



An Insiders' View of Electoral Politics and the Struggle for Electoral Reform in Nigeria.

Introduction

There is a pervasive and widespread fear about Nigeria's next elections in 2011. Many pundits are already filling their columns with doomsday scenarios for the country's decade old and fragile democracy. In a way, these fears are not completely misplaced if history offers any lessons. Unlike the 1959, 1979, 1993 and 1999 elections, organised by departing colonial and military authorities, the 1964, 1983, 2003 and 2007 elections organised under incumbent civilian governments were marred by serious fraud and violence, the unfortunate effect of which was political instability, which in turn heralded the return of the military. The 2011 election in Nigeria certainly harbours more potential for electoral fraud and violence and doomsday scenarios might help the citizenry to maintain vigilance in order to keep the electoral management body, politicians and their agents in check and on their toes. It is also important though that we put things in proper perspective and move away from the near exclusive focus on elections as though it were democracy.

One way to achieve some perspective is to agree that elections across Africa and indeed, elsewhere in the world commonly hold the potential for violence, as the competition is usually of a 'winner-takes-all' nature. The stakes are high, the players are desperate and the spoils of office enormous. There are very few states where a culture of civil opposition and dialogue has taken firm root, due in part to the history of military interference and authoritarian rule in political processes across the continent. Nigeria is no exception to this pattern, even if the others are at least on the up-swing in terms of improving the quality of their elections. Yet, even with such proper perspective, no country with the kind of broken election management system such as Nigeria's can address the root causes of its political problems without addressing the issue of legitimacy in its democratic system.

Back to the Future: 1999 and the Future of Democracy in Nigeria

Ten years ago, at one of these ASA conferences, a number of us reviewed the prospects for Nigeria's democratisation. Two of us here (Peter Lewis was there too) contributed to that particular panel which later emerged as a Special Nigeria edition of Issue: the ASA Journal of Opinion in 1999. In that panel, I spoke about "Military Hegemony and the Transition Program", highlighting the entrenched place of the military in Nigeria's emergent civilian rule and predicting that what was likely to emerge in the near term was neo-militarism, rather than democracy. One also suggested that how we (Nigerians) handle what was called 'transition





without transformation' (because in my reading what was emerging at the time was just a mere reconfiguration of the political elite rather than a roots and branch transformation of the structure and institutions of politics), would determine whether the quality of our civilian rule would become democratic at best or remain stagnant, if not reversed outright, at worst. I was an observer of Nigeria's politics then, not a participant, let alone an insider – yet I don't think that decade-old assessment was in any way off the mark.

For those excited about the prospects of civilian rule at the time – formal military disengagement in May 1999 automatically heralded expectations of progress and a deepening of democratic development. Indeed, there was a teleological connection drawn between military disengagement from politics, and an automatic improvement in societal and political order. While discerning watchers cautioned against these exaggerated assumptions, political leaders and decision makers espoused an outward confidence that belied the deep seated nature of the Nigerian crisis. At a time when the country ought to have been classified as a post-conflict state in need of urgent, comprehensive and long-term rebuilding, the mood was one of almost unrestrained triumphalism.

Ten years into civilian rule, the scale, scope and intensity of conflict in Nigeria since the end of military rule challenges the assumed link between military disengagement from politics, demilitarisation of Nigerian society and the deepening of the democratic order. With no fewer than 50,000 dead in religious, environmental and communal conflicts and an exponential increase in societal violence, Nigerians are at risk of almost regretting civilian rule. Although there are several reasons for this increase in societal and state violence – not least the expanded space provided by civilian rule, the fact that the public continues to cast serious doubt on the state's capacity to manage domestic crises and protect the security of life and property, underscores primarily the depth of disenchantment with the state of things and have sometimes led to isolated calls for the return of the military. Nigeria's democratic transition has radically altered existing social boundaries and divisions, accentuating hitherto suppressed or dormant identity driven conflicts without providing the needed tension reducing institutional arrangements beyond elections. This has placed a question mark on the very viability of Nigeria's democratic enterprise in a manner that cannot be resolved simply by adversarial, winner takes all elections.

Consequently, the pacted nature of Nigeria's 1999 transition and the Faustian bargains with the departing military produced a post transition configuration which looked more like a re-packaged space for militarily controlled politics than a fundamental restructuring of power relations. The nature of General Abacha's exit and the ascension to power of General Abubakar





arguably determined the outcome of the democratisation project in 1999. However one may view the eventual outcome of the rushed transition programme, the fact that the military elite was not responding to a full scale defeat by the population can hardly be discounted in understanding the compromised outcome that is reflected in today's governance arrangement. There is no doubt that the dominance of the political party hierarchy by retired military officers and civilians closely connected to the military elite set the tone for the party development that pays little attention to ideology or programmes. It is no surprise therefore that four of the key political parties in the 2003 elections – including the ruling party – had retired generals as their candidates: General Obasanjo for the PDP, General Mohammed Buhari for the ANPP; General Ike Nwachukwu for the NDP and former Biafran leader, General Emeka Ojukwu for the APGA. In 2007 election, the brother of an erstwhile major military figure emerged the candidate/replacement for the ruling party, same candidates for the ANPP and APGA whilst the Action Congress ended up with a para-military officer as its own candidate. Another General emerged as the third most important figure as President of the Senate. This is not to mention the several governors, parliamentarians and assembly men and local government candidates who are also ex-military and para-military officers.

The impact of this entrenched militarism however goes beyond those who ran for and/or won office, even if they make the journey toward democratic consolidation a lot more tortuous. It extends to the pervasive nature of the psychology of force and militarism in the wider society. Incidents of aggression, impatience, and competition arise in domestic violence and other family disputes, over petrol queues, in the conduct of motorists, and in the behaviour of the armed forces and police in their dealings with citizens. While there is no doubt that hitherto dormant conflicts have found expression in the available democratic space to express themselves, at its root however is the loss of a culture of compromise and accommodation in the resolution and management of conflicts.

Indeed, the violence that has attended the adoption of Sharia law in the North as well as the environmental and communal conflicts that have rendered several parts of the south asunder can be seen as evidence of the intractability of the Nigerian crisis on grounds of ethnicity and religion. Yet, these ethno-religious explanation of the governance crisis obfuscate rather than elucidate our understanding. In reality, the fifty-thousand odd lives that have been lost to violence since President Olusegun Obasanjo came to office in May 1999 happened due to a number of diverse and complex reasons – through environmental/decentralisation conflicts (Odi, Niger Delta), inter-ethnic/religious animosities (Kaduna, Kano, Aba) and land/intra-ethnic disputes (Ife/Modakeke, Tiv/Nasarrawa Takum/Jukun, Urhobo/Itsekiri) – all linked to the fundamental disconnection between the rulers and the governed and a major product of state





desertion by citizens. It also underscores why the country should address the causes of these problems, rather than focus on symptomatic distractions.

The point to emphasise therefore is that all of what we are witnessing represents the by-products of political transition, which is inherently conflictual, contradictory and progressive all at once and the challenge is to examine the progress made so far, the potentials for reversal and the prospects for consolidation.

An Insider's View of Electoral Politics: Understanding the Five 'Gods' and the Godfather.

Having provided the above context, I guess what qualifies me to speak today on an 'Insiders' View of Electoral Politics in Nigeria' is the simple fact that I have experienced firsthand, and continue to experience, the evils of a broken electoral management system. I have won election twice in the last two years to become the Governor of my State but the people who voted overwhelmingly for me are still being deprived of the benefits of the rescue mission promised when I campaigned for the job. Instead, I have spent a huge part of that period running from one court to the other, paying huge sums of money to lawyers and managing a party and a people violently assaulted by a system that was meant to value and protect them in the first place. While the April 2007 election was blatantly rigged and widely condemned locally and internationally, many had thought that the opportunity provided by the re-run election ordered in April 2009 after the nullification of the earlier election offered a redemptive hope for our election system and the future of our democracy as a country. It turned out that the optimism was rather misplaced with the collation centre manipulation and sundry other egregious infractions of the electoral process. Consequently, Ekiti has become the metaphor for all that is wrong with the electoral system but also emerged at the same time a metaphor for resistance on the part of the ordinary people who want their votes to count.

There is no doubt that Nigeria's quest for consolidating our democracy is now in retreat and risks encountering outright reversals, including the loss of the limited gains of the decade old civilian rule. In my own humble opinion, on-going developments in Anambra State are indicative of the refusal of the forces of reaction to respond to the yearnings for a more accountable and transparent political culture in Nigeria. But it is also now clear that in that retreat lie the opportunity for transformative change and how Nigerians and friends of Nigeria respond to these emerging developments will determine whether this democracy survive or collapse.

In asking me to give an insiders' account, I suspect the panel organisers are interested in juicy





details of how one survives in the labyrinthine image electoral politics has acquired in Nigeria. While time will not permit me to delve extensively into juicy details, I think there are five 'mini-gods' that one must pay significant attention to in any attempt to understand the nature of electoral politics in Nigeria. First is the 'INEC (the election umpire) 'mini god' which often acts like a Siamese twin of the ruling party – PDP. The second 'mini-god' is the security agencies – particularly Nigerian Police Force and the State Security Service and occasionally the Military, the third 'mini-god' relates to the bunch of thugs and bandits ever so handy in the rigging of elections and the fourth 'mini-god' is that of the 'Judiciary' often needed to help wade off any legal challenge to incumbents' stolen mandate. Central to all four is the 'Money God' and finally the notorious and ubiquitous 'Godfather complex.' I must say that these gods are neither exhaustive nor mutually exclusive. They are useful as analytical categories in explaining why elections go the way they do in Nigeria with unpopular candidates 'emerging' as 'winners' in questionable elections.

The Electoral Management Body is supposed to be the independent, impartial umpire in any election. Nigeria's version of it certainly ranks amongst the most partisan, partial election management body in the world and this largely stems from the nature of appointments into the body. Under the chairmanship of Mr Maurice Iwu, its partisanship is not even disguised, given how Iwu emerged as the Head of the Commission. More than at any time before him, election rigging under Iwu has become an article of faith, and this has underscored the importance of distance and detachment between the Electoral Commission and the political leadership of the State. But the problem of the INEC 'mini-god' is not simply limited to its leadership, but also to the culture in the organisation. Many of the staff take a cue from the partisanship of its leadership and simply replicate the behaviour in their various postings, often in favour of the ruling party. And this starts from voter registration where fake names, under-aged children and non-identifiable objects simply constitute in some cases (certainly in some Local Government Areas in Ekiti) forty percent of the names on the electoral roll. This is just the tip of the iceberg.

To worsen the situation, even the genuine sixty percent voters on the electoral roll are further deprived of their civic duty of voting for the candidate of their choice. The electoral body actively connives with candidates in egregious violations of the Electoral Act and in the perpetration of crimes like ballot box snatching, ballot stuffing, multiple thumb-printing of ballot and outright doctoring of electoral documents. When the aggrieved candidate also decides to challenge this in court, INEC is always ready to also act in concert with the declared candidate to subvert justice through avoidable delays, refusal to release relevant election





documents and outright forgeries of documents to justify evident violations of the Electoral Act and the constitution.

Although INEC is central to the series of infractions that plague elections, it hardly acts alone, and this is where the other ‘mini-gods’ of the security agencies combine with the ‘Gods of thuggery’ as the sympathetic undertakers act in concert complementing INEC’s central role. Since there are provisions that could still undermine the elaborate efforts of the previous three Gods, the ‘God of Judiciary’ is often invoked through the unseen hands of the ubiquitous and notorious ‘mini-god of Money’ and the Godfather to undermine the quest for justice.

Road Map to Democratic Consolidation: The Need for a Collective Struggle

While it is uncharitable to argue that nothing has changed in Nigeria since May 1999, the nature of the progress made is a contested one. Evidence of Nigeria’s basic socio-economic progress bears testimony to this. With seventy per cent of Nigerians living below the poverty line, Nigeria’s poverty trap represents almost a paradox measured against the country’s wealth. Bred by unequal power relations, the structural and systematic allocation of resources among different groups in society and their differential access to power and the political process, the distorted distribution of the nation’s wealth has resulted in the enrichment of a minority at the expense of an impoverished majority, and this minority (mostly ex-military generals and their friends) now use the wealth to continue to entrench their power. Inevitably, the chronic nature of poverty in Nigeria has a link to historical and continuing mismanagement of resources, persistent and institutional uncertainty, weak rule of law, decrepit and/or absent infrastructure, weak institutions of state and monumental corruption. In short, central to the depth of poverty has been poor governance and the absence of any semblance of governance today due to a visionless, clueless, and mischievous political leadership – many of who are beneficiaries of stolen mandates, is responsible for the dangerous precipice on which the country is perched, a situation which may inexorably lead towards imminent systemic collapse if remedial action is not taken. Bringing the government closer to the people offers a clear and immediate response to the crisis of governance and electoral reform and constitutional reform are the pathways to achieving this.

Having spent the last five years in partisan politics and grassroots organising, my belief in the need to take politics beyond political parties is even more reinforced. The immediate challenge is to concentrate on how to rescue the people from bad governance. Unless the critical mass of the people cutting across age, gender, zones, geographical location and party political affiliations adopt the same positions, with a more clearly defined collective agenda, the current approach to solving our problem will not suffice. There is an urgent need to build coalitions





and platforms in the public sphere that are beyond parties and personalities, but all embracing enough to those who subscribe to the core values of integrity, honesty and dedication to the transformation of Nigeria. This is not a struggle for a so-called mega-party, but a struggle for an all-embracing platform that could address a variety of issues – mainly constitutional and electoral, but none is more urgent today than the question of making the votes of our people count.

Almost everyone agrees, including the leading beneficiaries of the electoral fraud in our country, President Yar’adua inclusive – that the reform of the broken electoral system is the single, most important remedial action needed in our country today. This is what has informed on our part in the political society with critical stakeholders in civil society like the Alliance for Credible Election (ACE), the Transition Monitoring Group (TMG), The Nigerian Labour Congress (NLC), The Nigerian Bar Association (NBA) – the formation of the Coalition of Democrats for Electoral Reform (CODER). The primary objective of CODER is really to ensure that the votes of Nigerians count and to assist the President in a non-partisan manner in ensuring the full implementation of the recommendations of the Justice Uwais’ Electoral Reform Committee. As a member of the National Working Committee of CODER, rather than re-inventing the wheel, I think the best thing is to share with you the highlights of our campaign as a pressure group trying to mobilise Nigerians across the country behind this cause.

We in CODER believe that without a fundamental electoral reform, the future of multi-party democracy in Nigeria will not only be in jeopardy but also the faith of the people in democracy as a representative system of government based on ballot will considerably wane. Clearly, if a people’s wish to elect representatives of their choice has been continuously thwarted and electoral outcomes manipulated – all patriots and lovers of democracy at home and abroad must mobilise and insist that a thorough going reform must commence NOW and be concluded before the next set of general elections can take place. Whilst we are not unmindful of the need for roots and branch constitutional reform in the country, and we are in agreement with those who put this as the pivotal and central issue to focus on as this paper extensively argues, it seems to unrealistic to concentrate exclusively on this now without ensuring the sanctity of the people’s vote. Indeed, our belief is that credible electoral reform is the necessary sine-qua-non for the attainment of wholesale constitutional reform and fundamental restructuring of the Nigerian state. It is only when those genuinely elected by the people get into office that they will respond positively to the yearnings for wholesale restructuring.

CODER has put forward ideas and recommendations that we believe will reinforce the central thrust of the Justice Uwais’ Electoral Reform Committee on (a) Mode of Appointment of INEC





Chairman and Commissioners; (b) Constitution of Board of INEC (c) Registration of Voters; (d) Mode of Voting (e) Determination of Electoral Disputes (f) Funding of Elections (g) Conduct of Future Elections (h) Custody of Election Materials (i) Establishment of Electoral Offences Commission (j) Role of Security Agencies (k) Election Results (l) State Independent Electoral Commission and Constitution of Board of SIEC. Let me quickly run through these ideas and the rationale behind our proposals.

In the event that the current clamour does not produce the needed reform of the electoral system, then CODER is of the view that Nigerians must be mobilised to constitute themselves into a resistance vanguard at the next polls in the way that voters in Lagos, Bauchi and Kano were sensitized to achieve this in the 2007 elections. This is the only way to demonstrate to the Godfathers of the ruling party that their effort at subverting the will of the people and entrenching themselves in office illegitimately could be challenged and thwarted. The PRI in Mexico used to be like the PDP in Nigeria, but a coordinated, concerted and all-embracing coalition ensured the demise of that behemoth in Mexico. This however is a much longer route to democratic consolidation. There is an alternative that is likely to be more qualitative and less obtrusive to the body-politic.

It's still the structure, stupid!

Without discounting the importance of elections in a democratising polity, it is important to still interrogate the notion of democracy in its variegated and complex forms – especially in the context of transition societies. The notion which paints a pre-conceived destination, almost a uni-dimensional focus on elections as democracy: Have elections, and every other thing shall follow – is a seriously flawed one. In my view, the problem is still about the nature and character of the Nigerian state, and it is not one that election can resolve, no matter how regular, well organized and untainted they may be. It is clear to most people in Nigeria, including the political leadership, that the question of the national structure is the central issue that will not go away in Nigeria's quest for democratic development and effective governance. The question that many continue to pose will have to be answered with all its attendant ramifications: What is this nation called Nigeria? What does it mean to be Nigerian? What is the relationship between the citizens and the state? Can it survive in its unitary, over-centralised nature? What is the nature of inter-governmental relations? These were the questions Nigerians avoided in the events leading up to May 1999, in the desperation to rid the country of its military rulers and in the hope that elections will resolve them. Without resolving the issue of the national structure via national dialogue, it is difficult to see how Nigerians can attain democratic consolidation and effective governance on the basis of electoral democracy. Thank you.





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J. ‘Kayode Fayemi, ‘Military Hegemony and the Transition Program’, Issue: Journal of Opinion, African Studies Association, Volume XXVII/1 1999.

Even the ‘amnesty’ declared in the Niger Delta region does very little to challenge this viewpoint.

This isolated whimper is increasingly becoming a hard-to-ignore din with some notable figures also warning of the risk of an impending Rawlings’ treatment for the political elite.

Yet it must be said that the judiciary has pronounced responsibly on many of the blatantly rigged elections, nullifying no fewer than twelve of the thirty six governorship elections in the last two and half years. Cases relating to the electoral laws, registration of more parties, conduct and management of elections and local government tenure are but just a few in which the judiciary has also demonstrated independence and fairness. Indeed, the judiciary has come out of this as the most well regarded arm of government and truly earned the reputation of being the last hope of the people, even if serious allegations of bribery and perversion of justice persist.

