiry set up by the Presidency to investigate allegations of corruption against Atiku. The panel found him culpable and recommended that he be banned from contesting the election. As the report was gazetted INEC insisted on stopping him from contesting. At a press conference in Abuja John Odeh, then national publicity secretary of the PDP, noted that at an emergency meeting held on 22 December 2006 the PDP's National Executive Committee had reviewed current political events and had 'after exhaustive deliberations condemned the action of the Vice President, Alhaji Atiku Abubakr in declaring

for the presidency on the platform of another party while still laying claim to the office of the Vice President, a position he assumed on the platform of the PDP' (Gbadamosi 2006 pp 1, 9).

In a landmark judgement the Supreme Court reinstated Atiku as vice-president (Osaghale 2007, p 26). It is widely believed in Nigeria that there was more to the travails of the vice-president in the latter days of Obasanjo's presidency than meets the eye. The dominant view is that Obasanjo wanted to ease the vice-president out of the race in order to pave the way for his anointed candidate. It would appear that the vice-president's main offence was the role he played in opposing Obasanjo's third-term agenda (Omotola 2006b; Ibrahim 2006; Ofeimu 2006). Atiku had led a powerful coalition of opposition elements, civil society, and mass media to frustrate Obasanjo's campaign (Oyebode 2006). It can therefore be argued that the contest for the PDP's presidential ticket offered the most appropriate payback opportunity for President Obasanjo.

As it turned out, all the main contenders for the PDP presidential ticket were eased out of the race to pave the way for Alhaji Umar Musa Yar'Adua, who was eventually elected. President Obasanjo is perceived to have played the godfather role in the election, a perception which appears to be accurate given his practical involvement in the election campaign, acting as Yar'Adua's principal campaign official and participating in the campaign team in almost all of the 36 states of the federation.

During one campaign rally Obasanjo told his audience that the presidential election was a 'do-or-die' affair for him and his PDP. And that was exactly what it became, as the Presidency and the PDP deployed all available state machinery, including the government-owned media, the military and INEC to ensure victory for Yar'Adua (Adejumobi 2007a; EUEOM 2007; Ibrahim 2007). In the aftermath of Yar'Adua's victory it was shocking to see the mothers of Yar'Adua and Jonathan Goodluck, the vice-president, lead a team of selected personalities from their respective states to pay a thank you visit to Obasanjo.

Perhaps somebody had told them about the famous Yoruba adage '*eniti ase lore tiko dupe, odabi olosa koni leri loni* (if one who has been assisted fails to show appreciation it is the equivalent of being robbed of priceless belongings)'. Indeed, the high-powered delegation was showing appreciation for the godfatherly role Obasanjo had played in ensuring the emergence of Yar'Adua and Goodluck and their eventual victory at the poll.

The suffocating influence of the godfathers in the presidential election also manifested in the 2007 gubernatorial and parliamentary elections. The gubernatorial election in Anambra State is an interesting case. Since the return of the country to civil rule in 1999 the state has been engulfed in one form of godfather-godson crisis or another. This peaked with the successful execution of

the first civilian coup in the state on 10 July 2003, referred to by many as the coup of the godfathers. In this civilian coup, Chief Chris Uba, the acclaimed godfather of Anambra politics, succeeded in masterminding the abduction of the state governor, Chief Chris Ngige, for daring to challenge Uba's 'sovereignty' by questioning his 'good judgment'.

Uba had always boasted that he had single-handedly ensured Ngige's emergence and bankrolled his campaign and must therefore dictate the tone of the politics and governance of the state, including the treasury. In the ensuing struggle Ngige was abducted but was later freed and reinstated. However, since Uba reportedly enjoyed the backing of the presidency in the crisis, the state ensured that the PDP lost in the Supreme Court, which ruled that the All Progressive Grand Alliance (APGA) had won the election. This led to the removal of Ngige and the swearing-in of Peter Obi, the APGA candidate (Aremu & Omotola, 2007; Ayoade 2006; Nna-Emeka 2006). Peter Obi had only spent a year in office when gubernatorial elections were conducted in April 2007. Chief Andy Uba, Chris Uba's older brother, who stood for the PDP, was declared the winner and was sworn in as governor on 29 May. His success was attributed to the dogged influence of superior godfathers, particularly President Obasanjo.

The younger Uba, who had aspirations to becoming governor himself, had believed his 'grassroots' credentials would win him the position. 'This fight must continue. I am a grassroots politician on ground in Anambra. I am a political godfather and no one dares me,' he was reported as saying (*Nigerian Tribune* 23 April 2007, p 6). When the tension between the Ubas became fiercer and the PDP felt threatened, the younger Uba was arrested on orders from the presidency and taken to Abuja barely two days before the 14 April gubernatorial election. Moreover, Dr Chris Ngige, the estranged godson of Chris Uba and the gubernatorial candidate for the AC, was unilaterally disqualified by INEC the day before the election.

In an ideal situation the gubernatorial election in Anambra state should not have taken place until 2010, by which time Peter Obi would have concluded his four-year term. Section 180(2) of the 1999 Constitution states that 'the Governor shall vacate his office at the expiration of a period of four years commencing from the date when ... he took the Oath of Allegiance and oath of office' (FRN 1999, p 89). All appeals to INEC, especially from Peter Obi, to respect this constitutional provision fell on deaf ears, which left Obi with no option other than to seek a judicial interpretation. In a unanimous decision on 14 June 2007 the seven justices of the Supreme Court nullified Uba's election and ordered the immediate reinstatement of Obi. This has since happened. It is, however, important to note that Obi's victory was at a very high cost to the state, whose inhabitants endured a long spell of violent conflict and instability during the struggle for supremacy.

The scenario in Oyo State was as devastating as that in Anambra. Shortly after the installation of Senator Rasheed Ladoja as governor under the umbrella of the PDP by Alhaji Lamidi Adedibu, the widely celebrated godfather of politics in the state, irreconcilable differences emerged between the two. The differences deepened as Adedibu demanded about ₦15-m of the ₦50-m monthly security vote for the state to oil and service his political machinery, which he deployed to ensure Ladoja's victory. When Ladoja failed to defer to him, Adedibu deployed the same machinery to ensure the impeachment of Ladoja, which was subsequently found by the Supreme Court to be illegal because due process was not followed. The Court declared the impeachment unconstitutional and null and void and reinstated Ladoja after 11 months. Adebayo Alao-Akala, Ladoja's deputy, was immediately sworn in as governor after Ladoja was impeached (Omotola 2006c).

At the same time the PDP in Oyo conducted the gubernatorial primary, which endorsed Alao-Akala as the party's candidate for the April 2007 elections. All attempts by Ladoja after his reinstatement to challenge the election of Alao-Akala proved abortive. As a result, politics in Oyo State has become more deinstitutionalised and privatised than ever before and has reverted to the 'Wild West' quality which characterised politics in the region, especially during the Second Republic.

Adedibu ensured that Alao-Akala won the election at all costs, including electoral manipulation and violence. The result has since been a subject of litigation at the election petition tribunal, where the All Nigerian People's Party's (ANPP) candidate, Senator Ajumobi, is challenging Alao-Akala's victory. It should also be noted that Adedibu's influence extended to other elections as he ensured that he single-handedly nominated the three state senators (one his son and another his son-in-law) under the PDP and ensured their victory. His influence extended to the House of Representatives and State House of Assembly elections as well. In the aftermath of the elections and attendant impasse, the new Olubadan, Oba Samuel Odulana Odugade I, attempted to sanction Adedibu, insisting on a clear line of demarcation between the traditional institution and politics in the state, banning all Ibadan high chiefs, including Adedibu, from participating in politics.

Undaunted, Adedibu proclaimed:

I am the controller of politics in Oyo State. I dominate the political affairs of the state. All the governors that won never did so without my contribution and influence.... If you must win election, you must come here. By the will of God, wherever I am, people must definitely win.

... Even though people have different opinions about me, wherever I stand, God is always there. It is a known fact and it has

always been so before now that *if you pass through me, you would do anything you want in politics*. So if I say I dominate politics, I do [Emphasis mine].

Quoted in Abanobi 2007, p 30

In another forum, Adedibu boasted:

... By the will of God, I remain the controller of politics here in Oyo State. The political power of this state is still in my hands... All the 33 local government chairmen, Speaker and legislators in the state are with me here.

Adeyemo 2007, p 12

Since the inauguration of the Alao-Akala administration on 29 May the centre seems to have been held together tightly between godfather and godson. Thus far there has been no public disagreement between them, suggesting that Alao-Akala has been deferring to the judgement of Adedibu, the 'eternal' godfather of politics in Oyo State. Only time will tell whether they can sustain this stability, which also depends on the outcome of the election petition tribunals.

The Kwara State experience has not been different in any fundamental sense. Over the years Alhaji Abubakar Olusola Saraki has been the only godfather of politics and those who defer to his judgement carry the day. He demonstrated this during the Second Republic when, through his political machines, he ensured the emergence and success of Alhaji Adamu Attah as governor in 1979 under the National Party of Nigeria (NPN) as well as his downfall in 1983 when Attah no longer acted as a dependable godson.

Saraki defected to the Unity Party of Nigeria (UPN) and ensured the emergence of Chief Cornelius Adebayo as governor. He repeated this feat in 1999 when he installed Rear Admiral Mohammed Lawal as governor under the ANPP. Before the 2003 elections they had parted ways and the state became a battleground between their supporters. Saraki again defected to the PDP and deployed his political machine to secure the governorship ticket for his son, Abubakar Bukola Saraki, who eventually emerged as winner, proving that Olusola Saraki remains possibly the strongest, if not the only godfather of Kwara Politics (Lawal 2005). The attempt by Muhammed Lawal and other opposition forces to challenge his dominance came to naught, merely heightening political tensions and political violence in the state without making any meaningful impact on Saraki's influence, probably because of the support he enjoyed, given the federal government's intention of capturing more states and consolidating the PDP's national hegemony.

Saraki's political strength became more pronounced as the 2007 elections approached. His son wanted a second term in office. Keen observers of Kwara politics pointed out that a second term was unprecedented in the state, given the ordeals, during the Second and Fourth republics, of Adamu Atta and Muhammed Lawal, each of whom had spent fortunes to gain a second term but had failed, despite their incumbency. It was therefore widely speculated that Bukola would fail. But the Senior Saraki remained resolute in his determination to instal his son for a second term. The process started when he declared that there was no vacancy in government house. All the main contenders for the party ticket, most notably David Bamigboye, who would have slugged it out with governor Saraki, were thus frustrated by being denied application forms. The primary election, intended to elect party candidates, was therefore a key constitutional requirement. In the end, Saraki won the gubernatorial election by a wide margin. Similarly, the senior Saraki also ensured that his daughter, Gbemisola Saraki, who had been a member of the House of Representatives since 1999, stood for the PDP in the Senate election in the Kwara Central Senatorial District, which she won. Reflecting on the unparalleled influence of the senior Saraki on Kwara politics, a commentator avers: 'it has been tested and verified that as long as Kwara remains Kwara and Saraki remains Saraki, nothing can be done without the "pillar" of Kwara State politics' (*Herald* 25 April 2007, p 19).

While the above examples are some of the most prominent, the influence of the godfathers is felt in several other states. In Abia State, for example, ex-Governor Orji Uzor Kalu would appear to have emerged as the most influential godfather. Elected in 1999 on the platform of the PDP, he had had irreconcilable differences with the party's leaders by the time the race for 2007 got under way. He therefore defected to the Progressive People's Alliance (PPA) to realise his presidential ambitions. He single-handedly masterminded the emergence of Theodore Orji as the party's candidate in the gubernatorial election and ensured his victory, even though the candidate was in detention during the election, facing allegations of corruption. He also ensured that the PPA won all the seats in the State House of Assembly and National Assembly.

The case of Imo State was much more intriguing. Senator Ifeanyi Araremu had won the PDP's gubernatorial ticket in the primary election. But in a dramatic twist his name was substituted at INEC by that of Charles Ugwuh, the godfathers' favourite. After his unsuccessful attempt to seek local remedies within the party, he contested the decision in court and won in both the Court of Appeal and the Supreme Court. This milestone judgement by the Supreme Court did not go down well with the godfathers, who were hell-bent on frustrating Ararume because of what they claimed was 'anti-party activity', though others believe the hostility stemmed from Ararume's anti-third-term stance.

In an attempt to circumvent the Supreme Court's judgement President Obasanjo, along with the PDP National Chairman, Col Amadu Ali (rtd), and other party stalwarts, went to Owerri, the Imo State capital, to announce the expulsion of Ararume from the party, declaring that the party would not put forward a candidate for the election. However, on election day the ballot paper featured Ugwuh as the PDP's candidate. This generated serious tension between INEC and the people. In the end, INEC announced the cancellation of the governorship election but upheld those of the state House of Assembly, conducted on the same day (*Nigerian Tribune* 23 April 2007, p 8). Referring to the godfathers who crafted the Imo scene, an observer wrote:

Even in the face of the unambiguous and people oriented judgment, the tin gods in Owerri could not read between the lines and would not believe that the macabre dance of injustice and cheap imposition of a failed candidate was over.

Uba 2007, p 9

Implications for Sustainable Democracy

The role of the godfathers in the electoral process has serious negative implications for sustainable democracy, which requires that the game be played according to the rules, with people with a democratic mindset calling the shot at all levels of governance. The actions of the godfathers impede the emergence of true democrats in governance. They do this in a number of ways. First, only the highest bidder gets their nod, which, according to Ayoade (2006, p 86), 'forces the cost of elections up'. Second, in their bid to deliver on their promises, which are often out of proportion, they wittingly or unwittingly promote the criminalisation of politics. In most instances, the godfathers rely on political thugs who use force to intimidate political opponents and rig elections. Third, a recent development is that the godfathers compel their would-be godsons to swear an oath of total loyalty, including the submission of the state's treasury to the godfather, when they emerge victorious. They rely for their influence on security connections, both conventional and unconventional, extensive grassroots links and financial muscle.

There are many implications for democratic governance of the excessive use of money in politics and criminalisation of politics. Not only do they ambush and neutralise the rule of law, they also ensure that genuine democrats with sterling credentials never emerge as candidates. The result, as the Nigerian experience has shown, is the recycling of irresponsible and unresponsive leaders who must always obey the godfathers. In such situations, because the governed have made little or no contribution to the emergence of the governors, 'the governed cannot

govern the governors, which is the most important quality of democracy' (Ayoade 2006, p 87). The phenomenon of vote buying predominant in Nigeria, where the electorate and the candidates convert votes into economic /monetary exchanges (Ojo 2006), means the dividends of democracy in the form of respect for the rule of law, improved delivery of social services, provision of infrastructural facilities, mass employment and security of lives and properties, become sacred and hard to come by. One student of Nigerian politics describes the problem thus:

The influence of money on our politics is a constraint on the evolution of credible candidates into public office. One may have the best ideas on governance, impeccable academic credentials, a sustainable history of tendency towards public-spiritedness. But it would amount to nothing in our society if he seeks public office without a corresponding deep pocket.

Kolawole 2007, p 16

If contemporary Nigerian experience is anything to go by, another major implication of godfatherism for sustainable democracy is its propensity to lead to undue violence, usually when there is a breakdown in the understanding between the godfather and the godson.

As we have seen in Nigeria since 1999, especially in Anambra, Borno, Kwara and Oyo states, there is a tendency for the godson to want to challenge his godfather and to establish his own political dynasty (Gambo 2006; Ayoade 2006). The godfather, too, would like to demonstrate that the machinery he used to put the godson into power remains intact and can equally be used to unmake him. The result has usually been violent confrontations between the opposing camps, each of which has armed its supporters, especially political thugs, to the teeth. In the process, lives are lost, properties are destroyed, and economic and commercial activity is disrupted, forcing untold hardship on the people. This was the case in Anambra, Kwara and Oyo states for as long as the godfather-godson conflicts lasted. In the end Nigeria is portrayed as highly susceptible to political instability and violence, scaring away potential investors and denting the country's image.

Another major effect of godfatherism on Nigerian democracy is the de-institutionalisation of democratic institutions. As a result of godfatherism the participation of the people in politics, either as voters or as candidates, is severely restricted. Decisions are never allowed to flow from the grassroots to the top, but do the reverse. Godfathers play the role of 'political gate keepers' who 'dictate' who participates in politics and under what conditions (Albert 2005, p 101). They also hijack political party machinery to ensure that internal party democracy is not well institutionalised and therefore injurious to their interests.

They strive to ensure that the supremacy of the government takes precedence over that of the party and, since their godsons are in government, they are able to have their way in the party. This influence extends to electoral management bodies, in this case INEC, thus compromising their independence, impartiality and efficiency, which are central to the effective performance of their duties.

In the final analysis, the democracy project is the major casualty of the godfather system. When the activities of the godfathers inhibit democracy, which is believed to be the ultimate solution to Nigeria's multifaceted problems, including succession, the legitimacy crisis and the growing inability of government to deliver on its promises, the people lose interest in the project. As Claude Ake (1996b) argues, the only democracy Africans need is one that thoroughly engages their poverty. By the time lack of interest graduates to apathy the democratisation process is threatened by declining levels of participation. If this persists it may set the stage for the military to take over power in Nigeria once more. This is a deadly option and the situation must be arrested before it degenerates to that level.

CONCLUSION

This analysis reveals how godfatherism has continued to cast ominous shadows over the democratisation process in Nigeria, particular under the Fourth Republic. The weak institutionalisation of democratic infrastructures such as the people, political parties, and INEC may be attributed to the godfathers. The result has been a heavy reliance on the use of money and force to influence politics, at the expense of due process. The consequences have manifested in the form of choiceless democracy, where the party and the people have only such influence as the godfathers will permit. This trend poses a serious threat to sustainable democracy.

It is important to conclude with some recommendations about what should be done to contain the monster godfatherism has become in Nigeria. First, the philosophical foundations of Nigerian politics over the years seem to have been predicated on the winner-take-all system. This disposition tends to strengthen the role of godfathers since they know that they will monopolise the dividends of their investment in the election of their godsons. There is a need to rethink this philosophy to ensure that winners no longer take all. If this is properly handled it has the potential to reduce the determination of godfathers to invest their all in a given election, and thereby reduce the costs of elections.

Given the fact that most of the most notable godfathers in Nigeria would appear to be the direct agents of the federal government, considering the high level of patronage and protection they enjoy from the state, a more fundamental approach would be to engage the character of the Nigerian state, especially its

undue proclivity to violence and criminal tendencies, including the promotion of prebendalism and clientelism.

It is also important to undertake a fundamental restructuring of democratic institutions such as political parties to enable them to discharge their responsibilities effectively and operate within democratic ideals both internally and externally. The issue of party funding is central to actualising this in that it can prevent the rich from hijacking parties because they have the financial strength to do so. There is also a need to reform the electoral system, with an emphasis on enhancing the autonomy, impartiality and efficiency of INEC. This may require reconstituting INEC as an autonomous commission instead of one that is under the direct control of the Presidency. Indeed, it should be answerable only to the people through the National Assembly, judiciary and mass media.

The task will be Herculean, especially since the problems cannot be divorced completely from the problem of the Nigerian state, epitomised by its weak autonomous base, its coercive and alienating nature and by mass poverty. Any strategies aimed at redressing the problems of godfatherism in Nigeria must, therefore, be pursued within the framework of a reformist and developmental state, capable of formulating adequate public policies and ensuring coherence between formulation, execution and evaluation.

Only such a state is capable of exercising power in the overall interests of the people, irrespective of ideological, ethnic, religious, party or gender affiliations. This requires the presence of democrats at all levels of governance – the governors and the governed – and institutions of government. A sustainable regime of social mobilisation and political re-engineering is pivotal to achieving these. In this reformative enterprise civil society and the press have a duty to sensitise, inform, educate and mobilise the people about the actions and inactions of government, including exposing the evil machinations of the godfathers and their godsons.

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ELECTORAL VIOLENCE AND NIGERIA'S 2007 ELECTIONS

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ABSTRACT

Nigeria is looked upon by many both in Africa and outside to give leadership in the best democratic practices. Unfortunately, since its independence in 1960, its electoral process has been marred by violence, the most extreme of which, until 2007, was the violence in the Western Region in 1965-1966, which ushered in the first military coup in the country. This paper examines the issue of electoral violence in the 2007 elections and concludes that it was the worst in the country's 47 years of electoral history. The reason is mainly that those who perpetrate the violence are never punished. Instead, they are protected, and their victims are denied justice. The solution, therefore, lies in enthroning the rule of law, investigating and punishing tin gods, and mobilising citizens to defend democracy, and insist that politicians, incumbent governments, and electoral administrators play by the rules.

INTRODUCTION

There can be no democratic election, democratisation, consolidation of democracy, growth in democratic culture or internalisation of best democratic practice in any country if electoral violence is prevalent. Equally, no peaceful, secure, free and fair civilian-to-civilian transfer of power can take place without first purging the electoral process and the country of such infestations of violence.

Violence limits people's participation in the electoral process and enables the imposition of candidates, programmes, and policies, which, in turn, engender violent reactions from losers and the electorate. Hence, Kean (2004, p 1) observed that violence 'is the greatest enemy of democracy'.

Yet, as Albert (2007, p 132) notes, 'elections play an important role in the life of a nation. It is one essential way by which citizens choose their leaders, and by so doing, contribute meaningfully to the identification of the kind of development they would like to see.' Despite the important position occupied by elections in democracies and the need for secure, peaceful, free and fair elections for a stable society and sustainable democracy 'elections in Nigeria have been characterized by lots of violence, the most popular and most frequently referred to being the Western Region election crisis of 1965' (Ochoche 1997, p 17).

The history of electoral violence in Nigeria has been covered in the works of scholars like Akintola, Albert, Post & Vickers, Lewis, Sklar, Diamond, Osaghae, Mitee, and Kolawole. These studies by both Nigerians and foreign authors working at different times and spanning more than 40 years reinforce Albert's assertion that 'electoral violence resulting from representational, campaign, balloting, and results conflicts, has been a terminal problem of Nigerian politics since the 1950s' (2007, p 132).

The task of this paper is to examine electoral violence in Nigeria's April 2007 elections. In pursuing this objective the paper traces the history and evolution of electoral violence in Nigeria; and gives an overview of the 2007 elections. The paper also contemplates the causes of electoral violence and why the ugly phenomenon has persisted in the country. Finally, it suggests strategies for ridding the country of electoral violence in order to encourage effective citizen participation in elections and to promote democratic consolidation, and a stable polity.

The study is significant at this point in Nigeria's national history for many reasons. First, it is very timely, as President Yar'Adua's administration has set up an electoral reform panel in an effort to rid Nigeria and its electoral process of corruption, fraud, and violence. The study is expected to inform the panel, and also to inform policy. Second, for Nigeria to survive as a multi-ethnic and multi-religious nation and see real peace, security, unity, democracy and development, it must rid itself of electoral violence. Third, Nigeria as a significant nation, in Africa at least, needs to lead in best democratic practices. This it cannot do without exorcising electoral violence from its electoral process and system. As this author painfully remarked in a newspaper article immediately after the 2007 April general elections: 'We as Nigerians have failed again to give leadership to Africa in upholding the best democratic practices, and encouraging democratic forces all over the world' (Nwolise 2007, p 65).

CONCEPTUAL DISCOURSES

It is necessary to define three concepts: election, violence, and electoral violence.

Election

To the average person in the street election is the selection of someone for a position. On a higher intellectual plane election is defined as 'the process of selecting the officers or representatives of an organization or group by the vote of its qualified members' (quoted in Nwoliise 2007). Such an election may be in a university seeking a vice-chancellor, a corporate organisation choosing a chairman, a political party conducting its primaries to choose its standard bearer for a presidential contest, a nation wanting to choose its president, or an international organisation selecting its secretary general.

Akzin (1960, pp 706-8) informs us that elections have technical and social significance. In the technical sense, they are the process through which an office or a post is assigned to a person by an act of volition that requires the simultaneous expression of many people's opinions. In the social sense an election is the process by which a person is linked to an office through the due participation of the people who will bear the weight of his or her authority. It is this social aspect of elections that generates the idea of governing a society with the consent of the governed, and this boils down to democracy and distinguishes election from appointment (Akzin 1960, pp 706-8). We should add here Mayo's view (1960, p 73) that the main 'purpose of the whole electoral process is to produce a government invested with legitimacy'.

This point should be noted by heads of state, political parties, and chairpersons of election administrative bodies, for they must know that any election result which is contrary to the votes cast by the people automatically and naturally creates a legitimacy crisis.

Thus, elections are significant because they convey legitimacy to leaders and governments when they are democratically conducted but generate legitimacy crises when persons and governments that are not the true choice of the people are foisted on them.

Violence

There are scholars who perceive violence in terms of the use of force against persons and objects. For example, Corsini (1999) defines violence as the manifestation of hostility and rage through physical force directed against persons or property. Degenaar's view is that violence is 'the intentional application of extreme force against X in such a way that it is destructive of objects and physically injurious to animals and persons' (1990).

There are also scholars who perceive violence as the illegitimate use of force. For example, Hook (1934, p 264) defines violence as the 'illegal employment of

methods of physical coercion for personal or group ends' and Wolff (1969, p 2) asserts that 'violence is the illegitimate or unauthorized use of force to effect decisions against the will or desire of others'. There are other scholars, Audi (1971, pp 72-3), for instance, who maintain that violence, no matter whether legally or illegally applied, is 'the unjustifiable use of force'.

The common element among the scholars cited above, whether they see violence as legitimate or illegitimate, justified or unjustified, is that violence is the use of physical force against persons or objects.

It is, however, important to observe, as Hook and Wolff, respectively, hold, that not all violence is illegitimate, for this would mean that the masses could not react against unjust and unpopular government policies and actions. It also means that only government actions can be legitimate, even if hundreds of citizens are massacred or elections are rigged beyond recognition. With this in mind Leiden & Schmitt (1968, p 3) define violence, especially political violence, as 'a disturbance to the political equilibrium of a state, a breakdown of its political system'. Ted Robert Gurr (1970, pp 1-2), in the same value-neutral sense, conceptualises violence as 'all collective attacks within a political community against the political regime, its actors – including competing political groups as well as incumbents – or its policies'. Gurr's definition, however, assumes that only the masses can wage violence against government, and not vice versa, which is not correct. Government and its agents can, and do, wage violence against the people and their property. Again, not all violence leads to a breakdown in a state's political system, while a demonstration may also disturb a state's political equilibrium.

Before resolving the issue of the conception of violence it is critical to explore its forms. Almost all the above definitions present violence as a physical variable, whereas scholars like Galtung (1991, pp 10-12) believe it can be psychological and structural as well as physical. Physical violence involves physical assault such as attacks against persons and properties. Psychological violence involves generating and living in fear, terrorising people, or publishing abusive material directed against people. Structural violence, which, according to Galtung, is usually indirect, but may be more destructive than physical and psychological violence, involves, among other factors, political repression, economic exploitation, and deprivation of rights such as freedom of choice (Galtung 1991, pp 10-12).

The implication is that violence cannot and should not be perceived as mere physical attacks, but should instead be regarded holistically as incorporating physical, psychological, and structural dimensions. Hence, in this paper violence is considered to be any form of organised or spontaneous action or threat effected by the people or by government or its agents to occasion harm, undue advantage, injury or destruction, with the aim of influencing or achieving a desired objective.

There have been attempts to explain violence, the most popular of which is the frustration-aggression theory put forward by Sigmund Freud (1939) and popularised by Hollard, Doob, Miller et al (1939). The theory holds that the occurrence of aggressive behaviour always presupposes the existence of frustration.

Electoral Violence

Based on the old, narrow concept of violence as a physical phenomenon, electoral violence has previously been regarded as physical violence unleashed by political thugs used in election rigging processes or by the masses of the people reacting against the theft of an election. Methods used by the former include the physical assault of opponents of their paymasters, attacks on properties, shootings, kidnappings, ballot-box snatching, assassination, and so on, and by the latter include riots, the beating up of electoral officials and the police, setting public property alight, burning tyres in the streets to disrupt traffic, and so on.

Albert (2007, p 136) observes that 'extant literature on electoral violence in Nigeria focuses on this type of violence'.

However, following the reconceptualisation of violence as having not merely a physical dimension but also psychological and structural dimensions, Albert (2007, p 133) defines electoral violence as 'all forms of organized acts or threats – physical, psychological, and structural – aimed at intimidating, harming, blackmailing a political stakeholder before, during, and after an election with a view to determining, delaying, or otherwise influencing an electoral process'. Ochoche concurs, stating that electoral violence is not only a physical phenomenon but can also be structural. He noted that there are many stages in an election and each stage can be abused, manipulated, violated, corrupted, or distorted.¹ In his words:

At any of the stages, the violence could be physical or structural. In other words, electoral violence must not be seen in physical terms alone. Any attempts at any stage of the electoral process to corrupt, influence, or determine the outcome of an election beyond what it would have been objectively, does damage to the election and could be said to amount to electoral violence.³

Ochoche 1997

1 These stages include: registration of voters, demarcation of electoral boundaries, registration of parties and contestants, location of polling booths and collation centres, organisation of party primaries, campaign, voting, counting of votes, announcement of results, and litigation in electoral tribunals or courts.

Having noted the above, this discourse defines electoral violence as the use of physical force, psychic terror tactics, or official bureaucratic machinery to pursue improper electoral ends.

Table 1
Some Components of the Three Dimensions of Electoral Violence

Dimension	Components
PHYSICAL	Physical assault on individuals during campaign, elections and when election results are released.
	Assassination of political opponents or people perceived as a threat to one's political ambition.
	Burning down of public or opponents' houses or cars.
	Shooting, shoot-outs.
	Killing of individuals.
	Partisan harassment by security agents, arrests, forceful dispersal of rallies, or shooting, wounding or killing of people.
	Kidnappings and hostage-taking.
	Bombing of infrastructure.
	Forceful disruption by thugs of political and campaign rallies.
	Destruction of ballot boxes and ballot papers by thugs or partisan security agents.
	Armed raids on voting and collation centres, and snatching of ballot boxes and papers from polling agents.
	Free-for-all fights.
PSYCHOLOGICAL	Threats against and harassment by security agents of opponents of the ruling regime or party, which create political apathy.
	Shoot-on-sight orders that breed fear in voters.
	Terror inflicted by political assassinations, which makes people

	scared to participate in politics or elections.
	Publication or broadcast of abusive, insulting, or intimidating material or advertorials.
	Threats to life through phone calls, text messages, etc.
STRUCTURAL	Coercion of citizens by government to register or vote.
	Exclusionary acts and policies.
	Discriminatory acts and policies.
	Unequal opportunities for political parties and candidates.
	Deliberate changes in dates, venues, or times of events to the disadvantage of others.
	Partisan delimitation of electoral constituencies and location of polling booths.
	Excessive fees for collecting party nomination forms.
	Unfree campaigns.
	Reliance on money and brute force instead of moral integrity and competence.
	Restraints imposed on voters.
	Use of the incumbency factor to give undue advantage to some candidates.
	Announcement of false or fraudulent results.
	Lengthy delays in announcing election results.
	Absence of (adequate) voting materials and election results forms.
	Delays in voting.
	Absence of electoral officers from polling booths.
	Partisan behaviour of police and other security agents.

HISTORY AND EVOLUTION OF ELECTORAL VIOLENCE IN NIGERIA

Elections were introduced in Nigeria in 1922 with the introduction of the Clifford Constitution, which provided for voting in Lagos and Calabar, as well as the emergence of political parties, beginning with Sir Herbert Macaulay's Nigerian National Democratic Party (NNDP). The early elections were relatively violence free.

However, from the 1959 elections, which ushered in independence in 1960, the country began to experience exacerbated electoral violence, orchestrated by the 1954 Macpherson Constitution, which confirmed the regionalism introduced by the Richard Constitution of 1946, as the basis for running Nigeria's federal system. The equation of key ethnic boundaries with regional boundaries (north for Hausa-Fulani, west for Yoruba, and east for Igbo) set the stage for violent electoral battles between the three major ethnic groups, each of which oppressed minority groups politically and economically.

The 1952 political manoeuvres in the Western Regional House of Assembly, which denied Dr Nnamdi Azikiwe (an Igbo) representation set the stage and heightened the tempo of electoral violence as Azikiwe abandoned the search for political fortune in the west and returned to his eastern base of origin, where he had to displace Chief Eyo Ita, a minority man, to become premier, an act which did not go down well with the eastern minorities, just as the Igbo did not take kindly to their candidate being pushed out of the west.

During the 1959 general elections there were physical, psychological, and structural forms of violence, taking the form of thuggery, and election rigging. Even before the vote count was completed the then governor general, Sir James Robertson, had asked Sir Abubakar Tafawa Balewa of the Northern People's Congress (NPC) to form a government, as the British wished to hand over power to their long-favoured ally, the north. Thus, even before Nigeria's independence, electoral violence had taken root in the country. However, since every nationalist just wanted the white man out so the country could gain independence, there was little protest against Robertson's actions from the other key political parties the National Council of Nigeria and Cameroons (NCNC), as it was then called (led by Dr Azikiwe); the Action Group (AG), led by Chief Awolowo; and the Northern Elements Progressive Union (NEPU), led by Mallam Aminu Kano.

Real electoral violence can be said to have emerged in Nigeria during the 1964 federal elections and reached a crescendo in 1965-1966 during the western regional elections. In both elections parties and some key political leaders hired thugs to beat up, maim, kidnap, or murder their political opponents, disrupt campaign rallies, snatch ballot boxes, burn down houses, thumbprint ballot

papers, disrupt voting in opponents' strongholds, and so on. Many people were killed and violent thuggery reigned throughout the federal elections. Electoral officers disappeared from their offices after receiving the nomination papers of favoured candidates and, on voting day, women became 'pregnant' with ballot papers which they offloaded when they entered the secluded polling booths. At the end, Nigeria had a constitutional crisis as the east had boycotted the election because of the rigging and the physical and structural violence in the electoral process. For three days Nigeria had no head of government as the president, Dr Nnamdi Azikiwe, found it difficult initially, given the flawed and violent election, to reappoint Balewa as prime minister. He did, however, reappoint him after several days of consultation.

The electoral violence in the western region during the 1965 regional elections emanated from the determination of the leadership of the Nigerian National Democratic party (NNDP) of Chief S L Akintola to retain power at all costs and whether or not the electorate voted for it. In this bid it had the strong backing of the federal government under the Northern People's Congress (party), which wanted to counteract the influence of Chief Obafemi Awolowo and his Action Group, supported by the National Council of Nigerian Citizens (NCNC) of Dr Azikiwe, and with which it formed the alliance called the United Progressive Grand Alliance (UPGA).²

The NNDP, supported by the state, rigged the elections to retain power in the western region, but, despite the allegations of rigging, the elections were declared legal. The announcement of the results was followed by widespread disturbances in the west in which many people were killed and property destroyed (Ojiako 1979, p 3; Ojo & Azeez 2002, p 209). The violence, popularly known as 'Operation Wet-e' (pour fuel and burn), continued from November 1965 to 15 January 1966, when the first military coup occurred in Nigeria, overthrowing the constitutional order and inaugurating the first long stretch of military dictatorship in the country (from 1966-1979). Commenting on the reactions of Nigerians to the 1964 general elections and the 1965 western regional elections, Chief Bola Ige (1992, p 37) asserted:

... the election rigging of 1964 (at Federal level) and of 1965 were seen by the majority of Nigerians as despicable acts and the victory of anti-democratic forces. So they reacted, first by the general boycott of 1964, and secondly by the famous operation 'wet-e' in 1965 (in which properties of those suspected of selling out were set on fire).

2 Chief Awolowo was jailed during the election on trumped up charges.

Ochoche (1997) observed that the western regional election crisis of 1965-1966 'remains the worst single period of electoral violence in the history of Nigeria'. By the time of military intervention in 1966 it had grown to 'epidemic proportions' (Dudley 1973, p 114). According to a former chief justice of Nigeria the 1965 elections were riddled with malpractice, aggravated by violence from both the NNDP and UPGA, but especially from the NNDP, which was the party in power. The UPGA candidates who lost the election did not bother to go to the courts, which were controlled by the NNDP and its federal ally, they simply refused to accept the results, rendering the government of Chief Akintola of questionable legitimacy. The UPGA and its millions of supporters took to the streets 'threatening, burning or maiming any member of the government party they could corner in the bush or in a back-garden. Life in those days was certainly not safe in the streets of Ibadan, Ife or Ikeja. Cars of known party stalwarts were set ablaze. Unpopular customary court Presidents were slaughtered like rams' (Ochoche 1997, p 17). This violence earned the western region (Yoruba land) the label 'Wild-Wild-West'. But this author personally sees the action as meriting the label 'Wise-Wise-West', as the people justifiably used physical violence to rid themselves of the anti-democrats who had used structural violence to impose themselves as rulers.

The military rule ushered in by the 1965-66 western regional electoral violence only ended in 1979 when General Obasanjo's military regime supervised a federal election that paved the way for his famous voluntary handover to the civilian government led by Alhaji Shehu Shagari of the National Party of Nigeria. Given the fact that the military played midwife to the election and transition there was not much violence, though the election attracted criticism as the Supreme Court delivered a controversial decision on the winner, based on a questionable mathematical 'theory' introduced to determine the winner instead of the use of an Electoral College, as provided for in the Constitution.

During the 1983 federal elections, supervised by the NPN government led by President Shehu Shagari, electoral violence resurfaced. The NPN was determined to remain in power, while most Nigerians wanted a change in government. Even in the north the electoral slogan was 'chanji' (change). Thus, violent thuggery re-emerged and the elections were rigged, even by Federal Election Commission of Nigeria officials, with the support of the police. The people reacted once more by pouring into the streets in anger and the government ordered the police to shoot on sight. The military once more seized the opportunity to halt Nigeria's march to democracy and it would be another ten years (1993) before Nigerians had the opportunity to vote again.

The Babangida government organised the most secure, peaceful, free and fair federal elections in Nigeria's history but in the end Babangida annulled the presidential election (won by Chief M K O Abiola) in pursuit of his personal

ambition to become a civilian president and the northern agenda of not returning power to the south. Babangida stepped aside in August of the same year, paving the way for an interim government (led by Chief Ernest Shonekan), which was pushed aside in a palace coup by General Sani Abacha after three months. General Abacha was planning to transform himself into a civilian president when death came calling and General Abdulsalami Abubakar became head of state and effected a transition to democracy within six months of taking over government. Again, because Nigerians were tired of military rule and because the military oversaw the transition, there was little violence during the 1999 election which brought Chief Olusegun Obasanjo to power on 29 May.

The Obasanjo government conducted the 2003 elections, during which electoral violence resurfaced. This time the violence included political assassination. Election rigging, with the direct involvement of the nation's so-called Independent National Electoral Commission (INEC), was raised almost to a 'virtue'. Favoured persons were made governors, while some who had never before contested an election were made senators. All these factors led to corruption and misgovernance.

The country hoped for a better election in 2007, believing that because the president had served his two terms the incumbency factor would be greatly reduced. But as the election period drew near President Obasajo told surprised Nigerians, other Africans, and the world that the 2007 elections would be a 'do-or-die' affair. These words set the stage for the electoral violence that made the 2007 election the worst in Nigeria's history, surpassing the events of 1965-1966.

The nature of the violence had changed, though. Before 2003, it was mainly carried out by the masses in angry reaction to election rigging or it was executed by party thugs. But from 2003, and especially in 2007, godfathers, governors, local government chairmen and candidates for legislative houses recruited followers, thugs, and assassins armed with sophisticated weapons and unleashed them on their opponents and on society.

The state was also grossly irresponsible during the 2007 elections, with the presidency promoting violence. INEC, in collusion with the ruling People's Democratic Party (PDP) and the presidency, with help from the police, rigged elections for the PDP and favoured candidates. The president, governors, commissioners, and ministers were personally involved in generating electoral violence – physical, psychological, and structural. An observation by Egbokare (2007, p 24) summarises the ugly developments.

Since 1979, things appear to be getting worse. I think what was different this time was that it was not just a thug affair. Governors and their Deputies, Ministers, in fact, the high and mighty in the

society were involved in the field operations once left to thugs. They personally participated in snatching ballot boxes, thumb-printing, and disruption of voting. The Police as usual provided cover. The reason these individuals got involved directly was because thugs were neutralized by the people's resolve in a number of places. In one instance, the Police and thugs of a certain party had dispersed voters with tear-gas and were busy thumb printing. In another instance, voting stopped at a polling station after only three people had voted. Voter intimidation was rampant, ballot boxes were burnt, fire arms were freely used and of course lives were lost.

The sad message of this review of the history and evolution of electoral violence in Nigeria is that things are not improving. Instead, they are getting worse. Politicians, electoral administrators, and government at all levels are not learning any useful lessons from history. It is sad, but this truth and sadness must spur the resolve in Nigerians to get things right in future.

THE 2007 ELECTIONS: A BRIEF OVERVIEW

Preamble

Nigerians looked forward to the 2007 elections with hope for changes in their electoral fortunes and the wish to have better leaders, who would improve their lives. Given the disappointing outcome and the problems attendant on the 2003 elections, they expected constitutional and electoral reforms and a better-organised election in 2007. However, Obasanjo's third-term bid stalled plans to amend the 1999 Constitution and there were no electoral reforms, only an increase in the number of political parties from the three in 1999 to 50. The Electoral Act of 2002 was merely amended to become the Electoral Act 2006. Since Nigeria's Constitution provides for a four-year tenure for all elective positions, those elected into office in 2003 were due for change in 2007. The administration of the election fell on INEC, which had conducted the 2003 elections. The posts to be filled were those of president, 109 senators and 290 House of Representative members. Nigerians had high expectations of achieving a secure, peaceful, free and fair civilian-to-civilian handover in order to break the jinx of the national inability to achieve this since independence in 1960.

Preparations

INEC prepared for the elections, registering voters and political parties, printing ballot papers, training its officials and recruiting ad hoc staff, procuring ballot

boxes, and locating polling booths and collation centres. While this took place political parties began their primaries in November 2006 to elect their standard bearers, with some imposing favoured candidates as 'winners'. For example, Alhaji Musa Yar'Adua, who had not been a strong contender, won the nomination for the PDP's presidential slot. Campaigns began in earnest from December 2006, heralding the assassination of opponents and violent rallies by armed thugs.

Voting

Voting for governors and state houses of assembly candidates took place on 14 April 2007, while the presidential and National Assembly elections took place on 21 April. The two elections were marred by brazen and open irregularities, violence, and corruption, much of which were executed with impunity.

In some places elections were postponed for one reason or the other. For example, in Lagos State senatorial elections were postponed in two of three districts because some political party logos were omitted from ballot papers. In Rivers, Sokoto, Abia, Ogun, Delta, Bayelsa and Jigawa states INEC postponed National Assembly elections because of missing party logos and candidate names, which INEC blamed on a 'printer's error' – a situation described by Chief Bisi Akande (national chairman of the Action Congress) as 'disgraceful' (*Sunday Punch*, Lagos, 22 April 2007, p 9).

The violence and irregularities experienced during the 14 April gubernatorial elections resulted in a low turnout for the presidential election. Among the problems were the late arrival of voting materials, the absence of INEC officials from several polling booths, and late starts in voting. Even during the presidential election voting started very late in several areas, sometimes as late as mid-afternoon (*Sunday Punch*, Lagos, 22 April 2007, p 8).

Vote Counting and Announcement of Results

In the gubernatorial election several candidates were imposed as 'winners' by INEC, for instance in Anambra and Kogi states. In the presidential election Alhaji Musa Yar'Adua was declared winner, to the chagrin of other contestants, who cried foul.

Aftermath

Spontaneous violence greeted the announcement of results in several states of the federation and more assassinations followed. Several cases were filed in the electoral tribunals at the state level. General Buhari, who contested the presidential election for the All Nigeria People's Party, and Alhaji Atiku Abubakar, the Action

Congress candidate, went to the Election Tribunal where hearings began on 17 July. Atiku's case was based on the exclusion of his name from the ballot paper and other manipulations of the electoral process (*Nigerian Tribune*, Ibadan, 13 July 2007, pp 1, 4).

The widespread irregularities generated popular resentment of ruling bodies formed on their basis; and eroded citizens' confidence in INEC, the federal government, and the democratic process. As at October 2007 two gubernatorial processes (in Kogi and Anambra states) had been annulled by election tribunals. The Anambra governor, Chief Uba, of the PDP, had to vacate his office in favour of Dr Peter Obi of the All Progressive Grand Alliance (APGA). In Kogi State incumbent Governor Ibrahim Idris has appealed against the judgement delivered by the tribunal chairman, Justice Ibrahim Bako, on 10 October 2007, ordering a fresh election (Babajide 2007, pp 1, 4).

Table 2
Cases Challenging the April 2007 Election Results

State	Number of Cases
Anambra	99
Borno	8
Ebonyi	17
Edo	32
Imo	13
Gombe	12
Kaduna	21
Kano	43
Katsina	44
Kogi	46
Ogun	80
Oyo	19
Kwara	21
Plateau	28
Rivers	68
Yobe	6

Source: Ololajulo 2007, p 22

The opposition parties and some members of civil society planned mass action on 1 May (Workers' Day) to protest the sham elections but these did not take place as the police ordered state commissioners to clamp down on all protests in terms of the Public Order Act (*The Punch* 1 May 2007, p 6).

Assessment

Alhaji Atiku Abubakar, Nigeria's vice-president and AC presidential candidate, describing the general elections as a sham (*Nigerian Tribune* 22 April 2007, p 6), vowed to challenge the result. The Nigerian Labour Congress, and the Trade Union Congress, the most powerful labour organisation in Nigeria, formally rejected the outcome of the elections (*Nigerian Tribune* 1 May 2007).

The Transition Monitoring Group, described the elections as a charade, insisting that the Obasanjo government, in close collusion with INEC and the PDP, programmed the election process to fail (Idasa 2007, p 20). The Action Congress termed the elections the worst in the history of Nigeria. The party's publicity secretary, Alhaji Lai Mohammed (quoted in *The Punch* 9 May 2007, p 14), said President Obasanjo had bungled a chance to ensure a peaceful and credible transfer of power from one civilian government to another. In his words:

Whatever happens on May 29, 2007, the truth will remain that Nigeria is yet to achieve a credible transfer of power from one elected leader to another, since what transpired under Maurice Iwu's INEC couldn't be described as an election ... Whether in 1979, 2003, or 2007, President Obasanjo has only succeeded in redefining the concept of elections to mean brigandage, daylight robbery, and a do-or-die affair.

The European Union condemned the elections, stating that the presidential election had been worse than the gubernatorial election. The European Union Election Observation Mission and several other national and international observers said the elections fell short of basic international and regional standard for democratic elections.

[The elections] ... were marred by poor organization, lack of essential transparency, widespread procedural irregularities, significant evidence of fraud particularly during the result collation process, voter disenfranchisement at different stages of the process, lack of equal conditions for contestants and numerous incidents of violence. As a result, the elections have not lived up to the hopes and

expectations of the Nigerian people and the process cannot be considered to have been credible.

Idasa July 2007, pp 19-20

Yar'Adua himself publicly recognised and acknowledged on the day of his inauguration as president the fact that the elections were greatly flawed and promised sweeping electoral reforms while calling for a government of national unity.

MANIFESTATIONS OF ELECTORAL VIOLENCE DURING THE 2007 ELECTIONS

Insight

Cashmir Igbokwe, a columnist for *Sunday Punch*, who asserted that the election 'was war by another name' (22 April 2007, p 17), was not far from the truth. Judging by all that has been published and broadcast in the media, and all that this writer personally witnessed before, during, and after the elections, it is no understatement to say the 1965-66 western regional electoral violence was child's play compared to the scale and depth of the violence experienced in Nigeria in 2007.

The stage was set early for widespread violence when President Obasanjo stated that for him and the PDP the 2007 election was a 'do-or-die affair', a statement as terrifying as it was surprising and unexpected from a leader of his international stature. The other 49 political parties, hundreds of non-PDP candidates and godfathers all over the country got the message, and prepared. The masses of the Nigerian electorate also readied themselves to resist a repeat of the rigging effected by the government during the 2003 elections, as well as any attempt by any party or candidate to intimidate or harass them.

As the physical violence began to unfold, starting with the assassination of political opponents like Dr Ayo Daramola (PDP gubernatorial candidate in Ekiti State) on 14 August 2006 and Chief Funso Williams (PDP gubernatorial candidate in Lagos State) in July 2006, high-profile candidates began to apply for police protection. The demands increased after the bombing of the home of Senator Patrick Osakwe in Delta State on 24 November 2006 and the bombing, also in Delta State, of the houses of two House of Representative aspirants Nduli Elumelu and Theodora Giwa-Amu. The then inspector general of police said he could not meet all the demands. The electoral candidates also appealed to the police to stem the rising tide of political assassinations and violent clashes ravaging the country. Even the new Sultan of Sokoto, Alhaji Sa'ad Abubakar III, appealed to politicians to eschew violence in their campaigns and stop raising tension, fear, and anarchy in the country (*Vanguard* 7 April 2007).

Manifestations of Physical Violence

Physical violence was rife before, during, and after the elections, taking the form of: physical assault, assassinations, disruption of campaign rallies, burning of houses and cars, including government-owned ones, snatching of ballot boxes from polling booths, disruption of voting, destruction of ballot papers in opponents' strongholds, murder, kidnapping and hostage taking, shootouts, raids on voting and collation centres, free-for-all fights and violent protest marches, among others.

For example, the refusal of the INEC resident electoral commissioner in Abia State, Prince Solomon Soyebi, to rig the gubernatorial election for the PDP candidate, Chief Onyema Ugochukwu, because the former was a born-again Christian, led to Ugochukwu slapping Soyebi and calling him a 'big fool'. Ugochukwu's thugs also dealt mercilessly with Prince Soyebi, who had to be rescued by members of the Nigerian Air Force (*The Nation On Sunday* 22 April, p 14). In Kano State thugs brandishing cutlasses and swords invaded several polling booths, disrupting voting during the presidential election. In Edo State Adams Oshiomohle, immediate past president of the Nigerian Labour Congress and the AC's gubernatorial candidate, and his convoy were attacked at Auchi on 21 April by armed thugs sponsored by the PDP. His orderly was disarmed and beaten into a coma and his vehicles were damaged (*Sunday Vanguard* 22 April 2007, p 5). Also in Edo State there were shootouts between armed supporters of different parties. One occurred in Akoko-Edo, where soldiers arrested 10 people during a shootout between PDP and AC supporters (*Sunday Vanguard* 22 April 2007, p 5).

In Delta State, by 18 April, several houses had been burnt down, including the country home of a serving commissioner, Evans Iwhurie. A couple visiting the family were burnt to death. By the same date four more people had been killed and 20 wounded (*Sunday Vanguard* 22 April 2007, p 14). Also in Delta State assassins shot and wounded a PDP leader, Dr Nelson Ejakpori (*The Guardian* 7 April 2007), while in Bayelsa State Stephen Divei of the PDP narrowly escaped bullets rained on him by assassins who trailed him for a whole day (*The Guardian* 29 May 2007).

At Okelewo in Ogun State hoodlums destroyed two ballot boxes, scattering the ballot papers on the main road (*Sunday Vanguard* 22 April 2007, p 5) and in Abeokuta, capital of Ogun State, members of different political parties engaged in free-for-all fights, using guns, cudgels and cutlasses, and wounding 12 people (*Nigerian Tribune* 14 April 2007; *Vanguard* 17 April 2007).

While voting was in progress during the presidential election an attempt was made to blow up INEC headquarters in Abuja with a tanker loaded with explosives. In Katsina State the INEC office in Zango Daura Local Government

Area was set alight (*Sunday Punch* 22 April, p 8). In Minna, in Niger State, armed thugs invaded several polling booths, snatching 15 ballot boxes and destroying the ballot papers (*Sunday Punch* 22 April, p 15). In Kaduna State during the presidential election three people were killed by party thugs in the Karaye area of Zaria (*Sunday Punch* 22 April, p 15) and a man found in the Obankpa area of Delta State with pre-prepared tally sheets was shot dead (*Sunday Punch* 22 April, p 13). In Katsina State seven houses were burnt down during the presidential election (*Sunday Tribune* 22 April 2007, p 4).

When the result of the gubernatorial election was announced in Ondo State, declaring Governor Segun Agagu, the PDP candidate, re-elected, supporters of the Labour Party took to the streets to protest against the defeat of Dr Olusegun Mimiko in what they believed to be a rigged election. Vehicles and houses, most of them belonging to a PDP chieftain, were burnt. Also razed were the houses of Senator Gbenga Ogunniya and Chief Ojo Akinpelu (chairman, Ondo Local Government). The INEC office at Akure was destroyed by irate youths. The violence spread like wildfire from Akure to Ondo, Akoko, Ile-Oluji, Oke-Igbo, Idanre and Okitipupa (*The Nation On Sunday* 22 April 2007, p 34).

On 20 April armed men, believed to have been angered by the role the police force was playing in the election, ambushed and killed nine members of the Nasarawa Police Command who were heading for their duty post in preparation for the presidential election (*The Nation On Sunday* 22 April 2007, p 34). Earlier, in Osun State, the campaign office of Engineer Aregbesola, the AC gubernatorial candidate, had been raided and ransacked by police and soldiers, who took away vital electoral documents, including election results sheets officially given to the AC by INEC. AC members believed that the seizure of the documents was meant to facilitate the rigging of elections (*The Nation On Sunday* 22 April 2007, p 34).

In Benue State on 14 April an aide of ANPP gubernatorial candidate Professor Daniel Saror was gunned down in his residence in the state house of assembly quarters (*Sunday Punch* 22 April 2007, p 13). In Portharcourt eight people, seven of them policemen, were shot dead at Elelewon and Rumaokoro police stations and vehicles and the two police stations were burnt (*Sunday Punch* 22 April 2007, p 13). In Edo State eight voters who tried to stop thugs from snatching ballot boxes came under fire, while in Osun State protests against the announcement of the result returning Governor Oyinlola to power led to the death of 16 people, including an 8-year-old girl hit by stray bullets (*Sunday Punch* 22 April 2007, p 14).³

3 For more details on the fraud perpetrated during the elections see *Newswatch* 20 April 2007.

Manifestations of Psychological Violence

Psychological violence took the forms of threats, offensive advertorial, the use of terror tactics, and so on. For example, the statement by then President Obasanjo to the effect that the 2007 elections would be do-or-die affair did a lot of psychological violence to the elections. Nigerians never expected such words from a man they expected to play the role of a statesman and father of the nation. The statement made people fear for their safety if they contested or participated in the elections.

The sight of armed thugs brandishing all forms of weapons, killing and maiming innocent citizens whose only 'crime' was to perform their civic patriotic duties, also wrought psychological violence. Security agents threatened, harassed, arrested, beat and killed citizens. The heavy presence of heavily armed policemen and soldiers generated voter apathy in many areas. For example, in Ogbomoso town in Oyo State, according to the inspector general of police (IGP), the 'heavy security marred elections in several wards ... as intimidated voters stayed away from polling centres' (*The Punch* 1 May 2007, p 6).

The order by the then IGP, Sunday Ehindero, to his state commissioners of police to clamp down on people planning or effecting protest marches on 1 May denied citizens the opportunity to air their objections to the way their votes had been stolen. 'I have given orders to my Commissioners of Police all over the Federation to use minimum force, or force that is more than the minimum if the need arises to ensure that we don't have any rally without Police permit outside the designated points,' he said (*The Punch* 1 May 2007, p 6).

The result of this attitude was the populace was doubly disadvantaged. Not only were the elections rigged, they were prevented by the use of unconstitutional means from protesting.

Manifestations of Structural Violence

Structural violence occurred in several forms before, during, and after the 2007 elections.

- INEC's incompetent compilation of the voters' register meant that many people (including the writer) were never registered and were thus disenfranchised.
- When the voters' register was displayed hundreds of names were missing.
- Some candidates, among them AC candidate Vice-President Alhaji Atiku Abubakar, were disadvantaged by decisions made by INEC.
- The police and military were used in some areas to harass and intimidate opponents.

- In several states and polling centres the start of voting was delayed until 3pm or later. In the presidential election in Abia State, for example, Governor Orji Uzo Kalu, Progressive People's Party (PPA) presidential candidate did not vote until 7pm because voting materials arrived late. He believed that the late arrival of election materials in his state was a deliberate ploy to cheat him and the entire Igbo race. He added that in the following two months the entire Igbo race would meet to decide whether or not the Igbo people would remain part of Nigeria because 'what has happened is a threat from INEC and the FG [federal government] to the Unity of Nigeria' (*Sunday Tribune* 22 April 2007, p 5). In Ibadan voting did not commence in several areas until 12 noon on 21 April. In Imo State, voting materials for the presidential election only arrived at Owerri (the state capital) at 4pm (*Sunday Tribune* 22 April 2007, p 50).
- Names of several candidates and political party logos were missing (excluded) from the ballot paper in several states, leading to the postponement of elections in those states. For example, the National Assembly election in Abia State was postponed in six of eight federal constituencies (*Sunday Tribune* 22 April 2007, p 5).
- Voting materials were not provided at all for elections in some areas. For example, in Oyo town, Oyo State, the Alaafin of Oyo complained bitterly about the non-provision of voting materials for the House of Representatives election (*Sunday Tribune* 22 April 2007, p 6).
- There was a mix-up with the ballot papers printed for election in some areas, leading to the cancellation of elections in those areas – the Niger-East and Niger-South senatorial zones were two examples.
- Serial numbers did not appear on the ballot papers in some states, making the detection of rigging impossible (*Sunday Punch* 22 April 2007).
- Photographs of some of the candidates were not included in the ballot papers for some elections. This negatively affected the electorate in their choice of candidates.
- Inadequate provision of voting materials to hundreds of polling centres disenfranchised hundreds of Nigerians.
- The behaviour of INEC, the police, and the presidency was clearly partisan.

CONCLUSION

There were myriad consequences of electoral violence in Nigeria during the 2007 general elections. They included voter apathy,⁴ the destruction of lives and property, loss of confidence in the democratic process, many contestants forced into hiding, a rise in political tension, increased general insecurity, human rights

abuses, Nigeria's failure to give leadership to Africa on best democratic practices, denting of Nigeria's national image and a government handicapped by a legitimacy crisis.

What are the factors responsible for the electoral violence? In 2002 the Academic Staff Union of Universities attributed it to 'deepening poverty, unemployment, and hunger, retrenchment resulting from privatization of public property, manipulation of ethnic loyalties' (Albert 2007, p 132). Albert adds 'religious fundamentalism, elite fragmentation, commoditization of politics, the framing of Nigerian elections as "zero-sum" events, and lack of independence of the Judiciary, Police and successive election administration bodies'. To these we can add the desire of politicians to win election at all costs, disregard for the rules of the political game, the inordinate desire of incumbent leaders either to hold their positions or to impose their surrogates, undemocratic internal party workings and practices such as the imposition of candidates, arrogance, high rewards for political office holders, the high cost of elections and the need to ensure that expenditure is not wasted but instead brings huge returns, clashes of egos, such as that between Obasanjo and Abubakar, and the fact that being in government ensures that the winner and his or her people get their share of the national cake. All these factors make people attach tremendous importance to political power and its acquisition. As Mackintosh (1965, p 21) rightly observes:

To win an election means that you, your village, tribe, or region obtains all the top posts, the lucrative contracts, roads are tarred, scholarships are provided, wells are dug, and new forms of industry introduced. To lose is to surrender not only the good things but many of the necessities of life.

Claude Ake (1964, p 24) agrees, stating:

Those who win state power can have all the wealth they want even without working, while those who lose the struggle for state power cannot have security in the wealth they have made even by hard-work. The capture of state power inevitably becomes a matter of life and death. That is one reason why our politics is so intense, anarchic, and violent.

4 This was probably felt most in Edo State where the turnout for the presidential election was very low as a result of the violence experienced in the state during the 14 April when more than seven people were shot dead by armed thugs. See *Sunday Vanguard* 22 April 2007, p 5.

If, however, this writer is asked to point out one reason why Nigeria has continued to experience electoral violence it is the fact that officials and citizens who plan and unleash violence on all of us are not punished and held accountable for their unpatriotic and undemocratic actions. Instead they enjoy immunity, which blocks reform and, at the same time, denies justice to the victims of their violence. There is therefore a general loss of confidence by the people in public institutions – courts, the police, INEC, government, tribunals, and the bureaucracy, which are regarded as compromised, corrupt, partisan, and ineffectual. Thus people react violently to structural (and psychological) violence emanating from the state. There is criminal failure of public institutions, especially those responsible for investigating and prosecuting crimes against the people and the state. Our electoral institutions are failed structures, lacking rudimentary integrity.

In order to combat the ugly phenomenon of electoral violence in Nigeria, which has become a great threat to the country's unity, external image, national security, and democratic consolidation, the first thing is to impose serious punishment, including life imprisonment, for election rigging, the recruitment and sponsorship of thugs, the planning and execution of assassinations, and other criminal forms of armed politics.

Second, it is essential that civil society mobilise to ensure that the federal government enacts and implements the Freedom of Information Act, which has thus far taken nine years to make its way through the National Assembly and the presidency. This law will make it possible for Nigerians, especially the media, to burst the cocoon of secrecy which enables government officials to hide evidence of criminal and illegal activities and thereby get away with murder.

Third, the ongoing electoral reform panel needs to dig deep and wide and operate truly independently in the execution of its assignment, to ensure that henceforth Nigeria conducts only secure, peaceful, free and fair elections that enhance political stability, national security, and the consolidation of democracy.

Fourth, the Yar'Adua administration, as part of ongoing electoral reform, must institute nation-wide judicial inquiries into the violence and corruption that surrounded the 2007 elections, exposing and prosecuting the sponsors of armed gangs and violence.

Fifth, the creation of two million jobs a year for the next four years is critical to dry up the pool of unemployed, hungry and angry youths in the country, which readily serves as a recruiting ground for all forms of crime. Sixth, Nigerians must resolve today to do away with armed politics and election rigging. Seventh, the culture of political debate must be enthroned to promote political tolerance and do away with ethnic, religious, and personality issues in election periods. Post-2007 elections must be programmed not only to be secure, peaceful, free and fair, but must be seen by Nigerians, Africans, and the world at large to be so.

Finally, there is an urgent need for Nigeria's leaders to embark on massive education, enlightenment and mobilisation of the country's citizens, inculcating in them the knowledge of a democratic ethos and principles and empowering them always to uphold and defend truth, law, justice, and democracy. Without these actions little can be achieved in the bid to make politicians play the political game according to the rules. The ancient words of Aristotle (1253, p 30) are instructive:

For man, when perfected, is the best of animals, but when separated from law and justice, he is the worst of all; since armed injustice is the more dangerous, and he is equipped at birth with arms, meant to be used by intelligence and excellence, which he may use for the worst ends. That is why, if he has not excellence, he is most unholy and the most savage of animals, and the most full of lust and gluttony. But justice is the bond of man in states, for the administration of justice which is the determination of what is just, is the principle of order in political society.

Nigerians must insist on the radical transformation of Nigeria into a political society built on the principle of order established by law. This is where President Musa Yar'Adua's current crusade for the enthronement of the rule of law and due process holds out a ray of great hope for peace, justice, democracy, and future free and fair elections devoid of electoral violence.

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VOTE BUYING IN NIGERIA

An Assessment of the 2007 General Elections

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ABSTRACT

Nigeria's electoral process has been confronted with daunting and enormous challenges which bedevil the conduct of elections considered free, fair and acceptable both within the country and internationally. But a more crucial problem in Nigeria's electoral system is that of vote buying (and vote selling). This study exposes the nature of vote buying (and selling) as a form of electoral malpractice whose root causes may be linked to illiteracy, poverty and a zero-sum game of political exclusion. Overall, Nigeria needs to fight illiteracy, poverty and the practice of constitutional engineering if it is to be able to hold credible elections.

INTRODUCTION

One of the fundamental problems of the democratisation process in Nigeria is the conduct of free, fair and acceptable elections. Virtually all the elections conducted in the history of Nigerian politics have been characterised by one form of electoral problem or another. The 1959 election was widely condemned as unacceptable by most of the opposition parties (*Post* 1964; Ojigbo 1980; Dudley 1973). The 1963/64 election was also beset with problems and serious challenges, especially in the Western region and the middle belt, which crisis led to the collapse of the First Republic (Ingham 1997; Diamond 1996; Anifowose 2006); the opposition contested the results of the 1979 election, creating a crisis which led to the military takeover of the government (Joseph 1999). The 1993 elections,

adjudged the freest and fairest, were annulled by the military government of Ibrahim Babangida. The 1999 elections left the Nigerian people with no choice – the president who emerged was the product of the military. The 2003 elections were widely acclaimed to be massively fraudulent (Catholic Secretariat 2003), while those in 2007 were regarded as the worst ever conducted, at least partly because of the move from votes allocated by the electoral body to direct rigging.

Among the problems associated with the conduct of elections in Nigeria are the electoral body, the electoral system and the electoral process. Nigeria has never had a truly independent electoral commission – the process of establishing them makes them part of the executive arm. For example, the 1999 Constitution vested in the hands of the president the responsibility for appointing the officers of the ‘Independent’ National Electoral Commission (INEC), which gives him the opportunity to appoint party loyalists. Hence, the general perception is that the INEC is a federal agency, rather than a federalising institution.

The electoral system itself cannot be said to meet the demands of Nigerians. The first-past-the-post (FPTP) system and the secret ballot allow for all manner of irregularities and prevent adequate representation, which robs citizens of their right to elect credible politicians. In other words, both the FPTP and the secret ballot lead to ballot wastage, as only the winners (who often win a minority of votes) are allowed to rule. In addition, the secret voting system allows for the manipulation of votes by the political elite and electoral institutions.

The electoral process is also marred by irregularities ranging from the deliberate exclusion by the electoral agency, often in collusion with the ruling party, of eligible voters from the voters’ register to the conduct of elections involving all manner of ballot manipulation for favoured candidates or parties. In all this, the votes of the electorate do not count.

One of the major forms of irregularity is vote buying and vote selling. The major focus of this study, therefore, is vote buying, especially as it featured in and affected the 2007 general elections.

CONCEPTUAL ISSUES

Elections

Elections are the only acceptable institutionalised process enabling some or all of the recognised members of a democratic society to choose office holders (Olaitan 2005, p 44). As a defining characteristic of democracy, therefore, elections enable citizens to choose a government empowered by them to make and enforce laws in a given political community and within a defined territory. Through elections people choose the programmes the government will follow, as well as settle problems which divide the government and the political parties (Ofoegbu 1976, p104).

Elections lie at the heart of representative governance, giving meaning to the modern conception of democracy (Joseph 1987). They not only constitute the mirror of a people's understanding and the level of appreciation of democratic norms (Ahamba 2002, p13) they are a defining feature of democracy. Ezeani (2005, p 414) sees elections as 'the manner of choice agreed upon by a group which enables them to select one or a few people out of many to occupy one or a number of positions of authority'. Indeed, a regime is termed 'democratic' to the extent that those who govern are chosen by those who are governed by means of free and fair elections. According to Appadorai (1975, p 187) democracy is that form of government in which the ruling power of a state is legally vested not in any particular class or classes but in the members of a community as a whole. Thus, there is an intricate link between elections and choice, because elections are about choices, either between issues or between personalities (Aluko 2003).

Elections remain the basic platform upon which liberal democracy must be built. The conduct of elections is the cause of liberal democracy, and liberal democracy is the effect of real elections. According to Ahmadu Kurfi, former secretary of the Federal Election Commission (FEDECO), which organised the 1979 elections, 'a true representative system of government absolutely depends on the integrity of elections' (Kurfi 1983). A system of government cannot be said to be representative if the conduct of elections is beset with faulty processes. 'Thus, liberal democracy implies not only an extension of the franchise but the equality of voting rights' (Ball 1990, p 115). It is not only the equality of voting rights that matters but the quality of voting. In a liberal democracy citizens must have the ultimate right to choose and substitute leadership when necessary, and this can only be achieved through the conduct of genuine elections because elections remain the only platform in democratic societies upon which leaders emerge and submerge. Therefore, the character of any society claiming to be democratic can only be measured by the type of election that produces the government of such a society. Elections are to the citizens and the general public who have the vote what guns are to the military. As the military use guns to topple and establish military and authoritarian governments, voters use the power of the ballot. Liberal democratic theory of representation is based on rationalism. Accordingly, 'Man is a creature of reason; he can identify his own interests and his own opinions, and is aware of the wider claims of his community. He will therefore use his vote in an intelligent fashion and is consequently entitled to share in the selection of representatives' (Ball 1990, p 115).

According to Levi Obijiofor, a Nigerian political analyst,

Elections ought to be an opportunity for every Nigerian of voting age to send a strong message across to politicians at every level of

government – federal, state and local council. If voters believe that some politicians who are qualified to contest elections have performed wonderfully well, then, by all means, voters should be given the opportunity to express their appreciation by extending the mandate given to those politicians ... If however, voters feel that politicians and the party in power have achieved little or nothing, then voters have the obligation to dismiss the politicians through the ballot box, voters would be making a statement that they would have had enough of the unfulfilled promises, and that they had decided to withdraw the mandate given to those unimpressive political leaders. Voters cannot be denied their natural rights to participate in the political process. It is also a fundamental human right of every citizen who wishes to participate in the process of electing political leaders.

The Guardian 6 April 2007, p 49

If humans, therefore, are beings endowed with rationality, they are expected to utilise their votes wisely to effect positive changes in society. Once they are denied this privilege, especially in a liberal democratic state, they are not only robbed of the opportunity to effect the desired changes but are subjected to political slavery.

ELECTORAL MALPRACTICES

Citing copiously from the *Encyclopedia Britannica* (1980, p 534), Bello-Imam (2007) posited that there are several ways in which electoral processes can be vitiated. The most significant of these is corruption.

Corruption of electoral practices is of course, not limited to bribery or intimidation of the individual voter. The possibilities are endless, ranging from the dissemination of scurrilous rumours about candidates, and deliberate false campaign propaganda, to tampering with the election machinery by stuffing the ballot box with fraudulent returns, dishonest counting or reporting of votes, and total disregard of electoral outcomes by incumbent officeholders...

Section 131 (1&2) of the 1999 Constitution of Nigeria specified forms of vote buying as electoral offences under the sub-title 'Bribery and Conspiracy', which are treated as offences.

- (1) A person who:
 - (a) directly or indirectly by himself or by any other person on his behalf, gives, lends or agrees to give or lend, or offers, promises;

- (b) promises to procure or endeavour to procure, any money or valuable consideration to or for any voter, to or for any person on behalf of any voter, or to or for any other person, in order to induce any voter to vote, to refrain from voting, or corruptly does any such act on account of such voter having voted or refrained from voting, at any election;
- (c) directly or indirectly, by himself or any other person on his behalf, corruptly makes any gift, loan, offer, promise, procurement, or agreement to or for any person, in order to induce such person to procure or to endeavour to procure the return of any person as a member of a Legislative House or to an elective office or the vote of any voter at any election upon or in consequence of any gift, loan, offer, promise, procurement or agreement, corruptly procure, or engages or promises or endeavours to procure, the return of a person as a member of a legislative house or an elective office or the vote of any voter at any election;
- (d) ... ;
- (e) advances or pays or causes to be paid any money to or for the use of any other person, with the intent that such money or any part thereof shall be expended in bribery at any election, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election;
- (f) after any election directly, or indirectly, by himself or by any other person on his behalf receives any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting or having induced any candidate to refrain from canvassing for votes for himself at any such election.

Elections in Nigeria have, since independence, been increasingly contentious and confrontational, largely because of acts such as election rigging and manipulating the rules of the electoral contest, which have covertly or overtly corrupted the electoral procedures. Indeed, one outstanding feature of Nigeria's various attempts at political succession is electoral malpractice. Mackenzie (1958, p 14) listed four conditions for the holding of free elections:

- (i) An honest, competent, non-partisan administration to run elections;
- (ii) A general acceptance throughout the political community of certain rather vague rules of the game, which limits the struggle for power because of some unspoken sentiment that if the rules are not observed more or less faithfully, the game itself will disappear amid the wreckage of the whole system;

- (iii) A developed system of Political Parties, traditions and teams of candidates before the electors as alternative between which to choose; and
- (iv) An independent Judiciary to interpret the electoral laws

A critical evaluation of electoral experiments in Nigeria shows that these conditions are often absent. Indeed, there is an avalanche of literature on the problem of conducting free and fair elections in the country and most scholars who have written about elections in Nigeria have been emphatic that elections have hardly ever been free or fair. Edwin Madunagu (2003, p 63), for instance, declared: 'my finding is that every election in Nigeria since independence has tried to perfect the electoral malpractices or forms of election rigging employed in the preceding election, while introducing new ones'.

Clearly the absence of free polls and fair elections in Nigeria has implications for the political choices of its citizens. No doubt this political environment will continue to shape the electoral behaviour of Nigerians for a long time to come because research has shown that voting behaviour is often affected by the voter's political environment (McLean 1976, p 47).

Essentially, therefore, the phrase 'free and fair election' has been so abused in Nigeria that it has almost become meaningless as a tool of analysis. In the case of the 2007 general elections it is disheartening that most of the observer groups, both domestic and international, agree about the specifics of what transpired, differing only as to whether the endemic rigging attempts and sporadic violence rendered the process invalid or left it broadly credible.

In view of the foregoing, electoral malpractices can occur when:

- citizens are not free to contest an election, to campaign for votes, and to register as voters;
- there is no equality between voters, that is, when some people's votes are made to carry more weight than others;
- political parties are not free to sponsor candidates and canvass for votes in a truly competitive sense;
- there are imbalances in territorial units of representation;
- those entrusted with the conduct of election are agents of or are subject to direction by any of the contestants;
- the contest does not follow accepted rules;
- the contest gives some people a particular advantage;
- the contest does not reflect the true feelings of the people;
- the results are biased

Globally, there is a link between the electoral process and its rules and the stability of the political process. Many observers have asserted that the collapse of Nigeria's previous republics was not totally unconnected with the election-related crises that pervaded the political system during these periods (Graf 1979; Jinadu 1994; Tyoden 1994). In the words of Tyoden (1994, p124), 'the tendency by particularly the ruling party at the centre to expand its sphere of influence in the country by all means fair or foul was a major reason for the collapse of the first and second republics'. Furthermore, the loquaciousness of leading politicians of the period, who threatened to 'capture' states hitherto controlled by opposition parties, not only poisoned inter-party relationship but made nonsense of the whole democratic process as electoral malpractice such as rigging, intimidation of opponents, buying of votes, and so on, became the order of the day (Tyoden 1994).

Table 1 reveals that electoral malpractice manifests in three stages – before, during and after the election, though this distortion of the democratic process is more frequent before and after than during the election. It should also be noted that all the dimensions of electoral malpractice manifested in one way or another during the 2007 elections. For instance, the pre-election dimensions took various forms, such as INEC's failure to carry out successfully the three-day exercise in which temporary registration slips were to be exchanged for voter cards, thereby disenfranchising many eligible voters. During the election, malpractice throughout the country included late opening of polls, logistical difficulties, a lack of secrecy of ballots, the inadequacy of polling infrastructure, and the possibilities of fraud and fatigue-related mistakes engendered by the drawn-out process of collation. We would add also the inappropriate siting of some polling stations.

Over all, the logistical problems were most pronounced during collation at ward level, where lights, furniture and transportation were in short supply.

Although one cannot fairly describe the events on polling day as being thoroughly rigged, except in some areas, the role of money in buying influence prior to the conduct of elections cannot be ignored. A further cause for concern is the distribution of cash to electoral officials who participated in rigging and ballot stuffing in exchange for money.

In states where vote buying actually took place party agents in a particularly close-run ward were reported to have handed out ₦200 notes to voters in the queue. In some states party agents also gave out voter cards to their supporters. In other states underage people were paid to vote. A highly disturbing case was the report that compromised INEC officials were used to distribute double the number of ballots to supporters of incumbents. In states where this scenario occurred many INEC officials reportedly turned their jobs into a business opportunity whereby parties bought books of ballot papers for a market-fixed price.

Table 1
Dimensions of Electoral Malpractice

Pre-Election	Election	Post-Election
Defective registration of voters	Ballot box stuffing	Falsification/alteration of results
Wrongful disqualification of selected candidates	Intimidation by law enforcement agents (in order to favour particular candidates/parties)	Illegal disqualification of elected candidates
Shoddy preparation	Allocation of votes where no voting took place	Wrongful declaration of elected candidates/unauthorised announcement of election results
Party fielding unqualified candidates	Connivance of parties with electoral body for the purpose of falsifying results	Parties who fielded no candidates declared winner
Illegal printing of voters' cards by parties with the aim of using them to rig the election	Over-voting (more votes than registered voters/population)	Inflation of votes
Creation of spurious polling booths in hidden houses in advance of the election date. INEC agents issuing materials, including ballot boxes, to these booths on payment of an agreed sum of money	Physically intimidating voters for the purpose of scaring them away so as to be able to rig elections	INEC says the name of a candidate with the highest votes is not in its file (even when such a candidate has paid the required fees)
Non-display of voter registration by INEC at the appropriate time	Deliberate refusal to supply election materials to strongholds of opponents/opposition parties	A party's victory withdrawn by the electoral body on the allegation that it fielded non-indigenes, although INEC had earlier issued a clearance certificate to the candidate
Deliberate disenfranchisement of eligible voters		Official manipulation of electoral process against a party/some parties
Non-serialisation of ballot papers		A party/candidate wins at election tribunals, but the government refuses to swear in the winner
		Outright cancellation of electoral process, after results have been wholly or partially released

Source: Compiled by authors 2007

In many parts of the country rural communities rigged their own polls, without necessarily changing the outcome, by allocating all the unused papers between the candidates at the end of the day, thus inflating the numerical importance of their community in order to secure future access to state development assistance. To achieve this rigging of size though not of votes, a number of traditional dignitaries reportedly colluded with politicians and INEC to subvert the democratic process.

The authorities who administered the 2007 elections can be criticised in a number of ways. First, while INEC, perhaps inevitably, takes the lion's share of the blame for mismanagement, the incumbent administration, which used the late release of funds and control over senior appointments to make INEC's independence of action less than complete, also shares the blame. Indeed, the late release of funds compromised INEC's logistical effectiveness. The manner in which the initial voter registration was conducted also attracts some share of the blame, as does the confusion over the supplementary exercise.

Candidate selection is another way in which an election can be compromised long before it takes place. What INEC can rightfully be blamed for is the inadequate training of polling officials, the failure to make copies of the Electoral Act widely available, widespread neglect of the welfare of its own staff, and the lack of awareness – to some extent corrected before the elections – of how to set up satisfactory polling booths. At the grassroots level INEC was compromised at times by its own officials, either in their partiality or in their willingness to profit from their position and be swayed by bribery.

THE 2007 ELECTIONS

On 14 April elections were conducted throughout Nigeria for the president and vice-president, the 109-member Senate and the 360 members of the House of Representatives. These were followed on 21 April by elections for governors, deputy governors, and members of houses of assembly of the 36 states of the federation. The elections took place under the incumbency of the Peoples Democratic Party (PDP)-led administration, with President Olusegun Obasanjo doing everything possible to return his party to power.

The federal-government-controlled INEC, under the chairmanship of Professor Maurice Iwu, was mandated to conduct and supervise (or to supervise the conduct of) the elections, which were contested by 50 parties. In an important sense this large number of parties was the outcome of a legislative victory over the executive's attempt to constrict the political space.

On 22 January 2002 the Senate passed a new Electoral Act, repealing the Act signed into law by President Obasanjo on 6 December 2001, which had contained

the controversial s 80(1), which dealt with the conditions for party registration. Former President Obasanjo, in collusion with the PDP dominated National Assembly, had attempted to raise the percentage of political associations seeking registration. Clause 80 of the Electoral Act 2001 stipulated that: 'Where a party, at the close of nomination for a general election, fails to sponsor at least 15 per cent of the candidates for Councillorship, Council Chairmanship and State Houses of Assembly, respectively throughout the federation, spread among two-thirds of the state of the federation and Federal Capital territory, it shall not participate in the general elections.' The new clause states that: 'A new registered political party shall first participate in Local Government Council election and win at least 10 per cent of Councillorship and Chairmanship position throughout the federation and spread among two-thirds of the States of the federation and the Federal Capital Territory to be eligible to participate in federal elections.' This clause was seen as a diabolical plot to deny Nigerians the right to choose to which party they would like to belong.

However, thanks to the judiciary, which liberalised the political space by enabling more political association to register as parties, 50 parties were recognised, thus strengthening Nigeria's democracy and making it consistent with the practice of Western liberal democracies, where an array of opposition parties is considered the norm (Ademolekun 1985, p 2). The existence of a thoroughly liberalised political space is an important medium through which the electorate makes a choice among the many political parties and the many issues for which the parties stand.

CHARACTER OF THE 2007 GENERAL ELECTIONS

The 2003 general elections were massively rigged, but there is no appropriate adjective to describe the degree of fraudulence during the 2007 elections, which were condemned by both local and international observers as falling short of national and international standards. President Umar Yar'Adua has himself acknowledged the deficiencies and has initiated electoral reforms (*Nigerian Tribune* August 2007). Sam Egwu (2007, p 9) has succinctly described the anomalies of the 2007 general elections in relation to the 2003 general elections:

The 2007 elections were characterized by additional problems such as deliberate poor handling of the logistics of voter registration, distribution of election materials and transmission of results; doubtful integrity of the ballot as polling booths were not available outside the state capitals; gross undersupply of voting materials in places where opposition parties were perceived to be strong; open thumb-

printing of ballot papers; and allocation of votes to candidates and political parties.

The report of the European Union Election Observer Mission (EUEOM) asserted that:

The 2007 federal elections have fallen far short of basic international and regional standards for democratic elections. They were marred by poor organization, lack of essential transparency, widespread procedural irregularities, significant evidence of fraud, particularly during the result collation process, voter disenfranchisement at different stages of the process, lack of equal condition for contestants and numerous incidence of violence. As a result, the elections have not lived up to the hopes and expectations of the Nigerian people and the process cannot be considered to have been credible.

The Guardian 24 April 2007, p 10

These assessments underscore the fact that the electoral processes in Nigeria are beset with unacceptable irregularities which need serious attention.

VOTE BUYING

Simply defined, vote buying is the exchange of votes for money or any material benefit either actual or potential. However, this definition suggests that votes are market commodities which the merchant is ready to dispose of for gain. If this is the case, it is not ethically wrong to buy and sell votes. Sha (2006, p 124) defines vote buying as 'any form of persuasion in which financial gain is suggested by one person to another with the intention of influencing a person's vote'.

Vote buying can also be defined as: 'A gift or gratuity bestowed for the purpose of influencing the action or conduct of the receiver; especially money or any valuable consideration given or promised for the betrayal of a trust or the corrupt performance of an allotted duty, as to ... a voter ...' Bello-Imam (2007, p 4) sees vote buying as a form of 'bribery consisting of money or other rewards for voting as directed'.

Forms of Vote Buying

There are different forms of vote buying, apart from those specified in the 2006 Electoral Act. Among them are:

- direct inducement of the electorate with money to influence votes in favour of a particular political party or candidate;

- inducement of local political elites with money or materials in order to gain the block vote of a particular constituency;
- providing wards or electoral constituencies with materials such as clothing or food with the intention of getting their votes;
- purchasing cars or motorbikes, building houses and providing contracts for traditional rulers and local elites in order to get the votes of their subjects;
- paying political thugs to intimidate and harass the electorate to force them to vote for a particular political party or candidate;
- paying political thugs to snatch ballot boxes;
- paying security agents to aid in electoral fraud;
- paying electoral officials to aid in electoral fraud.

THEORETICAL FRAMEWORK: MONEY AND POLITICS

Money is an essential aspect of politics. According to Sobel (1974, p 1) 'money has always been a major weapon in the politician's arsenal'. Money drives politics and without it politics cannot survive. In 1974 United States Senator Edward Kennedy said: 'For centuries, money and public service have been a corrosive combination in political life' (cited in Sobel 1974, p 2); and in *The Prince*, Machiavelli observed that 'As a general rule, those who wish to win favor with a prince offer him the things they most value and in which they see that he will take most pleasure' (cited in Sobel 1974, p 2). Thus, electoral victory becomes a critical condition for 'the patronage, the triumph of an interest or an ideology, and the social and psychological reward that motivate involvement' (Beck & Sorauf 1992, p 228).

In Nigeria large chunks of money are necessary to influence the electorate during party campaigns. This is because there is a general belief that Nigerian politicians are neither accountable nor responsive because they do not fulfil their promises, so the only time they can be made to commit resources to the electorate is during their party campaigns. This belief contains some element of truth because most Nigerian politicians do not even visit their constituencies after they have been elected.

Sadly, the negative effect of moneybag politics in Nigeria has social consequences, including socially deviant behaviour. Davies (cited in Ojo 2006, p 106) observes:

Paradoxically, money itself has become a dominant factor... money seems to have taken the centre stage in the political process in most countries and in Nigerian politics. It is, sadly, now playing an increasingly critical role. It even appears to be so dominant in the electoral process to such an extent that the word [sic] 'money politics' with a pejorative connotation has crept

into the country's political lexicon. It is now a critical variable when assessing the level of political corruption in the country.

There are enormous financial challenges facing people, especially women, who wish to offer their services to the electorate.

Over 90% of the [women] aspirants were faced by the challenge of inadequate resources to support their registration, establishment of offices, maintenance of campaign structures and basic logistics. Even the successful aspirants indicated the challenge of the monetized processes they had to pass through to get nominated and go to the level of the primaries. Payment for delegates was a major issue many of them were unable to meet up with against some of the 'wealthier' opponents.

WRAPA 2003, p 17

Increasingly, electoral politics is becoming so expensive that many a genuine politician is excluded from participating for lack of money, which makes it possible for the very rich to hijack the electoral process (Ojo 2006). '[I]n Nigeria, winning an election is for the highest bidder' (*Nigerian Tribune* 2 April 2004, p 21), so much so that 'what we actually call democracy is not democracy. It is a system of mental and physical cheating, and buying of votes in the political open market' (*Nigerian Tribune* 2 April 2004, p 21). This is why elected officials indulge in corrupt practices in order to meet the financial demands of political participation. For example, during the 2003 general elections the then Minister for Women's Affairs, Hajia A'isha Ismail, lamented the amount of money needed for women to participate in the election. According to the minister about '3.8 billion Naira is required for Nigerian women vying for elective offices in this year's general election' (*New Nigeria* 25 February 2003, p 24). During the 2007 elections the Political Parties Alliance, an umbrella of 22 political parties, accused the PDP, the All Nigeria Peoples Party (ANPP) and the Action Congress (AC) of exceeding the allowance set down in the Constitution, contrary to ss 87, 91, 92, 93 and 94 of the Electoral Act of 2006 (*The Guardian* 5 April 2007, p 7), a default against which INEC has not been able to take action because the party which commits the offence most often is the PDP and the financial and administrative control of the electoral agency is the exclusive preserve of the governing party.

VOTE BUYING DURING THE 2007 ELECTIONS

The phenomenon of vote buying in Nigerian electoral politics is empirically elusive. This is not only because few in-depth studies have been carried out but

because it is sometimes accepted as a normal practice. Even the media have not kept a record of the phenomenon, essentially because, like corruption, it is difficult to track. However, there is a general belief that vote buying is part and parcel of the country's electoral system.

While it is not possible for us to give an account of all the acts of vote buying that took place during the 2007 general elections there was substantial evidence that it did indeed take place. This study relies on some key informants from across the country who testified to the fact that vote buying occurred in several constituencies before and during the election. Because of the sensitive nature of the phenomenon most of our informants have asked to remain anonymous. The paper also draws on copious references to vote-buying activities during the 2007 general elections from the report on the elections compiled by the Justice Development and Peace Commission of the Catholic Secretariat in Nigeria. The Catholic Church was an unbiased observer of the 2003 and 2007 elections. It sent out 22 000 carefully trained observers who subsequently collated their findings (Catholic Secretariat 2007, p 11).

Nigeria is non-constitutionally but politically divided into six geo-political zones, namely the Northwest, The North-Central, The Northeast, The Southwest, Southeast And The South-South. The Northwest comprises Kaduna, Kano, Katsina, Kebbi, Jigawa, Sokoto and Zamfara states. The North-central comprises Benue, Kogi, Kwara, Nassarawa, Nigeri, Plateau and the Federal Capital Territory (Abuja). The Northeast zone consists of Adamawa, Bauchi, Borno, Gombe, Taraba and Yobe states. The Southwest zone consists of Ekiti, Lagos, Ogun, Ondo, Osun and Oyo states. The Southeast comprises Abia, Anambra, Ebonyi, Enugu and Imo states. The South-south comprises Akwa-Ibom, Bayelsa, Cross-River, Delta, Edo and Rivers states. The study highlights the phenomenon of vote buying and selling in each of these zones.

Southeast Zone

In the Southeast zone political 'party thugs and paid agents' took over voting activities in most parts of Ebonyi State as INEC officials were barely seen in most of the polling units during the gubernatorial election. In Enugu State 'the Peoples Democratic Party had bought over the majority of INEC officials and party security officials which [sic] were seen collecting bribes from party stalwarts'. In Imo State 'Money was given in exchange for voters' cards in polling stations like 006 Ugbele ward, Ideato South as well as in all the stations in Nkwerre LGA'. Vote buying also occurred in IM/OW/Primary School New Owerri/006; IM/OW/shell camp/001; IM/OW/Alvan/006 and IM/OW/Orij/001. In ward 3 booth 007 of Lude Ahiazu Local Government Area (LGA), INEC officials traded ballot papers with

party agents depending on the amount given. In Mbaise Local Government Area 'there was infighting between PDP supporters and agents over money sharing which was the order of the day' (Catholic Secretariat 2007, pp 29-32).

South-south Zone

In the South-south party agents in Calabar municipality removed ballot boxes after bribing INEC officials. 'Bribery of voters through PDP was equally reported e.g. in Ika South LGA, W008, Polling Code 004 and 005, and 008 and 009'. In Edo State 'the entire voting was one-sided in favour of PDP as police officers, INEC officials and party agents were bribed' in Ubiaja town of Esan South-east Local Government Area during the gubernatorial election (Catholic Secretariat 2007, pp 34-5).

Southwest Zone

In this zone 'party officials hung around most polling units and bribed voters with money to influence their votes'. In Ogun State (the home state of ex-President Olusegun Obasanjo) '[s]ome politicians were observed canvassing for votes while voting was on and even giving out money to bribe voters. In Odogbolu Local Government, bribery of officials was noticed at Idowa, Ward 8, PC 003; Ward 11, PC 001 and 003 Imoru and Emuren respectively. In Yewa South Local Government, voters were bribed with ₦200:00 (equivalent of \$1.5) each by party agents in ... Ward 8, PC 001 and 002 at Amulekangbo' during the presidential and National Assembly elections of 21 April. In Osun State 'INEC officials and security personnel were bribed to allow multiple votes' in Osun/Ife Central, Ward 007; Osun/Ife North, Ward 004; Osun/Ilesha East, Ward 003; Osun Boripe, Ward 007; Osun/Ife South, Ward 001; Osun/Ifelodun, Ward 005 and Osun/Ilesha East during the Presidential/National Assembly election. In Oyo State a PDP stalwart was seen bribing INEC officials, party agents and observer members of the Civil Liberty Organisation (CLO) who allowed multiple voting in Ward 10, Unit 11 of Egbeda Local Government Area (Catholic Secretariat 2007 pp 37-43).

Similar incidents were said to have occurred in Omi-Adio and in Iseyin, both in Oyo State. In the case of Iseyin a candidate accused the police of not keeping to the terms of a contract to help him win the election after collecting ₦10 000 each to do so. Furthermore, a former local government chairman in Oyo State was severely beaten by the political thugs of Lamidi Adedibu and Alao-Akala for failing to use the money he had collected to buy the votes of voters in his constituency (interview with participant observers).

On the day of the gubernatorial/ state house of assembly elections the deputy

national chairman, Southwest, of the PDP, Chief Olabode George, was said to have stormed the INEC office in Lagos with bags of 'Ghana-must go',¹ with the intention of bribing the resident electoral commissioner to manipulate the results in favour of the PDP. However, the commissioner not only refused but ordered George off the premises. 'Bode George left the Lagos office of INEC threatening to deal with the Resident Electoral Commissioner should the PDP fail to win Lagos State' (personal interview with an official election monitor). As it turned out, the PDP lost to the AC. This incident helped to highlight what may have accounted for the sweeping 'victory' of the PDP in the massively flawed elections.

North-central Zone

According to reports there was 'sharing of money to win votes from eligible voters' in Benue State during both the gubernatorial and presidential elections. At Makurdi, 'an INEC official who refused to take a bribe was arrested and detained at the Government House'. In Bokkos Local Government Area Anguwan Hausawa Ward 003, of Plateau state, 'a man and his wife were caught issuing out illegal papers for both [sic] Presidential, Senate and House of Representatives [sic]. They also gave the sum of ₦1 000 to each person who collected the ballot papers.' In Nassarawa State 'Bribery of INEC officials was noticed in the following places: Makama ward, Bamai Sule (rice mill), and in Chiroma ward'. In Niger state irregularities included 'bribery, campaigning, snatching of ballot boxes, thumb-printing and stuffing of ballot boxes' (Catholic Secretariat 2007, pp 44-8). In Kwara State opposition political parties accused the PDP and Governor Bukola of paying the security agents and INEC to perform criminal acts. According to the opposition parties 'There is no denying the fact that the government in power mobilized INEC, the police and the military to intimidate, harass and kill innocent people who had looked forward to exercising their rights' (*The Guardian* 20 April 2007, p 6).

Northeast Zone

In Taraba State, especially in the Tikakri ward of the Takum Local Government Area, 'bribing of security agents, multiple and late voting was the order of the day'. In Borno State bribing of voters and INEC officials was recorded. In 'Jambari ward, polling unit 51 behind army barracks, ANPP agents brought voters' cards

1 In the early 1980s during the extradition of illegal resident Ghanaians from Nigeria the large bags used to convey their belongings became known in Nigeria as 'Ghana-must-go' bags, which became a popular way of describing corruption in Nigeria, in which bags of money are used for bribery.

and shared to people who had none so that they could vote for their candidate. As a matter of fact, vote buying in Borno state started during the pre-election campaigns when it was reported that the incumbent Governor, Ali Modu Sheriff was video-taped throwing bundles of money to people on the street while on a campaign trail. They went further to bribe voters in the presence of the security agents' (*The Guardian* 6 September 2007, p 27). In Baba Tanko, unit 1 of Bauchi state, 'a PDP agent was seen bribing voters to vote for her party'. An ANPP agent also bribed voters to vote for his party at Gwallameji polling unit. The same act of bribery was reported at Idris unit. There were 'reported cases of PDP agents bribing voters to vote for their party' in places like Birshi Fulani, Sarkin Pawa, Gwallameji, Baba Tanko and Dandango 11. There were reported cases of bribery of voters and INEC officials in Gombe state. There was also distribution of money to voters by PDP agents in places like Kofar Ibrahim, Sokoto Herwagana quarters (*The Guardian* 6 September 2007, pp 49-51).

Northwest Zone

Vote buying took place in most parts of northwestern Nigeria, especially during the campaign period, in Sokoto, Zamfara, Kebbi and Jigawa. Wealthy political parties and gubernatorial candidates tried to bribe voters by buying truckloads of bicycles and motorcycles which they distributed to both party loyalists and other voters. In Zamfara State the agency in charge of poverty alleviation activities, Zamfara Poverty Alleviation (ZAPA), was used by former Governor Ahmed Yerima to distribute funds and motorbikes. Yerima also used 60 official cars for his campaign rallies (Bello-Imam 2007, p 19). Some emirs who had received inducement from politicians also flouted the rule of non-partisanship and canvassed openly for votes for their political benefactors.

CAUSES OF VOTE BUYING

There are several reasons for the prevalence of vote buying.

- *Illiteracy*: In the words of Ajakaiye et al (2002, p 285) the low level of education contributes to low political awareness thus making it easy for the state to manipulate the poor majority and for greedy and self-seeking politicians to fool the electorate.
- *Poverty*: Poverty makes a people powerless and easily susceptible to political manipulation. People who are poor and whose next meal is not guaranteed can easily sell their consciences/votes for any amount (cash, kind, etc) offered (Ojo 2006). With Nigeria's high level of poverty (some studies

indicate that the proportion may be as high as 75,5%) it is not unexpected that the poor will become vulnerable to vote selling.

- *Nature of Politics*: The nature of politics as a winner-takes-all affair and a means for self aggrandisement results in politicians deviating from moral principles to secure victory.

IMPLICATIONS OF VOTE BUYING AND SELLING FOR THE CULTURE OF DEMOCRACY

Vote buying and selling have dire consequence for democratic governance. First, they make it impossible to elect leaders freely and fairly, suggesting that elective positions can be bought and casting doubt on the legitimacy of government. They are also an indictment of government's ability to instil the electoral discipline that gives the electorate the right and opportunity to choose credible leaders.

They also have implications for the responsiveness of elected officials. Voters who engage in vote selling have, *ipso facto*, denied themselves the right to demand transparent and accountable leadership, as politicians who buy votes are under no obligation to be accountable to the electorate. Vote buying and vote selling can therefore be seen as a form of political entrepreneurship where politicians see themselves as investing in a greater political harvest, thereby encouraging the entrenchment of corruption in the polity, which erodes the very basis of democratic (good) governance.

RECOMMENDATIONS

- The institutional framework of INEC should be strengthened to make it a truly autonomous agency. Issues such as the appointment and funding of the electoral body should be democratised. Given that Nigeria is a federal state, the electoral body should be a federating agency not a federal government agency, as is presently the case.
- Vote buying is an electoral offence. Culprits should be brought to book and, if convicted, be sentenced to long jail terms.
- Poverty must be seriously addressed. People turn in their votes for money as a result of the abject poverty with which they are faced.
- Mass illiteracy is another reason for vote selling and buying. In this regard the government of Nigeria, civil society, faith-based organisations and the National Orientation Agency must embark on massive education of the electorate about the dangers and implications of the practice.
- The nature of electoral politics in Nigeria must change in regard to

campaign financing, winner-takes-all politics and the open secret ballot system. There must be financial discipline in party campaigns; politics must be more inclusive than exclusive and methods of voting should change to keep up with technological advances, for instance, the use of voting machines.

CONCLUSION

Vote buying and selling debase the essence of democracy. They also erode the very basis of good governance in that they make the government neither accountable nor responsive to the wishes and expectations of the electorate. Among the causes of vote buying and selling in Nigeria are poverty, illiteracy, and the nature of politics. Vote buying and selling have serious implication for democratic consolidation and, unless there is a will on the part of the government to eradicate the phenomenon from Nigeria's electoral process good governance will remain elusive.

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PUBLIC PERCEPTIONS OF THE 2007 NIGERIAN GENERAL ELECTIONS

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ABSTRACT

This paper analyses public perceptions of the 2007 Nigerian general elections. It does this through a content analysis of the reports of domestic and international election monitoring groups and popular responses from civil society, opposition elements, mass media and notable individuals. The paper finds that public perceptions of the elections were highly negative. Opinions were canvassed widely, lending credibility to their validity and reliability, perceptions corroborated by the outcome of electoral petition tribunals which have nullified some elections. One inevitable conclusion was that the elections were the most flawed in the country's history. Some of the most notable irregularities were late commencement of voting, inadequate voting materials, lack of secrecy in the voting process, omission of names and/or pictures of some candidates from the ballot papers, prevalence of underage voting, ballot stuffing, rampant cases of ballot-box snatching at gun point, and falsification of results. Some actions of the new government, such as the call for a government of national unity and the institution of an electoral reform panel, suggest government's acceptance of the negative perceptions.

INTRODUCTION

For three consecutive weeks in April 2007 Nigerians participated in what should, ordinarily, have passed for a landmark achievement in the democratisation process

– the conduct of three rounds of elections. Nigerians went to the polls on 14 and 21 April to elect new political leaders at the state and federal levels. On 28 April they turned out for yet another round of elections in 27 states in which the Independent National Electoral Commission (INEC) had, because of one irregularity or another, annulled the previous election and called for a rerun. Contrary to popular expectations, as this paper will demonstrate, the elections turned out to be a great disappointment, casting ominous shadows over the prospects for democratic consolidation in Nigeria.

The elections had attracted unprecedented local and international attention and interest for a number of reasons. The 1999 general election, which ushered in the civilian regime of President Obasanjo, was essentially aimed at disengaging the military from government. For this reason stakeholders had little time to attend to procedural details. The 2003 election, which attracted greater interest, being a second election and a further step towards consolidation of democracy, was largely a continuation of the first order (Omotola 2004).

Thus, it was the 2007 elections upon which the final hopes for the transfer of political power from one elected civilian administration to another rested. Peter Lewis, an American expert on Nigerian politics, expressed this mindset when he wrote that: 'This is really a watershed election for Nigeria. This is a third election, and third elections generally speaking turn out to be important. They signal an opportunity for change and power turnover' (Lewis 2007, quoted in Unger 2007, p 1). Given the colossal failure of previous electoral waves in Nigeria the 2007 general elections presented an opportunity 'to occasion a break with the past, and rekindle public confidence in the electoral and democratic process of the country (Adejumobi 2007, p 12).

Another important element, which probably motivated the unprecedented interest in the general elections, was the fact that prior to the elections the political atmosphere had been tendentious and tense in ways that raised fundamental questions about the independence, impartiality, and efficiency of INEC.

INEC had unconstitutionally disqualified some leading opposition candidates, most notably the Action Congress (AC) presidential candidate, Alhaji Atiku Abubakar, from standing. It had also flouted court orders, with the active connivance of the presidency, which, itself, had declared that the election would be 'a do-or-die' affair.

As Omotola (2007, p 6) argues, 'the president's condescending attitude towards the elections and vulgarity of reckless campaign speeches such as his infamous and widely condemned statement that for him and his party, the PDP, the presidential election was going to be a do-or-die affair' contributed to overheating the polity and raised the level of interest in the elections among both local and external stakeholders in the democratisation process.

In this paper we set out to examine public perceptions of the general elections. This becomes imperative against the background of the suffocating political environment in which the elections were conducted. A critical dissection of such perceptions may be useful in identifying the strengths and weaknesses of the elections. It may also help in designing appropriate reform measures to protect the competitiveness, openness, freedom and fairness of electoral politics in the country. If these are attained, a modest contribution will have been made towards the consolidation of democracy in Nigeria.

It is, however, important to note that this exercise is not as simple as it appears. How, for example, do we conceptualise and measure public perceptions of the elections in a way that is not only systematic but also exhaustive? How do we accommodate and account for possible changes in perceptions over time? Engaging these kinds of issues scientifically would require the availability of adequate longitudinal data. In the absence of such data this study is basically concerned with the response of the domestic and international community expressed through election monitors/observers' reports, civil society, mass media, political parties, interest groups and individuals. The paper starts with a critical discussion of how to measure public perceptions of elections. The next section problematises election monitoring as a measure of public perceptions. The third presents the responses of the public to the elections. The final section synthesises the responses

MEASURING PUBLIC PERCEPTIONS

For this study our use of the term public perceptions, defined as an idea, a belief, or an image one has of reality as a result of how one sees or understands the reality, is coterminous with public opinion. Key (1989, p 151) defines public opinion as 'opinion held by private persons which governments find prudent to heed'. This definition is unnecessarily restrictive as it not only excludes institutional/official views; it creates tension about whether opinions expressed but not heeded by the government are prudent (Ojo 2004). Ripley & Slotnick (1989, p 151) rightly argue that 'government may be compelled toward action or inaction by such opinion, in other instances they may ignore it, perhaps to their peril; they may attempt to alter it, or they may divert or pacify it'. What this suggests is that the acceptance, rejection, alteration, diversion or pacification by a government of opinions expressed on a given public issue does not distract from their qualification as public opinion.

Public opinion does, however, require areas of commonality among people of different attitudes. This is so because, while attitudes help to shape opinions and each may be used as an indicator of the other people who hold similar attitudes

to a particular political issue, these people may, nevertheless, have contradictory opinions about a specific public policy dealing with the issue (Ojo 2004). Moreover, it has been argued that there is 'no opinion unless an area of common grounds lies underneath and supports the differences in opinion', defined as the expression of some public beliefs, attitudes or values (Ripley & Slotnick 1989, p 151; Aaron 1979, p 95). Public opinion/perceptions, therefore, represent opinions expressed by the public, which have considerable influences on governmental actions and/or inaction. How much influence it wields, however, depends largely on its intensity, which has to do with the number of people holding the opinion and their location in the social structure of society – upper, middle or lower class?

The task of measuring public opinion is, therefore, a difficult one and must take cognisance of the basic attributes of a good public opinion poll. These include, apart from intensity and the social status of the respondents, the saliency of the opinion, defined in terms of its prominence or weight. Others include fluidity, that is, its adaptability; volatility – how rapidly it changes; latency – visibility; and intensity – the strength of the opinion or the degree to which it is held (Ripley & Slotnick 1989, pp 149-50). The issues of the nature of an opinion, whether for or against, as well as its stability, which pertains to the consistency with which it is held over time, are also crucially important – opinions with a high degree of stability attract greater attention from the government, more so if the opinion is latent, salient, of high intensity and held by a large number of people. These criteria provide us with the benchmark against which to assess public perceptions of the 2007 general elections.

ELECTION MONITORING AS A MEASURE OF PUBLIC PERCEPTIONS

The universality of election monitoring as a fundamental component of electoral politics is relatively new. The end of the Cold War and the subsequent resurgence of a third wave of democracy heralded a dramatic increase in the number of countries holding competitive elections and a commensurate increase in the number of organisations involved in monitoring.

The reason for monitoring is to identify universal standards of electoral practice and to assess the extent to which different states live up to these standards (Goodwill-Gill 1994). In Nigeria, for example, while there had been sporadic attempts to monitor elections in the past, such efforts, until recently, merely constituted a part of the state's electoral machine. The 'professionalisation' of election monitoring in Nigeria coincided with Babangida's transition programme and was instituted through the efforts of local and international observer groups, especially the Civil Liberty Organisation (CLO) (Obi & Abatudu 1999; Olukotun 2003).

As a concept, election monitoring has to do with the relationship between the government and the governed (Laakso 2002). It is a decisive step in the democratisation process, which involves a critical observation of the electoral process to promote and determine the extent of compliance with universally acceptable standards of electoral politics. Election 'observers are like intermediaries between the state and society' (Omotola 2006, p 157). They serve as representatives of independent domestic and international organisations and carry out their work at the invitation (voluntary or induced) of the host country. If properly instituted, election monitoring may serve to enhance the legitimacy of governments. The UN Electoral Assistance Division (Mair 1997, quoted in Baker 2002, p 1156) states the objective of election monitoring as:

To serve as a neutral witness expressing the international community's support for the democratic process, to detect and expose fraud and irregularities; to assess the relative legitimacy of an electoral process itself, to enhance the respect for political, civil and other fundamental human rights; to make an official public assessment of the election; and to encourage political contestants to accept the results of a legitimate electoral process.

The exercise is widely held to be the best method of awarding a seal of democratic legitimacy (Carother 1997; Angling 1998; Ayoade 1999). According to Baker (2002, p 1156), the certification by election monitoring groups that 'an election is free and fair is usually sufficient for the citizens of the nation and the international community to accept the elected government as legitimate'. The import of this is that the direction of the pronouncement/reports of election monitoring groups may be, to a very large extent, a reflection of the perceptions of the wider population.

This is especially so when such groups are highly regarded by the domestic and international community and wield considerable influence. For these and related reasons the reports of election monitors, despite their apparent lack of force of law, occupy an important position in the calculations of the emergent government, no matter how much it might strive to feign indifference to such reports.

The positive reading of election monitoring as a measure of domestic and international public opinion, however, falls into the trap of the liberal conception of civil society, which believes that voluntary social and political associations such as monitoring groups are best able to limit state powers and hold governments accountable (Ikelegbe 2001; Omotola 2005). Such assumptions gloss over the limitations and inherent contradictions of civil society, which may hinder

their effectiveness. It is over this point that the definition of election monitoring as a measure of public opinion about or perceptions of an election stumbles. In Nigeria, for example, there are many limits to election monitoring.

First, reports emanating from different monitoring groups frequently conflict, even when the groups monitor the same electoral process. Second, frequently too few fieldworkers are deployed to undertake comprehensive coverage and what is reported is often a reflection of 'eye-catching incidents' in the few urban centres observed. Third, the political economy of the transitional state is an important factor. In the event of mass poverty conflict monitors, especially local ones, are susceptible to bribes, while conflict-ridden areas become no-go zones.

Moreover, if the state has a vested interest in the elections it may deliberately impose restrictions on monitoring groups, including denying them accreditation, reducing the number of fieldworkers granted accreditation, or manipulating the security environment in ways that frustrate rather than motivate effective monitoring. What is more, the reports have no force in law. These possibilities raise the crucial question of the exact role of monitors in such circumstances. All these issues played out in the monitoring of the 2003 Nigerian general elections (see Omotola 2006, pp160-4; Okwechime 2003, pp 543-52).

The monitoring of the 2007 general elections would appear to have taken place in different circumstances. Despite the attempt by the state to place monumental restrictions in the path of monitoring groups through security operatives and INEC, the monitoring groups seemed determined to discharge their duties without fear or favour. The most notable example was the unsuccessful attempt by Professor Maurice Iwu, the INEC chairman, to impose a distinction between election observation and election monitoring as a basis for admission and the extent of the powers to be afforded to monitoring groups. The reports of the monitoring groups, both domestic and international, suggest a high degree of stability/consistency, intensity and saliency. What is more, the reports are coterminous with newspaper editorials and the opinions of notable Nigerians in academic, civil society, and professional associations. Even Nigerians on the lower rungs of the social ladder seem largely to have agreed with the reports of the monitoring groups. However, it seems that the greatest test of the validity of public perceptions of the 2007 elections will be the outcome of ongoing hearings of election petitions by the electoral tribunals and courts. Though these are ongoing the few cases already decided seem to lend credibility to public perceptions.

AN OVERVIEW OF PUBLIC PERCEPTIONS OF THE 2007 ELECTIONS

The form and character of the 2007 general elections, both in preparation and conduct, seem to have constituted the basis of most of the public's objections.

The available evidence indicates that the elections were the most flawed in the country's electoral history, with the balance disproportionately weighted against the opposition parties.

The ruling PDP exploited and took advantage of state apparatus such as the government-owned media houses, security outfits, and INEC, whose independence and impartiality was completely compromised. Party primaries were mere jamborees from which internal party democracy was completely absent. The vast majority of voters were disenfranchised as a result of the involvement of the main stakeholders in the electoral process, including the parties, the godfathers, security operatives, and INEC in electoral violence and deliberately disorganised voters' registers. In short, the maladministration and manipulation of the elections was unprecedented (Suberu 2007; Omotola 2007). The reports of domestic and international election observers attest to this.

It may be apposite to start with the reports of the international monitors. The European Union Election Observation Mission (EUEOM), which consisted of 11 core team experts and 60 short-term observers drawn from 21 EU member states, submitted that:

The 2007 state and federal elections have fallen short of basic international and regional standards for democratic elections. They were marred by poor organisation, lack of essential transparency, widespread procedural irregularities, significant evidence of fraud, particularly during result collation process, voter disenfranchisement at different stages of the process, lack of equal conditions for contestants and numerous incidents of violence. As a result, the elections have not lived up to the hopes and expectations of the Nigerian people and the process cannot be considered to have been credible

EUEOM 2007; also quoted in Adejumo 2007, p12

The EU expressed disappointment that the conduct of the 2007 elections had shown no improvement over that of the 2003 elections. Speaking at a press conference, Max van den Berg, leader of the EUEOM, noted:

I can compare it, of course, with 2003 when I was the chief observer and I had expected really after a disappointing election that we would see something better now. But we have not seen that and the credibility is not there. The whole thing was not at all living up to the hopes of the Nigerian people and I would say it left them demoralized. EU observers witnessed examples of ballot box stuffing,

alteration of official result forms, stealing of sensitive polling materials, vote buying and underage voting. In many places and in a number of ways, the electoral process failed the Nigerian people.

The Week 14 May 2007, p 17

Other notable international observer groups also perceived the elections in a negative light. The National Democratic Institute (NDI), led by former US Secretary of State Madeleine Albright, remarked that though INEC had given itself an 80 per cent grade she would have failed the organisation. Another American observer group, the International Republican Institute, noting cases of underage voting, errors on voters' registration lists, stuffed ballot boxes, a lack of privacy for voting, falsified results, and several other irregularities, reported that the election had fallen below the standard the country had set in previous elections as well as below international standards (*The Week* 14 May 2007, p 18).

The 17 members of the Commonwealth Observer Mission also reported major delays in the commencement of voting, noting: 'The differed polling hours posed a challenge in so far as the count was concerned. Darkness fell while counting was still in progress and no provision was made to provide artificial lightening for such a contingency' (*The Week* 14 May 2007, p 18). In a related vein, the International Crisis Group (ICG) expressed serious misgivings, reporting that:

The elections in the view of Nigerians and the many international observers alike were the most poorly organized and massively rigged in the country's history. In a bitterly contentious environment, outgoing President Olusegun Obasanjo and his People's Democratic Party (PDP) acted with the unbridled desperation to ensure sweeping, winner-take-all victories, not only in the presidency and federal legislature, but also in state governorships and assemblies. Characterized as a 'do or die' battle by Obasanjo, the campaigns and elections also witnessed violence, including over 20 people killed.

ICG 30 May 2007

The report continues:

Widespread electoral malpractices and the staggering scale of falsified results were possible because of serious shortcomings with the regulatory agencies most notably the (INEC). Vigorously manipulated by the Presidency, INEC virtually abdicated its responsibility as an impartial umpire. Inefficient and non-transparent in its operations, it became an accessory to active rigging. Similarly,

the massively deployed police and other security services helped curb violence but largely turned blind eyes to, and in some cases helped in, the brazen falsification of results

ICG 30 May 2007

If the reports of international monitoring groups can be said to have political undertones, as the Nigerian government would have us believe, those of local observer groups were no different, all of them expressing dissatisfaction with the conduct of the elections. The Transition Monitoring Group (TMG), the most credible of the local monitors, for example, which deployed about 50 000 observers across the country, said in its report that the irregularities were so numerous and far reaching that the elections could not be said to have met any standards.

Our monitors throughout the country documented numerous lapses, irregularities and electoral malpractices that characterized the election in many states. We therefore reject it and call for its cancellation. INEC has failed woefully in its responsibility to conduct free and fair elections. We call on the international community not to recognize these discredited elections and not to confer legitimacy on any government that emerges therefrom.

The Week 14 May 2007, p 19

The problems were so serious that the coalition of local monitoring groups under the aegis of the Domestic Election Observation Groups (DEOG) called for the outright cancellation of the 14 April elections in 10 states, based on what they called 'irregularities and intimidation of voters and opponents'. They contended that 'the level of violence, intimidation and ballot box snatching that took place in these states is so grievous that the results announced in them cannot be said to reflect the will of the people of the states' (Ekpe 2007, p 9). In a follow up to the call, the coalition threatened to persuade Nigerians of the need 'to embark on mass action including strikes' if INEC failed to nullify the elections in those states and call for a rerun (*The Nation* 4 May 2007, p 6).

The International Federation of Election Studies (IFES), which conducted pre- and post-election surveys in Nigeria, came to the conclusion that the elections were deeply flawed. The surveys, which included 2 410 and 2 416 adults respectively, revealed that Nigerians felt the elections had been massively rigged and chaotic (IFES 2007a, pp 1-5). IFES also organised a post-election conference in Abuja on 22 and 23 August, attracting more than 140 Nigerians, including government officials, academics, community leaders, religious figures and civil society organisations. After intense debates the general consensus was that the

elections had failed because of 'poor quality of voter lists, polling places that opened late or not at all and a lack of voting material' (IFES 2007b, p 1). The condemnation of the elections was shared by some civil society organisations.

The Igbo Youth Congress (IYC), for example, strongly condemned the election in the Southeast because, according to its findings, electoral materials never reached their destinations or did so very late (in some cases just before the polls were due to close). The Nigerian Labour Congress (NLC) also lent its voice to the outcry, considering it 'tragic' that, thanks to Obasanjo's declaration of the election as a 'do-or-die affair' 200 lives had been lost, hundreds had been injured and property had been destroyed on a massive scale, all of this leading to the loss of several billion naira. It also stated that INEC was an unmitigated disaster and was assisted by the armed forces, the police and other security agencies in executing the do-or-die plans. In a similar vein, the National Association of Democratic Lawyers (NADL) expressed its dissatisfaction. In a statement signed by its vice-president, Titi Akosa, the NADL noted:

We are shocked at the outcome of the general elections as the exercise did not reflect the literal choice of majority of the Nigerian people. Evidence abounds from state to state of widespread but varying degree of irregularities that marred the entire process. We hereby call for the outright cancellation of the entire exercise as it does not represent the aspirations of the Nigerian people.

The Week 14 May 2007, p 19

Prominent Nigerians, including notable opposition figures, also condemned the elections, with AC presidential candidate Alhaji Atiku Abubakar dismissing them as a national tragedy and a sham in their absence of transparency and INEC's complicity. His All Nigerian People's Party's (ANPP) counterpart, Gen Muhammed Buhari, also rejected the results on the grounds that the elections had failed to meet any national or international standard. 'I completely and wholeheartedly reject these results,' he said. 'It is a disgrace to Nigeria, a shame to INEC and a great dishonour to the PDP government.' For Professor Patrick Utomi, the African Democratic Congress (ADC) presidential candidate, the electoral exercise was a 'coup against the Nigerian people' (quoted in *The Week* 14 May 2007, p 19).

Since it has become the rule rather than the exception for opposition candidates to reject election results whenever they are on the losing side, these perceptions would normally not carry much weight, but in this case they count because they are in tune with other perceptions. Chief Gani Fawehinmi, a renowned constitutional lawyer and human rights activist, linked the un-

precedentedly fraudulent nature of the elections with the inability of Nigerians to celebrate the results. According to Fawehinmi Nigerians regard Yar'Adua, the new president, as a perfect puppet of Obasanjo, offering limited possibilities for positive change in the country.

For Bamidele Aturu, a legal analyst, 'there were no jubilations because the election result does not represent the will of the people'. Femi Falana, also a constitutional lawyer and human rights activist, condemned the election. According to him, Obasanjo ignited the electoral crisis with his 'do-or-die' declaration and his utterances during the campaign period, which were laced with violent language (*The Week* 14 May 2007, p 22).

Erstwhile Senate President Senator Ken Nanamni complained bitterly that he had been disenfranchised by the non-availability of voting materials in his state. This generated a serious attack from the federal government, which accused him of masterminding a plan to head an interim national government he envisaged would be set up when the elections were discredited and rejected. The government, therefore, threatened him with charges of treasonable felony.

Many alleged that no election had actually taken place in some states in the South-east, especially Anambra. Reflecting on the anomalies inherent in the presidential election, an analyst remarked that 'Yar'Adua's soup is cooked inside a dirty pot. He can never be clean. He will run a severely compromised presidency throughout his tenure' (Oseme 2007, p 15).

The above evidence, drawn from various sections of the public, suggests that the 2007 general elections did not reflect the popular will of Nigerians. The massive resort to violence in the immediate post-election period, following the announcement of the results, may be an eloquent testimony to the general disappointment. In states such as Edo, Osun, Ondo, Kano, Ekiti and Oyo, to mention only a few, aggrieved voters took to the streets to protest the manipulation of their votes. The government responded violently, imposing curfews, arresting opposition leaders, and deploying the military to suppress the protests. Adams Oshiomhole, the AC's gubernatorial candidate in Edo State, was arrested (*The Punch* 17 April 2007, p 8; Fabiyi & Soniyi 2007, p 9).

Despite the government's resort to violence, it may have tacitly conceded the fact that the elections were seriously flawed. Three or four factors give this impression. First, President Obasanjo said in his response to the allegations of electoral malpractice and violence that there was no perfect election anywhere in the world. He therefore urged the aggrieved parties and candidates to exploit due process in seeking redress.

Second, when President Yar'Adua was confronted with the same question at his first press conference he made a tacit admission when he said 'I did not conduct the election, INEC did.' He also urged the aggrieved to seek redress

through due process. Two other important indicators are Yar'Adua's call for a government of national unity, which would accommodate all leading opposition parties, and his promise to reform the electoral system and subsequent institution of a committee to that effect. Certainly, issues like these are bound to be controversial, with some seeing them as a positive attempt on the part of the president to move the nation forward. These responses, however, though an attempt to buy legitimacy for the new government, are also an admission of the problematic nature of the electoral process. As Umeh (2007, p 12) remarked: 'It is only in this country that somebody can come out and so brazenly do a wrong thing and tell the aggrieved to go to court.'

Not unexpectedly, the aggrieved candidates/parties have been exploiting due process by filing petitions and protests with the election petition tribunals and courts. The preliminary reports emanating from the tribunals lend credibility to the damning public perceptions of the general elections. Already several results at different levels across the country have been nullified, among them the senatorial election for the Federal Capital Territory and a senatorial seat in Ondo State. In Kogi State the election tribunal has nullified the gubernatorial elections.

These successes have generated a pervasive palpable fear throughout the country, particularly in those states in which observers called for the outright cancellation of the elections. Apart from corroborating the reports of domestic and international monitoring groups, the decisions are a welcome development because they reassure Nigerians that the judiciary is increasingly becoming the hope for the future of Nigerian democracy. In the past year the judiciary appears to have risen above its limitations, particularly its use as a political instrument and its corruption (Davies 1989). It is becoming increasingly assertive, autonomous, and courageous, given the number and magnitude of landmark judgements it has handed down at critical junctures in the country's democratisation.

It is interesting to note that INEC has tried to alter the public perception of the elections. One notable step in this regard was the commission's outright rejection and condemnation of the EUEOM reports. It took vigorous exception to the allegation that it was informed by a hidden agenda and warned Nigerians to disregard the reports because they did not adhere strictly to internationally laid down and accepted principles of election observation (INEC 2007, p 50). The attempt to pacify and/or alter public opinion has been largely unsuccessful for reasons that probably relate to the stability, widespread distribution, latency and salience of these public perceptions, factors which may have constrained the government to heed the opinions and respond positively by setting up an electoral reform panel charged with the responsibility for charting an alternative electoral future for sustainable democracy in the country.

CONCLUSION

This paper has given an overview of public perceptions of the 2007 Nigerian general elections, underscoring the importance of distribution, direction, stability, intensity and latency to the effective measurement of perceptions and opinions and supporting election monitoring as an effective measurement.

The study finds that perceptions of the general election were largely negative, showing beyond reasonable doubt that the conduct of the elections did not meet acceptable standards. Evidence for this conclusion was contained in the reports of domestic and international election monitoring groups, civil society organisations, notable individuals, and, implicitly, the government – a range which lends credibility to the validity and reliability of the opinions.

One inevitable conclusion was that the elections were the most flawed in the country's history. Some of the notable irregularities that cut across all the reports include the late start of voting in many parts of the country, inadequate voting materials, a lack of secrecy in the voting process, the omission of names and/or pictures of some candidates from ballot papers, the prevalence of underage voting and rampant cases of ballot box snatching at gun point by party thugs and militias. Others include the stuffing of ballot boxes with pre-thumbprinted papers, reported cases of collaboration between security officials and party agents to rig elections, violence and intimidation of opposition party members and agents; lack of transparency in the collation, counting and tabulation of voters and outright falsification of results (Adejumobi 2007, pp 14-15).

Ideally, these malign features should be enough to deny the emergent government any form of legitimacy at home and abroad and ensure the outright cancellation of the result. While some of the reports made such calls openly, others implied them. Despite this, the new government was inaugurated with great pomp and ceremony. After initial resentment from major Western countries, they eventually succumbed to the pressure of domestic reality, accepting the result and congratulating the declared winner. This suggests that succession is, in reality, overwhelmingly a domestic affair and no international observer or combination of observers has the monopoly on legitimation. It now seems that only the outcomes of the election petition tribunal will make any meaningful impact on the current state of the elections.

In the light of the above it is suggested that the ongoing process of electoral reform should be genuinely pursued and sustained. All stakeholders in the democratisation process – political parties, civil society, bureaucracy, mass media, donor agencies – should be allowed to make input into the process in an open and transparent environment. Some major areas reform should target include the electoral laws, the exact role of the security forces, particularly the military, in

the electoral process; party finances; godfatherism; the independence of the electoral management body; and election monitoring and post-election issues such as election petitions and tribunals. It is our considered view that all election petitions should be heard and resolved before power is handed over, a move which may serve to reduce the struggle for power at all costs, including electoral fraud and violence.

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APPENDIX I
*Registered Political Parties**

A	Accord
AA	Action Alliance
AC	Action Congress
ACD	Advanced Congress of Democrats
ACPN	Allied Congress Party of Nigeria
AD	Alliance for Democracy
ADC	African Democratic Congress
ANPP	All Nigeria Peoples Party
APGA	All Progressives Grand Alliance
APLP	All Peoples Liberation Party
APN	Action Party of Nigeria
APS	African Political System
ARP	African Renaissance Party
BNPP	Better Nigeria Progressive Party
CDC	Congress for Democratic Change
CPN	Community Party of Nigeria
CPP	Citizens Popular Party
DA	Democratic Alternative
DPA	Democratic Peoples Alliance
DPP	Democratic Peoples Party
FRESH	Fresh Democratic Party
HDP	Hope Democratic Party
JP	Justice Party
LDPN	Liberal Democratic Party
LP	Labour Party
MDJ	Movement for Democracy and Justice
MMN	Masses Movement of Nigeria
MRDD	Movement for the Restoration and Defence of Democracy
NAC	National Action Council

NAP	Nigeria Advance Party
NCP	National Conscience Party
ND	New Democrats
NDP	National Democratic Party
NEP	Nigeria Elements Progressive Party
NMDP	National Majority Democratic Party
NNPP	New Nigeria Peoples Party
NPC	Nigeria Peoples Congress
NRP	National Reformation Party
NSDP	National Solidarity Democratic Party
NUP	National Unity Party
PAC	Progressive Action Congress
PDP	Peoples Democratic Party
PMP	Peoples Mandate Party
PPA	Progressive Peoples Alliance
PPP	Peoples Progressive Party
PRP	Peoples Redemption Party
PSP	Peoples Salvation Party
RPN	Republican Party of Nigeria
UDP	United Democratic Party
UNPP	United Nigeria Peoples Party

* As contained in a list of 'National Executives of Registered Political Parties and National Headquarters' Addresses', INEC, Abuja, 8 November 2006

APPENDIX II
*Presidential Candidates*¹

- 1 Alhaji Umar Yar'Adua (PDP) 24 638 062
- 2 Muhammadu Buhari (Major-General) (ANPP) 6 605 279
- 3 Alhaji Atiku Abubakar (AC) 2 637 848
- 4 Dr Oriji Kalu (PPA) 608 803
- 5 Attahiru Dalhatu Bafarawa (DPP) 289 224
- 6 Dim Odumegwu Ojukwu (APGA) 155 947
- 7 Chief Pere Ajuwa (AD) 89 241
- 8 Chris Okotie (FRESH) 74 049
- 9 Prof Pat Utomi (ADC) 50 849
- 10 Dr Brimmy Olaghere (NPC) 33 771
- 11 Chief Ambrose Owuru (DPH) 28 519
- 12 Dr Arthur Nwankwo (PMP) 24 134
- 13 Chief Emmanuel Okereke (ALP) 22 677
- 14 Sir Lawrence Adedoyin (APS) 22 409
- 15 Alhaji Habu Fari (NDP) 21 974
- 16 Galtima Baboyi Lima (NNPP) 21 265
- 17 Mazi Maxi Okwu (CPP) 14 027
- 18 Chief Sunny Joseph Okogwu (RPN) 13 566
- 19 Dr Goodwill Nanji (BNPP) 1 705
- 20 Dr Obajuawana Osagie (NC) 8 229
- 21 Dr Olapade Agoro (NAC) 5 752
- 22 Dr Solomon Akpone (AMDP) 5 664
- 23 Prof Tisa Odidi (ND) 5 408
- 24 Major Moji Adekunle Obasanjo (rtd) (MMN) 4 309
- 25 Mallam Aminu Abubakar (NUP) 4 255

¹ For winners of the gubernatorial elections see *Nigeria Tribune*, Ibadan, 16 April 2007, p 1. The caveat is that the victory of the ruling party is being challenged in election petition tribunals all over the country.

PROFESSOR JOHN BARRATT

A Tribute

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John Barratt, who died in Johannesburg on 8 August 2007, was Director (and later Director-General) of the South African Institute of International Affairs (SAIIA) between 1967 and 1994.

Under the stewardship of his predecessors, Louis Kraft and Gordon Lawrie, the SAIIA had established a modest presence in the public life of the country; under Barratt's it grew in stature, becoming – by the time he stepped down – one of the most respected political clearing-houses on the continent.

Born and raised in Idutywa, Transkei, Barratt was the son of an Anglican clergyman. His mother was descended from Thomas Bains, who had built many of the country's mountain passes' – something he always claimed with great pride!

John Barratt was educated St Andrew's Prep before going on to St Andrew's College, where, in 1946 at the age of 16, he took a first class matric with a distinction in English. After a post-matric year (during which he attended courses at Rhodes University), Barratt enrolled at Wits – where he graduated with a BA in history. Before going up Exeter College, Oxford, to read modern history, he briefly worked in a blanket factory in Johannesburg.

While a student at Wits he met his wife, Valerie Davis. Wonderfully iconoclastic, Valerie, who passed away in 1997, was the perfect foil for the caution and diplomacy for which, in the 1970s and 1980s, Barratt became respected way beyond this country's shores.

His first career was diplomacy and he enrolled with the Union Diplomatic Service (later the Department of Foreign Affairs – DFA). After training as a cadet he was sent to the United Nations in New York from 1958 to 1965. He always maintained that the most interesting aspect of this work was done in the Third

Committee (which deals with human rights), on which he was South Africa's representative. He was a fount of stories of inter-cultural conflict between the Soviets and others during the course of its meetings. The most famous of these involved confusion between the Ukrainians and Soviets as to whether Barratt, who, as representative of the Union of South Africa sat between them, could speak Russian.

On his return to South Africa, and increasingly unhappy with defending South African government policy, he left the DFA to take up the position at the SAIIA. It was not to be easy. At the time, the institute was caught between the mining houses that funded its work and had paid for Jan Smuts House; the remnants of the United Party, who wanted its work to honour the memory of Smuts; the Nationalist government, which had an obvious interest in international affairs; and Wits students, who considered the SAIIA the instrument of predatory capital. The ambiguous situation of the university's Department of International Relations, then under the leadership of Professor Ben Cockram, further confused the picture.

All John Barratt's diplomatic skills were needed to set the institute on a new trajectory. Fund-raising required schmoozing the business community, something that did not come easily and which he often did with a heavy heart. The burden of this work was eased from the mid-1970s when he appointed an energetic and often offbeat retired businessman, Gordon Rackstraw, as director of fund-raising. His day-to-day work benefited enormously after he appointed Edith Ryland as his secretary.

Strengthening the institute's intellectual base came easier. He assiduously worked at building the holdings of the Jan Smuts House library, which, at the time of its dismemberment in 1997, was a depository library for United Nations material. With its holding of some 50 000 volumes, its extensive collection of periodicals, and specialist librarians (led by Dr Jackie Kalley), Smuts House library was one of the two best international relations libraries on the continent. (The other was in Lagos; a gift from the US to Nigeria on its independence.)

His enthusiasm for strengthening the academic side of SAIIA was shared by Dr Leif Egeland (then National Chairman of the SAIIA), whose own career has traversed the fields of politics, diplomacy and the corporate sector. Encouraged by Egeland Barratt embarked on a publications programme which addressed the dearth of publication in IR in the country. He also hired a series of assistant directors – including David Hirschman, now a professor at the American University in Washington; Deon Geldenhuys (University of Johannesburg); Denis Venter (who went on to direct the Africa Institute); and Michael Spicer, now of Business Leadership. This energy certainly helped to deepen the debate on IR in the country and opened up the possibility of careers in the field outside of

government. In today's language, this work opened up the space for civil society interest and a voice in South Africa's international affairs.

But he also supported the discipline's growth and the development of a younger generation of professionals. The fact that the discipline of international relations flourishes in South Africa reflects John Barratt's unrelenting efforts to support its professional development. It is to be hoped that an Annual Lecture will be established in his name and that its focus will be upon the development of academic international relations in South Africa.

Barratt's academic interest lay in the diplomatic side of international relations rather than in the conceptual and theoretical side. That said, the first international conference Barratt organised was on population – a book he edited with Michael Louw, then the Jan Smuts Professor, was published. A few years later, in partnership with the World Peace Foundation (Boston) and the newly established Rand Afrikaans University, the SAIIA organised two conferences on 'development' in Southern Africa. Within a particular perspective on the idea of modernity, this was pioneering work and the two edited collections (on which Barratt's name appears) marked a particular moment in the conversation over apartheid that would eventually lead to the idea of 'modernising racial domination'.

He was also deeply interested in the possibility of bringing conflicting parties – or parties to potential conflicts – together, an interest that saw him involved in some audacious enterprises. One, which began in the early months of 1974, tried to anticipate the effects on Southern Africa of the Portuguese decolonisation of Mozambique and Angola. The venue was to be Angola and Barratt, with the late Otto Krause and me, travelled to Luanda to put things in place. It was stymied, of course, by the Portuguese coup of 24 April.

His attention then moved to the prospects for resolving the Rhodesian issue. A famous conference – organised with the renowned journalist Hennie Serfontein – took place in Botswana under the title 'Prospects for Détente in Southern Africa'. John Barratt skilfully chaired an intensely fractious meeting between representatives of the Smith government and members of the liberation movement. He was 41 years old at the time – sharp as a bell, but focused on opening a space for all voices as he drew the difficult conversation steadily forward.

John Barratt believed that knowledge could be approached objectively – so, for him, international relations were ethically neutral and free discussion of its 'facts' would open towards truth and justice. It was hard to hold this position in the 1970s and 1980s. Not only had the ideology of apartheid corroded most intellectual debate within the country, the Marxism within anti-apartheid academic circles raised questions about the relationship between knowledge and the struggle against apartheid.

If these were not challenges enough, in 1977 the government Department of Information launched the Foreign Affairs Association (FAA). This was an attempt to use international relations knowledge and the techniques of diplomacy to improve apartheid's image abroad. Although only one of more than 150 projects, which would eventually come to light in the 'Info-Scandal', the mandate of the FAA was suspiciously close to the brief of the SAIIA. Immediately, the press pointed a finger at the institute: Barratt weathered the storm well. The SAIIA had never received funding from the South African government – it was, he once, famously, stated, 'poor but pure'. Looking back 30 years later, it is probably true to say that the government in Pretoria had paid both him (and the institute) a backhanded compliment.

He was appointed Honorary Professor of International Relations at Wits in 1981 – a just reward because he wrote and edited an impressive number of papers and monographs on topics in diverse fields, including development studies, African affairs, and the United Nations. His journal pieces appeared in influential policy-making outlets – including *Foreign Affairs* and *International Affairs*. The book *South Africa's Foreign Policy*, written with the British scholar James Barber on the history of South African foreign policy, remains the standard work in the field.

The introduction of television to South Africa drew Barratt and the work of the Institute of International Affairs further into the public eye. He became a fluent and authoritative voice on the dilemma of South Africa's deepening isolation and on international developments in general.

In the 1970s he organised a series of high-profile conferences which brought the full implications of isolation home to a South African audience. Guests included Dr Henry Kissinger, former US Secretary of State, and Ted Heath, British Prime Minister between 1970 and 1974. The programme was not without its own controversies: efforts to bring the highly respected British politician and intellectual Shirley Williams, then on the opposition benches in the House of Commons, floundered. In the 1980s, his attention was drawn to the prospects of a post-apartheid South Africa and, of course, the opportunities the ending of the country's isolation presented to its foreign policy.

During the country's transition to democracy Barratt served on the Transitional Executive Council's Sub-Council on Foreign Affairs, to which he had been nominated by the then Democratic Party. He took great pleasure in this appointment, which brought together his training, provided an opportunity to practise his calling as a diplomat, and signalled the ending of South Africa's international isolation – the cause to which he had devoted his career.

Keenly interested in politics, international issues and cricket until the end of his life, he was increasingly drawn to the work of the Church and completed a Master's in Theology at St Augustine's College in Johannesburg. This closed the

circle of the deep faith he had discovered as a student at Oxford, when he converted to Catholicism.

In his letter applying for the post of director of the institute in May 1967, Barratt wrote this paragraph. 'I have no objection to an appointment for a minimum period, as mentioned in the advertisement, and, in fact, subject to further information about the proposed conditions of employment, I would hope, if my application were successful, that I could look forward to a longer period of service to the Institute and the Smuts Memorial Trust.'

The hope was fulfilled, of course; he served the institute for 27 years, building its reputation at home and abroad and, in the process, becoming, as *The Times* of London described him, 'the founding father of the modern study of international relations in South Africa'.

REVIEWS

Muslim Civic Cultures and Conflict Resolution: the Challenge of Democratic Federalism in Nigeria

John N Paden

Washington, DC: Brookings Institution Press 2005, 303 pages

This book discusses the role of civic cultures in Nigeria. Aimed at showing how Muslim civic cultures respond to conflict mediation and resolution it explores these cultures, identities, and practices, in order to interrogate how they relate to the challenges of the country's democratic federalism.

To this end, the study is divided into four sections. Part one sets the background for understanding how ethno-religious violence in Nigeria has always had the potential to get out of control: Nigeria has a large Muslim population, the second largest in Africa after Egypt. The complex role of religion and ethnicity, the size of the country, and its immense natural resources, pose an enormous challenge not just to the nature and stability of Nigeria's federalism but also to the enduring geo-strategic role of the country in Africa.

Part two deals with variations in Muslim identities and values. Paden examines various sub-groups of the Nigerian Muslim community, their complex relationship with each other, their patterns of religious identity, and attitudes to other religions and other social identities. He also emphasises their leaders and the role they play in the political system at the local, regional and national levels.

Issues emerging from the transition from military to civilian rule, the introduction of Shari'a law in some northern states, and the allocation of power and resources are among the challenges to democratic federalism exposed in part three.

Part four closes the analysis with a focus on Muslim civic culture and conflict resolution. Conflict resolution peace committees which have emerged in the educational sector, the interfaith councils at state and local levels, the informal grassroots culture of conflict mediation, are important mechanisms for mediating disputes and creating an atmosphere of restraint to help conflicting parties avoid eruptions in situations of real threat.

Nigeria is a country in which the search for identity since independence has experienced a continuous overlap of sub-national regionalism, partition, federalism, civil war, military rule, and transition to multiparty democracy. The manipulation of religion and violent conflicts stemming from it has always threatened the prospect of Nigeria's ability to stay together as nation. For the author, federalism in Nigeria is based on historic patterns and a sense of

pragmatism rather than on an explicit encapsulation of religion or ethnicity. Cross-cutting ethnic and religious lines, as well as power-sharing mechanisms, contribute to conflict mediation and resolution. By relying on non-ethnic criteria to define the component states, the federal balance has kept religious conflict localised. The selection of the vice-president from a zone that balances that of the president is another means of accommodating ethnic pluralism and religious diversity. Finally, memories of the civil war and a sense of common destiny have engendered general public support for a united Nigeria.

The study goes beyond existing tensions between sub-groups (inter-brotherhood rivalries, brotherhood/non-brotherhood confrontations) over the role of traditional cultures in the definition of Islamic identity and the place of Islam as the central organising principle of their identity and value system. It highlights clearly the potential for innovation stemming from multiple interpretations of Islam and links them with efforts to promote tolerance within the Muslim community and between other religions in the country. The author shows that there is no uniform version of Islam in Nigeria. Muslim identity groups have distinct orientations in relation to authority, community, change, and conflict resolution. Models and approaches of religious identity are informed by the work of local tradition, history, the teaching of spiritual and intellectual leaders, and the diversity of local clerics. Even the application of Shari'a law is open to various interpretations, ranging from restriction to the civil domain to full implementation in the criminal and civil domains.

Paden's book challenges the notion that the clash of civilisations is inevitable in multi-religious countries. It also questions the authoritarian fatality that allegedly hinders freedom in plural societies because of cultural trends. Thus, it may contain some good news for readers interested in the causal connection between Islam and a political regime.

The author believes Muslims are not responsible for the 'democracy gap' in Nigeria because there is nothing anti-democratic in Nigerian Muslim cultures. Instead he shows that Nigeria, a diverse country with a significant Muslim population, is able to move towards a transition to a democratic society and develop mechanisms for resolving intractable conflicts. However, he tends to downplay the role of tradition in conflict, not just in relation to the issue of locally rooted Islam but also in shaping civic cultures in contemporary Nigeria. Traditional cultures remain strong in the country and the role of elders is valued because they can provide advice and play a symbolic role in the continuity of communities. However, the impact of civic cultures where offices are usually held for life and leaders are believed to provide continuity between generations is still to be investigated as those traditions could be invented, manipulated and formally instituted.

On the other hand, the problem in Nigeria may lie in the very lack of consensus about the place of religion in relation to the state. The state has primary responsibilities in the domain of Muslim religious affairs in the emirate, in contrast to other states, like the Yoruba, where the local civic culture encourages both the separation of church or mosque and the state and religious pluralism. This may be the result of the non-exclusivity of religious identity and the situational use of religion among the Yoruba, but the full range of orientations found in Nigerian Muslim society and within the Christian community further complicates interfaith dialogue and stirs a number of unintended consequences, including violent conflict between Muslims and non-Muslims.

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Making Democracy Work In Nigeria: A review of Challenges of Sustainable Democracy in Nigeria *

Emmanuel O Ojo (ed)

John Archers Publisher, 389 pages

Eight years after the return of democratic rule in Nigeria, what is the future of this system of government? This is the question at the heart of the discussion in *Making Democracy Work in Nigeria*.

In the six sections and 21 chapters of this book academics engage the question critically and offer their views on how the current democratic experiment in Nigeria can be sustained.

The first section contains five essays under the broad title 'Governance and Economic Development'. Here Emmanuel Ojo, the book's editor, underscores why Nigerians have to consolidate democracy and the conditions necessary for democracy to thrive. In the essay entitled 'Imperative of Sustaining Democratic Values' Ojo holds that observance of human rights, fiscal federalism, and a vibrant economy are some of the ingredients needed to achieve this aim.

Also in this section, A G Abiola and R O Olaopa examine the relationship between democracy and the economy, holding that for a viable democratic culture to exist there must be a vibrant economy. G T Arosanyin appraises the country's transport sector and concludes that it is all motion and no movement.

The origin, performance, and prospects of Nigeria's political parties, which, unlike political parties in other countries, are ideologically deficient but power loving, are X-rayed by P F Adebayo in chapter four, while the last chapter of the section, by Akhakpe Ighodalo, examines local government, which, sadly, has failed to make an impact at grassroots level.

The second section, a short one, consists of two essays: 'Bureaucracy and Democracy' and 'Census in Nigeria: The Politics and the Imperative of Depoliticisation for Sustainable Democracy'. The first essay explores the relationship between democracy and bureaucracy, while the second explains why censuses in Nigeria will continue to be a sham until the political, logistic, and cultural problems bedeviling them are addressed.

Section three, the longest in the book, comprises seven essays, each focusing on a specific organ of government and its link with democracy. Using the Oyo State Universal Basic Education Board (OYO SUBEB) as an example Ronke Ojo examines the Universal Basic Education policy as a tool for sustainable democracy.

* The review is adapted from one published in the 'Arts and Review' column of the *Nigerian Tribune*, Ibadan, 16 October, 2007, pp 25&26.

Celestine Bassey considers 'Legislature – Executive Relations and the Future of Democracy in Nigeria' while Emmanuel Aiyede goes a step further. Essays in this section by Okon Eminue, Shola Omotola, Wahab Egbewole and Mojeed Alabi focus on the judiciary and on the links between all the organs of government and democracy.

The fourth section, titled 'Struggle Against Corruption and the Mass Media', contains three competent essays: 'Mass Media and Democracy', 'Democracy and Corruption in Nigeria' and 'Democracy and Corruption: Executive-Legislature Relations in Nigeria's Fourth Republic'. Sadeeq contends that in any democratic setting communication must be two-way, that is, from government to citizens, and vice-versa. He notes, however, that this is not the case in Nigeria and that, until very recently, freedom of the press has largely been curtailed. Ajibewa and Oladeji's views are no different and not salutary. Ajibewa cites examples of corruption in the political system, party formation, leadership/governance, the judiciary, and the electoral process to back his claim that democracy will not thrive in Nigeria until these fundamental problems are addressed.

The contentious issues of resources control, marginalisation, and true federalism, with which the last administration of President Olusegun Obasanjo contended, are appraised in the fifth section of the book, while the final section focuses on the imperatives of national security and democracy.

Osisioma Nwoliase shares his views on national security and sustainable democracy, highlighting, in the process, what the nation needs to be truly secure, and stressing that Nigeria's security policy must be people-based rather than military-based. He further submits that national security and sustainable democracy are mutually self-reinforcing, and face common threats.

Ojo's essay, titled 'Nurturing Nigeria's Democracy: Democratisation and Demilitarisation', examines the dangers posed by the military to the country's fledgling democracy. Ojo also discusses Kaduna-based activist Shehu Sani's appraisal (in *The Killing Fields*) of ethno-religious crises in Nigeria and their consequences for democracy.

The concluding chapter, which ponders the survival of democracy in Nigeria, highlights such problems as federalism, unscrupulous politics, the menace of the military, and the corruption Nigeria must address to prevent it relapsing into military dictatorship.

There is no gainsaying the fact that democracy is facing a test in Nigeria. During the locust years of the military, everybody yearned for it; now that the country has it is it striving vigorously to make it work? In highlighting the challenges of sustaining democracy in Nigeria and the role we all have to play, this book is commendable. However, there is more to be done to get the message across to all Nigerians that the task of making democracy thrive is a collective one.