

EFFECT OF ELECTORAL MALPRACTICES ON SUSTAINABLE DEMOCRACY IN NIGERIA

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Abstract

This study examines the effect of electoral malpractices on sustainable democracy in Nigeria. This paper utilized the case study research design and qualitative method of data collection was employed. The study reveals that, Ethnicity and sentiments have remained the major platform of the election campaigning in Nigeria and this scenario is affecting the nation's democracy. Findings from the study show that, Electoral fraud is the single most potent threat to democratic transition in Nigeria. Rigging is perpetrated by all political parties relative to their strength. However, it is the party with "incumbency factor" that can rig to make the differences between winning and losing an election. Incumbency, particularly at the federal level guarantees access to and control over election materials and the electoral commission and security agencies are at mercy of the government in power. This has undermines the nation's democracy in recent years. It further reveals that, election rigging has led to the electoral violence has resulted to the loss of lives and properties. The paper recommends that, an unbiased, yet a natural source electoral reforms laws and regulations based on equal opportunities. There should be a reform that will break the electoral body dependence on government by empowering the body to recruit its own staffs and give it authority over its finances.

Keyword: Electoral malpractices, sustainability, democracy, election rigging, Violence etc

1.0 Introduction

Democracy is not immutable. The institutions of democracy are fragile in the sense that they take a long time to build up but can collapse significantly more quickly, not least through violence. However, de-democratisation can also creep forward, by small but conscious adjustments of important details of the structures. Without anyone really wanting it to happen, the institutions of democracy can thus lose their efficacy and their norms. This can take place by critical development being neglected or by political representatives consciously or recklessly misusing the confidence of citizens.

Since independence Nigeria democratization processes had witnessed massive electoral fraud followed by violence which has compromised the very ethics of liberal democracy in spite of several electoral reforms that have no positive effect. And this predicament to democratization process in Nigeria has rather been on the increase and there is no evidence of any serious and sincere effort made to stop it from reaching an unwanted level. Virtually, these have been breeding all sorts of violent scenarios to the possible feature of a total anarchy, a situation which some consider Nigeria moving towards a failed state.

These predicaments have been a worrisome episode as many politicians particularly those in government resort to the use of threat and violence to pursue their political goals, eg Obasanjo's "do or die" statement in 2007. Since return to civil rule in May 1999, the country has witnessed more violence with an estimated loss of life of more than 10,000 people^[1] mostly during the period of elections with some 700 violent election related incidents between November 2006 to March 2007 and as well more than 300 killed during the 2007 elections alone (Human Right Watch 2007). Thus, bringing the question to what exactly is democracy in Nigeria. Because, democracy in the ideal sense, offers the ordinary citizens the best chance to live under a regime of fair laws enacted in the national interest as opposed to a tyrannical or despotic

Although Nigeria has been experiencing electoral related disputes for many years since independence, disputes relating to the legitimacy of election results have been escalating in the past decade. Many presidential candidates especially from the opposition parties have refused to concede defeat mainly on the ground that the declared election results were not legitimate as they were fabricated in favour of the ruling party. In some cases this has led to post electoral violence which has seriously affected the Nigeria socially, politically and economically. In spite of various efforts taken by the Nigeria government and regional organization to address electoral related problems in the country, the problem still persist. This study argues that Political violence is part and parcel of a broader epidemic of violence that has devastated the lives of tens of thousands of Nigerians since the country's return to civilian rule in 1999.

1.1 Research Questions

The paper seeks to answer the following research questions

1. Does Election rigging the major source of violence in Nigeria?
2. What is the effect electoral malpractice on democracy?

1.2 Objective of the Study

This study examines the extent to which electoral malpractice pose a threat to sustainable democracy in Nigeria.

2.1 Literature Review

2.1.1 Electoral Malpractice

According to Amadu² rigging is the manipulation of the electoral process to the advantage of a particular candidate or political party, which can be perpetuated at any level of the electoral process from the delimitation of the constituencies to the adjudication of election disputes and that even the promulgation of the electoral law could be subject to abuse by partisan administration or bureaucracy

¹ Jega, A.M. eds (2007) Election and the Future of Democracy in Nigeria. A Publication of the Nigerian Political Society Association

² Amadu, K. (2005) Nigerian General Election (1951 – 2003) My Roles and Reminiscences. Spectrum Ibadan. A preliminary Report of the European Union Observers Mission of Nigeria's 2007 General Elections April 23rd 2007.

as witnessed during the enactment of electoral act 2001 and 2010. This electoral manipulation remains inevitable without the connivance of election participants such as: candidates, polling agents, security agents, polling clerks, election/returning officers, presiding officers and the electorate at large.

The objectives of electoral rigging are mainly to frustrate the democratic aspiration of citizens who have voted, or would have voted into office someone other than the rigged individual – (Ibrahim 13th -14th February 2007). These forms of electoral Malpractice in Nigeria according to Ibrahim include:

- i. Compilation of fictitious names on voters registers.
- ii. Illegal compilation of separate voters' list.
- iii. Abuses of the voter registration revise exercise.
- iv. Illegal printing of voters cards
- v. Illegal possession of ballot boxes.
- vi. Stuffing of ballot boxes with ballot papers.
- vii. Falsification of election results.
- viii. Illegal thumb – printing of ballot papers.
- ix. Under aged voting.
- x. Illegal printing of the forms used for collation and declaration of election results.
- xi. Deliberate refusal to supply election materials to certain areas
- xii. Announcing results in places where no elections were held.
- xiii. Unauthorized announcement of elections results.
- xiv. Harassment of candidates, agents and voters.
- xv. Change of list of electoral officials.
- xvi. Ballot box-switching and inflation of figures. etc.

For Umar³ in the realm of politics, rigging of election is the worst form of political violence thus, undermining a democratic process and endangers the security of the state, the stability of the economy and provokes life threatening subsidiary physical violence. In the context of Nigeria, election rigging is an act or conduct of subverting an entire electoral process through massive organized fraud to take over governmental affairs in violation of section 1 of the 1999 and 1979 Constitutions.⁴

On the other hand, electoral violence is used inter-changeably with political violence. While political violence is much broader in nature, electoral violence on the other hand is a limited aspect of political violence which is often associated with the process of election (Ogundiya in Jega 2007:247). Electoral violence remains the greatest challenges to many democratizing societies like Nigeria. Examples of electoral violence are: Murder, arson, abduction, assault, violent seizure and abduction of electoral materials (Jegade in Jega 2007:248). With purpose and or intention by individual or groups to influencing the outcome of an election to their own interest e.g. recent events in Kenya and Zimbabwe carried out by world Medias are of clear examples of how dangerous electoral frauds are.

³ Umaru, A (2003) Rigging Ways: The Constitution and the Electoral Process in Nigeria, Axis Research Agency, Kaduna.

⁴ Collier, P and C.V. Pedro (2008) Votes and Violence: Experimental Evidence from a Nigerian Election- University of Oxford

In essence, political violence is both a curse in itself and an obstacle to accountable and legitimate government. It is one variant of the struggle for powers⁵.

Ogundiya⁶ defined electoral violence thus: “Electoral violence includes all sorts of riots, demonstrations, party clashes, political assassinations, looting arson, thuggery, kidnapping, etc. spontaneous or not, which occur before, during and after elections. It could be regarded as elections motivated crises employed to alter, change or influence by force or coercion, the electoral behaviours of voters or voting patterns or possibly reverse electoral decision in favour of a particular individual, groups or political party”⁷ Thus, electoral violence is a product of electoral malpractices or rigging. In general terms, all forms of violence that emanates at any stage, from difference in views, opinions and practices during the process of elections, could be regarded as electoral violence. Electoral violence is the employment of force by political parties or their supporters to intimidate opponents and threats to a democratic regime, and has often accounted for seizure of political power by the use of undemocratic means such as force⁸. In some instances, such violence are aimed at intimidating opponents to deny them freedom of expression and choice and at times the violence arise in reaction to rigging of elections. In other words⁹ said electoral violence is “any form of physical force applied at disorganizing [The] electoral process, destructions of electoral materials, and intimidating of [The] electorate to vote against their wishes” (cited in Odofin and Omojuwa 2007:46).¹⁰

These forms of violence according to Yusuf Bala Usman are what characterized the history of election in Nigeria since pre-independence period to date.¹¹

2.1.2 Democracy

The concept of democracy is one that is difficult to truly define as the concept itself means different things to different people. One definition of democracy stems from the Greek δημοκρατία - (dēmokratía) "the power to the people," which arises from the combination of two words δῆμος (dêmos), people, and κράτος (krátos), power. Hadenius's¹² definition of political democracy states “public policy [that] is ... governed by the freely expressed will of the people, whereby all individuals are to be treated as equals” best defines what we will be considering as democracy.¹³ A more narrow, and less positive, outlook on democracy can be found in Joseph Schumpeter's argument that “democracy means only that people have the opportunity of accepting or refusing the men who are to rule them”.¹⁴ As such, democracy conjures ideals that have never been approached by any political system and invites criticism for its imperfect implementation. To maintain the distinction between democracies in its ideal form, the “institutional arrangements that have come to be regarded as a kind of imperfect approximation of an ideal,” or polyarchy.¹⁵ The use of polyarchy is beneficial for our purposes because, like democracy, “polyarchy is a quality of a political system, but unlike democracy, polyarchy is also a dimension” of the political system.¹⁶ The qualities of polyarchy are defined as the freedom of organization and expression, the right to vote, eligibility for public

⁵ Collier, *ibid* p233

⁶ Ogundiya, O. “Nigeria: Electoral Violence and National Security” ACE Electoral; Network August 6th, 2007

⁷ Jega, *ibid* p 248

⁸ Ogundiya, 2007 P23

⁹ Oberg, J & H. Wilberg (1984) *Concept of Security and Their Implications*: Scandinavian Journal of Development Alternatives Vol. iii (1)

¹⁰ Falola, T and J. O. Ihonvbere (1985) *The Rise and fall of Nigeria's second republic 1979-1983*. Zed books London

¹¹ Falola, *opt. cit*, 125

¹² Hadenius, Axel. *Democracy and Development*. Cambridge, UK: Cambridge University Press, 1992.

¹³ Hadenius, *ibid*, p.9

¹⁴ Hadenius, *ibid*, p.15

¹⁵ Dahl, R. (1971). *Polyarchy: Participation and Opposition*. New Haven: Yale University Press.

¹⁶ Coppedge, M. and Reinicke, W. (1990). “Measuring Polyarchy.” *Studies in Comparative International Development*. Vol. 25, No. 1 p. 51-72.

office, political competition, alternative sources of information, free and fair elections, and the impact of voting on government policies.¹⁷

2.1.3. Sustainability

Sustainability, as a concept, is less ambiguous than democracy, but suffers from divergent views in how it is measured and implemented. Mason argues that sustainable development implies positive socio-economic change geared towards meeting the needs of present generations, particularly those least well off. At the same time, sustainable practices ensure that we pass on the ecological and economic means that enable future generations to be able to meet their own needs (Mason, 1999). Raven invokes Gandhi's response to the question of whether India would follow the British development process, to which Gandhi coyly responded "It took Britain half the resources of the planet to attain this prosperity. How many planets will a country like India require?" when addressing the need for sustainable development in the developing world in light of untenable resource requirements.¹⁸ The goal of sustainability can thus be taken as the need to maintain resources for the use of future generations. The challenge, however, is that sustainability indicators (SIs) cannot be so easily defined. Bell and Morse note that "SIs attempt to encapsulate complex and diverse processes in relatively few simple measures," thereby decreasing their effectiveness through oversimplification. Therefore, we will examine the various methodologies for the measurement of sustainability and assess their applicability to our research. René Kemp and Pim Martens¹⁹ provide an in-depth look at the concept of sustainability and its application. Kemp and Martens use the common definition of sustainable development or "development that meets the needs of current generations without compromising the ability of future generations to meet their own needs"²⁰

2.2 Theoretical foundation

The study is conducted within the analytical framework of the social contract theory as propounded by Thomas Hobbes, John Locke and Rousseau. The choice of the theory is informed by its adequacy in explaining the origin of nature, and operation of democratic systems, out of which periodic elections are organized to ensure regular turnover of leadership.

Although, a violent conflict is a complex social phenomenon with many dimensions, ethical, humanitarian, economic and political all of which are highly controversial and much debated. Conflict is a fact of everyday life. Every day, people embark on negotiation and settle their differences on a peaceful way without threatening or resorting to violence, while others may refuse the peaceful means and commit to violence. These may surely be not unconnected to the violation of social contract as argued by Gandhi in his book *The Story of My Experience with Truth*; where there is violence, there could be no truth.

According to Hobbes (1588 – 1679) "A state of nature makes life poor, nasty, brutish and short. This is because of certain features associated with human conditions thus: equality of need, scarcity, essential equality of human power and limited altruism". For Hobbes, these state of nature lack basic human needs because the social cooperation needed to produce these things doesn't exist and for man to avoid this state of nature (anarchy) there must be a guarantee that people will not harm one another and thus, the concept of social contract.

¹⁷ Dahl *ibid* p.3

¹⁸ Raven, Peter. "Science, Sustainability, and the Human Prospect." 2002 American Association for the Advancement of Science. St. Louis, Missouri. Feb. 2002.

¹⁹ Kemp, René and Martens, Pim. "Sustainable development: how to manage something that is subjective and never can be achieved?" Sustainability: Science, Practice, & Policy. Vol. 3 Issue 2 (Fall 2007). p. 5-14.

²⁰ Kemp and Martens *ibid*, p. 5)

The term social contract is an old concept in political philosophy famously expounded by the philosopher Jean Jacques Rousseau in his book *The Social Contract* published in 1762, so also the work of John Locke who before then, expounded on contract between the ruler and subjects, in which the latter could rightfully repudiate in the event of mis-governance by the sovereign. Thus, the need for a viable social contract, because when a society operates in accordance with widely accepted rules of the game, we say that it has a viable social contract. The theory was built upon the premise that the ‘basis of legitimate legal power is in the idea of contract’. In organized societies, contract had been formed between the citizen and the sovereign power. As a result of this contract, power is vested in government which is represented by an individual or groups of individuals. The theory opposed the ‘divine right of the kings’ and posits that individuals accept a common superior power to protect themselves from their own brutish instincts and to make possible the satisfaction of certain human desires. Hence, “Sovereignty resided in the people for whom governments were trustees and that such governments could be legitimately overthrown if they failed to discharge their functions to the people”.²¹

The concept of social contract, if well established, creates an avenue that increase benefits between the party to the contract in areas such as economy, moral values and the political. In other words, social contract has a strong temporal dimension such as the willingness of people to work together to maintain the social contract is strongly influenced by how they view the future. If the future starts to become very uncertain and citizens doubt the safety of their lives, then they can see little worth in cooperation with their rulers to keep the social contract in order. This is because democracy is based on social contract between the government and the governed. The citizens willingly surrender their mandate to the elected or chosen officials to represent them and to govern based on collective interest of all, for a common goal (societal well-being) thus, failure to fulfil the agreement spells a betrayal of the social contract and thus, may lead to withdrawal of allegiance by the citizens.

Even though critiques argued that there is nothing like contract in existence and that, it is base on a fiction. However, there may not be a physically signed contract yet, a contract exist when we willingly participate in society and enjoys it benefit. For example, Democracy is base on social contract between the government and the govern in which citizens elect few individuals to represent them in running the affairs of government and in return most be accountable to the society they represent.

3.0 Methodology

Survey and qualitative case study research design are the most methods of conducting research in social science. This paper will utilize the case study research design and qualitative method of data collection will be employed. This design seeks to examine actions, decisions, programs, or other entities that are of unique characteristics of interest. The case study research design will examine the cases electoral violence, rigging and electoral malpractice in Nigerian general election.

Case study research could be used for exploratory, descriptive or explanatory studies. Since electoral malpractice and democracy is well known phenomenon in Africa by many, using the exploratory approach would be appropriate.

4.0 Problem with Election in Nigeria

Falola and Ihoumber while making a Marxist critique of Nigerians 2nd Republic, they were able to highlight the economic reasons for the catch-as-can-catch tendencies of political elites...as a major factor to 1983 electoral disaster. That attempt by status quo to maintain power has been a major

²¹ Kukah, M.H. (2003) *Democracy and Civil Society in Nigeria* Spectrum Ibadan

source for electoral malpractices and electoral violence (Junaidu 1990:110). Thus, he blamed the political elite as selfish class, blinded by the lust of power and the spoils of office are ready to violate the constitution, democratic institutions and the electoral process. As well as pointing at persistence of ethnic politics and religious as well as administrative and security problems, associated with lack of adequate personnel training.

Ethnicity and sentiments have remained the major platform of the election campaigning in Nigeria. A situation where the leaders of the major political parties were known to have made slips during the campaign by calling each parties all kind of bad names and such actions with the emphasis of maintaining status quo by the incumbency triggered a massive rigging and all sorts of electoral fraud. As well, ethnic identity has been the basis of most voting in the bottom billion²².

It is very clear that the Nigerian election of 2007 is a sham election. It was massively rigged and nobody can honestly, trustfully and scientifically state that Umaru Yar'Adua and his deputy were democratically voted into office. A massive collusion involving the PDP and APP, the INEC, the Police and some section of the judiciary had produce government that could not claim legitimacy by dint of even the most rudimentary requirement of bourgeois democracy. (Kyari,1986 cited in Jega and Ibeanu 2007:65)

Similarly the 1993, 1999 and 2003 elections were rather an up shoot of the previous elections characterized by ethnicity, political thuggery, threat and intimidation, kidnapping and assassinations; manipulation of electoral bodies as well as the use of security personnel against political opponent with particular reference to the 2007 and 2011 general election which witnessed a civilian to civilian continuation.

4.1 Electoral fraud in Nigeria

Electoral fraud is the single most potent threat to democratic transition in Nigeria. Rigging is perpetrated by all political parties relative to their strength. However, it is the party with “incumbency factor” that can rig to make the differences between winning and losing an election. Incumbency, particularly at the federal level guarantees access to and control over election materials and the electoral commission, security agencies and limitless state resources (Kyari in Jega and Ibeanu 2007:209). For Kyari, the lack of free and fair elections will ultimately lead to total loss of faith in the system and that, though the court may make a difference in few cases but, the building and sustenance of democratic culture is beyond the capability of the judiciary. In other words, factors precipitating electoral violence in Nigeria includes poor electoral administration, rigging, ethnicity, religious sentiments, poor security system during election, political intolerance, lack of well define ideology by the political parties, chronic economic crisis and poverty (Ogundiya in Jega and Ibeanu 2007:260). Such violence is characterized by wanton destruction of lives and property in what scholars like (Ake, 2001; Nnoli, 1984) term it as warfare.

For Ogundiya (2007), elections in Nigeria since independence have become a political liability and source of instability and that various experiences regarding elections in Nigeria have brought the worst of political thuggery and brigandage as well as unmediated and unrestrained violence. For Adebisi in kwanashie (2003), while making a comparative study with the Ivorian democratic crisis or development, the main reason behind democratic instability in Nigeria can be attributed to the absence of democratic culture, a situation which can push a country to civil war.

²² Collier, *ibid* p.26)

For him any other option apart from committed enthronement and practice of democratic principles is an invitation to anarchy²³

With the possible exception of the 1959 general elections, which were acclaimed as very successful on the grounds, perhaps that they were organized and conducted by the out-going British colonial administration, the other elections planned and executed by Nigerian administrative officials have been blighted by all kinds of “illegalities, irregularities and malpractices” In other words Nigeria has never recorded any successful election exercise.²⁴

4.2 Cases of Electoral Malpractice in Nigeria

Although the 2011 elections are acclaimed as credible, there were flaws in election administration that raised doubts about the credibility of the elections. These flaws prompted the losers to assume that the winners stole the victory. In the first place, the pace with which INEC registered over 70 million voters created doubts. From the time the timetable for the 2011 was announced, analysts expressed concerns that the Electoral Commission may not be able to conduct a credible election within the allotted timeframe. According to one analyst:

I don't know though how 70 million people will be registered in 2 weeks, 14 days, 336 hours, 20,150 minutes, 1,209,600 seconds – or 650 per second. That is lightening registration! I figure that we will require four to five times that length of time per registrant, which means that we won't be able to register more than 10-15 million people in two weeks, outside chance of 20 million.²⁵

At the end of the two-week voter registration exercise with an additional one week extension of time, INEC, to the amazement of many, announced that it had registered 73.5 million voters, more than the 60 million it expected to register. The bewilderment that followed the close of the voter registration exercise transformed to doubts. Femi Falana, Chairman of the National Conscience Party (NCP) expressed this doubt:

*We expected that after the AFIS screening and the display/verification exercise conducted by the INEC, the figure of 63 million voters would have been pruned down. But to our utter dismay, the final figure has jumped to 73.5 million. As no explanation has been adduced for the increase of eligible voters from 63.9 million to 73.5 million, we call on the INEC leadership to review the register by subjecting it to AFIS screening without any further delay.*²⁶

It was obvious that INEC did not have time to de-duplicate the voters register, as such, the Commission went ahead to organize the 2011 elections disregarding public misgivings with the voters register. INEC's capacity to conduct the 2011 elections became even more suspicious after the Commission cancelled the parliamentary election scheduled for 2 April 2011 as a result of organizational and logistical challenges. In a televised broadcast made hours after the election commenced in several states, INEC Chairman Attahiru Jega announced to the discomfiture of many Nigerians that sheets for the recording of accreditation and election results arrived late and could not be distributed to all the polling stations.

According to him, the decision to postpone the election was necessary to ‘maintain the integrity of the elections and retain effective overall control of the processes’²⁷. The postponement of the April 2 election triggered calls for the removal of INEC Chairman, especially by those who interpreted the

²³ Kwanashie, M. ed (2003) *Politics and Political Power Relations in Nigeria* Data & Partners – Lagos

²⁴ Kwanashie, *ibid* p.25

²⁵ Akhaine, S. 2011. ‘Nigeria’s 2011 Elections: The “Crippled Giant” Learns to Walk? African Affairs, 110, 441: 649–655.

²⁶ *Ibid*, p.86

²⁷ BBC News Africa, 2 April 2011

move as either ‘an elaborate attempt to rig the election’ or ‘sheer incompetence’ on the part of INEC.²⁸

The false start by INEC did not end up as ‘a comprehensive failure’ as the Commission managed to put its acts together and convinced the political parties and other election stakeholders to accept 9 April as the new date for the elections (ICG 2011: 4). The re-scheduled parliamentary elections of 9 April proceeded peacefully and orderly. But the presidential election of 16 April was marred by violence triggered by allegations of poll rigging in favour of the ruling PDP. Officials of the opposition CPC as well as some poll analysts pointed out that the pattern of voting in the South-South and South-East zones (where support for the PDP candidate was greatest) did not follow the track observed in previous elections, and raised fears of foul-play¹³ (Akhaine 2012: 653).

The CPC alleged vote buying, ballot-box stuffing, and inflation of results by the PDP in the South-South and South-East states, particularly in states such as Abia, Anambra, Bayelsa, and Delta, which recorded an abnormally high voter turnout of up to 98 and 99 percent. The ‘astonishingly high voter turnout’ in South-South and South-East States fit the pattern of the discredited 2003 and 2007 elections, and considering that these zones have a history of results being declared without regards to actual vote tally, some observers suspect that much of the election result in the zones was massaged. One analyst argued that, ‘the official results of the balloting are certainly somewhat Suspect...they indicate perhaps some sophisticated tampering by the PDP, which has a notorious record of rigging elections’.²⁹

Much of the alleged electoral malfeasances during the 2011 elections were associated with the vote collation and computation process. The CPC specifically alleged that the Microsoft Excel software used by INEC to compute election results across the country was deliberately designed to favour the PDP and shortchange the party. It asked for manual re-computation of the election results. The CPC also called for a forensic examination of ballot papers. The CPC’s National Secretary, Buba Galadima said the party would not go to court as it did in the past, and that the party will equally not accept any candidate declared as the winner of the presidential election, unless the results of South-East and South-South states were cancelled.³⁰ The complaints by the CPC leadership appeared to have prompted youths suspected to be CPC supporters to embark on violent protests in some Northern states. The outbreak of post-election violence in the North can be seen as an expression of disappointment and frustration at electoral defeat by some CPC supporters. These supporters who see the CPC as the ‘dominant political force’ in their communities were apparently frustrated that the party could not win the presidency. They were particularly aggrieved that the allegedly inflated vote figures recorded in South-South and South-East states prevented their candidate/party from clinching victory.

4.3 effect of Electoral malpractice on Sustainable democracy in Nigeria

Rigging of election is the worst form of political violence which endangers the security of the state, and the stability of the economy and there is no doubt that the billions of naira used to fund the rigging of the 2007 general election in Nigeria came from the treasuries of local, state and federal government³¹. According to Umar³², the involvement of traditional rulers, electoral commissioners as well as the cohesive agents of the state as prime factor to election rigging, citing examples with the 2003 general elections constitute subversion of the constitution which is the source of the legitimacy

²⁸ BBC News Africa, 4 April 2011

²⁹ Gberie 2011 cited in Awofeso, N., J. Ritchie and P. Degeling (2003) 'The Almajiri Heritage and the Threat of Non-State Terrorism in Northern Nigeria -- Lessons from Central Asia and Pakistan', *Studies in Conflict & Terrorism* 26(4): 311-325.

³⁰ Olumide and Akinfenwa 2011; Alli and Babalola 2011 cited in Akhaine 2012: 653.

³¹ Umaru, A (2003) *Rigging Ways: The Constitution and the Electoral Process in Nigeria*, Axis Research Agency, Kaduna.

³² Ibid

of any government in Nigeria. With Umar's³³ assertion on the illegal use of public funds by the political office holders in order to win or rig an election, it shows that political offices holders focus on looting the money purposely for physical project into their private pocket in order to use such to violently force themselves back to power in an election period as captured in editorial comment of thus:³⁴

...this dangerous precedence, with far-reaching implications, is that a politician can get elected; he will systematically loot the public treasury, pocket most of the allocations, and other revenues... to violently force him back into power...

These remain a continuous process and practice all over the country and that resource supposedly for building up infrastructures are diverted to personal pockets, thus creating institutional weaknesses or decay, and the end result is state failure to establish security. In other words, institutional vote-buying breeds official hostilities towards the people who have legitimately won election. This is one of the factors responsible for electoral violence in Nigeria³⁵ just as votes buying and violence that characterizes the Nigerian 2007 general election in which over three hundred (300) people were killed in the course of it.³⁶ It is in line with this democratic predicament that Umar suggest for a war against the evil forces that undermined democracy in Nigeria. According to him:

It must be understood that fighting against election rigging in Nigeria is not just fighting for democracy. In the circumstances of Nigeria of today, this war is a war of liberation from passive influence of corrupt money power which is seeking to replace the constitution as the nation's grand norm. It is, in addition going to be a war for the heart and minds of the Nigerian people who suffered humiliating and dehumanizing experiences even on Election Day. There can be no fences sitters in this kind of war and it is a war that will have to continue even after victory. It is going to be total war using every available democratic weapon....

Umar also gave a profile of an election rigger as:

- He is a dictator and does not believe in the electoral process
- He cannot consider life outside the corridors of power
- He is an emperor and must live in palaces
- Because of the money he paid to rig election he feels he owns the country, the state or the local government
- To him the business of government is a private enterprise with him as the sole proprietor
- He believes every man has his price and to win an election all he needs to do is to ask: how much does it cost?
- To him God has nothing to do with it, as it is just a naked power given to him which there is no rules
- He is a corruption – motivated terrorist with no inhabitants.³⁷

Although Umar sees an election rigger as those who belief themselves as above the law however, his definition profile of an election rigger has went extreme in the sense that an election rigger does not only involves the high personalities alone but, also those who one way or another participate in

³³ Ibid

³⁴ Ibid

³⁵ Victor, A.O. ed (2008) Money and Politics in Nigeria: A publication of International Foundation for Electoral System and United Kingdom Department for International Development (DFID) Abuja – Nigeria.

³⁶ Collier, *ibid* p.1)

³⁷ Umar, *ibid* p.59)

election rigging i.e under age voters and multiple voting are all considered as election riggers and some of these people may have engaged into this act because of puberty.

So also fear of losing their job, in the case of election officials under a given instructions as well as the lower security personnel's who take directives and failure to obey may spell a mutiny.

Nigerian politicians are not true democrats; they are democrats of convenience extolling the virtues of democracy when they campaign, rigging the election when they vote, crushing the opposition when they win, and betraying public trusts when they rule. That is not democracy; that's rule of the jungle, with the added burden of having to vote for it. Conversely, when they lose, politicians refuse to accept the verdicts and invite the military to return³⁸

The 2007 general election were a terrible setback for democracy, a process marked by wide spread irregularities such as administrative chaos and critical delays, ballot stuffing, hijacking and snatching of election materials, violence, thuggery and all sorts of frauds (The Constitution, 2007:119). A report by the international crisis group (ICG) on the Nigerian failed elections argued that: "Nigeria is in crisis. The elections themselves were disastrous, with even more rigging and violence than during the previous presidential election in 2003, with an estimated 700 violent election related incidents and assassinations

According to the transition monitoring group (TMG) report of the 2007 general election, noted and documented that the election is characterized by numerous lapses, massive irregularities and electoral malpractices, that on the whole, the election were a 'charade' and did not meet the minimum standard requirement for democratic election. That the electoral body has failed woefully in its responsibility to conduct a free, fair and credible election. And that the elections were not just flawed, but followed the down ward trajectory of Nigeria's sad electoral history, in which millions of people who want democracy are betrayed by their leaders. TMG went further to mention among the features of the event which include:

- Intimidation of voters and election observers
- Partisanship of INEC and security agents
- Under age voting
- Diversion of electoral materials
- Theft and snatching of ballot boxes and papers
- All sorts of violence etc.

Despite the said deployment of security personnel in most part of the country (for the conduct of 2007 election), politicians using their trained and heavily armed thugs, unleashed violent attacks on the voters. There were indications of blatant rigging and falsification of election results with the connivance of some electoral officials, security agents and political thugs in favour of incumbency that the police in particular lost its traditional role and engaged itself in partisan and electoral irregularities during the election.

Nigeria's main sources of threat are largely internal and political, by mere looking at series of events that occurred and are continuously occurring.

From whatever angle it may be, it is certainly known that electoral malpractices pose a greater security threat to a nation considering the amount of violence, destructions of life and property it

³⁸ **Adamu** Adamu ed (1999) Buhari, The PTF Years: A collected Speeches Spectrum, Ibadan.

breeds. A clear example of effect of electoral fraud can be seen in Kaduna, Kano, Zamfara and Bauchi where thousands of people including corps members were killed and properties worth millions of Naira were destroyed. The genesis behind the ideological uprising (conflict) that emerged in some parts of Northern Nigeria, were thousands of youths' despair of unemployment and poverty, under the influence of a 39-year-old self-acclaimed Islamic cleric denounce the legitimacy of Western culture, claiming it rather help to breed injustice among our society, into the system than promoting social peace. This ideological battle between these groups (Boko Haram) and the government forces led to destructions of property and loss of hundreds of lives. As argued by Jean Herskovits that the United States Government was party and behind the Nigeria's 2007 and 2011 rigged elections because of certain percentage of oil benefit which United States Government enjoyed from the Nigerian.

5.0 Conclusion

This study tried to examine the extent to which electoral malpractices is a threat to national security from the perspective of ordinary Nigerians. Electoral fraud which undermines democratic governance generates an enormous insecurity in societies that tremendously has a negative impact on individuals, groups and the nation in general. Impact among which include: disruption of family and communal life, hostilities between indigenes and settlers as the case of Plateau state, social tension, loss of lives and property, an atmosphere of mistrust, increasing hunger and poverty, and all sorts of human rights abuses as well as creating an atmosphere of political insecurity that can lead to declining confidence in the political leadership and the entire system. These and many more lay the key source of threat to Nigeria's democracy and national Security.

Currently, politicians have already jumped into strategizing on how to control and win or retain power in 2019 and beyond. Culturally these strategies is what result to inter and intra-party conflicts, political assassinations, threat and intimidation as well as looting of public treasury by those in office to be enabled to finance their political needs. These and more, and with governmental inability to combat widespread impunity of abuses orchestrated by politicians and government officials, are what constitute a greater threat to a country's national security.

6.0 Recommendations

The recommendations of the study are aimed at targeting the Academics; Civil societies and pressure groups and the legislatures.

- i. An unbiased, yet a natural source electoral reforms laws and regulations based on equal opportunities. A reform that will break the electoral body dependence on government by empowering the body to recruit its own staffs and give it authority over its finances.
- ii. There is a need for the establishment of an electoral offences court that will apply punitive measures on all parties involved in electoral fraud. These could involve dismissal, banning and imprisonment of both individuals and groups with no immunity backing on any person of whatever status or position he or she represents.
- iii. The need to establish a national security policy that will incorporate actors involving academics, civil societies, youth and students unionism, serving and retired security personnel's, political parties representatives, etc. that will oversee the entire electoral exercises and offer solution to the electoral body where necessary.
- iv. Security agencies must remain neutral and non partisan thus, a punitive measure that may include dismissal from service and imprisonment be applied to those found guilty of politically related offences.

- v. Political parties and civil society's reforms, for the promotion of peaceful coexistence among all members of the society before, during and after election exercise.
- vi. Internal democracy among the political parties is a vital and most important factor toward true democracy, political development and national security of the nation. Therefore, the need for political parties to ensuring a free and fair elections during primaries and must be transparent in all their doings.

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