



Democracy in Nigeria and the Problems of the 2015 General Elections

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Abstract: *The paper examined democracy and the problems of the 2015 general elections in Nigeria. According to independent observers, these elections were full of electoral malpractices and though there were observed improvements during the 2015 election, it was not without its fair share of pitfalls as processes surrounding it lent credence to suspicions that it was technically manipulated through the instrument of the card reader and other instruments of fraud. The objectives of this paper are therefore to validate the assumption that 2015 general elections in Nigeria were not completely free, fair and credible, and to identify the problems that characterized the 2015 elections. Democratic participatory theory was adopted as the theoretical framework with reliance on the secondary method through which data were sourced. Historical and explanatory models were used in its analysis. The paper found out that Nigeria is yet to overcome all the challenges of participatory democracy, to entrench free, fair and credible elections considering the prevailing political culture characterized by the winner takes all syndrome, the desperation of political parties and candidates to take over power by all means, and lack of structural autonomy on the part of Independent National Electoral Commission (INEC) in the conduct and management of elections in Nigeria. The paper thus, recommended among others, that the present administration of President, Muhammadu Buhari should implement the recommendations of 2014 Constitutional Conference Reports before the 2019 general elections.*

Keywords: Democracy, election, INEC, politics

1. Introduction

A credible electoral system gives credence to the quality of any nation's democracy. In the case of Nigeria, the electoral process over time has been characterized by manipulation and violence (New Telegraphy, Thursday, October 1, 2015).

A 2006 publication of the United States Agency for International Development (USAID), stated that a "combination of insecurity, petro-dependency and the need to hold or have access to the presidency drives members of the Nigerian oligarchy to fix elections, organize political violence, constantly reshuffle alliances, and avoid institutionalizing stable political parties". Prior to 2015 general elections many political analysts, scholars and some well-meaning Nigerians had called for an electoral reform process that would revolutionize and overhaul the system to make it yield to the basic tenets of democracy. The response from the government often had not been encouraging, but characterized by indifference to implement the various reports of several electoral reform panels set up in the past, particularly, the Justice Mohammed Uwais Electoral Reform Panel.

In the same vein, Professor Attahiru Jega, the immediate past Chairman of Independent National Electoral Commission (INEC) owned up to the fact that some of the major challenges that confronted the 2015 general elections were the problems of insecurity, lack of adequate funds, attitudes of the political class, inactive citizenry, electoral malpractices, corruption, the problem of falsification of results, the cancellation of results and the problems associated with the registration and collection of Permanent Voter Cards (PVCs) by the electorates. The above problems and challenges were actually the same that engendered the systematic and technical manipulation of the 2015 electoral process in Nigeria (Vanguard, Thursday, March 5, 2015).

The 2015 general elections have come and gone, Nigerians have seen the winners and losers. The questions that this paper seeks to proffer answers are: was the 2015 general elections truly free, fair and credible? What were the problems associated with the 2015 electoral process? How can Nigeria forestall similar problems in her future elections?

From the above statement of the problem, the following objectives are kept in view:

- (i) To validate the assumption that 2015 general elections in Nigeria were not truly free, fair and credible.
- (ii) To assess the problems that characterized the 2015 general elections in Nigeria.
- (iii) To evaluate the ways through which sustainable true democratic practices can be institutionalized in Nigeria.

2 Methods

The research is purely qualitative which employed exploratory research model. This means that secondary source of data was used as instrument for data collection. Therefore, this paper was enriched through data, information, opinions and views gathered from text books, newspapers, and magazines. Simple historical and explanatory approaches were used in its analysis.

2.1 Theoretical Consideration

Democratic Participatory Theory: This article adopts the democratic participatory theory which is anchored on the following beliefs -that:

- (i) People have rights, and must also be given a real opportunity to decide on matters that concern them.
- (ii) People are free and equal in their access to institutions and decision making in all spheres of life.
- (iii) There is more to democracy than voting.
- (iv) Participation breaks down political apathy and civil passivity.
- (v) Participatory democracy is real and commands its own tools such as referendum, recall, citizen-initiated legislation and so on.
- (vi) Participatory society and culture are possible and are the key to a better democratic future.

The idea of participatory democracy is historically aligned with Jean-Jacques Rousseau's insistence on direct citizen participation despite his acceptance of the idea of social contract. Philosophically, his motivation was both to find an effective association of people as well as to preserve their freedom as much as possible (Sartori, 1989). George Douglas Cole (1889-1959i) with his ideas of industrial democracy and workers self-management is regarded as one of the progenitors of participatory democracy in the 20th century.

This theory is therefore adopted because, since democracy is a people oriented government, the need for their participation becomes very important. By this theory, there should be an active participation of the citizens on issues concerning them especially the right to vote and be voted for as being practiced in Nigeria.

2.2 Conceptual Analyses

Democracy: The word "democracy" is overused. It takes its place among terms like *freedom*, *justice*, and *peace* as a word that has seemingly only positive connotations. Today, most people still prefer to define democracy as "government by the people", being

a part of Abraham Lincoln's famous definition of democracy from his: Gettysburg Address: *Government of the people, by the people, and for the people.*

The best that can be said of this definition is that it is too brief and may not be very informative. The late E.E. Schattschneider claimed that we ought to get rid of a confusing phrase such as "government by the people". For instance, to say that about 160 million Nigerians "govern" does not shed much light on the role of people in the Nigerian political system.

If democracy means government by the people, Sartori (1987) asks "which people?" There are six ways, he says to interpret people. The people in this case means:

- (i) literally everybody.
- (ii) an undermined large part, a great many.
- (iii) the lower class as opposed to some elites.
- (iv) an indivisible entity as an organic whole.
- (v) an absolute majority (the majority has absolute power).
- (vi) a limited majority (the majority had limited power).

These are very different interpretations of people. No democracy permits government by literally everybody. Children, felons, and non-citizens residing in the country, for instance, have no voice in Nigerian government. What then do we mean when we say that democracy is government by the people? Here, Edwards et al (1996) offered a better definition. According to them, democracy is a means of selecting policy-makers and of organizing government so that policy represents and responds to citizens' preferences." Therefore, Edwards et al. (1996) asserted that:

Modern democracy is a system which gives to individuals maximum freedom and periodical opportunities to choose their leaders and programmes. Democracy suggests an arrangement in which different individuals and political parties compete in free and fair and credible elections and the citizens use their franchise to determine who shall be their rulers for the period. At the end of that period there will be another election. If they do not perform well, another set of leaders would be chosen.

William (1986) maintains that "in a democratic form of government, supreme political authority rests with the people. The people hold the sovereign power and government is conducted only by and with their consent."

3. The Universal Principles of Democracy:

Popular Sovereignty: This simply means that the power of a state is normally vested in the people and not in any particular class or classes, ethnic, religious or interest groups within the society. This principle is captured by the popular saying that "power belongs to the people". In practical terms it also means that the decisions of government must derive

from the express wishes of the people. In other words, people ultimately have the final authority in how they are governed.

Political Equity: Each member of the community must have equal chance to participate in the decision-making process. Situations in which individuals, groups or social classes monopolize access to power by imposing unfair educational requirements; property or birth qualifications, etc. are denials of political equality. In practical terms therefore, political equality means one man, one vote.

Popular Consultation: A democratic government should do what the people want it to do, not what it thinks the people want. In a democracy, government must consult the people on policy issues. A democratic government must at all times find out the popular desire and proceed to pursue it.

Majority Rule and Minority Rights: A democratic government must base its actions and decisions on majority opinion. The minority should be free to constructively criticize majority decisions and try to win majority support for its opinions. In a situation where the minority feels that its views are not heard, it must continue to adopt democratic procedures to address its grievances. The majority on the other hand, must ensure that steps are not taken to destroy the minority thereby undermining democracy.

The Rule of Law: The rule of law implies equality before the law, due process of law and absence of arbitrary rule. For democracy to exist in a society there should be known laws which govern political actions. Actions of governments are limited and bound by law. The rule of law proscribes arbitrariness. Similarly, citizen's actions are also governed by laws and no individual can victimize another citizen. The rule of law is an important democratic principle as any citizen can seek protection under the law where there are threats to his rights.

Fundamental Human Rights and Basic Freedom: For democracy to exist and thrive, certain fundamental human rights and basic freedom must be recognized and protected. These include the right to life, freedom of association, speech, movement and worship. For instance, individuals should be free to join parties of their choice where there is freedom of association.

Elections: Elections are often thought of as the heart of the political process. Elections in democracy like that of Nigeria provide the most important and widespread manifestation of popular participation (Onyenwigwe, 2006:97). They are the essence of what makes a political system democratic: the electorate decides who will govern them and policies are

adopted by the representatives of the electorate. Elections are seen as nothing less than democracy in practice.

Election, according to Heywood (2002:422) is “a device for filling an office or post through choices made by a designated body of people: the electorate. Rodee,*et al* (1983) define election as “the formal process by which the electorate select officials and determine the issues submitted to it”. It is therefore, a procedure for choosing officers or making binding decisions concerning policy by the vote of those formally qualified to participate (Okolie, 2004).

No matter how many elections or how often elections are held, it is critical that the campaign and elections themselves are conducted fairly, that voting activity is free of intimidation, and that both winners and losers accept the election outcome peacefully. These conditions are very important in any effort to promote the efficiency of democracy in Nigeria.

1. Problems that Characterized the 2015 General Elections

Problems of Registration of New Voters and Collection of PVCs: Section 19 of the 1999 Constitution and 2010 Electoral Act mandates INEC to register fresh voters and to display voters register for public scrutiny in each of the 774 Local Government Areas. Section 20 of the 1999 Constitution and the 2010 Electoral Act also state that INEC is mandated to integrate supplementary voters list with the national register of voters and that this should be published not later than 30 days before the general elections. The Constitution as well as 2010 Electoral Act mandated INEC to appoint Revision Officers for handling complaints and objections that may arise from the registered voters. Penalties including jail terms and fines are provided against those that may possess voters card unlawfully and those that threatened eligible voters to restrain from registering as voters.

The case of 2015 general elections was quite different. There were lots of ghost names, multiple registrations and total exclusion of some registered voters from the original lists. In the same vein, some names on voter registers displayed at the respective polling station had no relationship with the people of the area who registered to vote. In all the complaints arising from these problems, INEC did little or nothing to remedy the situation. The distribution and collection of PVCs by INEC was also another problem in 2015 election especially in the South-East and South-South. The way and manner INEC attended to this PVCs distribution made many eligible voters unable to collect theirs and thereby disenfranchising more than half of the population who were willing and ready to vote in the 2015 elections (Daily Sun, 2015; Vanguard,2015).

Again, the 2010 Electoral Act stipulates that each polling unit should register a maximum of 500 registered voters, but in the case of 2015 elections, INEC did not adhere to it,

especially in the North. For example, the 526 PVCs given to the Federal Capital Territory with total registered voters of 892,628 clearly showed that there was a breach of Electoral Act by way of allocating about 1000 registered voters per polling unit in an area as against the legal requirement of 500 voters per polling unit (Vanguard, 2015).

Creation of Additional Polling Units by INEC: Preparatory to the 2015 general elections, the Independent National Electoral Commission created additional 30,000 polling units. The Daily Sun (2014), reported that “the creation of these 30,000 polling units was suspected as a ploy to favour the North against the south”. The controversy surrounding the creation of these new polling units which would have given the North undue advantage over the south (if implemented) was publicly opposed by stakeholders thereby compelling INEC to rescind on it. The article alleges that it was part of the commission’s plan to create room for unbalanced electoral contest in the 2015 elections.

Controversies Surrounding the Introduction of the Card Readers and its Failure:

From inception, 15 political parties and 5 presidential candidates who participated in the 2015 elections had opposed the proposed use of the card reader for accreditation, arguing that its use was tantamount to an electronic voting process which was not only alien to, but also contravened relevant sections of the 1999 constitution and the 2010 Electoral Act (as amended).

Despite this observation backed up by the threat to boycott the election by these parties, INEC went ahead to order the production of the card reader with all the technical problems that attended its usage including malfunctioning and errors in the computations of election results (Daily Sun, 2015).

On the computation error, INEC argued that arithmetical computation on the Microsoft Excel-sheets are ordinarily expected to meet precisions but added that there may have been a mix-up somewhere which made the computation not to come out well (Vanguard, 2015; Daily Sun, 2015).

According to the Economic Governance Programme Coordinator, though “the introduction and use of the card reader and permanent voter card technology has its merits, it is an innovations which should not have been used for the first time in a sensitive and crucial electoral exercise like 2015 general elections. It therefore goes without saying that if there were no secret intentions to manipulate the electoral process, INEC should have first tested the efficacy of this innovation in the conduct of local government elections.

The vexed issue of the Card Reader which was not effective in many polling centres (either due to malfunctioning or INEC staffers’ inability to operate them) are some of the important issues which the electoral umpire deliberately ignored. According to Daily Sun

Editorial of Monday, April, 6, 2015, “we cannot continue to record errors like this one because when avoidable mistakes continue to occur, we give room to mischief makers to perpetuate nefarious acts against the people’s interest”. In fact, it was as though the card reader was programmed to work in some places and in specific polling units while INEC resorted to the manual accreditation process especially in the north. An instance was where the card reader failed to recognize President, Goodluck Jonathan’s card which was quite embarrassing after four reported trials. President Jonathan was eventually manually accredited to vote after filling the incidence form. (Guardian, Sunday 29, 2015; Daily Sun Monday, 30, 2015, and The Nation 29, 2015; AIT and Channels Television, March 28, 2015 Video News Coverage). This does not confer credibility on the electoral system. This prompted INEC’s counter instructing to the effect that manual accreditation be adopted in those polling units that were experiencing card reader failures. These instructions opened the flood gates for electoral fraud.

Manipulation/Falsifications of Election Results: There are reports that there were sufficient reasons to question the credibility of the election results in some states (Vanguard, Tuesday April, 14, 2015). This was partly due to INEC’s inability to supply election materials to most polling units and when they were supplied, it was too late and at a time many voters had left (The Nation, Monday, March 30, 2015). To collaborate the above point, Vanguard (Tuesday April 14, 2015) reported that there were evidences of widespread irregularities across the country with INEC rejecting results from the strongholds of PDP for no cogent reason while accepting inflated figures as results from the APC supporters. Vanguard stressed that these happened in Lagos, Adamawa, Plateau, Oyo, Kano, Katisna, Jigawa, Bauchi, Nasarawa, Niger, Yobe, Zamfara, Sokoto, Kebbi, Imo and others. There were proofs of electoral manipulations such as:

- (i) Underage voting especially in the North.
- (ii) Ballot stuffing and intimidation of opposition candidates and their supporters.
- (iii) Alteration of some aspects of electoral process and procedures in favour of certain political parties.
- (iv) Mutilation of election result sheets by some INEC officials (National Mirror, Monday, March, 30, 2015).
- (v) Ballot papers bearing codes from some states were used to vote in state other than the prescribed ones, and
- (vi) Unorganized thumb printings and indiscriminate award of figures.

A coalition of Civil Society Organizations confirmed that there were cases of inflation and manipulation of election results in some states (Vanguard Tuesday, April, 14, 2015). This is clear when bearing in mind what happened in Borno, Adamawa, and Yobe states, being that there is no way the people in IDP camps could have returned in large numbers

to their communities for the elections, yet the INEC election results in these states are: Borno, APC (473,543 votes), PDP (25,640 votes), Adamawa APC (374,701 votes); PDP (251, 664 votes), and Yobe. APC (446, 265 votes); PDP (25,536 votes), (Vanguard, April, 1, 2015). The question is, how come that the North East geopolitical zone, which had about 3.8 million internally displaced persons (IDP) reportedly had the total number of votes (in the 2015 presidential election) being more than the total votes from the entire South-East.

Kano State is another of such examples. In Kano State, APC scored 1,903,999 votes while the PDP scored 215,779 votes. The INEC Returning Officer confirmed that there were no voided votes and that the card reader captured every voter in Kano. Is it not incredulous in an election that was claimed to be free, fair and credible? (Vanguard, April 1, 2015).

Insecurity and Political Killings: There were reported cases of violence and security breaches during and after the 2015 general elections. According to the Guardian, Tuesday, March 31 (2015), “though the Electoral Commission applauded the Nigerian people for remaining calm in the face of challenges during the electoral process including pockets of political violence and security breaches”. The Guardian added that “acts of violence resulting in fatality had been reported in Akwa Ibom, Edo, Gombe, Lagos, Bauchi, Osun, Borno, Yobe and Rivers States. The Guardian stressed further that “there were cases of injuries from politically –motivated violence in Edo, Ekiti, Imo, Lagos and Kano States”.

Associated with insecurity are reported cases of political killings during the 2015 elections. The Guardian Tuesday, March 31, (2015) reported that “50 people were killed in presidential and National Assembly elections.” The European Union Election observation Commission noted with concern that there was increase in security threats during the 2015 elections, especially the Governorship election than the presidential election, resulting in the killing of no fewer than 30 persons (Vanguard, Tuesday, April, 14, 2015).

From the forgoing analysis of the negative experiences that surrounded the conduct of the 2015 elections and their implications for democracy in Nigeria, it can be deduced that there has been very minimal improvements in the management and conduct of the electoral/democratic processes in the country’s fourth republic. This goes to buttress the fact of the perennial problems that have bedeviled democratic governance in Nigeria since 1999. Some of these problems include (but not limited to) the following:

- (i) Electoral malpractices;
- (ii) Political intolerance;
- (iii) Economic mismanagement;
- (iv) Using political office as a gateway to personal enrichment;

- (v) Political thuggery;
- (vi) Lack of intra-party democracy;
- (vii) Creation of a veritable state of insecurity, manipulation of religion and ethnicity to achieve selfish political ambitions.

Ideally, in a true democratic culture, parties and their candidates should marshal out what they intend to do if elected and be committed to the fulfillment of such promises once elected into office. Critics of the Nigerian party system lament that this is all too often not the case. Besides, experience has shown that Nigerian political parties fall far short of keeping the basic tenets of sound political engineering. They are too decentralized to take a single national or ideological position and enforce it. Most candidates are self-selected, gaining positions beside instituted party mechanisms. At best, most party flag-bearers are imposed by top party hierarchies rather than allowing credible and competent loosely organized party primaries. There is simply no mechanism for parties to discipline office-holders in order to guarantee cohesion in policy-making.

Suffice to say that these practices, along with scant regard for constitutional provisions, have so far made democracy a highly perishable plant on the Nigerian soil.

4. Conclusion

As mentioned earlier, democracy as a political system is of recent vintage. The world is certainly more democratic in the 1990's than at any previous time in history. But a considerable number of new democracies are far from secure. Nigeria has had only five elections since 1999. Its second and third general elections were conducted in 2003 and 2007, fourth and fifth general elections, 2011, and 2015 respectively. According to independent observers, they were full of electoral malpractices and frauds.

Ironically, the free market, the handmaiden of modern political democracy in Nigeria does not automatically facilitate the democratic process. The Nigerian economy is being privatized, but it is also being criminalized as political leaders and their cohorts acquire formerly state-controlled industries and parastatals. Anthony and Obikeze (2004) corroborate this line of thought when they note that due mainly to the level of official corruption and the absence of reliable data, it is sometimes difficult to uncover the real identity of corrupt officials who buy over these enterprises, but that these corrupt leaders usually hide behind surrogates and fictitious names; take advantage of the fluid rules covering the registration of companies with the Nigerian Corporate Affairs Commission and float these companies which they use to buy off the public enterprises. To this end, some people are apparent in material gains than the political advantages that democracy

brings. For democracy to survive in Nigeria, there are specific institutions that have to be established:

- (i) Competitive party system.
- (ii) Impartial electoral commission.
- (iii) Representative institutions.
- (iv) Independent judiciary.
- (v) Free press.
- (vi) Free and fair elections.

5. Recommendations

Beyond the universal principles of democracy -popular sovereignty, political equity, popular consultation, majority rule and minority rights, the rule of law, fundamental human rights and basic freedom, there are specific conditions that would support the establishment and promotion of democracy in Nigeria. These conditions include the fact that:

- (i) There must be broad consensus on what should constitute the very basic democratic values among Nigerians including agreement on the system of governmental processes, the economic system and so on. This broad consensus should be able to integrate and bind together all contending perspectives of the different political parties and civil society organizations on the necessity to operate and sustain a democratic system.
- (ii) There must be relative or near equality of social and economic conditions. These conditions must be such that citizens have the chance of living the good life thereby having a stake in the survival of Nigeria.
- (iii) Citizens should be more politically aware of their rights and obligations dovetailing in higher level willingness to participate in the political process.
- (iv) For political expediency, the APC led government under President Muhammadu Buhari should implement all the recommendations of 2014 Constitutional Conference Reports before the 2019 general elections.
- (v) One of the ways to ensure the growth and survival of democracy in Nigeria is to ensure and enforce the independence of INEC. It is only when INEC is strong and truly independent that it can provide a level playing ground under which opposition parties can thrive.
- (vi) The recommendations of Justice Mohammed Uwais Electoral Reform Panel Reports should be implemented.
- (vii) Nigeria's present federal structure is patently defective, there is need for true fiscal federalism for Nigeria to move forward politically, economically and otherwise.

- (viii) Relevant sections of the 1999 Constitution and the 2010 Electoral Act should be reviewed to accommodate the introduction of the card reader and electronic voting. This will reduce the level of manipulation of the electoral system by corrupt politicians.
- (ix) Every electoral offence perpetrated by either the politician or INEC officials should be tried and adequate punishments meted out as deterrent against future occurrences.

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