

AN ANALYSIS OF THE 2003 AND 2007 ELECTORAL VIOLENCE IN NIGERIA

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DEDICATION

In loving memory of my wife, **Mrs Evelyn Wandoo Nyam**, who passed on shortly after enrolling for the PhD programme.

ABBREVIATIONS

ABN	Association for Better Nigeria
ACC	Arewa Consultative Council
AD	Alliance for Democrats
ADC	Aide De Camp
AEVD	African Election Database
AFENIFERE	Pan Yoruba Movement
AFRC	Armed Forces Ruling Council
AG	Action Group
AMS	Additional Member System
ANPP	All Nigerian Peoples Party
APP	ALL People's Party
AU	African Union
BDPP	Benin Delta People's Party
CD	Campaign for Democracy
CF	Carter Foundation
CIPs	Complaints Investigation Panels
CJ	Chief Justice
CNC	Congress National Consensus
CORE	Cost of Registration and Elections
CRB	Complaints Review Board
CS	Catholic Secretariat
CS	Commonwealth Secretariat
CUD	Unity and Democratic Movement
CVR	Continuous Voter Registration
DAP	Democratic Advanced Party
DDCM	Direct Data Capture Machine
DFID	United Department for International Development

EC	Zimbabwe Electoral Commission
ECK	Electoral Commission of Kenya
ECOWAS	Economic Community of West African States
EFCC	Economic and Financial Crimes Commission
EISA	Electoral Institute of South Africa
EIU	Economic Intelligent Unit
EMB	Electoral Management Body
EPRDF	Ethiopian People's Revolutionary Democratic Front
ERC	Electoral Reform Committee
EUEOM	European Union Election Observer Mission
EVS	Electronic Voting System
FCA	Federal Appeal Court
FCT	Federal Capital Territory
FEDECO	Federal Electoral Commission of Nigeria
FRN	Federal Government of Nigeria
GDM	Grassroots Democratic Movement
GNC	Grand National Conference
GNPP	Great Nigerian Peoples Party
GNU	Government of National Unity
GR	Global Rights
HOR	House of Representatives
HRW	Human Rights Watch
ICA	Igbo Consultative Assembly
ICG	International Crisis Group
IDASA	Institute for Democracy in South Africa
IDEA	International Institute for Democracy and Electoral Assistance
IDPs	Internally Displaced Persons
IFES	International Foundation for Electoral Systems
IMF	International Monetary Fund
INEC	Independent National Electoral Commission

ING	Interim National Government
IPA	Inter-party Parliamentary Agreement
IPP	Idea People's Party
IRI	International Republican Institute
ISS	Institute for Security Studies
ITT	International Telegraph and Telephone
JOC	Joint Operation Command
KPP	Kano Peoples Party
LC	Liberal Convention
LGCC	Local Government Collation Canter
LP	Labour Party
MAD	Movement for the Advancement of Democracy
MDC	Movement for Democratic Change
MDF	Mid-West Democratic Front
MDSJ	Movement for Democratic and Social Justice
MOSOP	Movement for the Survival of the Ogoni People
MSM	National Solidarity Movement
NADECO	National Democratic Coalition
NAP	Nigerian Advance Party
NARECOM	National Reconciliation Committee
NCNC	National council of Nigerians and the Cameroons
NCPN	National Conscience Party of Nigeria
NDC	Niger Delta Congress
NDF	Mid-west Democratic Front
NDI	National Democratic Institute
NEBE	National Election Body of Ethiopia
NECOM	National Electoral Commission
NECs	National Electoral Commissioners
NEPAD	New Partnership for African Development
NEPU	Northern Element Progressive Union

NGOs	Non-governmental organizations
NLP	Nigeria Labour Party
NNA	Nigerian National Alliance
NNC	Nigerian National Congress
NNDP	Nigerian National Democratic Party
NPC	Northern People's Congress
NPN	National Party of Nigeria
NPP	Nigerian Peoples Party
NPWP	Nigerian People's Welfare Party
NPF	Nigerian Police Force
NRC	National Republican Convention
NUP	National Unity Party
NYM	Nigerian Youth Movement
NYSC	National Youth Service Corps
OAU	Organisation of African Unity
OBS	Open Ballot System
OMR	Optical Mark Recognition
PDC	Power Devolution Committee
PDP	People's Democratic Party
PFN	People's Front of Nigeria
PNP	Patriotic Nigerian Party
PNU	Party of National Unity
PPP	People's Patriotic Party
PRP	Peoples Redemption Party
PSP	People's Solidarity Party
PVC	Permanent Voter's Card
RPN	Republican Party of Nigeria
RPT	Rally for Togolese Party
SADC	South African Development Community
SCC	State Collation Centre

SCR	Smart Card Reader
SDP	Social Democratic Party
SECs	State Electoral Commissions.
SMC	Supreme Military Council
SNC	Sovereign National Conference
TIC	Transition Implementation Committee
TMG	Transitional Monitoring Group
TTA	Third Term Agenda
TUG	Transitional Unity Government
TVC	Temporary Voter's Card
UAC	United African Company
UDP	United Democratic Party
UEDF	United Ethiopia Democratic Front
UK	United Kingdom
UMBC	United Middle-Belt Congress
UN	United Nations
UNCP	United Nigeria Congress Party
UNDP	United Nations Development Programme
UNDP	United Nigeria Democratic Party
UNIP	United National Independence Party
UPGA	United Progressive Grand Alliance
UPN	Unity Party of Nigeria
UPP	United People's Party
US	United States
WCC	Ward Collation Centre
WFB	World Fact Book
WWII	Second World War
ZANU PF	Zimbabwe African National Union-Patriotic Front

ABSTRACT

The primary objective of this study is to analyse electoral violence in Nigeria using the Hoglund analytical framework on electoral violence. More specifically, the study undertakes to analyse incidents of electoral violence in the 2003 and 2007 elections in Nigeria. The second objective of the study is to identify how the changing nature of politics, elections, and electoral institutions have interacted to perpetuate electoral violence in the 2003 and 2007 elections; identify the nature, spread and pattern of electoral violence in those elections with the aim of explaining the variations and concentration of such violence; and to identify the extent to which Hoglund's analytical framework can explain the causes of electoral violence in Nigeria. Electoral violence is defined as an act that seeks to determine, delay, or influence an electoral process through threats, verbal intimidation, hate speech, disinformation, physical assault, forced 'protection', blackmail, destruction of property, and/or assassination.

Information for the study was gathered through existing publically available documents on elections (including electoral acts), as well as reports on elections by both local and foreign observer missions, to analyse the 2003 and 2007 electoral violence in Nigeria. The link between electoral violence and Nigeria's 2003 and 2007 elections is analysed based on Hoglund's analytical framework of electoral violence, as well as its applicability to the Nigerian political situation. The framework is centred on three elements: the nature of politics, the nature of elections, and electoral institutions. The nature of politics refers to the political system and the relationship that exists between leaders and followers, which includes the acceptable and unacceptable democratic standards. The nature of elections represents the political mobilisation and competition in the electoral process which relate to the nature of actors that participate in the elections as well as the stakes involved in losing or gaining political power, whilst electoral institutions encompass electoral systems, electoral management and electoral regulations.

Electoral violence in Nigeria is abetted by patrimonial rule, conflict cleavages, stakes of electoral competition, and the winner-takes-all arrangement of the electoral system, as espoused by Hoglund in his framework. This study finds that electoral violence in Nigeria's 2003 and 2007 elections was stirred through the politics of *godfatherism* and the high remuneration of elected

representatives, and it thus contributes to the general systematic studies of electoral violence, and Nigeria's electoral violence in particular. The high prevalence of electoral violence examined in this study suggests the need for interventions to reduce the reoccurrence of such violence in subsequent elections, and hence the need for future studies to deal with problems of *godfatherism* and high remuneration of elected officials as approaches to combat electoral violence in Nigeria.

Key Terminology: Election; Violence; Electoral Violence; Electoral Systems; Electoral Institutions; Nigeria; *Godfatherism*; Electoral Acts; Nigeria Electoral Violence; Africa.

OPSOMMING

Die hoofdoel van hierdie studie is om die verkiesingsgeweld in Nigerië te ontleed met behulp van Høglund se ontledingsraamwerk vir verkiesingsgeweld. Die studie lê veral klem op verkiesingsgeweld in die 2003 en 2007 verkiesings in Nigerië. Die tweede doelwit van hierdie studie is om te identifiseer hoe die wisselwerking tussen die veranderende aard van die politiek, verkiesings, en verkiesingsinstellings meegewerk het om verkiesingsgeweld aan te hits in 2003 en 2007. Dit identifiseer die aard, verspreiding en patroon van verkiesingsgeweld in daardie verkiesings met die doel om die verskeidenheid en konsentrasie van die geweld te verduidelik. Dit verduidelik ook die omvang waarmee Høglund se ontledingsraamwerk die oorsaak van verkiesingsgeweld in Nigerië kan verduidelik. Verkiesingsgeweld word definieër as 'n daad wat gepleeg word om te beslis, te vertraag, of die verkiesingsproses te beïnvloed deur dreigemente, verbale intimidasie, haatspraak, foutiewe inligting, fisiese aanranding, gedwonge 'beskerming', afpersing, beskadiging van eiendom, en/of sluipmoord.

Inligting vir die ontleding van die 2003 en 2007 verkiesingsgeweld in Nigerië is versamel uit openbare inligting van beskikbare dokumente oor verkiesings (insluitend verkiesingswette), asook verslae deur plaaslike en buitelandse waarnemers oor die verkiesings. Høglund se ontledingsraamwerk is gebruik om die verwantskap tussen verkiesingsgeweld tydens Nigerië se 2003 en 2007 verkiesings, asook die toepassing op die Nigerië se politieke situasie, te ontleed. Die raamwerk is gebaseer op drie elemente: die aard van die politiek, die aard van die verkiesings, en die verkiesingsinstellings. Die aard van die politiek verwys na die politieke

stelsel en die verwantskap tussen leiers en volgelinge. Dit sluit aanvaarbare en onaanvaarbare demokratiese standaarde in. Die aard van die verkiesings verteenwoordig die politieke mobiliteit en kompetisie in die verkiesingsproses, wat op sy beurt verband hou met die aard van die rolspelers wat deelneem aan die verkiesings en dit wat op die spel is sover dit die wen of verloor van politieke mag aangaan, ongeag of dit verkiesingsinstellings, verkiesingstelsels, verkiesingsbestuur of verkiesingsregulasies insluit of nie.

Verkiesingsgeweld in Nigerië word aangehits deur patriargale heerskappy, konflik verdeeldheid, wat op die spel is tydens die verkiesingskompetisie, en die alles-of-niks beginsel van die verkiesingstelsel, wat deur Hoglund se raamwerk uitgewys word. Hierdie studie bevind dat die verkiesingsgeweld in Nigerië se 2003 en 2007 verkiesings aangehits is deur die politiek van ‘*godfatherism*’ en die hoë besoldiging van verkose verteenwoordigers, en dit dra by tot die algemene sistematiese studies van verkiesingsgeweld, en Nigerië se geweld in besonder. Die hoë voorkoms van verkiesingsgeweld wat in hierdie studie nagevors is, stel die behoefte aan ingryping voor om die herhaling van sulke geweld in toekomstige verkiesings te verminder. Daar is dus ‘n behoefte aan verdere studie wat die probleem van ‘*godfatherism*’ en hoë vergoeding van verkose amptenare sal ondersoek, en sodoende verkiesingsgeweld in Nigerië teenwerk.

Kernwoorde: Verkiesing; Geweld; Verkiesingsgeweld; Verkiesingstelsels; Verkiesingsinstellings; Nigerië; *Godfatherism*; Verkiesingswette; Nigerië se verkiesingsgeweld; Africa.

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CHAPTER ONE: INTRODUCTION

1.1 IDENTIFICATION OF THE RESEARCH THEME

Since the 1990s Africa has seen the upsurge of democracy that has brought to end one- and no-party dictatorial regimes which ruled the continent for decades. The rise of democratic governments, however, has resulted in the emergence of electoral violence among competing parties and candidates. According to Straus and Taylor (in Straus 2012: 182), nearly 60 per cent of elections held in Africa between 1990 and 2008 exhibited some form of violence. This is likely to persist, at least in the short term, in many African states (Onapajo, 2014: 28). In fact, Koko (2014: 52) notes that election-related violence has in the past two decades imposed itself as a component of Africa's political landscape. This has brought into question the very essence of democracy on the continent. In short, competitive elections have tended to significantly increase electoral violence, which at times has degenerated into civil wars (Ibrahim, 2006: 38). In 2005 following election held on April 24, approximately 790 people were killed in Togo and 40,000 fled to other countries during the presidential elections (Kohnert, 2007: 2). In Kenya's 2007 elections there was massive inter-ethnic cleansing and displacements of people that prompted the international community to charge some individuals for crimes against humanity (HRW, 2008: 29). The violence flared partly because of the perceived fraud in vote counting that left the incumbent president as winner (EUEOM, 2008: 35). In Zimbabwe more than 100 people were killed, over 200,000 displaced, and over 2,000 activists arrested and detained during the 2008 elections (Booyesen, 2009: 151-152).

In an earlier survey of 87 presidential and parliamentary elections in Africa, Lindberg (2002: 70) concludes that approximately 80 per cent of multiparty elections on the continent were marred by violence. This happened even where the elections were declared "free and fair" by external election monitors (Wondwosen, 2009: 464). The situation continued deteriorating unabated. In May 2005 violence erupted in Ethiopia immediately after the elections which the European Union Election Observer Mission (EUEOM) had declared "the most genuinely competitive elections the country had experienced" (Wondwosen, 2009: 466). Both during and after the elections 193 and 400,000 people were killed and imprisoned, respectively (Wondwosen, 2009:

463; Smith, 2009: 874). The Complaints Review Board (CRB) and the Complaints Investigation Panels (CIPs) that were created in the wake of the post-election violence in Ethiopia revealed a series of electoral irregularities which include but not limited to forcing people to vote for a particular party, armed intimidations, disappearances of ballot boxes, and cases where the number of ballots exceeded the number of registered voters (Lidetu, 2005: 94-95).

In 2007 Kenya experience massive post-electoral violence following the immediate swearing-in of the incumbent president after the counting of the votes. The closeness of the presidential results (4,584,721 for the incumbent president Kibaki against the contender Odinga's 4,352,993) raised suspicion of vote tampering. This was mainly because the opposition had won 99 seats at the parliamentary elections against the president's Party of National Unity's (PNU) 43 seats. The fact that the president had gone against the Inter-party Parliamentary Agreement (IPA) and unilaterally appointed the 19 of the 22 commissioners to the Kenya Electoral Commission had not help the matter (Branch and Cheeseman, 2008: 17; Shilaho, 2010: 15). The post-electoral violence that spread throughout the country left more than a thousand people dead and over 350,000 people displaced, and threatened to tear Kenya apart as the opposition supporters held rallies forcing Kibaki to concede defeat and accept that the election was rigged in his favour (HRW, 2008: 35). Peace was only restored after the formation of the Government of National Unity (GNU), with Kibaki as President and Raili Odinga as Prime Mister.

Zimbabwe also experienced post-election violence following the defeat of the ruling ZANU-PF in the 2008 parliamentary elections and the need to re-run the presidential elections following the failure of any of the presidential candidates to attain the 50 per cent plus one vote as required by law. According to the Zimbabwe Electoral Commission (ZEC) Act of 2005, a runoff between the presidential candidates was to be held within 21 days of announcing the results. Given the extent of violence against the opposition, Morgan Tsvangarai, the Movement for Democratic Coalition (MDC) candidate who had obtained 47.1 per cent of the votes in the first elections against President Mugabe's 42.2 per cent, was forced to withdraw from the race. The violence heightened when the heads of the security apparatus, the Army, the Police and Intelligence, collectively known as the Joint Operation Command (JOC), stated publicly that "no-pro opposition verdict would be accepted, and that only God would remove ZANU-PF from power"

(Booyesen, 2009: 152). The violence unleashed on his supporters forced Tsvangarai to withdraw from the presidential runoff, allowing Mugabe and Tsvangarai, the two leading presidential candidates to comfortably win the elections. ZANU-PF winning the presidential elections did not bring peace to Zimbabwe and it took a lot of effort by the Southern African Development Community (SADC) heads of state, and South Africa in particular, to force Mugabe and Tsvangarai to negotiate for the formulation of a Transitional Unity Government (TUG).

The presidential election in Togo, held on April 24, 2005 after the death in office of the long-time President Gnassingbe Eyadema, was followed by unprecedented levels of electoral violence across the country, with five per cent of population affected, irrespective of ethnicity and status (Adoudou, 2013: 1625). After the results were announced, the violence that flared in the capital city, Lome, was mainly triggered by the perception that the election was rigged in favour of the Rally for the Togolese Party “(RTP) incumbent presidential candidate (Adoudou, 2013: 1625). The violence was also a result of election irregularities and fraud, which characterised stages of the election process. It is instructive to point out that all the stages of election process were characterised by violence; uncertainties; change of constitution; and the unlawful exclusion of the opposition candidates from standing for the election, most notably Gilchrist Olympio. Other irregularities noted include, but are not limited to: voter registration protests, which opposition supporters were not allowed to participate in; the issuing of cards to deceased individuals; and intimidation by the army. According to official results, the candidate of the ruling Rally for the Togolese Party (RTP), Faure Gnassingbe, who succeeded his father in rule, won the election and took slightly more than 60 per cent of the vote. The aftermath of the election, according to Togolese League of Human Rights (2005), indicates that, from March 28 to May 5 2005, 790 people were killed, 4, 345 hurt in the violence and approximately 24, 000 people fled into the neighbouring countries of Ghana and Benin.

Nigeria, the subject of this study, returned to democratic rule after a series of military dictatorships in 1999. The subsequent elections in 2003 and 2007 were marred by violence prior to, during, and after the elections (the details and spread of these instances of violence are detailed in appendix 1A and 1B of this thesis). Most of the observer missions and scholars have pointed to the pervasiveness of electoral violence. It is important to highlight some of the

observations by scholars in respect to the patterns of electoral violence which occurred during the 2003 elections. For example, Iyayi (2003: 16) specifically denounced the 2003 elections, remarking:

The mandate of the people was stolen in a manner reminiscent [sic] one-stone-age politics where the size of the foot of the master determined the length of the foot. In 2003, the political class did not even have any respect for sensibilities of the Nigerian people to rig intelligently. In awarding votes to victors and the vanquished, the numbers swelled up so much that they exceeded by wide margins the number of votes registered to vote in the elections.

Furthermore, the overall election held in 2003 election according to Iyayi (2005: 2) includes:

massive electoral frauds, the conception and practice of politics as warfare, the lack of continuity in the political platforms used by members of the political class, high levels of opportunism and thus a low level of commitment to the different variants of right-wing political ideologies that characterize the political class, the objectification of politics, and the mobilization of ethnic identities as the basis for defining the legitimacy of claims to political power.

Ibeanu (2007: 6) equates the pattern of electoral violence which occurred during the 2003 elections as the “primitive accumulation of votes”. This encompasses attempts by political forces to win votes by the use of both objective and structural violence, as well as disregard for the rule of law (Nkwachukwu and Uzodi, 2012: 21). Primitive accumulation of votes is often justified in the name of communal interests such as clan, ethnic, and religious groups, “though in fact it is self-seeking, and electoral regulatory regimes are captured by sectional and special interests” (Ibeanu, 2007: 6). During the 2003 elections, the primitive accumulation of votes attained its peak when the ruling party moved into states previously controlled by the opposition in 1999, and subsequently dislodged them with all manner of election irregularities. In several instances, state institutions notably, security agencies were used with impunity.

Nwolise (2007: 165) supports the assertion of Iyayi and Ibeanu on the fraud of the 2003 elections, and argues that, unlike the previous elections of the first and the second republics which the violence was mainly carried out by the masses and party thugs in angry reaction to election rigging, the sophistication of the 2003 electoral violence was apparent. In the 2003 elections, godfathers, governors, local government chairmen, and candidates for legislative houses recruited followers and assassins armed with dangerous weapons and unleashed them on their opponents and society (Nwolise, 2007:165). A simple statistical analysis of voting figures indicates that the election results were in many cases fixed (*Analysis Magazine*, No. 5, May 2003). This assertion is credible as the ruling Peoples' Democratic Party (PDP) moved into the states hitherto controlled by the AD in western Nigeria, and managed to capture five of the six states controlled by the AD. While in 1999, the AD won governorship elections in Ekiti, Lagos, Ogun, Ondo, Osun and Oyo states, in 2003, the PDP moved with all manner of electoral violence to claim these states apart from Lagos.

The grief expressed by individual scholars in 2003 general elections was similarly indicated by both the domestic and international observer groups¹ (TMG, 2003; EUEOM, 2003; IRI, 2003). For the purpose of illustration, it is necessary to consider some of the outstanding observations. In its report on the 2003 general elections, The Transition Monitoring Group (TMG, 2003: 120), a coalition of over 90 domestic monitoring groups, asserts in its report that:

While the voters waited and persevered in the polling stations to cast their votes, the political class and the political parties had different ideas. The voters wanted their votes to determine the winner of elections while the political class wanted to corrupt the process and rig their way into elective office. On the whole, the results can be said to marginally reflect the choice and will of the Nigerian People.

The findings of the International Republican Institute (IRI) on the 2003 elections reveal highly inconsistent ballot tabulation and collation processes that provided an enabling environment for

¹The ideal of election monitoring is to identify universal standards of electoral practice and to assess the extent to which different states live up to these standards.

electoral fraud and violence across the states of the federation. The IRI notes that in the vast majority of polling stations observed, fighting and intimidation of voters, non-opening of polling booths, and shortages of ballot and result sheets deprived many from exercising civic duty (IRI 2003: 20). Stuart Mole, a Commonwealth Election Observer who monitored the elections in the Niger Delta reveals how the elections were fixed. The observer notes that while voter turnout for the April 2003 elections was very low in many polling stations, with some polling booths not opening till 2.00 p.m. and closing 5.00 p.m., the election results declared for most constituencies indicated a 90 – 100 per cent voter turn-out (Mole, 2003: 427). Widespread voter intimidation and massive electoral fraud in active collaboration of the electoral officers and security agencies were possible reasons for 90 – 100 per cent voter turn-out in the area.

A similar picture will emerge from any detailed review of the 2007 elections. Like the 2003 election, the 2007 election was flawed. The stage for electoral violence that characterized the 2007 election was set in motion by President Olusegun Obasanjo declaring that the election would be a “do-or-die affair” (Suberu, 2007: 98). According to The Guardian (24 April 2007: 10), the European Union Election Observer Mission (EUEOM, 2007: 1) stated that:

The 2007 federal elections have fallen far short of basic international and regional standards for democratic elections. They were marred by poor organization; lack of essential transparency; widespread procedural irregularities; significant evidence of fraud, particularly during the result collation process; voter disenfranchisement at different stages of the process; lack of equal condition for contestants, and numerous incidence of violence. As a result, the elections have not lived up to the hopes and expectations of the Nigerian people and the process cannot be considered to have been credible.

An overview of 2007 election by International Crisis Group (ICG, 2007: 1) affirmed cases of delays in the commencement of voting and other issues. The organization expressed:

The elections in the view of Nigerians and the many international observers alike were the most poorly organized and massively rigged in the country’s history. In a bitterly contentious environment, outgoing President Olusegun Obasanjo and his

People's Democratic Party (PDP) acted with unbridled desperation to ensure sweeping, winner-take-all victories, not only in the presidency and federal legislature, but also in state governorships and assemblies. Characterized as a 'do or die' battle by Obasanjo, the campaigns and elections also witnessed violence, including over 20 people killed.

Similarly, the TMG (quoted from *This Week*, 14 May 2007:19) maintains that the 2007 elections were seriously marred by egregious irregularities and malpractices to the extent of not only compromising the integrity of the ballot in many states, but also calling into question the reliability and validity of the results declared by INEC.

The flaws that characterized the 2007 election were also reported by scholars, and public acceptance by President Umaru Yar' Adua that the 2007 election was fundamentally flawed. According to the President Yar' Adua, "a robbery had indeed taken place" in the 2007 presidential elections that brought him to power (*The Nigerian New Age*, April 18, 2007; *The Nigerian Daily Sun*, April 25, 2007; *The Nigerian Daily Trust*, April 24, 2007). According to Seberu (2007: 97), although, the 2003 general elections were "hardly credible", the 2007 balloting was blatantly fraudulent as the outcome of the 2007 general elections was considered more fraudulent than the preceding elections, and indeed, the worst in the contemporary electoral history of Nigeria. Egbokare (2007: 24) supports the above scholars and compares electoral violence with previous elections with the 2007, noting lack of improvements thus:

Since 1979, things appear to be getting worse. I think what was different this time [was that] it was not just a thug affair. Governors and their Deputies, in fact, the high and the mighty in the society, were involved in the field once left for thugs. They personally participated in snatching ballot boxes, thumb-printing, and disruption of voting. The Police as usual provided cover.

The Nobel Prize-winning novelist, Wole Soyinka (2007: 7), claims that the charade of 2007 elections was "premeditated" by 'the Gang of Four'; explicitly, the Nigerian Police Force (NPF) Inspector-General Sunday Ehindero, INEC chief Maurice Iwu, PDP national chairman Ahmadu Ali, and "the Principal of the Gang...Obasanjo".

Other irregularities include lack of secrecy of voting, late opening of polling stations and lack of voting in number of polling booths, ballot box stuffing, snatching of electoral materials at gunpoint and smashing of ballot boxes, and the inflation of votes at results collation centres (Omosho, 2008: 4). It is in realisation of the 2007 electoral malpractices and violence that an Electoral Reform Committee (ERC) was set up in 2007 to: “examine the entire electoral process with a view to ensuring that we raise the quality and standard of our general elections and thereby deepen our democracy (ERC 2008: 6).

The views of observer groups and scholars which have so far been discussed are few illustrations which were given during the 2003 and 2007 elections. Similarly, the description above tends to establish, electoral violence indeed, occurred in the 2003 and 2007 elections in Nigeria. In view of the above, one can deduce that the factors responsible for electoral violence in Africa, and specifically Nigeria, are multifaceted. The complexity of the multi-dimensional level of electoral violence in the Nigeria warrants a thorough, empirical investigation in order to unravel the phenomenon and suggest possible solutions to the seemingly insurmountable and recurring issue in Nigeria. This can only be done if one has a clear understanding of electoral process and electoral violence. Such an understanding will help to situate electoral violence in the context of the Nigeria’s 2003 and 2007 elections.

1.2 DEFINING ELECTORAL PROCESS AND ELECTORAL VIOLENCE

1.3 Electoral Process

As a point of departure, we explain what electoral process is, and then proceed to define electoral violence. There are numerous definitions and dimensions of the electoral process. The Electoral Reform Committee (ERC) defines the electoral process as the complex and comprehensive arrangement of activities that transcends beyond electoral and voting systems (ERC, 2008: 19). This embraces the creation and maintenance of the legal and political framework for the design of the country’s electoral system, and more generally for the regulation, management, and administration of elections. Significant components of the electoral process are the electoral system and election administration and management, which includes constituency delimitation,

size of the legislature, voter eligibility rules, voter registration, and the party system. Election administration and management also include party funding, party access to the mass media, party nomination processes, electioneering, the balloting system, distribution of polling centres, the vote counting process, announcement of results, adjudication of election disputes, and voter education (Agbaje and Adejumobi, 2006: 32). The design of the electoral process and its outcomes is related to the dynamic unfolding of power struggles, which are mediated by economic, historical, political, and socio-cultural forces. The electoral process increasingly seen as a concept that encompasses a series of mechanisms and processes designed to maintain the integrity of an election and to ensure that elections are free and fair. There are three stages at the election process, namely: prior, during, and post-election. At any of these stages, the election can be abused, manipulated, violated, or distorted. Attempts at any stage of the electoral process to corrupt, influence, or determine the outcome of an election beyond what it would have been, objectively, does damage to the election and could be said to amount to electoral violence (Ochoche, 1997: 23).

1.4 Electoral Violence

Having discussed the “electoral process”, it makes it easier to comprehend the concept of electoral violence which has come into regular use in political science specifically in electoral studies. It appears in this discipline alongside such terms as electoral frauds, election rigging and electoral irregularities. Although various definitions of electoral violence have been offered by scholars, ordinarily, the concept implies an act of direct physical force, more or less deliberately employed by people used in an election rigging process or by way of people reacting against election manipulation or frauds. This covers acts connected to attacks on properties, ballot snatching, burning of tyres, kidnappings, assassinations, shootings, riots, and beating of electoral officers during an election process. A broader definition extends the meaning of electoral violence beyond direct physical acts, embracing indirect and systemic forms of violence. Accordingly, the UNDP (2009: 4) describes electoral violence as:

Any acts or threats of coercion, intimidation, or physical harm perpetrated to affect an electoral process or that arise in the context of electoral competition. When perpetrated to affect an electoral process, violence may be employed to

influence the process of elections—such as efforts to delay, disrupt, or derail a poll—and to influence the outcomes: the determining of winners in competitive races for political office or to secure approval or disapproval of referendum questions.

Looking at electoral violence from a more practical point of view, Albert (2007a: 133) defines electoral violence as “all forms of organized acts or threats physical, psychological and structural aimed at intimidating, harming or blackmailing a political stakeholder, before, during or after election with a view to determining, delaying or otherwise influencing an electoral process”. Similarly, Kraetzschmar and Cavatorta (2010: 328) regard electoral violence as “acts or threats of coercion, intimidation or physical harm perpetuated to affect the process and outcomes of an election”.

According to Vyavaharkar (2009: 1), electoral violence can be any physical act or psychological harm to persons or damage to property directed at anyone involved in the electoral process (voter, candidate, party officer, election worker, election monitor, journalist) which may disrupt or attempt to disrupt any aspect of the electoral process (campaign, registration, voting, counting). The definitions by Albert (2007a: 133), Kraetzschmar and Cavatorta (2010: 328) and Vyavaharkar (2009: 1) put forward the idea that electoral violence is not merely a physical combat between parties, supporters and illicit actors, but involves issues that can instil fear among competing candidates and voters. It also relates to tampering with the electoral process and materials which include voters register, ballot boxes and papers, and influence on electoral bodies by the incumbent and opposition parties.

The International Foundation for Electoral Systems (IFES) defines electoral violence “as any random or organized act that seeks to determine, delay, or otherwise influence an electoral process through threat, verbal intimidation, hate speech, disinformation, physical assault, force ‘protection’, blackmail, destruction of property, or assassination” (Fischer, 2002: 8). Electoral violence can be motivated by attempt to change the results of an election, either by manipulating the electoral procedures or by contesting the legitimacy of the results (Laakso, 2007: 227-228). Similarly, Sisk (2008: 5-6) contends election-related violence as “acts or threats of coercion,

intimidation, or physical harm perpetrated to affect an electoral process or that arises in the context of electoral competition”.

Certain elements, characteristics and acts of electoral violence as encapsulated by these definitions could be applicable to the Nigerian situation. However, as stated earlier, only an empirical analysis of the electoral violence will help contextualize the causes and acts of electoral violence in Nigeria. Firstly, an election must not be regarded as an event but rather a process involving a multiplicity of activities and processes, handled by a set of institutions and stakeholders (Fischer, 2002: 9). The electoral process includes the registration of voters, conducting of party primaries, campaigning, voting, vote counting, announcement of results, and litigations at the electoral courts/tribunals. Electoral institutions and stakeholders include election management bodies, political parties, civil societies, mass media, monitoring agencies, and international organizations. The fact that an election is a process rather than an event implies that electoral violence can occur at any stage and can manifest in many forms. It may materialize before, during, or after the election itself (Fischer, 2002: 8). Forms of violence also vary significantly. They include riots; acts of physical harm; assaults and attacks on communities or candidates; gender-based violence, mob violence; demonstrations; and terrorist campaigns; and assassinations, either by lone individual or as part of a campaign conspiracy. Violence is designed to influence elections by intimidating voters and striking candidates down. It can thus prevent an election from taking place and force aspirants to leave the electoral process or a victor from taking charge of government (Hoglund, 2009: 415). What need to be understood is that electoral violence involves more than physical violence and includes a psychological and structural dimension. This involves the forms of threats, offensive advertorials to instil fear in participants, as well as the manipulation of or tampering of the electoral laws and institutions. Table 1.1 summarizes the various components and dimensions of electoral violence.

Table 1.1: Components and dimensions of electoral violence

DIMENSION	COMPONENTS
PHYSICAL	<ul style="list-style-type: none"> • Physical assault on individuals during campaign, elections, and when election results are released. • Assassination of political opponents or people perceived as a threat to one's political ambition. • Burning down of public or opponents' houses and cars. • Shooting and killings of individuals. • Partisan harassment by security agents, arrests, forceful dispersal of rallies, or shooting, wounding or killing of people. • Kidnappings and hostage-taking. • Bombing of infrastructure. • Forceful disruption by thugs of political and campaign rallies. • Destruction of ballot boxes and ballot papers by thugs or partisan security agents • Free-for-all-fights
PSYCHOLOGICAL	<ul style="list-style-type: none"> • Threats against and harassment by security agents of opponents of the regime or party, which create political apathy • Shoot-on-sight orders that breed fear in voters • Terror inflicted by political assassination, which makes people scared to participate in politics or elections • Publication or broadcast of abusive, insulting, or intimidating material or advertorials. • Threats to life through phone calls, text messages, etc.
STRUCTURAL	<ul style="list-style-type: none"> • Coercion of citizens by government to register or vote • Exclusionary acts or policies • Unequal opportunities for political parties and candidates • Deliberate changes in dates, venues, or times or events to the disadvantage of others • Partisan delimitation of electoral constituencies and location of polling booths • Exclusive fees for collecting party nomination forms • Unfree campaigns • Reliance on money and brute force instead of moral integrity and competence.

DIMENSION	COMPONENTS
	<ul style="list-style-type: none"> • Restraints imposed on voters • Use of the incumbency factor to give undue advantage to some candidates. • Announcement of false or fraudulent results • Lengthy delays in announcing election results • Absence of (adequate) voting materials and election results forms. • Delay in voting • Absence of electoral officers from booths • Partisan behaviour of police and other security agents

Source: Nwolise 2007: 160-161.

Secondly, the violence that comes prior to the election day may be prompted by disagreements over electoral functions and activities such as the delimitation of electoral constituencies, voter registration, and selection of flag-bearers to fill available posts in various constituencies. This may lead to assassinations of party candidates, attacks on properties and kidnapping, targeting or deliberate destruction of campaign materials, vehicles and party offices. Election day is often remarkably peaceful given the intensified security presence and planning around voting and vested political interest towards the election outcomes (Vyavaharkar, 2009: 5; Rapoport and Weinberg, 2001: 16). Violence tends to escalate after elections with the aim of influencing the counting and final outcome of the elections. This takes the forms of snatching of ballot papers/boxes and the destruction of election results. The worst part of violence may come immediately after the announcing of results. This happens when losers are not willing to accept electoral outcomes, either because elections were deemed not to be ‘free and fair’ or because of perceived or real fraud in the voting and counting process.

One therefore needs to speak of stages of electoral violence, namely: pre-election, during elections, and after the elections (Fischer, 2002: 9). Violence at the pre-election stage occurs prior to the day of election. It involves procedural violations such as tampering with voter’s registration database. The type of violence at this stage can disenfranchise qualified electorates. It involves threats and intimidation of potential electorates by illicit actors to prevent registration of voters and the demarcation of constituencies. These threats and intimidations continue as the electoral process moves to electoral campaigns. It involves attacks and the disruption of campaigns of opponents, intimidation of voters and candidates, assassinations and kidnappings.

The second stage of violence happens on the day of election. Paradoxically, the day of elections can see the end of violence and at other times provoke violence (Rapoport and Weinberg, 2004: 16). Violence on the day of election takes the form of burning of ballot boxes, ballots snatching, rigging and diversion of election materials, armed attacks on electoral officers and opponents, destruction of electoral facilities, and voter intimidation. In the post-election stage, violence emanates from disputes over election results, use of force and intimidation by politicians, as well as the destruction of electoral materials and manipulation of final results, particularly in opposition strongholds (Fischer, 2002: 8; Ibrahim, 2006: 13). At this stage, large-scale violence usually occurs in the form of the protests over manipulated elections (Fischer, 2002: 10; Mehler, 2007: 203).

One can equally speak of targets of electoral violence. Thus, Fischer (2002: 9) has identified four targets of electoral violence. The first target is *electoral stakeholders* which affect voters, candidates, election workers, media, and monitors. The second target concerns *election information* and includes the destruction of registration data, voter results, ballots and campaign materials. The third target focused on *electoral facilities* and this has negative activities at polling and counting stations. The fourth target is on electoral *events*. This includes the disruption of campaign rallies and preventing people to travel to polling stations to cast their votes

Electoral violence involves a broad number of actors and stakeholders that can perpetrate electoral violence. These include political parties and their supporters, journalists (through biased reporting), agents of the government, biased election administrators, rebels, terrorist groups, armed militias, and individual candidates. Their motives and tactics vary but normally have the same impacts which in most cases negatively influence the electoral outcome. Whether the above situational analysis pertaining to electoral violence is applicable to Nigerian elections is only speculative. Thus, a unique analysis of the electoral violence in Nigeria becomes relevant and justifiable.

There have been various explanations for electoral violence in Nigeria by many scholars. The main explanations are the faulty electoral system, the use and misuse of state institutions by the incumbent president, and role of political parties in fomenting violence.

1.4.1 Faulty electoral systems

According to Aiyede (2007: 35), the simplicity or complexity of the electoral process rules and the manner in which rules are put to use are determinant factors for the success of elections. What are needed to address electoral violence are electoral reforms. These reforms need the participation of all stakeholders, namely political parties, civil society, bureaucracy, mass media, and donor agencies (Adebayo and Omotola, 2007: 213). The central agency for the reforms should be the Independent National Electoral Commission (INEC) because it a central and important agency in the democratic game. Ijim-Agbor (2007: 89) argues that most election irregularities in Nigeria, such as bloated voter registers, voter disenfranchisement through the deliberate withholding of electoral materials in areas considered as non-ruling party's strongholds, the late or non-appearance of electoral officers in some polling units, and missing ballot papers all point to the complicity of the electoral commission in the manipulation of electoral outcomes and the cause of electoral violence.

1.4.2 The use and misuse of the state institutions by the incumbent president

Aside from faulty electoral systems surrounding electoral violence in Nigeria, the president has been given extensive powers that have often involved the appointment of the Chairman and Members of the Electoral Commission and Judges of the Supreme Court. These political appointees are expected to serve the president's personal interests. Olusegun Obasanjo, a soldier-turned-civilian, supervised the 2003 elections in which there were assassinations and election rigging to ensure the election of Obasanjo's favoured governors and senators were elected (Nwolise, 2007: 165). In 2003, the incumbent president created the Economic and Financial Crime's Commission (EFCC)² to, directly or indirectly, force specific candidates (including the vice president) out of the race by charging them with financial crimes (Ogunlana, 2007: 1).

²The Economic and Financial Crime's Commission (EFCC) is an anti-graft agency established in response to the persistence of corruption in the Nigerian society. The law establishing the Economic and Financial Crime's Commission was enacted in 2002. In 2003, it was repealed and re-enacted in 2004 by President Olusegun Obasanjo's administration. The commission as an agency, however, came to the limelight in 2003 when it was finally established (Establishment Act, 2004).

1.4.3 Political parties

According to Adejumobi and Kehinde (2007: 95), parties in Nigeria do not perform the role of political actors responsible for recruitment of political leaders in an electoral democracy as well as building blocks for democratic evolution and consolidation, but instead act as machines controlled by those with money to put in leadership positions that are able to serve their interests. This has resulted in the generalized practice of buying and selling votes. Danjibo and Oladeji (2007: 192-196) state that large chunks of money are necessary to influence the electorate during party campaigns because of the general belief that politicians are neither accountable nor responsive. The only time they spend money on the electorate is during party electioneering campaigns, consequently resulting in the prevalence of electoral corruption at all levels. Intuitively, the solution to electoral violence is the reform of party activities and campaigns.

While it is true that the above factors contribute to electoral violence in Nigeria, they do not completely explain the continuation of electoral violence over time and its pervasiveness. This study seeks to apply Høglund's (2009) broader analytical framework to explain electoral violence in Africa, and Nigeria in particular, in order to distinguish between the enabling and triggering factors of electoral violence, and by placing electoral violence in the context of the country's electoral politics, electoral system, and electoral institutions (see chapter two for details). The three are intertwined, feeding into each other and generating electoral violence in the country.

2 THE RESEARCH PROBLEM AND OBJECTIVES OF THE STUDY

The return to civilian rule in Nigeria in 1999 saw a re-emergence of electoral violence that had resulted in a military takeover in 1966, and again in 1983 (Nwolise, 2007: 163-163). Why has civilian rule often generated electoral violence in Nigeria? This study seeks to provide some answers to the persistence of electoral violence in Nigeria under civilian rule through the analysis of the 2003 and 2007 electoral violence and using Høglund's Analytical Framework. In existing literature, a lot of theories exist which can be used to explain unabating electoral violence in

Africa. Raphael, for example, puts forth an argument in support of a theoretical model in any discourse, and contends that models generally offer empirically-based explanatory laws, that are scientific in nature, through synthesizing and integrating empirical data for maximum clarification and unification (Raphael, 1990: 29). Although theories to expound electoral conflicts on the continent abound, these theories are both broad and overarching. However, Hoglund's framework presented in the work, *Electoral violence in conflict-ridden societies: concepts, causes and consequences*, offers more plausible elements that could be utilized to explain the problem of electoral violence and conflicts in the African continent. This, however, does not suggest that one should underestimate other analytical theoretical frameworks concerning electoral violence. Notably, Sisk's arguments on economic incentives and socio-economic imbalances as root causes of electoral conflicts in emerging democracies is an excellent example amongst many of these frameworks which seek to underscore electoral conflicts (Sisk, 2008: 3). Similarly, the elite competition opinion explains electoral violence as an product of the intense nature of the competition for power in the state (Lehouq and Molina, 2002:). The weakness of this perspective is that it oversimplifies electoral violence and fails to take into account the factors that drive the intensity of the struggle for power among the elite in a state. Furthermore, the perspective only perceives the perpetration of electoral violence as an act of members of the political elite, without taking into account other members of the society, including state officials and general members of the electorate. Apart from Sisk's economic incentives and socio-economic imbalances, Lehouq and Molina's elite competition viewpoints Ziblatt (2009:) elucidate electoral violence from the sociological perspective, suggesting socio-economic inequalities in society as possible factors for electoral violence. What the sociological perspective fails to address is the nature and character of the state, its potential to shape electoral behaviour, and the reasons why political actors perpetuate electoral violence. There is also an institutional approach to electoral violence. The institutional perspective argues that the nature of the electoral system, especially the voting and the electoral body, can explain the incidences of electoral violence in a state (Birch (2008: 2). A major weakness of this perspective is its inability to consider other related institutions in the state, such as electoral tribunals, security agencies, and election observer missions in shaping or abating electoral violence.

Notwithstanding, Høglund posits that the conditioning and triggering factors of electoral conflicts can be located within the nature of politics, the nature of elections, and electoral institutions of a country (Høglund, 2009: 421). Analysing electoral violence also shows that its occurrence in different countries should be examined independently according to its peculiarities. The nature of politics refers to the political system and the relationship that exists between leaders and followers. This includes the acceptable and unacceptable standards in a democratic setting which involve both official and unofficial interactions. Correspondingly, the operation of political parties, electoral systems, and electoral institutions are included when looking at electoral violence from the intension of this framework. However, the Høglund theoretical framework of electoral violence has rarely been applied in understanding electoral violence in Africa, and, more specifically, Nigeria. Thus, the need to apply the Høglund theoretical framework in the analysis of the 2003 and 2007 electoral violence becomes imperative.

More specifically, this study seeks to:

1. Identify how the changing natures of politics, the electoral system, and electoral institutions have interacted to perpetuate electoral violence in the 2003 and 2007 elections.
2. Identify the nature, spread, and pattern of electoral violence in the 2003 and 2007 elections with the aim of explaining the variations and concentration of such violence. It is important to note the extensiveness of Nigeria's electoral system that include; National Assembly, senatorial, House of representatives, and presidential elections at the federal level, state assembly, gubernatorial and local government at the state level.
3. Identify the extent to which Høglund's Analytical framework can explain causes of electoral violence in Nigeria. In this instance, the focus will be on the efficacy of Høglund's framework as an analytical tool for the understanding electoral violence not only in Nigeria but Africa in general.

The focus on Nigeria is mainly because Nigeria has earned itself an appellation for “muddled elections” (Suberu, 2007), “criminal politics” (HRW, 2007), ““do votes count?” (Agbaje and Adejumo 2006) and “garrison democracy” (Omotola, 2009). Specifically, Nigeria's electoral history was mired in political instability, characterized by fraudulent elections, competitive

rigging, politically motivated assassination of persons, inconclusive and contested election outcomes and, frequent military coups takeover of governments (Ibrahim, 2007: 2-3; Osaghae, 2002: 14; Kurfi, 2005: 101). The focus on Nigeria is also because of its economic and political importance generally on the continent and in West Africa in particular. The country is also the most populous country on the continent, accounting for almost a quarter of the continent's population (WFB, 2014: 27). If Nigeria descends into violent conflict resulting from fraudulent and violent elections, the stability of the country would be threatened. Nigeria has also overtaken South Africa as Africa's largest economy and is now the 26th largest in the world (Anumihe, 2014: 5).³ This has placed Nigeria in a continental and regional leadership position. Thus, what happens in Nigeria will have a profound impact on the future of sub-Saharan Africa and the world (Juma, 2015: 1). The consequences and impact of electoral conduct in Nigeria on the region were highlighted by President Jonathan in 2011 while addressing the National Democratic Institute (NDI) when he stated that:

Nigeria, Africa's most populated nation, cannot aspire to a leadership position on the continent if it fails to organize free and credible polls. Several countries in Africa have had successful elections, and if we don't get it right, we can't lead anybody or call anybody to order when they miss the mark (Banner, 2011: 5).

The need to address Nigeria's democratic deficit mostly as a result of fraudulent and violent elections is underscored by the fact that the country stands almost at the bottom of the democratic index. The Economist Intelligence Unit (EIU, 2007: 4) democratic survey report of 2006 ranked Nigeria at 124 out of the 167 countries surveyed in the electoral process and participation with a 2.92 score out of the possible 10 marks. The total democratic index fell from 4.44 in 2006 to 3.33 in 2008 following the 2007 election fiasco. These figures are worrisome give the position of the country.

At the national level, solving election violence is the only way to deter a reoccurrence of military interference in the country's politics. The military, it should be noted, has ruled the country for

³ Nigeria ranked the largest economy on the African continent with 26th largest in the world with Gross Domestic Product (GDP) of \$ 453, 966.81 billion against the GDP in 1990 of \$ 258, 555.58.

29 years (1966-1979, 1983-1999) out of the 55 years of independence. If the country does not seriously address the issues of electoral violence, it opens the way for military rule.

2.1 STUDY METHODOLOGY

Silverman (2006:15) notes that methodology is a process of choosing, collecting, and analysing qualitative or quantitative data. These methods must be consistent with theories used in the research. This study is based on Høglund's analytical framework for electoral violence in conflict-ridden societies. This framework is used to analyse electoral violence in Nigeria's 2003 and 2007 elections. The 2003 and 2007 elections were chosen because they represent a set of elections conducted under civilian rule after a long period of military dictatorships. The earlier elections under civilian rule in 1964 and 1983 ended with a military takeover. The two elections were also considered as the most violent and fraudulent set of elections in Nigeria. The main argument by Høglund is that the best way to understand electoral violence in conflict-ridden societies is to examine the nature of politics, the nature of elections and electoral institutions in a given country. Special attention is therefore paid to these three elements.

The data used in this study is mainly from the existing publically available documents on elections (including electoral acts), as well as reports on elections by the electoral institutions and by observer missions, both local and foreign. Foreign observer missions have become a common feature of African elections and often provide more detailed information of the conduct of elections, even if most of the time this is ignored in the publication of the final results.

Observer/monitoring agencies for the 2003 and 2007 elections included:

- The Carter Foundation (CF);
- The Catholic Justice, Development and Peace Commission (JDPC);
- The Electoral Institute of South Africa (EISA);
- The European Union Election Observer Mission (EUEOM);
- The Human Rights Watch (HRW).
- The International Foundation for Electoral Systems (IFES);

- The International Republican Institute (IRI);
- The National Democratic Institute (NDI); and
- The Nigerian Office of the Institute for Democracy in South Africa (IDASA);
- The Transitional Monitoring Groups (TMG);

The choice of these agencies is necessary because these are well-trusted independent election observation teams that monitor elections under investigation.

A number of newspapers in Nigeria have also carried out extensive coverage on the 2003 and 2007 elections, which included reporting on electoral violence and fraud throughout the various states in Nigeria. These included the Daily Trust, The Guardian, The Nation, The Punch, The Tribune, The News and the Vanguard. The reports of these newspapers and the monitoring agencies have been used to detail the nature and spread of electoral violence in the 2003 and 2007 elections in Nigeria presented in appendix 1A and 1B of this study.

Extensive use has also been made of books and articles by scholars who have analysed Nigerian politics, and in particular the conduct of elections in 2003 and 2007. These were obtained through various libraries and information centres in both Nigeria and South Africa. Among these were: Benue State University Makurdi, Ahmadu Bello University Zaria, University of Benin, Kwararafa University Wukari, University of Ibadan, the National Library of Abuja, the Electoral Institute of Abuja, the Catholic Secretariat Lagos and the Independent National Electoral Commission (INEC) Library Abuja. I also made use of a variety of sources outside Nigeria, including the Institute for Democracy in South Africa (IDASA), Electoral Institute of South Africa (EISA), and the University of Pretoria Merensky Library.

It is the conclusion of this study that Høglund's (2009) analytical framework for electoral violence in conflict societies provides a better understanding of Nigeria's electoral violence.

2.2 STRUCTURE OF THE STUDY

Apart from the introductory chapter, there are six other chapters.

Chapter 1: Introduction.

This chapter serves as an introductory chapter and outlines the aims and objectives of the study, the structure of the research, as well as the methods used in collecting the data.

Chapter 2: Høglund's Analytical Framework on Electoral Violence

In this chapter, Høglund's analytical framework, which forms the basis for understanding the theoretical model for electoral violence, is examined. It focuses mainly on identifying the conditioning and triggering factors of electoral violence within the three broad analytical variables of the nature of politics, namely the nature of elections, and electoral institutions in Nigeria.

Chapter 3: The Nature and Characteristic of Post-Independent Nigerian Politics

This chapter focuses on the political and constitutional developments in Nigeria from the period of amalgamation in 1960 to military handover to civilian rule in 1999, as well as the evolution of the party system. The chapter draws a link between electoral violence and the nature of politics in Nigeria and how these have led to electoral violence. The emerging features of post-independence Nigerian political system are also examined.

Chapter 4: The Nigerian Electoral Systems

The fourth chapter provides the Nigeria's electoral systems which is a product of the departing military government in 1999 headed by General Abdulasallami Abubakar. Decree 24 of 1999 established a new constitution for the country but retained the 1979 electoral system that had ushered in the second republic. Two different formulas are used in determining the outcome of the elections covering presidential and gubernatorial elections, senate, House of Representatives and House of Assembly elections, and local council elections. This is preceded by general comments on electoral systems.

Chapter 5: Nigeria's Electoral Institutions

Chapter five focuses on the nature of Nigeria's electoral institutions and their functions since the conduct of elections is dependent on electoral institutions. In this context, three electoral institutions, the Independent National Electoral Commission (INEC); the Electoral Tribunals;

and the Political Parties were examined. The chapter shows how these institutions have contributed to electoral violence.

Chapter 6: The Nature, Pattern and Spread of 2003 and 2007 Electoral Violence in Nigeria

The chapter presents the nature, pattern and spread of electoral violence in the 2003 and 2007 elections across the states of the federation in tabular forms. This helps one to understand how the nature of politics, elections, and electoral institutions discussed in other chapters and how these have contributed to electoral violence. In line with the general understanding that electoral violence, this chapter presents electoral violence under three sub-headings: pre-election violence, violence during elections, and post-election violence, and links the conditioning factors to the actual triggers of election violence.

Chapter 7: Applicability of Hoglund's Framework in the 2003 and 2007 Election Violence

In the concluding, theory is related to the realities of Nigeria as presented in previous chapters. Thus, the chapter relates the electoral violence in 2003 and 2007 elections to the nature of politics, the electoral system, and electoral institutions. Hoglund's analytical framework is revisited and assessed as to whether it captures the Nigerian context of electoral violence.

CHAPTER TWO: HOGLUND'S ANALYTICAL FRAMEWORK ON ELECTORAL VIOLENCE

2.1 INTRODUCTION

Hoglund's analytical framework for electoral violence is presented in a Table 2.1. It involves looking at three main areas in a given country where violence is taking place. These are the nature of politics, the nature of elections and electoral institutions. In analysing the three areas, one should focus on identifying-enabling factors or conditions that are likely to produce electoral violence and triggering factors-that is things that trigger the violence. The following sections will elaborate on each of the areas.

Table 2.1: Hoglund's analytical framework for electoral violence

	Conditioning <i>enabling</i> the use of electoral violence	Factors <i>triggering</i> electoral violence
Nature of Politics	<ul style="list-style-type: none"> • Patrimonial politics • Conflict cleavage • Violence as legitimate political tool • Culture of impunity • Access to arms 	<ul style="list-style-type: none"> • Violent actors participation in elections
Nature of Elections	<ul style="list-style-type: none"> • Competitiveness • Political mobilization • Stakes • Exposure to attacks 	<ul style="list-style-type: none"> • Misuse of political rights • Militant mobilization • "Close races"
Electoral Institutions	<ul style="list-style-type: none"> • System creating clear winner and losers • Few regulations about electoral conduct • Administration with few checks and little power 	<ul style="list-style-type: none"> • Political usage of electoral administration • Electoral fraud • Unwanted or unexpected outcome of the elections

Source: Hoglund (2009: 421)

2.2 THE NATURE OF POLITICS

The nature of politics refers to the political system and the relationship that exists between leaders and followers. Specifically, it involves the acceptable and unacceptable standards in the democratic setting which include the official and unofficial interaction. Generally, democracy works in line with legal institutions which are contained in the constitution and electoral acts of a country. The role of elections in a democracy presupposes the importance of formal structures and rules. The prevalence of electoral violence is mostly the result of existing political conditions in the country. These conditions, according to Høglund, include: patrimonial politics, conflict cleavages and acceptance of violence as a political tool, the culture of impunity, and the access to arms. Violence in such societies, however, is triggered by the participation of violent actors and biased police.

In an attempt to explain the nature of politics in Africa, a number of concepts have been developed. These include patrimonial, neo-patrimonial, prebendalism, clientelism and ‘big man’ rule (Erdmann and Engel, 2007; Joseph, 1991; Bratton and Van de Walle, 1997: 65-66; Hyden, 2006). Although there are similarities among these concepts, they can be separated to explain what they are set up-to achieve. Patrimonial mode refers to a political system where both the ‘private’ and ‘official’ functions of the society have no strong difference between them (Erdmann and Engel, 2007: 105). Political authority under the state takes a similar form the personal property of the ruler and serves the officer to whom the office was conferred (Hyden, 2006: 62). Generally, public authority has no administrative separation of the ‘private’ realm and ‘official’ responsibilities. Additionally, politics as well as social relations do not link rulers to their citizens but link them to their patrons, clients and supporters who are a small segment of the society (Bratton and Van de Walle, 1994: 458). The ruler in this society likens himself with the state and treats public resources like his private property which he distributes at his discretion, either to himself or a network of clients and supporters.

Ikpe (2009: 682) specifically identifies five features of patrimonial rule. Firstly, political power is controlled by an individual ruler or a cabal of patrons or both; secondly, there is an absence of

separation between the public and private engagement by state officials; thirdly, political offices are regarded as personal rewards and benefits for officials; fourthly, the exercise of authority is operated to serve rulers and their officials; and fifthly, the system operates through numerous patron-client networks and relationships. Patrimonial mode has become an element to explain electoral violence in emerging democracies since informal behaviour now replaces accepted rules and procedures. It can be argued that patrimonial rule can have an impact both on citizens and society. Citizens have no rights other than rights permitted by the personal prestige of the ruler, and therefore hardly any reference to guidelines or administrative predictability exists in the society.

2.2.1 Patrimonial rule

Innately connected styles of patrimonial rule have been identified. These are neo-patrimonialism, prebendalism, and clientelism (Jackson and Rosberg, 1984: 421-442; Joseph, 1991: 57). In its classical origin, neo-patrimonialism is derived from ‘dualism’, which indicates the co-existence of traditional and modern political institutions of a state, and seeks to describe leadership problems of both developed and emerging states (Jackson and Rosberg, 1984: 424). Basically, the political stability of a regime and its political survival is achieved through selective distribution of material benefits to followers (Bratton and Van de Walle, 1997: 61). Conceivably, this designates a patron-client relationship where the ‘patron’ provides protection, services or rewards to his ‘clients’, or to political followers who are usually of lower status. The motive is to reward those loyal to a leader. This implies that followers of a ruler survive at the expense of the state and the citizenry. The state under this rule is characterised by leadership that is personal and unhindered by norms or formal institutions, and officials of the state treat public resources as personal patrimony (Van de Walle (2007: 56). Although the functions as well as the limits of state officials are clearly defined, custodians of this mode tend to exercise these functions for private motives without constraints. This means the “relationship of loyalty and dependence pervade the formal political and administrative system” (Bratton and Van de Walle, 1994: 458).

Prebendalism⁴ and clientelism are sub-types of the patrimonial system. While prebendalism refers to a contractual arrangement between ‘patrons’ and ‘clients’ in a given system (Joseph, 1991: 63), clientelism refers to a reward system in neo-patrimonial setting where ‘big-men’ patrons monopolise rents and award favours to their clients in form of contracts, public-sector jobs, licences and tenders to create client networks and followership. On the other hand, clientelism simply means the appointment of state offices to individuals serve as compensation to accumulate wealth and channel to buy votes during elections (Bratton and Van de Walle, 1997: 65-66). In his work, Van de Walle (2007: 50-67) also identifies three forms of clientelism: tribute (traditional gift exchange), patronage (the use of state resources to provide jobs and services), and prebendalism (the distribution of public offices to elites in order to gain wealth from the occupation of these offices).

Although it is argued that neo-patrimonialism has not been peculiar to Africa, the concept remains the most common and recognised as a major feature that precipitates electoral violence including implications for the political stability in African democracies (Hoglund, 2009: 420; Bratton and Van de Walle, 1997: 62, 242). This practice has the potential to encourage electoral violence because it marginalises a significant portion of a society, placing more emphasis on loyalty than proficiency, thereby promoting corruption and neglect of the rule of law.

2.2.2 Conflict-cleavages

The term, cleavage is used to refer to numerous issues. Generically, it relates to concepts that are common in most societies such as ‘separating’, ‘parting’, ‘splitting’ or ‘division’. Mair and Bartolini (1990: 215) describe cleavage as

an empirical element, which identifies the empirical referent of the concept, and which we can define in social-structural terms; a normative element, that is the set of values and beliefs which provides a sense of identity and role to the empirical element, and which reflect the self-consciousness of the social group(s) involved; and an organizational behavioural element, that is the set of individual

⁴Prebendalism used by Richard Joseph (1987: 8) describes Nigerian politics under the Second Republic (1979-1983).

interactions, institutions, and organizations, such as political parties, which develop as part of the cleavage.

Cleavage also refers to “politically effective conflict configurations institutionalised in the social structure” (Mehler, 2007: 195). Cleavages in societies can take the form of class, gender, and religion, and may be ethnic, racial or colour-based. These occur in societies with ethno-religious and cultural diversities. In emerging democracies, especially that of Africa, parties do not represent a specific policy thrust nor are they organised on the perspectives of popular demand, but instead appear and disappear during elections with the same features and appeals (Van de Walle, 2007: 61). Similarly, these parties scarcely deliberate national issues since they are short of clear-cut ideology delineation. Such party organisation excites rigid competition and further precludes co-operative relationships among themselves and threatens the overall stability of the political system (Reilly, 2008: 178). Due to ethnic and clientelist politics, it is very difficult for programme-based political parties to emerge (Van de Walle, 2007: 67; Reilly, 2008: 178). The expansion of a dominant party system in which political power is personalised has led to the narrowing down political space available for fair competition (Fortman, 2000: 83). When this happens, opposition parties may take the path of violence (Laakso, 2007: 227-28). However, according to Høglund, political power becomes highly important to the “patrons” and he/she has cadres of followers, who have an interest in keeping the person in power, even by means of violence.

2.2.3 Culture of impunity

Culture implies the ethos, norms and values held to be sacred and praiseworthy. It symbolises necessary components of a people and their belief system as it affects their perfection of truth. It relates to values or attitudes which make possible or even stimulate the use of violence in relation to another person (Steenkamp, 2005: 254). On the one hand, impunity works against the culture and represents a state of affairs where an evil against the law of a society is not penalized. Masitera (2011: 102) describes impunity as ‘the failure to uphold justice, and obligation of state to deal with violation of people’s rights’. Similarly, the United Nations Commission on Human Rights (UNCHR, 2005: 5) describes impunity as “impossibility, *de jure* or *de facto*, to bring perpetrators of violations to account for their criminal, civil, administrative or disciplinary

proceedings - since they are not subject to any inquiry that might lead to their being accused, arrested, tried and, found guilty, sentenced to appropriate penalties, and to making reparations to their victims”.

Opotow (2001: 149) sees impunity as exemption of those who commit unlawful acts from accountability and legal punishment. As Crocker (cited in Opotow, 2001: 150) argues, in societies experiencing a culture of impunity, “government officials, the police and military, and ordinary citizens break the law without resort to punishment, for there is a mutual understanding that each person will be silent about the other’s abuses as long as the favour is returned.” Despite prosecution of offenders in society aimed to promote morality in political systems, impunity works in an opposing trend and exists in relation to individuals not being prosecuted and government itself not putting restrictions on its excessive activities, acting in a manner that suggests that no injury the political system has occurred (Masitera, 2011: 113).

Impunity has become a major explanatory reason for electoral violence in democratic societies. It therefore means that people in society have come to believe they can do whatever they want with “exemption from punishment, harm or recrimination” (Rooney, 1999: 12) during election. The consequences of people acting without fear of being punished are attributed to various cases of electoral violence in many democracies. As relates to electoral democracy, a culture of impunity negates holding onto the integrity of democratic standards, non-persecution of persons associated with various dimensions of electoral violence, human rights abuses, and crimes against the state by citizens or persons in leadership purposely and enthusiastically. Thus, the recurring theme of a culture of impunity in all cases of electoral violence and in an overwhelming majority of politically-motivated cases of violence has not resulted in the persecutions of electoral offenders (Onwudiwe and Berwind-Dart, 2010: 7).

The Culture of impunity grows out of a number of factors ranging from a dysfunctional judicial system, and weak, corrupt and politicised security forces vulnerable to manipulation by elite, as these institutions provide no effective tools of social control. Also, perpetrators of electoral violence are not persecuted, because the political parties - both incumbent and opposition - fear to lose their support base (Damn, 2003: 2). The security apparatus of the state such as the police and armed forces in such societies violate human rights at all levels of governance without

reprisal from the political leadership (Hoglund, 2009: 421). Similarly, government institutions at national and local levels in these societies are mostly unaccountable, not transparent, politically partial, and financially unstable (Jarstad, 2008: 28). When this happens actors in the electoral process are not afraid to perpetrate electoral crimes and thus trigger electoral violence.

While the above explains the conditioning or enabling factors leading to electoral violence, the actual violence is often triggered by the actors, mainly individuals or parties that seek to perpetuate their hold onto power. It is also triggered by the armed security forces (police) who take no action against those actors prone to violence.

2.3 NATURE OF ELECTIONS

The nature of elections basically refers to political mobilisation and competition in the electoral process and is identified where the conditioning and triggering factors of electoral violence can be found. There are a range of potential explanations for electoral violence. This relates to the nature of actors that compete in the election as well as the stakes of electoral competition. These clusters or explanations include: competitiveness, political mobilisation, close races, stakes of electoral competition, and exposure to attacks.

2.3.1 Competitiveness

In terms of competitiveness and political mobilisation, it should be noted that competition is inherent in men, and perhaps in animals, and may breed hatred and jealousy. The fact that elections always produce a winner and a loser, with the victor eligible to implement the policy of the state which could hurt the interests of the loser within or outside institutional limits, is bound to intensify competition in a patrimonial order, and this might involve the exclusion from state resources and benefits. This induces the fear of defeat at the ballot box. Consequently, the competing parties use all available means to ensure electoral victory, including employing illegitimate means to alter results and the use of force to claim victory.

2.3.2 Political mobilisation

Elections therefore involve a struggle of political power and resources, which includes a return to power or anointing of a successor. To achieve this, individuals, groups and parties have to mobilise large sections of the society to gain victory and this engenders divisions and conflict (Jarstad, 2008: 29). In the process of political mobilisation, social differences are highlighted by candidates and parties during campaigns and this escalates the animosity between the competing parties and candidates and their supporters (Sisk, 2008: 2). This is worsened by reference to elections as campaigns in which strategies and tactics are used to ensure success, and supporters are referred to as cadres and areas of supporters as strongholds or “citadels” (Rapoport and Weinberg, 2001: 31). The use of common military metaphors such as ‘capture’, ‘defeat’ and ‘takeover’ in electoral campaigns often polarise society and tend to lead to the outbreak of violence (Sisk 2009: 200).

2.3.3 Close races

Generally, in liberal democratic theory, the consent to rule a sovereign society emanates from the governed, and the machinery through which this consent is translated to governmental authority is the regular conduct of elections. Thus, elections have today become a vital component to legitimize and delegitimize leaderships in all climes, including countries on the African continent. Since holding public office is considered an important means of exerting substantial influence to secure benefits from other spheres, politicians may resort to electoral violence. Similarly, on the African continent, political power is considered a major priority because those who hold it also have a significant control over a variety of other social goods (Fortman, 2000: 76). Thus, electoral violence “erupts particularly in situations in which elections offer a genuine possibility of changing existing power relations” (Fortman, 1999: 76). In other words, electoral contexts with close margins of victory create higher level of uncertainty about the final outcome, and may eventually lead to the outbreak of violence. It has also been observed that politicians with “close races” have strong incentives to foment violence. For instance, inflammatory statements and issues such as ethnicity, religion and land are used by both the opponents and incumbent to solidify support or intimidate their opponents (Hoglund, 2009: 421). While opposition groups employ violence to express their grievances over the electoral process or outcomes, the ruling party may take arbitrary and suppressive measures against their political opponents due to deep-seated fears of losing political power (Mehler, 2007: 204; Laakso: 230).

2.3.4 Stakes of electoral competition

Viewing elections in terms of stakes implies the benefits and costs of inclusion and exclusion from political power in a particular context and period (Hoglund, 2009: 422; Hoglund *et al.*, 2009: 544). In emerging democracies, stakes have been high as a result of the ‘winner takes all system’ in societies that use the “First Past the Post (FPTP) model” of electoral system. Under this model, losing an election means an end to participating in the sharing of national resources given the limited employment opportunities outside of government. Winning an election and occupying state power is of greater benefit to those who gain power and of greater cost for those who lose. The expectation of victory or threat and risk of loss of a state office, for instance, has become the key to livelihood not just for an individual, but for an entire party, clan, faction, or

even ethnic group, constituting stakes of elections in developing countries (Hoglund *et al.*, 2009: 544).

Worldwide, stakes of electoral competition have separated politics along several cleavages with the control of the state leading to reinforcement of class divisions. Hoglund *et al.* (2009: 544) posits that the existence and perpetuation of power overlaps between control of the state, economic opportunity, and identity politics - 'horizontal inequalities' - as strongly contributing to the likelihood of violent encounters. The stakes of competition at the national (presidential and parliament) level appear to be different from regional or local levels. It can lead to intimidation of voters through violent means at individual level and the control of media and civil society or social institutions that influence vote opinions at the national level (Damm, 2003: 3).

For instance, those who hold political offices enjoy greater control over various economic resources and public services and distribute both to clients in return for political support (Sisk, 2008: 9). As Laakso (2007: 229) argues, poverty and discrimination by incumbent parties can serve as supplementary factors that encourage some groups, particularly opposition parties, to demonstrate at post-election periods. This is because elected positions are considered by politicians as opportunities to engage in economic crimes and offer immunity from prosecution (Collier, 2009: 27).

The triggering factors for electoral violence under the electoral system are of course militant mobilisation of supporters during political campaigns, but above all the close race between the candidates. Elections that are likely to produce a narrow defeat or victory margins can generate greater level of uncertainty and ultimately may lead to the eruption of violence (Sisk, 2008: 9). Incumbent parties often tolerate opposition parties as long as they are assured of a comfortable win at the next elections. Once their dominant position is threatened in an electoral context by another political group, electoral violence may be used to maintain their supremacy (Jarstad 2008: 29-30) since there is a great reluctance to relinquish political power.

This reluctance is greater in politicians who have committed political and economic crimes. They often use their positions in government to keep themselves in power. Their reluctance to relinquish power may be based on fear of legal prosecution by opposition political parties for abuse of powers (Laakso, 2007: 230). Similarly, opposition parties and leaders that have suffered

sustained injustices in a particular regime may consider violence as an option to achieve their political goals with the assurance that they have nothing to lose from their particular political competition (Sisk, 2008: 10; Jarstad, 2008: 29-30).

Violence turns out to be unavoidable, especially where there is the likelihood to change the prevailing political arrangement (Fortman, 2000: 76; EISA, 2010: 3). As Mehler (2007: 204) and Laakso (2007: 230) note, while opposition groups engage in violence to register their grievances over the electoral procedures, the ruling elites consider them as bad losers and employ suppressive measures against them due to deep-seated fears of losing political power. Such problems become more prevalent in times of competitive multi-party elections and impede efforts to promote respect for human right and entrench democratic governance in these societies.

2.3.5 Exposure to attacks

As previously stated, elections create both winners and losers. The threat of defeat implies that a group in power or on alternative list (opposition) runs the risk of losing its dominant position. Since so much is at stake, there are incentives for political actors to influence the electoral process by eliminating opponents through intimidation and violence. Rapoport and Weinberg (2001: 19) note that during an election campaign, the party candidates must appear in public, which also increases the exposure to attacks. A fair number of politicians have lost their lives during campaigns and elections.

2.4 ELECTORAL INSTITUTIONS

According to Høglund (2009: 422), electoral institutions can also act as conditioning factors for electoral violence. Covered under electoral institutions are: electoral systems, electoral management, electoral missions and electoral regulations. These institutions are discussed in the next sections.

2.4.1 Electoral systems

The electoral system has been defined by Jacob and Idris (2010: 167) as a set of rules and procedures designed to guide elections in the choice of leaders and policies through which votes are translated into seats. This is supported by Mohammed who sees an electoral system as architecture of rules and procedures explicitly defining how a society is politically organized, drawing boundaries of interaction, eligibility and freedom of participant, and the roles of state institutions in the electoral process (Mohammed, 2013: 570). The International Institute for Democracy and Electoral Assistance (IDEA, 2002: 7) looks at the electoral system as a mechanism that translates votes cast in a general election into seats won by parties and candidates. The key variables of these explanations are the electoral formula used to calculate the seat allocations. The type of electoral system a country adopts depends on the depth of the divisions in the political community, the prevailing culture, as well as political history. It is important for a country to choose an appropriate electoral system. Essentially, electoral systems represent how votes cast are converted into seats won by parties to form executive or parliamentary positions (Reynolds and Sisk, 1998: 19; Reilly and Reynolds; 2000: 425).

There are generally three categories of electoral systems to choose from, namely the plurality-majority system (PM), the proportional representation (PR) system, and semi proportional (Reilly, 2008: 172). The plurality-majority (PM) system is where a candidate or a party with a majority of votes becomes the winner and takes decision-making power on behalf of the entire public (Sisk, 2009: 202). Proportional representation is a system where candidates compete for a prearranged number of seats, and political parties share the total votes cast and decision-making powers equivalently (Sisk, 2009: 202, McGee, 2008: 5). This system uses larger and multi-member districts and gives more emphasis to PR (Reilly, 2008: 173). The open and closed party list PR, mixed member and single transferable vote are sub-types of the proportional system (Reilly 2008: 173). The semi proportional system is a system which integrates components of both plurality-majority and proportional systems (Reilly, 2008: 173; McGee, 2008: 6). When applied, it creates a parliament in which part of the elected members come from electoral districts that used PR and part from those that used PM (Reilly, 2008: 173). Such mixed systems are designed with the aim of bringing a more legitimate and inclusive election outcome and

power distribution, and are thus as a remedy for the pitfalls of the other two mentioned systems (McGee, 2008: 6).

Under proportional representation, voters vote for a party. Using a specific threshold on votes received by a party (for example 0.5% of total votes received in South Africa), parties are allocated seats in equal proportion to their electoral strengths (Ames, 1995: 423). The aim of proportional representation is to attempt the selection of a political assembly that is a reflection of the shades of political opinion in society as a whole (Monroe, 1995: 931). Proportional systems emphasize the inclusion of all voices in a particular country, especially minority voices, in a representative institution (Norris, 1997: 299). Although the proportional representation system (PR) has multiple variants, in its purest form the system uses what is called closed party list system.

Under the open party list of proportional representation, the whole country is considered as one single constituency for the election, and hence there is no need for the delimitation of constituency boundaries. Rather than being a constituency-based system, it is instead an opinion-based electoral system. An Opinion-based electoral system refers to where a voter's choice is not geographically bound or confined to electoral zones, but is rather driven by their opinions regarding the ideologies and manifestos of contesting parties (Matlosa, 2000: 11). Under this arrangement, candidates do not contest in elections as individuals, but as party candidates appearing on the prepared list. This means that those elected are accountable to the party and subject to the dictates of the party leadership rather than to voters (Reynolds and Sisk, 1999: 5). On the African continent, Morocco, Algeria, Western Sahara, Niger, Burkina Faso, Sierra Leone, Liberia, Guinea-Bissau, Benin, Equatorial Guinea, Rwanda, Burundi, Angola, Mozambique, Namibia, and South Africa use the open party list system of PR (Reynolds, *et al.*, 2005: 29; Matlosa, 2000: 11).

Under the majoritarian system, commonly known as the First-Past-the-Post (FPTP) system,⁵ it is the candidate who gains more votes, even without an absolute majority, who wins the elections.

⁵ The term "First-Past-the-Post" was coined as an analogy to horse racing where the winner of the race is the first to pass a particular point or post on the track (in this case the plurality of votes) after which all other competitors automatically and completely lose the race.

This system applies to small and single-member electoral districts and provides more importance to local representation (Reilly, 2008: 173). The system is also known as winner “winner- takes-all-system” in which one encounters sub-types such as the round off, block, and alternative vote (Reilly, 2008: 173). This system offers a direct link between the representative and the electorate, thus promoting accountability (Barkan, 1995: 109). According to Bogaards (2009: 220), the majoritarian system is associated with constituency-based electoral systems in which individuals compete for electoral support. Voters therefore vote for individuals and the expectation is that these would be accountable to the electorate. The system is furthermore easy to use and understand (Matlosa, 2002: 5). A valid vote requires only one mark alongside the name or symbol of one candidate on the voting ballot (Reynolds, *et al.*, 2005: 29). This system allows voters to choose between people rather than parties. Voters can assess the performance of individual candidates rather than just having to accept a list of candidates presented by a party, as can happen under some party list PR electoral systems (Milner, 2004:12). Furthermore, FPTP systems are particularly praised for being simple to use and understand. This situation, however, leads to the all-pervasive problem of “wasted votes” whereby a considerable proportion of votes do not form part of the calculation for the election outcome (Matlosa, 2002: 5).

To date, the pure FPTP system is primarily used in the United Kingdom (UK) and those countries historically influenced by Britain (Lijphart, 1994: 10). In Africa, 15 countries, mostly former British colonies, use FPTP in parliamentary elections (Matlosa, 2002: 5). These countries are Botswana, the DRC, Malawi, Tanzania, Swaziland, Zambia, Zimbabwe, Madagascar, Kenya, Uganda, Northern Sudan, Ethiopia, Nigeria, Ghana, and Cote d’Ivoire.

The design of the electoral system has become an important condition for electoral violence since the design has potential for influencing political behaviour; rewarding particular behaviour and placing constraints on others in a political system (Reilly, 2007: 127). It is suggested that deciding an appropriate electoral system in ethnically and divided societies requires making compromises amongst different and contending normative ends. These are representation, accountability, inclusiveness and accessibility, stability of government, development of the party system, and the ability to engender reconciliation (Reynolds and Sisk, 1998: 21-22). Electoral systems designed without adequate consideration for these ends often become ineffective

instruments for promoting democracy and instead becomes instruments of electoral violence (Reynolds and Sisk, 1998: 21; Mozaffar, 1998: 84, 91). Moreover, contextual factors such as the historical process that brought about the electoral systems, the nature of existing societal cleavages, and the nature of present political system require greater importance while evaluating the applicability of any electoral system for multi-cultural and divided societies (Reilly and Reynolds, 2000: 429) and its effect on conflict dynamics (Sisk, 2008: 13). For instance, electoral systems that are deliberately chosen by powerful groups in post-war transitional periods (for example, constitution-making or peace process) in order to maximize political benefits poses serious questions regarding the legitimacy of the system and hinders the democratic progress and political stability of these societies in the long-run (Reilly and Reynolds, 2000: 442, Sisk, 2008: 13).

The degree to which ethnicity is associated with the support given to political parties and the behaviour of the voting public usually determines the capacity of different electoral systems to either dispel or limit violence (Reilly and Reynolds, 2000: 429). Moreover, introducing “winner-take-all” (simple member plurality) electoral systems under contexts where ethnic-based political parties are predominant and the political arena is less tolerant of opposing views contributes to the persistence of exclusionary and zero-sum politics (Reilly and Reynolds, 2000: 435; Reynolds and Sisk, 1998: 24). In the case of Africa where neo-patrimonial politics is prominent, plural majority systems performed much less in terms of ensuring representation, accountability, inclusiveness, party development, and political stability than proportional representation systems (Lindberg, 2005: 61-62). Therefore, the use of an electoral system that facilitates a “zero-sum game” makes the risk of electoral conflict and violence high in the continent (EISA, 2010: 4).

2.4.2 Electoral management body

Due to the professional expertise required for successful an election, an institution or set of institutions are needed to manage electoral activities. These bodies have variety of shapes and sizes, with wide range of titles to match. They are named “Electoral Commissions”, “Department of Elections”, “Electoral Councils”, “Electoral Units”, or “Electoral Boards”. Whether elections are directed by an autonomous body or not, election management bodies remain a key element of any state as they “deal directly with the organization of elections and indirectly with governance

and the rule of law” (Lopez-Pintor, 2000: 13). Thus, an EMB is an organization or body which has the sole purpose of, and is legally responsible for, managing some or all of the elements that are essential for the conduct of elections and of direct democracy instruments, such as referendums (IFES, 2007: 16). The vital components of an EMB include: determining who is eligible to vote; receiving and validating the nominations of electoral participants (for elections, political parties and/or candidates); conducting polling; counting of votes; tabulating the votes; and in many instances announcing the results.

According to Hoglund (2009: 422), electoral administration can also encourage or discourage electoral violence. Electoral management can influence violence since issues relating to impartiality, independence, efficiency, professionalism, and transparency are particularly important in the context of suspicion and mistrust that characterise elections (Lyons, 2005: 111). Sisk (2008: 16) notes that the structure, competence and neutrality of an electoral institution may determine the ability of an electoral body to conduct credible elections or not. These attributes are important for the possibility of political instability, including electoral violence, expressly when such elections are conducted under circumstances of suspicion (Pastor, 1999: 5; Sisk, 2008: 16). Political bias, lack of accountability, and inadequate finances of public institutions, lack of neutrality, independence and the competence of election administrative institutions play an important part in creating such circumstances. Electoral administration can be “partial-partisan” and “independent non-partisan”, and this can be influential in enabling the conditions for election-related violence (Lopez-Pintor, 2005: 22; Hoglund, 2009: 422). These models of are discussed in the next sections.

2.4.3 Models for electoral management

Generally, the powers and functions of an electoral body are influenced by many factors. Important among these factors is the negotiation processes among political forces, within the country or beyond, which paved the way for the EMB’s establishment. Other specific political, administrative and geopolitical influences include, but are not necessarily limited to, the structure of the state (e.g. unitary or federal, presidential or parliamentary), demographics, the electoral system (e.g. single- or multi-member electoral districts), and the existence of other electoral service providers (Wall *et al.*, 2006: 7). The historical interaction of these factors in a country

has resulted to three types of electoral management bodies. These are the independent model, government model, and the mixed model.

a. Independent model

According to Lopez-Pintor (2000: 20), the independent model of electoral exists in countries where elections are organized and managed by an EMB, institutionally independent and autonomous from the executive branch of government, including its budget. Under an Independent Model, an EMB is not accountable to a government ministry or department. It may, however, be accountable to the legislature, the judiciary, or the head of state. Such bodies are often composed of members who are outside the executive while in the EMB office. In some countries, two bodies are established for the management of elections, both of which are independent EMBs. One of these bodies may be responsible for policy decisions relating to the electoral process, and the other being responsible for conducting and implementing the electoral process. Provisions may also exist which may protect the implementation of an EMB from interference in staffing and operational matters (Wall *et al.*, 2006: 7). Many new and emerging democracies have chosen the independent model of electoral management. Wall *et al.* (2006: 7) have specifically given examples of EMBs under the independent model to include: Armenia, Australia, Bosnia and Herzegovina, Burkina Faso, Canada, Costa Rica, Estonia, Georgia, India, Indonesia, Liberia, Mauritius, Poland, South Africa, Thailand and Uruguay. Provisions may exist which insulate the implementation of an EMB from interference by the policy an EMB employs in staffing and operation matters. Examples of this “double-independent” framework under the independent model include Jamaica, Romania, Suriname and Vanuatu (Wall *et al.*, 2006: 56).

b. Governmental model

The governmental model of an electoral management body exists in a number of countries where elections are organized and managed by the executive branch through a ministry (such as the ministry of the interior) and/or through local authorities. Where EMBs under the governmental model exist at national level, they are normally led by a cabinet minister or a civil servant answerable to a cabinet minister. With very few exceptions they have no ‘members’. The budgets of such EMBs fall within a government ministry and/or under local authorities. The

government model is used in Denmark, New Zealand, Singapore, Switzerland, Tunisia, the United Kingdom (for elections but not referendums), and the United States. In Switzerland, the United Kingdom and the United States, elections are implemented by local authorities. In Sweden and Switzerland the central EMB assumes a policy coordinating role (Lopez-Pintor, 2000: 25).

c. Mixed model

The mixed model of an electoral management body usually has two components and a dual structure; a policy, monitoring or supervisory EMB that is independent of the executive branch of government such as under the independent model, and an implementation EMB located within a department of state and/or local government like under the governmental model. Under the mixed model, elections are organized by the component governmental EMB, with some level of oversight provided by the component of the independent EMB. These principles are not limited to integrity and transparency, but also professionalism and efficiency. Countries using this model include: France, Japan, Spain, and many former French colonies such as Mali, Senegal and Togo (Wall *et al.*, 2006: 56; Lopez-Pintor, 2000: 25).

The critical element in all these models is the actual funding of these bodies. The efficiency of the EMB is in many instances dependent of the availability of adequate funds to carry out its functions. The needed funds are normally divided into three portions on the basis of the cost incurred. The three are costs; direct costs; diffuse or indirect costs, and integrity costs. Core or direct costs refers are those that are routinely associated with implementing an electoral process in a stable electoral environment. Diffuse or indirect cost refers to those costs relating to services that cannot be detached from the general budget of agencies that assist with the implementation of electoral process. Finally, integrity costs refers to those costs over and above the core or indirect costs that are required to provide safety, integrity, political neutrality, and a level playing field for an electoral process. The issue of integrity costs is enlightened by the International Development on Election assistance (IDEA) which notes that integrity costs are often sponsored by the donor agencies and may not be included in the budget of the EMB, even though they cover functions within the EMB's mandate (Wall *et al.*, 2006: 179).

The core project of IFES further revealed that core and diffuse costs tend to be higher in stable democracies than in emerging democracies. The reason for this imbalance is not limited to the fact that in stable democracies, progress towards democratic sustainability tends to lead to a decrease in integrity cost as well as core costs. Diffuse costs tend to be higher because electoral processes in these countries are more likely to be implemented by government EMBs under government or mixed model of election management. EMBs under the independent model are, however, more likely to have sole responsibility for electoral functions; and thus higher levels of readily identifiable direct cost and lower of diffuse cost than EMBs under government or mixed model (Wall *et al.*, 2006: 179).

It is important to point out, an election administration office within the government and an election administration office within a government ministry but supervised by a judicial body can be considered as partial partisan models of election administration in transitional elections. An independent election commission, staffed by experts and directly accountable to the parliament and a multiparty election commission composed of representatives of the political parties, can be considered as independent non-partisan models of election administration in such elections (Pastor, 1999: 12). Experience has shown that in many emerging countries, particularly in Africa, electoral management bodies are partial, dependent on existing leadership, and incompetent in handling election matters, which often results in violence (Mehler, 2007: 210). To overcome the problems of a lack of impartiality and dependence on the government of the day, it is wise to adopt the independent and professional model of election administration (Lopez-Pintor, 2005: 21). Nigeria has opted for the independent model which is discussed in the next section.

2.4.4 Elections monitoring and observation

While the presence of election monitoring may not reduce the level of violence, the deployment of election monitors in a country may safeguard free and fair conduct of elections, track election-related violence, and build the confidence of the voting public with regard to the overall electoral process (Lopez-Pintor, 2005: 25). Furthermore, the presence of election monitors and observers as important actors can raise confidence in the elections and can therefore minimise the scale of election violence (Hoglund, 2009: 422). International and domestic observer missions are

generally recognised as neutral and credible, as well as able to detect and help prevent manipulation, instil confidence in the results, and bring international pressure to bear to achieve their acceptance. They can deploy large numbers of people with intimate knowledge to similarly detect and deter manipulation. They provide transparency and a means of mapping and tracking incidents to dissuade perpetrators and hold them accountable (Fischer, 2002: 31). Others are human rights groups which are concerned with methodologies aimed to record incidents of election violence and may document facts such as motives, victims, perpetrators, responses, and impacts of violence. Monitoring is done with the hope to present findings to electoral commissions, government agencies, security forces, media, and other stakeholders to help craft responses that would prevent or mitigate further violence (Fischer 2002: 31).

2.4.5 Regulations on the conduct of elections

Hoglund (2009: 422) notes that electoral competition regulations are important in crafting or reducing violence in both transitional and conflict societies. These rules can be classified into two different categories: rules of electoral competition and rules of electoral governance (Mozzafar and Schedler, 2002: 93). According to Mozzafar and Schedler (2002: 94), the rules of electoral competition contains electoral formulas, district magnitude and boundaries, assembly size, and are generally referred to as electoral systems. The rules of electoral governance, on the other hand, refer to the party system, nomination and eligibility of candidates, qualification for voter registration, balloting and counting, collating and reporting procedures, election observing/monitoring and arbitration procedures. In most countries, while the former rules are contained in the country's constitution, the latter rules are contained in the electoral acts that are enacted by parliament.

Reynolds and Sisk (1998: 27) maintain that these rules are very strategic as they offer the code of conduct and operational incentives for both conflict and resolution mechanisms for those involved in an election contest. The regulations are also crucial as a vehicle, whether electoral practices of a particular administration is democratic or dictatorial. Such practices include, for instance, the respect of political rights and freedoms of others, and the freeness and fairness of the elections by political parties (Ndulo, 2010: 168). The triggering factors for electoral violence,

however, lie in the political usage of the electoral administration, the actual practice of electoral fraud, and the unwanted and unexpected outcome of elections (Hoglund, 2009: 423).

It is the above framework that is used in understanding the pervasiveness of electoral violence in the 2003 and 2007 elections in Nigeria. In chapter three, an analysis of the nature of politics is undertaken with special focus on the pre-1999 period.

2.4.6 Political Parties

Political parties are identified the world over as central to democratic elections. Electoral positions are contested under the platforms of political parties. Political parties play a very important role in democratic political systems. Political parties are thus “indispensable institutions of democracy and democratic societies” (Omotola 2010b: 125). Parties perform numerous functions in a political system, although they are defined by a central function; that is, the filling of political offices and wielding of government powers. A political party comprises of people organized for the purpose of winning power through nominating and legally electing candidates to public offices in order to influence and/or control the personnel and policy of government. Essentially, parties are a means of organizing the people so that they can select from among themselves an elite group which will control the process of public decision-making on their behalf. Parties function to articulate the needs of the electorate and collate or aggregate these needs and when they are in power, and develop and execute policies which reflect these elements (Randall and Svansand, 2002: 36). In emerging democracies, parties are important to make government accountable for its actions; habituate the public to democratic norms and practices; articulate and aggregate interests; recruit, nominate and socialize political leadership; and form and sustain governments (Huntington, 1991: 18).

According to Moore (2002: 129), parties discharge their responsibilities at three levels in any political system. These are electorate-related functions, which entails political representation, expression of people’s demand through articulation, and most importantly the aggregation, simplification and structuring of election choice through the integration of voters into the system by way of political education and mobilization. There are also government-related functions, by which parties make government accountable by effectively implementing party policies and

exercising control over government administration. Lastly another function is linkage-related, which involves parties acting as a go-between the government and the people. This is discharged by the aggregating and channelling of public interests, as well as the recruiting and training of political leaders.

From the above definitions, relevance and functions, it is difficult for democracy to exist without political parties. This is because parties have now become the only platform on which individuals seek to sustain the notion of democracy. It is the idea that has made political parties relevant in a democracy. It is to be noted that strong parties and party systems are the key requirement of strong democracies, not only because they shape representation but also because the stability of political leadership pertains to party activities, whether in the electoral or the legislative arenas (Moore, 2002: 129). Thus, political parties can perform their functions effectively when they are entrenched in the political system. By this it means the structure, internal democracy, cohesion and discipline, and notably the autonomy to select leaders without interference or “informal patronage networks” (Egwu *et al.*, 2009: 122). It is with the above in mind that one should discuss the role of political parties in Nigeria. To understand this current roles and how they contribute to electoral violence one has to take an historical view of the emergence and sustenance of political parties. This takes us back first to the independence parties of the 1960s.

2.5 CONCLUSION

This chapter has presented the theoretical framework with which one can understand electoral violence in the study. An understanding of electoral violence is based on the nature of politics, the nature of elections, and electoral institutions. These clusters have both the conditioning and triggering factors. Under the nature of politics, identical concepts, which include patrimonial, neo-patrimonial, prebendalism and clientelism, were discussed in order to explain what they are set up to achieve. Discussed also under the nature of politics are conflict cleavages and culture of violence and impunity. Under the nature of elections, subjects such as competitiveness and political mobilisation, close competition and stakes of electoral competition were discussed.

Electoral systems, electoral administration, and election monitoring are discussed under the electoral institutions.

Although the three elements can help one to understand electoral violence in a given country such as Nigeria, however, a broad understanding of electoral violence would be possible when one understands the political history of Nigeria. It is for this reason that the ensuing chapter focus on the political and constitutional development as well as emerging features of post-independent Nigeria.

CHAPTER THREE: THE NATURE AND CHARACTERISTICS OF POST-INDEPENDENCE NIGERIAN POLITICS

3.1 INTRODUCTION

In order to understand the link between electoral violence and the nature of politics in Nigeria, one needs to have a clear view of post-independence Nigeria, which has been influenced by how modern Nigeria was created. This necessitates a brief look at the process of amalgamation of the Southern and Northern protectorates in 1914, the subsequent creation of a semi-autonomous federal system in 1946, and, lastly, independence in 1960. The democratic republic created in 1960 was cut short by military intervention in 1966 which extended up to 1979 when another democratic interlude was allowed (1979-1983). This was followed by another long military rule (1983-1999). In 1999, the military again transferred power to the civilians. This was followed by electoral violence in the 2003 and the 2007 elections. The violence did not, however, lead to another military takeover.

3.2 THE CREATION OF A SEMI-AUTONOMOUS FEDERAL SYSTEM IN NIGERIA (1914-1960)

The political entity known today as Nigeria is a product of British colonialism. It emerged as a result of the amalgamation of the Southern and Northern protectorates by Lord Lugard and the introduction of the Lugardian Constitution of 1914 (Mabongunje, 2014: 934). These two protectorates originally contained a multiplicity of ethno-cultural and state, systems, empires, kingdoms, chiefdoms, city-states, villages, and caliphates. Although there is no official tabulation of the size of ethnic groups in the country, there are 400 different languages in Nigeria (Anaita and Haruna, 1997: 149). This rough estimate is derived from reports on Nigeria's population, with each group identified by a distinctive political system with a few hundred people in large compact villages where kinship and dialect dominate political and social life (ERC, 2008: 81). Among various elements of pre-colonial societies in Nigeria, language appears to be the most significant. While language and family connections bind these societies together, emphasis was placed on leadership, performance and achievement. Elective principles are weak or perhaps non-existent. Although politically, socially and economically, ethnic groups in

Nigeria are differentiated, it is however important to point out that these groups had strong connections among themselves prior to colonial rule.

Pre-colonial Nigerian societies are classified into two categories: “mega” and “mini” states (Olukoju, 1997: 13). Mega states refer to empires and kingdoms established by communities before the advent of colonial rule. These include: Hausa and Kanuri of the North-West and North-East, Nupe of the North-central and Yoruba and Beni in South-West and Southern regions. Mini states refer to groups without established political structures at the time of the arrival of the colonialists. Igbo of the South-East (apart from Onitsha and Aboh), Tiv and Gwari of the North-central, and Ibibio and Ijaw of South are included in this category (Olukoju, 1997: 13).

Initially, the Northern and the Southern protectorates were administered separately. This did not really change when the two protectorates were amalgamated in 1914 by Lugard as each remained virtually independent of the other (Jinadu, 2002: 13). The first attempt to bring the two together started with Sir Hugh Clifford, who replaced Lugard. This was through the introduction of the Clifford Constitution in 1922. It created a Legislative Council made of 46 members, 27 of whom were official members and 19 unofficial members. Official members included the Governor, members of the Executive Council, first class residents, as well as political secretaries of the Northern and the Southern protectorates as officials. Of the unofficial members, fifteen were nominated by the Governor and the four were elected from the Lagos colony and Western protectorate (ERC, 2008: 81-82). These included seven Europeans representing various interests from the chamber of commerce, shipping, banking and mining, and six indigenous Nigerians that included two emirs from the North, the Alaafin of Oyo, and one member each from Lagos, Calabar, and Binin-Warri (ERC, 2008: 82). The Council, however, had only an advisory role and met once a year to listen to the Governor General’s broadcast on Nigeria’s affairs. Laws for the Lagos colony and Southern protectorate were made by this council, while the Governor General continued to legislate for the Northern protectorate through proclamations.

An important element introduced by the 1922 constitution was the elective principle. Though of limited franchise, this was the first time Nigerians were given the opportunity to elect their representatives. Franchise to be elected was based on adult male suffrage (21 years old),

residential qualification of at least one year, and a gross income of 100 pounds sterling per annum for Lagos and 20 pounds sterling per annum for Calabar (ERC, 2008: 82). While the Clifford constitution of 1922 can be commended for its elective principle, it still maintained the separation between the North and the South. The north did not undertake any elections.

The end of the Second World War (WWII) coincided with a growing struggle for independence and self-determination, with Nigerian nationalists calling for a new constitution. On March 6 1945, Governor Sir Arthur Richards presented proposals for a new constitution. This was adopted in 1946 and came to be known as the “Richards Constitution”. The new constitution provided a platform for “unity in diversity” within separate regions and legislatures. It created a National Legislative Council known as the House of Representatives. The House had 45 members, 28 of whom were Nigerians (four of the 28 were elected and the remaining 24 nominated). It also established three regional assemblies. Although members of the regional assemblies were nominated, they constituted an electoral college for election of members to the central legislature (House of Representatives). The eastern regional assembly was unicameral while the northern and western assemblies were bicameral, including the house of chiefs and the House of Assembly. The regional assemblies had no legislative powers but acted as advisory bodies to the governor, who was not bound to accept their recommendations (Mabongunje, 2014: 934). The division of Nigeria into three regions by the British in 1946 was aimed at granting self-rule to the three geo-political zones while leaving them in control of the centre. Richard’s constitution was rejected by Nigerian nationalists because of the unilateral manner in which its proposals were conceived and adopted. This in part led to the replacement of Richards by Macpherson as Governor General of Nigeria in 1948 (Mabongunje, 2014: 936).

The tripartite structure created under Richards’s constitution, however, was retained until 1951. On 9 January 1950 a Grand National Conference (GNC) was organised in Ibadan to discuss the draft of the new constitution (Ihonvbere and Shaw, 1998: 20-21). It was at this conference that delegates requested different levels of autonomy such as regional self-rule and the ‘Nigerianisation’ of the public service, leading to a quasi-federal arrangement. The new constitution, known as the Macpherson constitution, provided for a central legislature and central executive council. The legislative arm, known as the House of Representatives, consisted of the

president, six ex-officio members, 136 representative members elected from the regional Houses, and 6 special members appointed by the governor to represent interest and communities that were inadequately represented. The constitution also provided for regional legislatures and regional executives. In the North and the West, the regional legislatures remained bicameral (made up of two chambers known as House of Chiefs and the House of Assembly), but in the East there was only one chamber: the House of Assembly. It is important to note that the power of the central legislature was unlimited and it could legislate on any matter, including those on which the regions had power to legislate (Iyayi, 2004: 5). While direct election into the central legislature took place in the eastern and western regions, members in the northern legislature were nominated. The Macpherson constitution introduced a “quasi-federal” political structure with the following features:

- a. The separation of Lagos from the western region;
- b. The establishment of a federal government for Nigeria comprising three regions namely; north, east and west with the Governor General at the central government and three regional Governors;
- c. The selection of central government ministers from among members of the regional legislatures.
- d. The introduction of an exclusive list of responsibilities for both the federal and regional government;
- e. The regionalisation of the judiciary and of the public service through the establishment of regional public service commissions, in addition to the federal one.

The processes of constitution-making continued at the constitutional conference in London in 1953 and in Lagos in 1954. The end result was the 1954 Lyttleton Constitution, named after Sir Oliver Lyttleton. The Constitution established a Federal Council of Ministers comprising of the Governor-General and three ministers from each region, a Federal House of Representatives consisting 184 members (92 from the Northern Region, 42 each from Western and Eastern Regions, Six from Southern Cameroon, and two from Lagos). At the regional level, governors were replaced by premiers and elected assemblies as a move towards regional self-government. The East and West attained self-government in 1957 and the North in 1959. This was a period of

rapid changes with the nationalists demanding full independence. This was clear at the London Constitutional Conference in 1957 and in Lagos in 1958. These produced the 1959 Independence Constitution for Nigeria.

It was under the 1959 constitution that the 1959 general elections were held with the aim of creating a national federal government while still maintaining the same autonomous regions. Nigeria attained independence from Britain in October 1960 and became a republic in 1963. Part of the problems that Nigeria experienced post-independence stem from its failure to manage the relationship between the central government and the semi-autonomous regions. Undermining this relationship was the unequal size and population which translated to unequal representation at the centre, giving rise to various fears and uncertainties within and between the regions. Table 3.1 provides the size and 1959 population characteristics of the regions while Table 3.2 provides the allocation of national assembly seats by region and how the various parties performed in the 1959 elections.

Table 3.1: Characteristics of Nigeria's Federating Regions

Region	Territory		Population	
	Square kilometres	Percentage	Number	Percentage
Northern Region	729, 815	75.49	16, 845, 376	54.02
Eastern Region	119, 308	12.34	7, 974, 399	25.58
Western Region	117, 524	12.16	6, 087, 414	19.52
Lagos Colony	70	0.01	272, 304	0.87

Source: Adejuyigbe, 1989: 207.

Table 3.2: The results of 1959 General Elections

Parties	North		West		East		Total		
	Seats	Percentage	Seats	Percentage	Seats	Percentage	Votes	Seats	Percentage
NPC	134	77	-	-	-	-	1, 922,179	134	42.9
NCNC	-	-	23	35	58	80	2, 594,577	89	28.9
NEPU ¹	8	5	-	-	-	-	509, 050	8	2.5
AG	25	14	34	52	14	19	1, 992,364	73	23.4
Others ²	7	4	8	12	1	1	610,677	16	5.1
Total	174	100	65	100	73	100	7, 189,797	312	100

Source: Kurfi, 1983: 173

1. Northern Elements Progressive Union
2. These included: The United Middle Belt Congress (UMBC); the Benin Delta People's Party (BDPP), and the United National Independence Party (UNIP).

The federation was dominated by the Northern Region with 75 per cent of the land mass and 54 per cent of the population (Appendex 2A). The other two regions were almost equal in size with around 12 per cent of the land mass, even though the east had a slightly higher population at 25 per cent to the west's 19 per cent. Each region was dominated by a specific ethnic group: Hausa-Fulani in the North, Yoruba in the West, and Igbo in the East. The regional demographic disparities were translated into representation disparities at the federal legislative level. The North was allocated 174 seats, with the East having 73 seats and, the West 65 seats. This translated into northern dominance of the federal legislature which translated into northern control of the federal government. Another important feature of the time was the existence of dominant regional parties. The Northern People's Congress (NPC) dominating the north, winning 77 percent (134 out of 174), of the regional seats which in the final analysis translated into 42.9 per cent of the federal legislature, allowing it to form the independence government in 1960. It had no following in the rest of the country, however. The National Council of Nigeria and the Cameroons (NCNC) dominated the East taking 80 per cent of the seats (58 out of 73). It had some following in the west where it obtained 35 per cent of the seats (23 out of 65) but with no support in the north. The Action Group (AG) dominated the western region, obtaining 52 per cent of the votes that translated into 34 seats out of 65. It is only this party that had some form of national support, receiving 14 per cent of the votes in the north (25 seats) and 19 per cent in the East (14 seats) (Jinadu, 2002: 17). Alhaji Tafawa Belewa of the NPC became the Prime Minister in 1960, despite the fact that his party had received only 26.7 per cent of the total votes cast. The ethnic regional divide and unequal federal structure remained one of the major challenges that the post-colonial Nigerian state had to confront (Diamond, 1988: 57). This contributed to intense political rivalries for the control of the centre, including that of the regions. This rivalry was to play itself out over the issue of population in the Nigeria's first short-lived republic as discussed in the next section.

3.3 NIGERIA'S FIRST REPUBLIC 1960-1966

As previously stated Nigeria gained independence in October 1960 and became a Republic in October 1963. The elections in 1959 and the subsequent northern dominance of the federal government were based on the population size of the north. It was critical to all the political parties that a proper population census be carried out immediately after independence. The census results released in 1962 showed that the combined population of the west and the east regions was higher than the north. According to Diamond (1988: 133), figures received by the Eastern and Western regions indicate an increase over 70 per cent while the increase in the population of the North was just above 33 percent. This called for changes in the regional representations in favour of the two regions. The census results were rejected by the northern-controlled federal government which forced a recount in 1963. The final results came out just prior to the 1964 federal legislative elections. These indicated that the North had 55 per cent of the population and hence still deserved the same legislative seats, which meant continued control of the federal government. The census issue caused an alignment among the major political parties as they sought control of the federal government. The alignment was centered on:

1. The Nigerian National Alliance (NNA), which was under the control of the Northern People's Congress - the current government in power, supported by the Nigerian National Democratic Party (NNDP) and the Mid-west Democratic Front (MDF).
2. The United Progressive Grand Alliance (UPGA), which brought together the National Council of Nigeria and the Cameroons (NCNC), the remnants of the Action Group, the Northern Elements Progressive Union (NEPU), and the United Middle Belt Congress (UMBC) (Anifowose, 1982: 61). The NNA alliance used the Yoruba fears of the possible Igbo domination of the federal government to gain the western region's support, while the UPGA tried to gain the support of minority groups by proposing the creation of a sufficient number of states in each region so that none of the major ethnic groups could dominate (Iyayi, 2004: 7).

The campaign and actual conduct of the December 1964 elections were in many instances flawed. Ademoyega (1981: 19) notes the fact that 67 NPC candidates were declared elected unopposed before the elections. This was possible because the NPC government made it

impossible for opposition candidates, mostly from the UPGA, to file their nomination papers. When a call was made by the UPGA to postpone the elections, it was ignored by the federal government. The UPGA ensured that no elections took place in the eastern region. The effect of the boycott could be seen from the low number of actual voters. This went from 7,189,797 in 1959 to 5,761,481 in 1964. The NPC was thus able to retain control of the federal government as indicated by the 1964 election results in Table 3.3. The NPC obtained 37.6 percent of the votes and 162 seats whilst its ally, the NNDP, obtained 15.1 percent of the votes and 36 seats. The two together controlled 52.7 percent of the votes and 198 seats out of 312.

Table 3.3: The 1964 Federal Parliamentary Election Results

Parties	Votes	Percentage	Seats	+/-
Northern People's Congress	2,168,007	37.6	162	+28
National Council of Nigerian Citizens	1,640,700	28.5	83	+3
Nigerian National Democratic Party	870,833	15.1	36	New
Action Group	494,730	8.6	21	-52
Northern Progressive Front	258,913	4.5	4	New
Midwest Democratic Front	93,161	1.6	0	New
Dynamic Party	42,831	0.7	0	New
Republican Party	25,831	0.4	0	New
Social Workers and Farmers Party	20,347	0.4	0	New
Niger-Delta Congress	17,798	0.3	0	New
Independent Candidates	128,329	2.2	0	New
Total	5,761,481	100	312	-2

+/- = plus or minus

Source: African Election Database 2004 and modified by the author.

The manner in which the 1964 elections were conducted caused a great deal of resentment in the east and west regions of the federation against the NPC government. The situation became worse when, on the October 11 1965, the western regional government elections results were manipulated by the central government in favour of the NNDP. The extent of the manipulation was such that some Action Group (AG) candidates, who had been certified to have won the elections in their constituencies, were declared as defeated candidates by government news media (Ademoyega, 1981: 21-22). This caused consternation and was one of the triggers of the coup in January 1966, setting up for a long period of military rule.

3.4 THE MILITARY INTERLUDE 1966-1979

In January 1966, the government of the first republic under Tafawa Belewa was overthrown in a military coup by junior officers, mainly of Igbo extraction, led by Major Chukwuma Nzeogwu. The January 15, 1966 coup was a result of crises in some sections of the country, particularly in the Southwest and the Middle-Belt sections of the country. Though essentially localised, the political alliances between the active players in those crisis-ridden sections of the country and the men at the federal level inevitably translated the crisis into a national crisis. The argument advanced by these officers to intervene in politics was to end the political impasse, the electoral violence, and the breakdown of law and order (McCaskie, 1999: 799). The coup, however, was considered as an anti-north as nearly all the coup frontrunners were Igbo officers and all casualties (those that lost their lives), with notable exception of Colonel Arthur Unegbe were non-Igbos. That was against the fact that the majority of the coup planners were also Igbo. Most of the top-ranking army officers in Nigeria and frontline politicians from the northern region were killed in the coup. They include: Maimalari, the acting Chief of Staff at the Army Headquarters; Colonel Kur Mohammed, the Adjutant-General; Lt-Colonel James Pam; and the Commanding officer of the 4th battalion, Lt-Colonel Abogo Largema. The civilians killed in the process were Tafawa Belewa (Prime Minister), Ahmadu Bello (Premier Northern Region), Akintola (Premier Western Region) and Festus Okotie-Eboh (Federal Minister of Finance). The fact that Aguiyi Ironsi, the most senior army officer whom the coup leaders surrendered power to, was also Igbo gave credence to the allegation. As the new head of government, he ordered the arrest of the coup perpetrators, abolished the federal system, and promoted many northern army officers to sensitive positions. He thus appointed Lt-Colonel Yakubu Gowon to replace Colonel Kur Mohammed as the chief of staff army headquarters; Major Mohammed Shuwa was promoted to Lt-Colonel and appointed to replace Lt-Colonel Emeka Ojukwu as commander of the 5th Battalion in Kano; and Major Murtala Mohammed was also promoted to Lt-Colonel and appointed as the Inspector of Signals for the Nigerian Army. Ironsi further appointed his Aide De Camp (ADC) from the north.

This did not stop the anti-Igbo riots in the north and the killing of Igbo merchants. This was followed by a counter-coup in July 1966 organised by the northern troops which led to the death

of General Aguiyi Ironsi and the massacre of Igbo army officers in military barracks throughout Nigeria. Lt-Colonel Yakubu Gowon, a northerner who had been earlier promoted to Chief of Staff in September 1966, was requested to take over as head of state. This did not, however, reduce the anti-Igbo sentiments in the north. There were massive massacres of Igbos in the north resulting in nearly one million Igbos fleeing to the Eastern Region (Sklar, 1991: 160). This worsened relations between Gowon and Lt-Colonel Ojukwu, who had been appointed as military governor of the Eastern Region under Ironsi. Ojukwu refused to recognise Gowon as head of state, thus creating a rift between the eastern region and the federal government. Attempts by Ghana's National Liberation Council (NLC) mediate between the two parties in January 1967 failed. Internal attempts by the Supreme Military Council to reach a compromise with Ojukwu also failed to bring the two together. Then on 26 May 1967 Lt-Colonel Odumegwu Ojukwu, Governor of East-central state, met with members of his Igbo Consultative Assembly (ICA) and offered three stark alternatives: acceding to present and future proposals by the federal government, continuing with the deadlock, or opting for secession and autonomy (McCaskie, 1999: 799). The assembly opted for the third option, and the Eastern Region was declared as the independent sovereign state of Biafra. This plunged the country into a two and a half year bloody and protracted civil war. The civil war came to an end in January 1970, when the "Biafran" forces surrendered and Lt-Colonel Ojukwu went into exile. Most Biafrans died during this period as a result of starvation from the food blockade imposed by the federal government from the sea ports (McCaskie, 1999: 799).

Apart from successfully conducting the civil war against Biafra, Gowon is remembered for the dismantling of the four regions federal framework and replacing it with 12 new states in 1967 (Appendix 2B). The states created from the four regional structures were: Benue-Plateau, East-Central, Kano, Kwara, North-Central, Cross Rivers, North-East, North-West, Rivers, South-East, and West (Appendix 2C). In creating the twelve states, efforts were made to "balance" the North and South by giving each region six states, which is interpreted as the two initial protectorates that existed in the 1914 amalgamation. The creation of additional 12 states from the existing four regions in 1967 appears to be an attempt to foster unity in the country, to make the central authority stronger than the subordinate units, and avert conceivable secession threats of the Eastern region (Nwabueze, 1982: 7). Since then the states have been increased to 19 by Murtala

and Obasanjo in 1976, 30 in 1991 Babangida regime, and 36 in 1996 by Abacha (see Appendix 2D, 2E and 2F for the Changing State Structures in Nigeria 1960-1996).

General Gowon was overthrown in a bloodless coup on 29 July 1975 whilst attending an Organisation of African Unity (OAU) meeting in Uganda. He was forcibly retired from the army and allowed into exile. He was replaced by Murtala Ramat Muhammed, who served as federal commissioner for communications in Gowon's cabinet. The reason given for the coup was Gowon's delay in returning the country to civilian democratic rule, rising corruption in the hierarchy of the military and top brass of his cabinet ministers, and failure to manage the enormous wealth from by the oil boom (Osaghae, 1998: 78). It appears, however, that the coup plotters had personal motives and ambitions, as most of the organisers of the coup were middleranking officers that fought during the civil war and felt excluded from the corridors of power.⁶ The head of the police Special Branch at the time, Alhaji MD Yusuf, stressed this point when he noted:

Life in the barracks had become different and an unhealthy class structure was emerging. Those military officers who had secured public appointments and their military aides had taken to displaying affluent, ostentatious and flamboyant lifestyles. Such tendencies did not manifest in just these military political appointees themselves, but in their wives and other members of their families. They strutted through the barracks like lords and ladies of the manor, displaying unspeakable material wealth, flashy cars, foreign trips, latest fashion and general affluence. They quickly became the envy of their peers (Madiebo, 1980: 212).

On assumption of office he promised that his administration will not stay in office "a day longer than necessary". The regime unveiled a three-year programme and set a date for the return of Nigeria to democratic rule on October 1 1979. To commence the process he immediately instituted a constitution drafting committee consisting of two representatives from each state.

⁶Among the middle ranking officers were: Colonels Shehu Musa Yar' Adua, Ibrahim Taiwo, Abdullahi Mohammed, Ibrahim Babangida, Muhammadu Buhari, Paul Tarfa and Brigadiers Gibson Jola, Haruna, Iliya Bissala, Sani Bello, Muktar Mohammed, and Aduloju. Gowon's commander of Brigade of Guards, a unit responsible for his personal security, Colonel Joseph Garba, was among the plotters and was the one that read the coup speech.

These were appointed by the military state governors and were expected to produce a first draft of the constitution by September 1976 which was to be followed by the election of a constituent assembly in October 1977. This would then ratify the constitution by October 1978, after which the existing ban on political parties would be lifted and elections would take place leading to the inauguration of a new civilian government in October 1979. Multala Muhammed was assassinated in an abortive military coup led by Lt. Colonel Buka Sukar Dimka, the head of the army's physical training corps on July 13 1976. He was replaced by Lt. General Obasanjo, who was then the chief of staff, supreme headquarters.⁷

Obasanjo reassured Nigerians that his predecessor's programme for return to civilian rule would be adhered to. The new constitution was produced and promulgated by the Supreme Military Council (SMC) in September 1979. It adopted the presidential system of government with an executive presidency as well as the separation of powers between the three arms of government, namely the legislative, the executive, and the judiciary. The constitution called for a federal bi-cameral legislative assembly, consisting of the House of Representatives (HOR) with 449 members elected from the states on the basis of population size (a minimum of 10 and a maximum of 46 from each state), and a Senate, comprising of 95 members with five from each state.

The constitution also allowed the formation of political parties. Consequently, nineteen political associations applied for registration but only five were approved by the electoral body: the Federal Election Commission of Nigeria (FEDECO). These were: the Great Nigeria's People's Party (GNPP), the National Party of Nigeria (NPN), the People's Redemption Party (PRP), the National People's Party (NPP), and the Unity Party of Nigeria (UPN). Elections finally took place in July and August 1979. There was, however, a low voter turnout with only 35 per cent of the nearly 48 million registered voters in the presidential election. The National Party of Nigeria (NPN) candidate won with a total of 5.7 million votes and achieved the mandatory 25 percent of votes in 12 states. The constitution, however, required that a president in the first ballot must win 25 percent in 13 states out of 19 as provided by the 1979 constitution (FRN, 1979Constitution,

⁷ Obasanjo was also targeted in the Dimka's coup but escaped death due to a case of mistaken identity that saw the mutineer ambush and shoot the car of Colonel Ray Duneje, thinking it was Obasanjo.

Section 132, 167). The electoral body, FEDECO, however, ruled that two-thirds of 19 states controversy was $12^{2/3}$, and this formula reduced Shagari's required percentage of the vote in the vital 13th State from 25 per cent to 33.8 percent. Amidst strong protest from the UPN that came second in the presidential vote, the Supreme Court supported FEDECO, and on 1 October 1979 the NPN candidate, Shagari, was sworn in as the new civilian President. Table 3.4 provides presidential, senatorial and the House of Representatives election results of 1979, while Table 3.5 presents the results of the states won by various parties in the governorship contest.

Table 3.4: August 1979 Presidential, July 1979 Senate, House of Representatives election results

Party	President		Senate		Seats	Representatives		
	Votes	Percentage	Total votes	Percentage		Total Votes	Percentage	Seats
GNPP	1,686,489	10.0	1,834,199s	8.4	8	1,711,521	9.6	43
NPN	5,668,857	33.8	4,032,328	37.9	36	5,235,680	37.4	168
NPP	2,822,523	16.7	2,145,859	16.9	16	2,391,279	17.4	78
PRP	1,732,113	10.3	1,732,113	7.3	7	1,911,522	10.9	49
UPN	4,916,651	29.2	2,822,523	29.5	28	3,691,553	24.7	111
Total	16,846,633	100	12,567,022	100	95	14,941,555	100	449

Source: African Election Database 2004 and modified by the author.

Table 3.5: July 1979 State Governorship Election Results

Parties	States	Number of states won
GNPP	Borno, Gongola.	2
NPN	Bauchi, Benue, Cross River, Kwara, Niger, Sokoto, Rivers.	7
NPP	Anambra, Imo, Plateau.	3
PRP	Kaduna, Kano.	2
UPN	Bendel, Lagos, Ogun, Ondo, Oyo.	5

Source: Compiled by the author from field work.

One needs to note here some continuity between the old parties of the First Republic and the new parties in the Second Republic. The NPN, for example, inherited the mantle of the Northern People's Congress, although the NPN differed from the NPC in that it obtained significant support in the non-Igbo states of south-eastern Nigeria. UPN was the successor to the AG, with Awolowo as its head. Its support was almost entirely in the Yoruba states. The NPP was the

successor to the NCNC and was predominantly Igbo, with Azikiwe as its leader. An attempt to forge an alliance with Hausa-Fulani northern elements collapsed in the end, and a breakaway party with strong support in parts of the north emerged from the failed alliance. This northern party was known as the GNPP under the leadership of Waziri Ibrahim of Borno. Finally, the People's Redemption Party was the successor to the Northern Elements Progressive Union and had Aminu Kano as its head (Joseph, 1987: 101).

Just as the NPC dominated the First Republic, its successor, the NPN, dominated the Second Republic. Shagari won the presidency, defeating Awolowo in a close and controversial vote. The NPN also took 36 of 95 Senate seats, 165 of 449 House of Representatives seats, and won control of seven states (Sokoto, Niger, Bauchi, Benue, Cross River, Kwara and Rivers). The NPN lost the governorship of Kaduna State but secured control of the Kaduna legislature. The NPN failed to take Kano and lacked a majority in either the Senate or House of Representatives. It was forced to form a shaky coalition with the NPP, the successor of the NCNC and the old coalition partner of the NPC. The NPP took three states (Anambra, Imo and Plateau), 16 Senate seats, and 78 House of Representatives seats, so that, in combination with the NPN, the coalition had a majority in both the House of Representatives and the Senate. Nonetheless, the interests of the two parties were often in conflict, which forced the NPN to operate alone in most situations. Even though the presidential constitution was intended to create a stronger central government, the weakness of the coalition undermined effective central authority. The UPN came in with the second largest number of seats and effectively formed the official opposition, just as the Action Group had done in the First Republic. The UPN took five states (Lagos, Oyo, Ogun, Ondo and Bendel), 28 Senate seats, and 111 House seats. Awolowo continued as leader of the opposition at the centre. The Great Nigerian People's Party managed to win two states (Borno and Gongola), eight Senate seats, and 43 House of Representatives seats. The People's Redemption Party, which was the most radical of the parties, won Kano and the governorship of Kaduna, seven Senate seats, and 49 House of Representatives seats.

3.5 THE SECOND REPUBLIC (1979-1983)

The second republic only lasted for five years before it was overthrown by the military. The reasons for its overthrow have often focused on the fraudulent 1983 elections (Joseph, 1991:

171-182). There are, however, other factors that might have contributed to the downfall of the second republic. These are related to the adoption of the presidential model, the religious conquests, and the economic downturn. The presidential system came with increased executive powers. These included powers over fiscal appropriation and appointments of top government functionaries. This was to be counter checked by legislature oversight which had to ratify the appropriation bills and appointments (ministers and judges). The legislature also had the power to impeach the president on account of “gross misconduct in the performance of the functions of his office” (FRN, 1979 Constitution, Section 132, 170). This resulted in conflicts between the legislature and the president. The rivalry between the two houses of the national assembly, the House of Representatives and the Senate, led to delays and controversies in the passing of bills (Ademolekun, 1985: 5). This situation was made worse by the tensions between the party apparatuses, the legislative and the executive. This made the machinery of government very slow and cumbersome, and might account for the poor performance of the second republic.

The economic downturn that saw an 8.5 percent decline in GDP between 1981 and 1983 did not help matters. Not only did the consumer prices increase by 20 per cent over the period, but foreign currency reserves declined from N5.462b in 1980 to N798.5m Naira in 1983, which was barely enough to pay for one month’s worth of imports. At the same time, external debts rose from \$9b in 1980 to \$18b in 1983. This meant that the government could not carry out its original budgets, leading to general dissatisfaction.

The situation was further worsened by religious uprisings in the north; religious conflict and controversies were carried out in the name of *Sharia* in Kano in December 1980. The Muslim uprisings, popularly known as the Maitatsine riots, were instigated by members of the Muslim fundamentalist sect led by Mohammed Marwa, an Islamic scholar who had migrated to Kano from Northern Cameroon in 1945 (Tamuno, 1991:175). The Maitatsine riots, which spread to other cities of the north (Yola, Kaduna and Maiduguri) in 1982, were in part a result of a personality cult around Marwa, who had condemned Islamic practice based on the Quran and the teachings of prophet Mohammed, and convinced his followers that his version of Islam was the most genuine (Elaigwu, 1993: 14).

The Maitatsine riots also took a political dimension once Marwa mobilised his followers against the government to resist attempts by ‘infidels’ to suppress the sect. In the riots that followed, more than 5,000 lives were lost, including those of soldiers, police, and Marwa himself, and property worth millions of naira was destroyed. It is also important to note that the Maitatsine riots were followed by conflicts between Christians and Muslims in many parts of the North. A notable case was the October 1982 clash in Kano by Muslim fundamentalists in an attempt to halt the reconstruction of a church with the claim it was too close to a mosque (Osaghae, 1998: 131).

It was within the context of the mounting problems in the country that the 1983 elections were carried out, with the NPN and UPN all gunning for victory. The NPN first used its position in government to appoint an electoral commission that was perceived as being sympathetic to it. Secondly, there was an astronomical rise of voters in the states controlled by the NPN and those in which it projected to win. The voter register published just few weeks before the elections showed an 18 per cent increase in registered voters, fuelling suspicions regarding the voter registration process. The number of voters rose from 48,499,091 in 1979 to 65,304,818 in 1983. There were therefore phantom voters, bogus polling booths, and arbitrarily expanded constituencies (Joseph, 1987: 172-173). On the voting day there was distribution of already thumb-printed ballots, unauthorised possession of electoral materials, forged voting cards, and destruction of electoral materials. The fraudulent nature of the 1983 elections was confirmed by the Judicial Commission of Inquiry of 1991 into the FEDECO affairs and its conduct of the 1983 elections, known as the Babalikin Report. Thirdly, the order of elections was reversed from that done in 1979 by the FEDECO by starting with the presidential elections. This tainted the final results of the elections which came in favour of the NPN as shown in Table 3.6.

Table 3.6: 1983 Presidential, Senate and House of Representatives election results

Party	President		Senate		Representatives	
	Votes	Percentage	Seats	+/-	Seats	+/-
GNPP	643,806	2.5	2	-6	-	-
NAP	271,524	1.21	1	-	8	-
NPN	12,081,471	47.5	60	+24	300	+138
NPP	3,557,113	14.0	12	-4	48	-30
PRP	968,974	3.8	5	-2	41	-8
UPN	7,907,209	31.2	16	-12	51	-60
Total	25,438,097	100	95		449	+1

+/- = plus or minus

Source: African Election Database 2004 and modified by the author.

Table 3.6 shows that the NPN won in the presidential election with 47.5 % and 12 states, a plus of five states. In the senatorial election, the NPN obtained 60 seats, a 24 of 36 seats secured in 1979 elections. In the HOR, the party obtained 300 out of 449 and +138 seats which allowed it an absolute majority in the lower house. The NPN presidential candidate was declared re-elected by a vote of 12,081,471 to 7,907,209 (for his closest UPN rival). The NPN presidential vote doubled from the 1979 total by approximately 40 per cent. Furthermore, the NPN obtained a minimum of 25 per cent in 16 states of the Federation, compared with 12 states in 1979. The only states that remained outside the 25 per cent were in the UPN stronghold: Ogun, Ondo and Lagos. The UPN won 16 seats at the senate as against 28 seats, a minus of 12 won in 1979. In the HOR, the UPN obtained 52 seats, a minus of 60 and against 111 seats achieved during the 1979 elections. In the presidential election, the UPN got 31.2 %, an increase of 2% obtained in 1979. The NPP came third on the table with 14%, 12 senate seats, -12 and 48 seats, -30 at the HOR. The PRP, which in the 1979 election had seven seats in the senate and 49 seats in HOR, secured five seats, -2 and 41 seats, -8 in the senate and HOR, respectively. The GNPP, with eight senate seats and 43 HOR, obtained two senate seats and no seat in the HOR. The National Advanced Party (NAP), which was registered in mid-1982, obtained 1.21 per cent vote in the presidential election, one senate seat, and eight seats in the HOR.

It is the combination of these events that resulted in the overthrow of Shehu Shagari who had won a second presidential term on 31 December 1983, ushering in a second period of military rule starting with General Mohammed Buhari.

3.6 THE SECOND MILITARY RULE (1983-1999)

The new military regime immediately dissolved all political parties, abolished the electoral body, froze bank accounts of politicians, and detained several of them. The regime was welcomed by the public and received endorsement from retired generals, including General Obasanjo, who had handed over power to Shagari in 1979. The Buhari regime was, however, ousted on 27 August 1985 in a bloodless military coup led by the Army Chief of Staff and member of the Supreme Military Council (SMS), General Ibrahim Babangida.⁸The SMC was replaced by the Armed Forces Ruling Council (AFRC), and politicians detained under Buhari were released (McCaskie, 1992: 771). General Buhari was accused of authoritarian tendencies, a clear lack of intention to transition the country to civilian rule, and failure to salvage the nation's economic decline and restore services which instead deteriorated. He was further accused of a lack of progress in negotiations with the International Monetary Fund (IMF), which was a calculated move to win the support and confidence of external creditors (Olagunju *et al.*, 1993:13).

In January 1986, Babangida appointed a 17-member political bureau to formulate procedures for a transition to civilian rule and announced that the "armed forces would hand over power to the civilian government on 1 October 1990". A year later, after receiving recommendations from the political bureau, his government announced in July that, although the transition programme would begin in 1987 with the creation of transition structures, power would be transferred to a civilian government in 1992 and not 1990 as earlier proposed (Olurode 2004: 12).

In September 1987 two additional states were created, increasing the number of states from 19 to 21. The new states were Akwa Ibom, carved out of Cross River, and Katsina out of Kaduna state. The creation of the two states was partially an attempt to resolve the problem experienced

⁸Babangida had been involved in most coups in the Nigeria and was a member of the SMC since the Mohammed/Obasanjo regime (1975-1979; 1984 until when he took over in 1985).

under the second Republic of determining what constituted a “two-third majority of the states in an election” for the office of the president (McCaskie, 1992: 771).

A constituent assembly was established in 1988 to draft a new constitution, which was formulated in 1989. Political parties were again allowed to operate in May 1989. 13 political associations then applied for registration to the National Electoral Commission (NEC). These were: the All Nigeria’s People’s Party (ANPP); Idea People’s Party (IPP); Liberal Convention (LC); National Unity Party (NUP); Nigeria Labour Party (NLP); Nigerian National Congress (NNC); Nigerian People’s Welfare Party (NPWP); Patriotic Nigerian Party (PNP); People’s Front of Nigeria (PFN); People’s Patriotic Party (PPP); People’s Solidarity Party (PSP); the Republican Party of Nigeria (RPN); and the United Nigeria Democratic Party (UNDP) (Jinadu 1995: 82). These were rejected by the military as being poorly organised, being funded by questionable sources, having strong links with banned politicians and past parties as well as falsified claims of membership, and being factionalist and personalistic (Akinboye: 2004: 138). Instead, the AFRC allowed the formation of two other parties: the National Republican Convention (NRC) under the leadership of Tom Ikimi, and the Social Democratic Party (SDP) under the chairmanship of Baba Gana Kingibe. The idea of government establishing political parties and funding them for politicians was informed by the desire to rescue the political parties from the control and manipulation of the moneybags, as well as provide a level-playing ground where everyone would be co-founders and co-joiners (Olurode, 2004: 13). The two parties then contested local government elections on November 10 1990. Table 3.7 shows the performance of the two parties.

Table 3.7: November 10 1990 Local Election Results

Party	Chairmen	Councillors
National Republican Convention (NRC)	274	3,360
Social Democratic Party (SDP)	315	3,765
Total	589	7, 125

Source: Osaghea 1998: 233 and modified by the author.

The two parties had national spread, although solid patterns of old bloc voting in support of SDP was noticeable in Southern states while NRC remained popular in the Northern and Eastern States (Osaghae, 1998: 223). In September 1991, the government created nine additional states,

increasing the size of the federation from 21 in 1987 to 30 in 1991. This was in line with the recommendation of the political bureau created in 1986 in response to ethnic and religious tensions. For instance, in October 1990 the Movement for the Survival of the Ogoni People (MOSOP) was formed to coordinate opposition to the exploitation of petroleum reserves by the Shell Petroleum Development Commission in the territory of the Ogoni ethnic group (Ogoniland) in the South-Central Rivers State. As a result of the violent operation, approximately 80 Ogonis were killed by Nigerian state security forces. In 1991 violence erupted between Tivs and the Jukums in the new state of Taraba as well as between Muslims and Christians across the northern states. Arguably, violent demonstrations had been carried out in places where government failed to comply with demands to create new states, or where there was discontent over the location of state capitals (Alapiki, 2005: 59).

On December 10 1991, elections were conducted for governors and state Houses of Assembly (Table 3.8).

Table 3.8: 1991 Governorship Election Results

Party	States	Members
National Republican Convention (NRC)	16	545
Social Democratic Party (SDP)	14	650
Total	30	1,295

Source: Osaghea 1998: 234 and modified by the author.

In the state legislative elections, the SDP won a total of 650 seats all over the country but only secured 14 governorships. The NRC won a total of 545 seats and took control of 16 governorships.

On July 4 1992, the National Assembly elections were conducted. The final outcome of the results is depicted in Table 3.9, indicating a very close contest between the two parties.

Table 3.9: 1992 Senate and House of Representatives

Party	Senate			Representatives		
	Votes	Seats	Percentage	Votes	Seats	Percentage
NRC	7,494,228	37	47.43	8,354,791	275	49.42
SDP	8,306,548	53	52.57	8,551,080	315	50.58
Total	15,800,779	90	100	16,905,871	590	100

Source: African Election Database 2004 and modified by the author.

The National Assembly was inaugurated in October 1992. The presidential election was conducted on June 12 1993. The two main presidential contestants were Chief MKO Abiola, a Yoruba southern under the platform of the SDP, and Alhaji Bashir Tofa, a northerner under the platform of the NRC. The final results released to the press by the NEC four days after the elections showed Moshood Abiola to have received 8,128,720 votes and victorious in 19 states: Akwa Ibom, Anambra, Benue, Borno, Cross River, Delta, Edo, Jigawa, Kaduna, Kano, Kwara, Lagos, Ogun, Ondo, Osun, Oyo, Plateau, Taraba, and Yobe states, and the Federal Capital Territory. Abiola's victory was comprehensive as he won almost 60% of the total votes cast. Only in two states (Kebbi and Sokoto) did Abiola fail to obtain at least one-third of the votes. Abiola even defeated Tofa in Tofa's home state of Kano. The National Republican Convention (NRC) candidate Alhaji Bashir Tofa received 5,848,247 votes and won in 10 states only. Tofa won in Abia, Adamawa, Bauchi, Enugu, Imo, Katsina, Kebbi, Kogi, Niger, Rivers and Sokoto States. Table 3.10 shows the presidential results.

Table 3.10: 1993 Presidential election results

Party	President	
	Votes	Percentage
Alhaji Bashir Tofa	5,848,247	41.66
Chief MKO Abiola	8,128,720	58.34
Total	13,976,967	100

Source: African Election Database 2004 and modified by the author.

Although the voting pattern had subsequently been cast as unprecedented in cutting across ethnic, religious and geographic patterns, the true picture is a little more subtle. It is true that Christians voted for Muslim candidates, but Christians had little choice in the matter as the

presidential candidates of both parties were Muslim. The SDP was led by two Muslims: Abiola and his Muslim vice-presidential candidate, Babagana Kingibe. The NRC was also led by a Muslim candidate: Alhaji Bashir Tofa. Although Tofa's running mate was Christian, both Tofa and Kingibe were Kanuri Muslims. Hence the concept of Christians voting for Muslims was an in-built certainty, as any vote would be conferred onto a Muslim. Additionally, voting patterns in the south-west were solidly ethnic as the overwhelming majority of votes cast were for Abiola. In the south-west mainly Yoruba states of Ogun, Ondo, Osun, and Oyo, Abiola scored crushing victories and received over 80% of the votes in each of those states. He also received over 85% of the votes in Lagos state.

Abiola's victory was annulled, however, by the military regime of General Ibrahim Badamosi Babangida. The AFRC gave the following reasons for the annulment of presidential election in its national broadcast on 26 June 1993:

1. The elections failed to meet the National Defense Service Corps' (NDSC) "basic requirements" for free and fair elections, among which was the absence of electoral malpractices and a prohibition on the use of money to secure victories. The AFRC had evidence of money being paid by both presidential candidates, Abiola and Tofa, at the conventions and elections proper - the amount being put at N2.1 billion - and of malpractices involving party agents, the NEC, and some of the electorate.
2. There was a "documented and confirmed conflict of interest between the government and both presidential aspirants which would compromise their positions and responsibilities were they to become president".
3. The NEC was not fully prepared for the elections; yet it "deceived" NDSC - whose members favoured it being postponed for one week following the court injunction secured by Association for a Better Nigeria (ABN) - into going ahead with it.
4. The presumed winner of the presidential election (M.K.O Abiola) encouraged a campaign of divide and rule among the various ethnic groups.
5. The politicization of the judiciary and the need to save it from loss of credibility (Osaghae, 1998: 252).

Other writers have given the following explanations for the annulment of June 12 1993 presidential election. At the height of these was the personal factor of the presumed winner, Chief Abiola, who most sections of the military were unable to support, particularly the top echelons as proclaimed by the vice-president, Aikhomu. The vice president held that Abiola's candidature was unacceptable to most sections of the military, particularly its top brass (Osaghae, 1998: 252). Abiola's association with the military and military officers dated back to the Mohammed and Obasanjo regime, during which, as a director of the International Telegraph and Telephone (ITT) Corporation, he secured major contracts. He later became a major contractor for military supplies, especially signals equipment. He was also close to several officers, and in particular to General Babangida, whose personal "clearance" he sought before entering the presidential race. The military suspected Abiola would probe them and send many into retirement (Osaghae, 1998: 252).

Many alleged the annulment as General Babangida's "hidden agenda" to perpetuate his leadership. Direct evidence for this includes his support for the Association for a Better Nigeria (ABN), which sought and obtained an injunction from the high court to postpone the conduct of the June 12 1993 elections; his support to other groups championing the "Babangida must stay" campaigns; working to scuttle the election process and organizing 'solidarity' rallies at various places after the annulment; and his efforts to win military colleagues, traditional rulers, party leaders, and influential politicians and members of the National Assembly through his annulment of the elections (Osaghae, 1998: 252). Besides the above was the ethno-regionalist explanation of the annulment - the unwillingness of the conservative north to keep its hands off the control of political power. In other words, the Babangida regime acted on behalf of the Northern cabal or oligarchy to prevent a southerner from taking over the presidency (Omoruyi, 2002: 22).

The annulment set the tone for the social political movements and civil resistance, both within and outside of the country. Internally, spontaneous demonstrations and riots were staged, championed and coordinated by the Campaign for Democracy (CD), a coalition of several pro-democracy organizations. Opposition to the annulment also saw the rise of unconventional underground political movements, notably the Movement for the Advancement of Democracy (MAD). The military was unable to wade through public resentment, and the solution to the

political impasse was finally found with the formation of an Interim National Government (ING). On the 27 August 1993, Babangida finally stepped aside (Olurode, 2004: 15). The ING government was headed by Chief Ernest Shonekan who before then was the chief executive of the United African Company of Nigeria PLC (UAC), a large Nigerian conglomerate.

The appointment of Shonekan, being a Yoruba and Egba like Abiola, was a political calculation aimed at weakening and appeasing the Yoruba-based pro-June 12 movement. While it did succeed in breaking the solidarity of the Yorubas to some extent, Shonekan was generally regarded by the most ardent advocates of the restoration of June 12 as a "sell out", and this increased their determination to oppose his regime. Shonekan was pushed aside in a palace coup by General Sani Abacha after three months, who thereafter completed the process by dismantling all functioning democratic institutions created before the annulment (Olurode, 2004: 15).

Despite internal and external pressure, General Abacha did not seem to be in a hurry to hand over power to a civilian government. His death on June 8 1998 transformed the situation. General Abdulsalami Abubakar, who assumed office as head of state, immediately promised to hand over power to a civilian government within 11 months and provided a clear timetable for the transition (See Table 3.11).

Table 3.11: The 1999 Transition to Civil Rule Programme

Period	Activities
September 24, 1998	Provisional Registration of Political Parties
October 5-9 1998	Voter Registration
December 5-9 1998	Local Council Elections
December 23, 1998	Submission of Names of Governorship/ Assembly Elections
January 9, 1999	Governors and Assembly Elections
January 20, 1999	Release of Rules for Presidential and Parliamentary Elections;
February 12, 1999	Submission of Names of Presidential Candidates
February 13-15 1999	Screening of Presidential Candidates
February 19, 1999	End of Presidential Campaign
February 27, 1999	Presidential Election
March 6, 1999	Run-off of National Assembly and Presidential Elections
May 29, 1999	Swearing in of Elected President

Source: Akinboye 2004: 137-138

To ensure that the timetable was adhered to the new regime dissolved all transition agencies and supporting decrees of the previous regime. These agencies included the Transition Implementation Committee (TIC), National Reconciliation Committee (NARECOM), Power Devolution Committee (PDC), and the National Electoral Commission (NECOM). The new regime replaced NECOM with the Independent National Electoral Commission (INEC) and dissolved political parties created under the previous regime.

In order to kick-start the transition, the INEC called for new applications for the registration of political parties. Twenty six political associations submitted applications for registration but only nine were granted provisional licence to operate and contest in the local government polls. These parties were the Alliance for Democracy (AD), ALL People's Party (APP), Democratic Advanced Party (DAP), Movement for Democratic and Social Justice (MDSJ), National Solidarity Movement (NSM), People's Democratic Party (PDP), People's Redemption Party (PRP), United Democratic Party (UDP) and the United People's Party (UPP) (Akinboye, 2004: 138). Election results in the local government councils were to serve as criteria for the full registration of political parties. The provisionally registered parties had to win five per cent of the total votes cast in each council in at least 24 states. To this was added the demand that they should have party offices in at least two thirds of the country. This was to ensure that only political parties with a wider following across the country were eventually registered. The aim was to guard against the formation of political parties with narrow ties of ethnicity and religion.

Local government elections were conducted on 5 December 1998, and the results are shown in Table 3.12.

Table 3.12: Local Government election results showing number of states with 5% vote

Party	Percentage of States/ FCT	Chairmen	Percentage	Councillors	Percentage
AD	14	100	12.9	1, 092	12. 8
APP	35	188	24.3	2,653	31.1
DAM	-	-	-	4	0.09
MDJ	3	3	-	61	
NSM	1	2	-	8	
PDP	36	460	59.4	4,787	56.1
PRP	-	2		21	
UDP	-	-		4	
UPP	1	-		26	
Total	100	774	100		100

Source: Vanguard, December 15 1998: 1.

Only two parties received the five percent of the votes in the required 24 states. These were the People's Democratic Party (PDP) and the All People's Party (APP). The PDP secured 5 percent in 36 states and obtained 460 Chairmanships seats, or 59.4 % of the total chairmanships. The party also scored the total of 4,787 or 56.1 % of Councillorship seats. The APP obtained 5 percent in 35 states and obtained 188 Chairmanships, or 24.3% of the total. It also secured 2,653 councillors or 31.1% of the total. According to registration criteria, these qualified to be registered as political parties. In the end, however, the AD, which had obtained five percent of the votes in 14 states was also registered and allowed to compete in the other elections.

The governorship and states assembly elections took place on the 9 January 1999 and the results are shown in Table 3.13. The PDP won 21 governorships and 528 seats in the state assembly. The APP won nine governorships and 251 state assembly seats while the AD won six governorships and 166 state assembly seats.

Table 3.13: January 9, 1999 Governorship/Assembly Election Results

Party	Number of Governorships	Assembly Seats
Alliance for Democracy	6	166
All Peoples Party	9	251
Peoples Democratic Party	21	528
Total	36	945

Source: Daily Times, March 2, 1999: 1 and modified by the author.

The National Assembly election took place on 20 February 1999 with three parties contesting the elections. This was followed by the presidential election on the 27 February 1999. Tables 3.14 and 3.15 show the Presidential and National Assembly elections, respectively.

Table 3.14: The 1999 Presidential election results

Party	President	
	Votes	Percentage
AD/APP	11, 110, 287	37.22
PDP	18, 738, 154	62.78
Total	29,848,441	100

Source: Daily Times, March 2, 1999: 1 and modified by the author.

Table 3.15: The 1999 Senate and House of Representatives election results

Party	Senate			Representatives		
	Votes	Seats	%	Votes	Seats	%
AD		20	12.4		68	
APP		29	31.2		74	
PDP		59	56.4		206	
Vacant		-	1		12	
Total	24,386,247	109	100	23,573,407	360	100

Source: African Election Database 2004, modified by the author.

In the National Assembly elections, the PDP won 59 Senate seats and 206 HOR seats. The APP won 21 Senate seats and 74 HOR seats while the AD won 19 Senate seats and 68 HOR seats.

The presidential elections were contested by only two candidates because the AD and APP formed a coalition and featured a single candidate in the person of Chief Olu Falae. The candidate for the PDP was General Olusegun Obasanjo (Rtd). It is important to note how Obasanjo emerged as presidential candidate for the PDP. Obasanjo was still in prison for plotting a coup against Abacha when Abdusalami Abubakar began his transition programme. The PDP, of which he became its presidential candidate, had been formed by a group of 34 (G-34) who had challenged Abacha's leadership and his intention to transform into civilian president. Notable

figures in the group were Alex Ekwueme, who had been a former vice president (1979-1983) in the second republic; Atiku Abubakar, major financier of the party who later became Obasanjo's Vice President (1999-2007); and Iyorchia Ayu, president of the senate in the annulled third republic. Okolie (2010: 157) notes that Ekwueme would have emerged the PDP presidential candidate if the party was allowed to determine its standard bearer. However, the role played by the incumbent military leadership and many retired military leaders ensured that Obasanjo emerged as party candidate. According to Adekanye (2005: 7), this was possible when the retired military leaders initiated the release of Obasanjo from prison and facilitated his state pardon. The main reason the PDP allowed his emergence with little acrimony was the urgency of getting the military to relinquish power to civilians, and the fear that the military would not hand over power if they did not get a trusted person as president.

There are a number of factors that facilitated Obasanjo's win in the presidential race with 62.7 per cent of the total votes cast. Firstly, the northern political elites preferred Obasanjo to Falae because he was more trusted, having handed leadership to President Shehu Shagari, a northerner, when he served as a military head of state in 1979. Similarly, the departing military class had a major role to play on its successor, and thus preferred Obasanjo (an ex-soldier) to Falae (civilian) to protect military interests and the military institution (Newswatch, March 8, 1999). It is also important to note that Falae was a member of National Democratic Coalition (NADECO) – a pro-democracy group that fought gallantly during the annulment of the June 12 1993 presidential election. There were fears in some quarters that Falae would implement a NADECO agenda and restructure Nigeria through a Sovereign National Conference (SNC), which was a critical campaign agenda. Furthermore, the Alliance for Democracy (AD) on whose platform Falae was also, considered a Pan Yoruba Movement (Afenifere) of the south-west and did not achieved a national outlook across the country. Many contend that Obasanjo supported the Interim National Government (ING) as a way to prevent Abiola's actualisation of his mandate (Olurode, 2004: 15). Other reason was that Obasanjo's party had more resources than the other candidate as was demonstrated in the donation of N 130 million (approximately \$1m) (Ihonvbere, 1999: 58).

The completion of the elections and the inauguration of Obasanjo as the new civilian president on 29 May 1999 brought to an end the long military rule. The new regime, however, intensified a

number of characteristics from all the foregoing governments that were to have a direct influence on the future conduct of elections in Nigeria. In fact, the violence that followed in 2003 and 2007 elections can be linked to the specific features of Nigerian politics. The following section discusses how the nature of Nigerian politics can be seen as conditioning factors for electoral violence in Nigeria.

3.7 THE NATURE OF NIGERIAN POLITICS AND ELECTORAL VIOLENCE

From the above discussion of post-independence politics in Nigeria, the following can be identified as the defining features of the Nigerian political system. These are: the persistence of the military in Nigerian politics, centralisation of power at the centre, and the centrality of the party system in Nigeria. To a large extent, the history of Nigeria was dominated by the military establishment. Between 1960 and 1998, there were ten officially accepted coup plots by the military. Six of these (two in 1966 and one each in 1975, 1983, 1985 and 1993) led to the successful overthrow of the existing government and two of which (1976 and 1990) were bloodily aborted. The coup of 1986 and 1995 were nipped in the bud and the officers involved were either jailed or executed (Yaqub, 2004: 95).

In the two cases where the military returned power to the civilians, they supervised and controlled the electoral process, which included the vetting of parties that were allowed to contest the elections. When the results were not in their favour they annulled the elections, as was the case in 1993. It should not be surprising that the military transferred power to military government from 1976 to 1979. This has been referred to as a packed transition by Adekanye (2005: 13). Other returned military officers have come to play significant roles since 1999 in Nigerian politics, as can be seen in Table 3.16. The continued rule by the military has given undue advantage to military officers both serving and returned because they have developed not only high visibility, but also vast networks of friends, acolytes, loyalists, and all manners of associations. Thus, the majority of the known political faces are more often than not returned military officers (Adejumobi and Kehinde, 2007: 103). These then have entered into pacts with other dominant elites and continue to influence the Nigerian political arena. These, however, have brought into politics the application of military strategies and tactics to the electoral process

in Nigeria. The violence experienced in 2003 and 2007 can, in part, be attributed to retired military personnel involvement in politics.

Table 3.16: Retired military personnel in politics from 1999-2007

S/no	Name	Position	Period
1	General Olusegun Obasanjo	President /BOT (2007-2013	1999-2007
2	General Theophilus Danjuma	Minister	1999-2003
3	General Muhammadu Buhari	Presidential Aspirant	2003; 2007
4	General Ike Nwachukwu	Presidential Aspirant	2003
5	General Aliyu Gusau	Presidential Adviser	2007
6	Comptroller Atiku Abubakar	Vice President	1999-2007
7	Col. Emeka Ojukwu	Presidential Aspirant	2003
8	Brig David Mark	Senator	1999-date
9	General Olagunsoye Oyinlola	Governor	1999-2003
10	General Mamman Katangora	Presidential Aspirant	2003
11	General Buba Marwa	Presidential Aspirant	2007
12	Oladimeji Bankole,	Speaker House of Reps.	2007
13	Adebayo Alao-Akala	Governor	2003
14	Col. Amadu Ali	Chairman-Ruling Party	2003-2007
15	Bode George	Vice Chairman PDP	2003
16	AVM Jonah Jang	Governor	2007

Source: Compiled by the author from various sources.

Another aspect of the Nigerian politics that needs to be noted is the breaking of the early regional units into a multitude of states and centralisation of power at the centre (Table 3.17). Nigeria came to independence in a federal arrangement which acted as a constraint to the operation of the federal arrangement. This, in part, prompted the first coup in 1966. Since then, the federating states of 1960 have been subdivided consistently. States were increased from three to four in 1966, then from four to 12 in 1967, 19 in 1976, 21 in 1987, 30 in 1991, and to 36 in 1996. The military that controlled the federal government centralized power at the centre.

Table 3.17: The responsibilities among the tiers of government

Tier of Government	Responsibilities
Exclusive List (Federal Government)	Defence; Foreign; Affairs; Currency, Banking, Borrowing, Exchange Control; International Trade/Export Marketing; Use of Water Resources; Shipping, Federal Trunk Roads; Elections; Aviation, Railways, Postal Services; Police and other Security Services; Regulation of Labour, Interstate Commerce, Telecommunications; Immigration; Mines and Minerals, Nuclear Energy, Citizenship and Naturalisation Rights; Social Security, Insurance, National Statistical System (Census Births, Deaths etc.); Guidelines and Basis for Minimum Education; Business Registration; Price Control.
Concurrent List (Federal And State Government)	Health, Social Welfare; Education (Post-Primary/Technology); Culture; Antiquities; Monuments Archives; Statistics, Stamps Duties; Commerce, Industry; Electricity (Generation, Transmission, Distribution); Research Surveys.
Residual List Local Government	Any Subject Neither Assigned to Federal nor Local Government. Economic Planning and Development; Health Services; Land Use; Control and Regulation of Advertisements, Pets, Small Business; Markets, Public conveniences; Social Welfare, Sewage and Refuse Disposal, Registration of Births, Deaths, Marriages; Primary, Adult and Vocational Education; Local Government; Development of Agriculture and Natural Resources.

Source: Section 4, Second Schedule, the 1999 Constitution of the Federal Republic of Nigeria.

As can be seen in Table 3.17, the 1999 Constitution followed the previous arrangement of allocating expenditure and responsibilities based on three legislative lists despite slight changes in the legislative items. This was inevitable because of the manner in which the military operated. The head of state presided over the Supreme Military Council (SMC) or the Armed Forces Ruling Council (AFRC). These constituted of military officers occupying key military and state offices, and remained the highest executive and legislative powers in the country. The peculiar attribute of unified command and centralized authority of the military is antithetical to the federal principle, as state governments under the military were only acting as ‘errand boys’ to the supreme military command that was controlling the center, whose competence of providing political governance was in doubt (Osaghae, 1992: 17). The truth is that the military lacks the

culture of cooperation in governance that requires adequate skills of collective bargaining and the ‘political’ diplomacy that are obviously missing in the structure of military command. This has been a major cause of weak states and powerful central authority in the Nigerian state (Onwudiwe and Suberu, 2005: 29).

This has resulted in federating been undermined in favour of the federal government in Nigeria and the funding of states from the centre, which increases central control. The power of the federal government increased tremendously with the growth of the oil economy and revenue. The centralization of power and control of national resources by the federal government, in particular oil, has made the control of the centre a coveted prize to be won by a group or coalition bound together in political parties or other clusters with limitless control (Jega, 2000: 30). This has raised the electoral stakes and competition, which has increased the possibility of electoral violence.

The last element of Nigerian politics is the centrality of the party system. The 1979 and the 1999 constitution made it impossible for anybody to enter politics outside the chosen parties. Section 221 of the 1999 constitution stipulates that “no association other than a political party shall canvas for votes for any candidate at any election or contribute to the funds of any political party or to the election of any candidate at elections”. This was initially a lid on the number of parties that could compete in the elections but this has been lifted. What this has meant is to shift the first phase of electoral competition to the party candidate nomination phase. This has resulted in intra-party violence as competing candidates use illicit means, including electoral violence, to obtain nomination as party candidates to contest for executive posts.

3.8 CONCLUSION

Chapter three showed that Nigeria’s political and electoral history is mired in political instability, characterized by fraudulent elections, competitive rigging, the politically-motivated assassination of persons, inconclusive and contested election outcomes, and the frequent military coups of governments. Since 1960, until 29 May 1999, when democratic governance came to Nigeria for the fourth time in its post-independence history, there were ten officially accepted coups. Out of which (two in 1966 and one each in 1975, 1983, 1985 and 1993) led to the successful overthrow

of the existing government, and two of which (in 1976 and 1990) were bloodily aborted. The officials involved in the two coups of 1986 and 1995 were either jailed or executed by the military. The period between 1960 to 1999 was characterized by military rule, accounting for 29 years of Nigeria's 49 years of post-independence history. The country had only ten years of democratic governance, including Ernest Shonekan's six months as head of interim national government swiftly put together by General Ibrahim Babangida. It is therefore clear that Nigeria's past has greatly influenced current politics in the country, and has continued to contribute to electoral violence. Conceivably, the lack of democratic experience has been a major determining factor since democracy has not been practiced for long enough to have become entrenched as a political culture, system and practice. This, in part, has conditioned the electoral system that has been put in place by the departing military. The ensuing chapter concentrates on this.

CHAPTER FOUR: THE NIGERIAN ELECTORAL SYSTEMS

4.1 INTRODUCTION

The current electoral system in Nigeria is a product of the departing military government in 1999, headed by General Abdulasallami Abubakar. Decree 24 of 1999 established a new constitution for the country but retained the 1979 electoral system that had ushered in the second republic. It covered presidential and gubernatorial elections, the senate, House of Representatives and House of Assembly elections and local council elections. Two different formulas, however, are used in determining the outcome of the elections, namely the presidential and gubernatorial elections and other electoral positions. Nigeria has opted for the majoritarian system but with some modifications in the presidential and gubernatorial elections. This chapter provides the electoral formulas used in Nigeria's elections and the electoral processes and subsequent electoral reforms.

4.1.1 National Assembly and State Assembly elections in Nigeria

The National Assembly is divided into the Senate and the House of Representatives. At the senate level each state is represented by three senators. By implication, each state is divided into three senatorial constituencies for the purpose of an election. State representation in the house of representations is based on population size. This varies from as low as five representatives for the Nassarawa state to 24 for Kano. Each state is therefore subdivided into House of Representatives constituencies on the basis of the allocated numbers for the state. Similarly, states are divided into constituencies for the purpose of electing state assembly representatives. In Nigeria there is a stated minimum of 24 and maximum of 40 for state assemblies. One therefore encounters three sets of constituencies in each state for electoral purposes as indicated in Table 4.1.

Table: 4.1: Electoral Constituencies in Nigerian States and Population

State	Senate	Representatives	Assembly	Population (2006)
Abia	3	8	24	2,833,999
Adamawa	3	8	25	3,168,101
Akwa Ibom	3	10	26	3,920,208
Anambra	3	11	30	4,182,032
Bauchi	3	12	31	4,676,465
Bayelsa	3	5	24	1,703,358
Benue	3	11	29	4,219,224
Borno	3	10	28	4,151,193
C/ River	3	8	25	2,888,966
Delta	3	10	29	4,098,391
Ebonyi	3	6	24	2,173,501
Edo	3	9	26	3,218,332
Ekiti	3	6	26	2,384,212
Enugu	3	8	24	3,257,298
Gombe	3	6	24	2,353,879
Imo	3	10	27	3,932,899
Jigawa	3	11	30	4,348,649
Kaduna	3	16	34	6,066,562
Kano	3	24	40	9,383,682
Katsina	3	15	34	5,792,578
Kebbi	3	8	24	3,238,628
Kogi	3	9	25	3,258,487
Kwara	3	6	24	2,371,089
Lagos	3	24	36	9,013,534
Nassarawa	3	5	24	1,863,275
Niger	3	10	27	3,950,249
Ondo	3	9	26	3,441,024
Ogun	3	9	26	3,658,098
Osun	3	9	26	3,423,535
Oyo	3	14	32	5,591,589
Plateau	3	8	24	3,178,712
Rivers	3	13	32	5,185,400
Sokoto	3	11	30	3,696,999
Taraba	3	6	24	2,300,736

State	Senate	Representatives	Assembly	Population (2006)
Yobe	3	6	24	2,321,591
Zamfara	3	7	24	3,259,846
FCT	1	2	-	1,405,201
Total	109	360	990	140,003,542

Source: Compiled and modified by the author from NPC 2006; INEC Information Kit for 2015.

Winning in these elections is by simple majority or the FPTP system explained above. The only restriction is that candidates must be fielded by a political party. This has resulted in struggles for nomination by parties which have led to violence in some instances, as well as increased conflict between party candidates as discussed in chapter five. The inter- and intraparty electoral violence has been fuelled by the very high remunerations given to elected representatives. This is well depicted by senatorial remunerations. Senators, for example, receive more than ₦29, 479,749.00 Nigerian Naira which is equivalent to \$190,192.00 at the exchange rate of \$1 US (dollars) to ₦155 (naira) as shown in Table 4.2.

Table: 4.2: Remuneration of Nigerian Senators

Sub Heading	Percentage of B.S	Naira (₦) Value	Dollar (\$) Value
Basic Salary (B.S)	-	₦2,484,245.50	\$15,334,84.00
Hardship Allowance	50% of B.S	₦1,242,122.75	\$7,667,42.00
Constituency Allowance	200% of B.S	₦4,968,509.00	\$30,669,80.09
Newspapers Allowance	50% of B.S	₦1,242,122.70	\$7,667,42.00
Wardrobe Allowance	25% of B.S	₦621,061.37	\$3,833,71.22
Recess Allowance	10% of B.S	₦248,424.55	\$1,533,48.49
Accommodation	200% of B.S	₦4,968,509.00	\$30,669,80.09
Utilities	30% of B.S	₦828,081.83	\$5,111,61.61
Domestic Staff	70% of B.S	₦1,863,184.1	\$11,501,13.60
Entertainment	30% of B.S	₦828,081.83	\$5,111,61.61
Personal Assistants	25% of B.S	₦621,061.12	\$3,833,71.22
Vehicle Main. Allow.	75% of B.S	₦1,863,184.12	\$11,501,13.60
Leave Allowance	10% of B.S	₦248,424.55	\$1,533,48.49
Severance Gratuity	300% of B.S	₦7,452,736.50	\$46,004,54.60
Car Allowance	400% of B.S	₦9,936,982.00	\$61,339,60.18
Total Yearly Salary	-	₦29, 479,749.00	\$190,192.00

Source: Compiled and modified by the author from Ajayi 2013: 2-4.

This is far beyond what legislatures receive elsewhere in the world. According to the Economist (in Ajayi, 2013: 2-4) that outlines remunerations for legislators in various countries, the next highest paid legislators are in Italy and receive a mere \$182,000 per annum (Table 4.3).

Table: 4.3: Comparable Legislators Pay Worldwide, Per Annum

Country	Dollar (\$) Value Pay Per Annum
Italy	\$182,000.00
United States	\$174,000.00
Brazil	\$157,600.00
Canada	\$154 000.00
Singapore	\$154,000.00
Japan	\$149,700.00
Norway	\$138,000.00
Hong Kong	\$130,700.00
Ireland	\$120,400.00
Germany	\$119,500.00
Israel	\$114,800.00
New Zealand	\$112,500.00
Britain	\$105,400.00
South Africa	\$104,000.00
Sweden	\$ 99,300.00
France	\$ 85,900.00
Kenya	\$ 74,500.00
Indonesia	\$ 65,800.00
Saudi Arabia	\$ 64,000.00
Ghana	\$ 46,500.00
Spain	\$ 43,900.00
Thailand	\$ 43,800.00
India	\$ 11,200.00
Bangladesh	\$ 4,000.00
Pakistan	\$ 3,500.00

Source: Compiled and modified by the author from Ajayi 2013: 2-4.

While one cannot simply attribute electoral violence in Nigeria to the high emoluments of political offices, these have, however, attracted most people in politics and candidates tend to use all means to win, in part, for these monetary and lifestyle benefits.

4.1.2 Presidential and gubernatorial elections in Nigeria

The election of the president is governed by Section 123 of the 1999 Constitution and that of the state governor by Section 178. The Constitution sets forth a specific system that represents a departure from the pure FTPT in favour of a majority run-off with the possibility of three rounds of elections. A special formula for winning elections was devised in Nigeria for the two offices. It is not enough for the president to obtain majority votes in the elections; he/she must also obtain a quarter of the votes in at least two thirds of the states and in the Federal Capital Territory (FCT). Similarly, to win the state governorship, one must record no less than one quarter of the votes cast at the elections in each of at least two-thirds of all local governments in the state (ERC, 2008: 202-203). If no candidate attains the above then a second round of voting takes place between the leading candidate in the first ballot and the one among the other candidates who wins the majority of the votes casts in the highest number of states (presidential) or in the highest number of local government areas (governorship). If the second round of voting does not produce a winner with the required two-thirds in the second round, a third round is held for the two candidates for a decision by simple majority.

These rules are aimed to ensure that the winning candidate has enough territorial support. The 2/3 rule and controversy, as pointed in chapter three, became an issue in the 1979 elections when the NPN candidate, Alhaji Shagari, won 12 out of 19 states. This in part prompted the increase in the number of states to 21 in 1987 to ensure that there were no similar hang-ups. There has, however, not been any run-off for either the presidential or gubernatorial contest in the country. This has partly been because parties and their candidates have used all means possible (including all forms of electoral malpractices and violence) to ensure success as discussed in chapter 5. The presidential contest in the 1999, 2003 and 2007 elections have been essentially been between two political parties; the People's Democratic Party (PDP) and All Nigerians People's Party (ANPP). In 1999, the PDP obtained 62.8% and the ANPP 37.2% in 2003, the PDP secured 61.9% and the ANPP 32.2%, while in 2007 the PDP won with 69.82% and the ANPP 18.72%.

4.1.3 The voting process

The voting process or method of voting forms part of the electoral system. The method of voting as stipulated in the 1999 Constitution is the Open Ballot System (OBS). In the OBS, the perspective voter goes through a process of accreditation (registers as a voter), receives a ballot paper from the poll official, and thereafter makes the confidential thumb impression in favour of a particular party or candidate of choice in a secret voting booth before dropping the ballot in the box position in the open under full view of officials and party agents. The success of this system to eliminate electoral violence, however, depends on having a proper register or list of voters. The Independent National Electoral Commission (INEC) for various reasons such as untimely released of funds by the executive arm of government, spending more than one year trying to impose electronic voter registration, which in the end was not successful despite widespread opposition from the civil society and political parties, was unable to provide a complete register of voters in the 2003 elections. This opened the way for various electoral malpractices that included underage voting, ballot stuffing, and inflation of votes (EU EOM, 2003: 23). In order to deal with this scenario, the 2006 electoral act called for the introduction of the Electronic Voting System (EVS). The main components of EVS include the EVS to replace the Optical Mark Recognition (OMR) system of 2003. The main components of EVS include a database for eligible voters with their complete photographs, biometric data (fingerprints), and other bio-data such as age, sex, physical address, polling unit, registration area, accreditation, and authentication before balloting. The introduction of the Direct Data Capture Machine (DDCM) was to eliminate the cost associated with the printing of several million of ballot papers during election period. It was also intended to facilitate speedy collation and transmission of election results at the end of the polls from polling stations to designated collation centres nationwide. This was to minimise misdemeanours of ballot stuffing, snatching and doctoring, impersonation and vote rigging that usually occur during the end of balloting and collation of results at the Ward Collation Centres (WCCs), Local Government Collation Centres (LGCCs) and State Collation Centres (SCCs). The DDCM machines required a simple laptop computers with a web camera, fingerprint reader, and a printer to issue the temporary voter registration cards.

While the electronic voting system was meant to take care of these challenges as discussed above, this was not realisable since the DDCMs were never utilised as proposed due to the fact that only 5000 were genuine, and some were counterfeits, yet others were insufficient in quantities, lacked battery power and recharge facilities, experienced a shortage of ink and printers. Others were stolen at the airport during clearance by unknown persons, or diverted to premises of some political *godfathers* (Kwaja, 2008: 3; EU EOM, 2007: 14). For instance, the new technology, in particular the voting machine, whatever its merits, as does the ballot papers was not recognised by the Nigerian electoral law (Ibrahim, 2006: 37). Section 152 (2) of the 2014 Electoral Act empowers the INEC to determine the form of voting it chooses to adopt. Specifically, the Act stipulates that “voting in an election... shall be in accordance with the procedure determined by the Independent Electoral Commission” (Umannah 2015: 4). As provided for in the approved guidelines and regulations for the conduct of the 2015 General Elections, the INEC simultaneously introduced both the Smart Card Reader (SCR) machines for the accreditation of voters and Permanent Voter’s Cards (PVCs) to further curb the rate of multiple voting and other forms of electoral malpractices. Prior to the authorization of its use by the guidelines, sections 49 (1) and (2) of the Electoral Act 2010 (as amended) had adopted an analogue procedure for the accreditation process. While the card reader machine serve as the sole determinant of the valid accreditation process and enhances voter authentication at each polling booth/unit, the PVCs contains security features (biometric data) of the owner which makes rigging and multiple voting very difficult (Umannah 2015: 4). This means the 2015 voting process was electronic-driven so as to avert the usual rigging and irregularities at the polls. While these innovations were intended to ensure that the 2015 elections were credible, it is important to point out that they did not eliminate other forms of electoral irregularities in the collation process. Although the PVCs and the SCR remain major features in the 2015 elections, a more accurate and higher technology for the collation and transmission of results between the conclusion of elections at the polling units, the counting and final tally at the collation centres is required to eliminate irregularities in the subsequent elections.

The other aspect of the voting process that was contested after the 1999 elections was the demand that for parties to participate in the national elections and secure registration from INEC. Parties had to obtain at least 15 percent of local council seats in two-thirds (or 24) of the 36

states and the FCT. But because the local government polls were scheduled for 2004 it meant that only the three parties registered in 1999 could contest the 2003 national elections. This was challenged by the political associations that had previously emerged and led to the 2002 electoral reforms (Aiyede, 2007: 46). The final outcome was that 30 parties were able to contest the 2003 elections with the number increasing to 50 in the 2007 elections. This, however, did not change the party contention regarding the continued domination of the three original parties as can be seen from Table 4.4.

Table: 4.4: Performance of parties in the FPTP from 1999 to 2007

Type of election	Year	PDP	APP/ANPP	AD/AC	Others	Total
		Percentage	Percentage	Percentage	Percentage	Percentage
Presidential Vote	1999	62.8	37.2	-	-	100
	2003	61.9	32.2	-	5.9	100
	2007	69.82	18.72	7.47	3.09	100
Senate Seats	1999	65	24	20	0	109
	2003	73	28	6	2	109
	2007	87	12	6	4	109
House of Reps Seats	1999	212	79	69	0	360
	2003	223	96	34	7	360
	2007	263	63	30	4	360
Governorship Seats	1999	21	9	6	0	36
	2003	27	7	1	0	36
	2007	28	5	1	2	36

Source: African Election Database 2004 and modified by the author.

Since no candidates can compete in elections outside the parties, the way in which parties select their candidates therefore becomes crucial. Until the 2006 Electoral Act, there was no law guiding the party selection of candidates. The 2006 act, however, focused on the nomination of party candidates. In the 2003 elections there were instances where party candidates were changed shortly before the elections (NDI, 2003: 1). This prompted the establishment of a cut-off date for the change of nominated candidates so as to give the INEC time to print ballot papers. The problem arose because parties changed their official candidates after their primaries due to the

challenges of internal party democracy which causes intraparty violence. The issue of party democracy was addressed by Section 87 of the 2010 Electoral Act which provides for a system of internal democracy or compliance at the party level in the process of nominating party members for the purpose of contesting general elections. Section 34 (9) of the 2010 Electoral Act provides that where a political party fails to comply with the provisions of the Act in the conduct of its primaries, its candidate for election shall not be included in the election for the particular in issue.

4.1.4 The electoral system and electoral violence in Nigeria

There are a number of factors related to the electoral system that can be regarded as conditioning factors for electoral violence in Nigeria. These include the “winner-takes-all” rule provided by the system, the dominant character of the state in the electoral system, the attitude of the political class towards elections, the stakes involved in electoral competition, and the lack of penalty for electoral offences.

The FPTP rule has been identified as a foundation of electoral violence in Nigeria. Inokoba and Kukumor (2011: 141) explain the relationship between the FPTP system and electoral violence. Specifically, the authors questioned the transparency and fairness of the FPTP rule to provide a level playing ground for political parties and players, as well as the “winner-take-all” scheme. The scheme allows a winner with the highest number of votes to emerge, even though the totality of the opponents’ votes may be higher. Understandably, this “winner-take-all” syndrome has ushered in ferocious and vicious electoral contest in the country. Although all the major political parties that contested the 2003 and 2007 elections were keenly involved in competitive rigging and electoral violence, the struggle to secure more legislative seats and increase the number of states as provided by the FPTP system appeared to be the motivating factor. Iyayi (2003: 16) notes that the rise of PDP from 21 states in 1999 to 28 in 2003 explains the motive behind the irregularities.

Nearly all elections in post-independent Nigeria have been marred by a plethora of irregularities ranging from rigging and vote padding to violence (Kurfi, 2005: 59). The relationship between the FPTP and electoral violence in Nigeria is better understood if situated in the context of the

nature and character of the Nigerian state as well as the dominant role of the state in the Nigerian economy in the face of the underdevelopment of private capitalist enterprise which showcases the state as a primary instrument of accumulation (Ake, 1996: 23). As facilitator of the capitalist process, the Nigerian state is a major owner of the means of production. This is maintained by the expanded oil revenues which began in the early 1970s, dominating all aspects of the national political economy (Jega, 2000: 30). This role made the state the biggest spender of resources and the largest employer of labour. As noted by Joseph (1991: 56), the expansion of petroleum production and the resultant increased revenues heightened “the centrality of the state as the focus of the struggle for resources for advancement and group security.” Under these circumstances, access to the state becomes important for private accumulation.

Ake (1996: 23) captures the immensity and the ubiquity of state power under this condition, remarking that “the state is everywhere and its power appears boundless. There is hardly any aspect of life in which the state does not exercise power and control. That makes the capture of the state power singularly important.” The character of the Nigerian state encourages clientele politics which exists “where the state controls opportunities for commerce and wide range of jobs in the academic, administrative and legal fields” (Ake, 1996: 23). This implies that politics means more than competition for political power and assumes the character of a desperate struggle “for positions in the bureaucracy or for access to those who have influence over government decisions” (Leeds, 1981: 353). Given the profitability derived from the state power, the struggle for state power is reduced to warfare by factions of the governing elite bound in political parties, reinforced by other primordial issues like religion and ethnicity. What to be understood is the nature and character of the state in the explanation of electoral violence. This has some implications. For instance, commitment to public service and ethics of governance in this struggle become immaterial. Thus, political power does not only represent the license to wealth, it is also “the means to security and the only guarantor of general well-being” (Ake, 1996: 24). It is within this context of the dominant role of the state in the political economy that can explain desperation of Nigeria’s governing elite for state power, as evident in the brazen manipulation of the electoral process, many times with impunity and violence, during the 2003 and 2007 elections. This dominant characteristic of the Nigerian state continues to endure even

in the face of the prevailing hegemony of the free market regime, which preaches minimalist state intervention and privileges the market as the efficient allocator of societal resources.

Notably, in Nigeria, the core underlying electoral violence is not necessarily the question of electoral systems, but the “presumed dominant forces” quest to win political power to control national resources. Unlike their European counterparts, Nigerian politicians do not regard elections with the mindset to serve the people but to secure the mandate as a means to acquisition of wealth (Edigheji, 2008: 93-94). Politicians merely want to win and reap the benefits and privileges that go with the office. Elections become a contest; a “do-or-die” affair rather than the inclination to serve. Clearly, Nigerian elections are not about clear-cut and transparent manifestos or ideologies to serve the people. As Okolie (2010: 154) notes:

Nigerian elections are not [a] contest between social classes or political ideologies; they are not a contest among ethnic or religious groups or regions as such. They are purely a contest for state power, straight, raw power by individuals who belong to political parties.

The quest to occupy positions has pushed parties and candidates to rig elections on a grand scale. Free and fair elections have therefore become a difficult task in Nigeria since an average politician believes only in winning elections. Loss is never considered since it is equated with political death (Odofin and Omojuwa, 2007: 45). In their assessment of the previous elections, Inokoba and Kukumor (2011: 143) notes that elections in Nigeria are undemocratically guided or programmed to fail or the process and the project privatized by sections of the political class. This implies that Nigeria’s electoral system is designed from the very beginning to favour a particular interest. Whilst the electoral system is intended to create a level playing field for all the parties and contestants, the electoral process in Nigeria faces many administrative, attitudinal and political problems that have consistently challenged meaningful, open and democratic elections in Nigeria leading to electoral violence (IDEA, 2008: 6). This is echoed by Tijani (2003: 284), who views Nigerian politics thus:

It is [a] means for self-service and become[s] the surest, quickest, easiest and most rewarding avenue for escaping the gnawing poverty to which most Nigerians are today condemned. First, it requires no training, no capital to initiate

a political career in Nigeria in the first instance. You need a strong jaw, a capable pair of legs, and a godfather. Strong atavistic instinct, cynical attitude to Nigeria's development and [a] willingness to stand behind your godfather will not only complete the list of qualities you need, but would also accredit you to the winning party of the times. Politics...is not a matter of issues or ideology, but simply of the stomach as its most successful practitioners would readily tell you.

As stated in the Electoral Reform Committee (ERC, 2008: 19), “over the years, politicians have become more desperate and daring in taking and retaining political power, more reckless and greedy in their use and abuse of power, and more intolerant of opposition, criticism and efforts at replacing them.” The ERC and Nigerian Bar Association (NBA) recommended the exchange of the current FPTP system for the party-list proportional representation (PR) system, or modifying the FPTP system to include elements of PR as an effect to minimize violence resulting in the ferocious and vicious electoral contests in the country among parties and candidates (ERC, 2008: 227).

4.1.5 Stakes of electoral competition and electoral system

Stakes represent incentives that are created through an electoral system. The stake of winning or losing election is interpreted in different ways and in various contexts particularly in seemingly divided Nigeria. The expectation of victory or threat and risk of loss of a state office, for instance, is the key to the livelihood to an individual, party, clan, faction, or even ethnic group. The stakes in Nigerian politics have always been high or the “winner-takes-all” system. Losing an election means an end in the sharing of national resources, given the limited employment opportunities outside of government. This implies that Nigeria's politics revolve around the distribution of oil money, whether officially (in the form of debates over oil revenue allocation) or unofficially, as civilian politicians seek favour with those in the position to reward them with the opportunities to “*chop*”⁹ (HRW, 2004: 6. This suggests that wealth in form of oil revenues in Nigeria has become the stakes and is totally controlled by the state, and access to state offices

⁹ The Word *Chop* is an English substitute of the word share, meaning taking part in the distribution of national resources. .

therefore becomes a deadly, “do or die affair” competition. According to Ake (in Nwolise, 2007: 175), “those who win state power can have all the wealth they want even without working, while those who lose the struggle for state power cannot have security in the wealth they have even by hard work”. The capture of state power inevitably becomes a matter of life and death. This accounts for the intense and anarchic 2003 and 2007 electoral violence.

Electoral violence, however, has remained an enduring feature of Nigerian politics, mainly because of the lenient penalty (if any) for perpetrators of electoral violence and the non-enforcement of the provisions of the Electoral Act on prohibition of the use of violence. All these have promoted a culture of impunity among the perpetrators. Section 98 (2) of the 2006 Electoral Act stipulates a maximum of penalty fee of ₦50, 000.00 or imprisonment for a term of six months for an individual who contravenes its provisions on political violence. In the case of a political party, such party is liable, on conviction, to a fine of ₦250, 000 for the first offence and ₦500, 000 for any subsequent violation. Given the enormity of the damage that violence can unleash on the electoral process, this penalty is too mild and should not be expected to serve as a serious deterrent to anyone.

The problem in Nigeria goes further than the leniency of the offenses to include the collusion of security forces in the participation of the violence. The HRW (2007a: 99) noted that security agents in many states allowed themselves to be used and manipulated by the ruling party in order to gain an unfair advantage, and gave the impression that state institutions like the Nigerian police force were out to implement the bidding of the party in control of the Federal Government. The EU EOM (2007: 21) reported that the role of the police between the two election days and in the post-electoral environment remained a concern because they received numerous reports of supporters and candidates of opposition parties being arrested and detained between the election days and then being released without any charge brought against them.

In order to have a clear grasp of how the electoral system in Nigeria bleeds violence during elections, one must situate it within the broader context of the pervasive role of the state in Nigeria and the powers and opportunities provided to those who control it. Those who control the state have at their disposal the state resources which allow them to live in luxury and disperse

patronage to the followers and supporters. Exclusion from participation in this patronage system spells poverty. It is mainly for this reason that winning elections has become a matter of life and death in which everything is done to win. In this context, it is merely the parlance of ‘the end justifies the means’. Violence becomes condoned by all the players and hence the low penalty for the offences, and worse still the low possibility of ever being convicted for the offences.

4.2 CONCLUSION

This chapter has specifically examined the Nigerian electoral system. The discussion and analysis centred firstly on the electoral systems at different levels of representations. Detailed explanations regarding Nigerian presidential and gubernatorial elections as well as senatorial elections and the House of Representatives were provided. The current model of parliamentary elections in Nigeria is the FPTP system in which the candidate with the simple plurality of the total votes emerges as the representative in a single-member constituency, even if he does not command half of the total votes. This has been the only electoral system in the electoral history of Nigeria and has considerably strained inter-group relations in the country. It is against this background that stakeholders have been canvassing for the introduction of the proportional representation (PR) model. PR is an electoral system which allocates parliamentary seats to parties according to their share of the national votes. Apart from being more inclusive than the FPTP system, it ensures a representative system which allows for a minimal number of wasted votes.

Equally discussed as necessary to comprehensive understanding of the country’s voting process is knowledge about electoral acts governing elections. For this reason a detailed discussion and analysis of Nigeria’s Electoral Act were provided. It is obvious from the discussions and analyses that conducting free and fair as well as peaceful and credible elections in a country such as Nigeria, given its size, large population, terrain and ethno-religious diversity, is a difficult assignment even under normal circumstances. The high stakes of presidential and gubernatorial elections, as well as National Assembly and State Assembly elections, encourage the use of violence. Similarly, findings also show political parties as agencies for mobilization and political

education contributing to electoral violence through internal undemocratic practices. In the next chapter of this study electoral institutions will be examined.

CHAPTER FIVE: NIGERIA'S ELECTORAL INSTITUTIONS

5.1 INTRODUCTION

The proper conduct of elections is dependent on the efficiency and effectiveness of electoral institutions. In Nigeria, there are three central electoral institutions, namely the Independent National Electoral Commission (INEC), the Electoral Tribunals, and the political parties. There are of course many other institutions that participate in the efficient running of the elections, such as the security forces, and recently non-governmental organizations (NGOs) and Election Monitoring Observer Missions. These basically play only a supportive and legitimize role of the electoral process, which is outside the scope of the present study. The purpose and impact of these institutions depends on the management model adopted in the creation of the institution mainly charged with conducting the elections. It is therefore necessary to examine the various electoral management models so that one can understand the Independent National Electoral Commission (INEC) and its constitution. The focus is on INEC's role, its organizational structure, and how it has managed the elections in the country. Secondly, one has to deal with the electoral tribunals, which in Nigeria function after the elections. Lastly, political parties in Nigeria play a crucial role as no candidate can stand outside of the political parties, hence the focus on political parties.

5.1.1 The Independent National Electoral Commission

As pointed out in chapter two, Nigeria has opted for the independent model of electoral management. Election management in Nigeria consists of a federal body, the Independent National Electoral Commission (INEC), which conducts both federal and state general elections; and the State Electoral Commissions (SECs) that organize, undertake and supervise all local government elections. The SECs also advise the INEC on the compilation of and the register of voters as applicable to local government elections in the states (Jinadu, 2011: 199). The functions of INEC are stipulated in Section 153, Schedule 21 as well as part one of the third schedule of the 1999 Constitution of Nigeria, sub section 15. These include the following:

1. To organize, undertake and supervise all elections for to the offices of the President and Vice President, the Governor and Deputy Governor of a state, and for the membership of the Senate, the House of Representatives, and the House of Assembly of each state of the federation.
2. To register political parties in accordance with the provisions of the constitution and act of the National Assembly.
3. To monitor the organization and operation of the political parties, including their finances.
4. To arrange for the annual examination and auditing of the funds and account of political parties and publish a report on such examination and audit for public information.
5. To arrange and conduct the registration of persons qualified to vote and prepare, maintain and revise the register of voters for the purpose of any election under the constitution.
6. To monitor political campaigns and provide rules and regulations which shall govern the political parties.
7. To ensure that all electoral commissioners, electoral and returning officers take the oath of office prescribed by law.
8. To delegate any of its powers to any resident electoral commissioners.
9. To carry out such other functions as may be conferred upon it by an act of the National Assembly (FRN, 1999).

In addition to the functions assigned to it by the 1999 Constitution, the INEC Establishment Act of 1998 gives the commission the power:

1. To conduct voter and civic education;
2. To promote knowledge of sound democratic electoral processes; and
3. To conduct any referendum required to be conducted pursuant to the provision of the 1999 constitution or any other law or act of the National Assembly.

The electoral body INEC has other responsibilities which include:

1. Facilitating capacity building and professionalism in the commission through training and manpower development of the commission's staff;
2. Engaging in vigorous voter education activities with a view to achieving an increased and effective participation of the electorate in the electoral process;
3. Carrying out electoral research and documentation; and
4. Ensuring the capturing and storing of voter's data, and to ensure that adequate infrastructure, software and personnel capability exists to enable the consolidation, matching, updating and safeguarding of data.

One needs to note, however, the existence of two electoral commissions: The Independent National Electoral Commission (INEC) and the State Electoral Commissions (SECs). The INEC is responsible for elections of the president, the National Assembly (senate and House of Representatives), governors and state assemblies. The INEC is constituted by the chairman and 12 national commissioners and 37 Resident Electoral Commissioners (RECs). The INEC chair is the chief executive officer at the national level, while at the state level the REC serves as the chief electoral officer, supported by an administrative secretary who is a permanent staff member as a chief accounting officer and head of administration. These are appointed by the president, after consultation with the Council of State¹⁰, for a period of five years, but have to be confirmed by the senate in line with Section 154 (1) of the 1999 Constitution. Below the commissioners is the Secretary to the Commission who acts as the head of the commission secretariat and head of administration and directs the various departments and directorates of the commission. As part of the structural reforms of the commission that took place ahead of the 2007 elections, the power to appoint the secretary was transferred to the commission. The commission has a decentralized

¹⁰The Nigerian Council of State consists of the following persons: the incumbent President, who serves as the Chairman; the vice President, the vice Chairman, all former Presidents of the Federation and all former Heads of the Government of the Federation; all former Chief Justices of the Nigeria; and all the Governors of the States of the Federation and Attorney-General of the Federation.

structure; policy-making is centralized at the national level through a committee system, while policy implementation is decentralized. Figure 5.1 shows the INEC organizational structure at the centre.

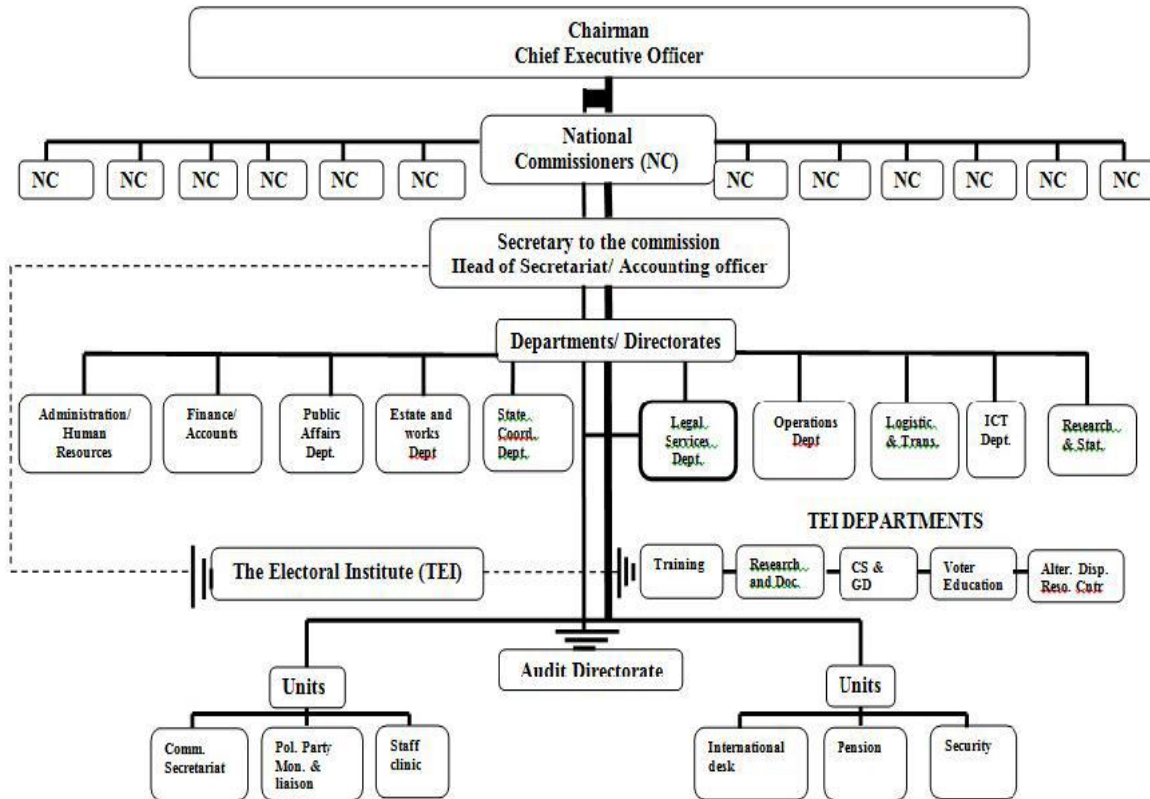


Figure 5.1: An Organizational Structure of INEC Headquarters.

Source: Research and Statistics Department INEC Headquarters, 2013.

The INEC decision-making process is arrived at by a simple majority in a closed session. The quorum required by passing a decision is eight commissioners. In case of a draw, the chairman retains the discretion to use a casting vote. Under this arrangement, INEC functions through a committee system with different aspects of the commission assigned to sub-committees that are chaired by national commissioners; directors of departments relevant to the work of the committees serve as secretaries of the committees. The secretary to the commission is a member of all the sub-committees. Decisions of the committees are referred to the commission for approval and implementation of the policies is coordinated by the office of the secretary (Olufunto, 2010: 20-22). At the local government level, an electoral officer (EO) serves as the

representative of the commission. The electoral officers who are permanent employees of INEC are responsible for the operation of INEC offices, and they report to the RECs.

As previously stated, there are State Electoral Commissions (SIECs) in all the 36 states of the federation that organize, undertake and supervise elections at the local government level. The SIECs have a structure similar to INEC at the LGA level, with their own electoral officials, separate offices, and separate logistic infrastructure. For the process of voter registration, parties' registration and candidate nomination, the SIECs rely solely on INEC to carry out its statutory functions.

A lot of issues have been levelled against INEC and its failure in the management of 2003 and 2007 general elections. First has been the lack of neutrality and effectiveness of the INEC, as evident in the views of citizens and reports that were presented by both domestic as well as international observer groups. The reports by the coalition of domestic and foreign observers in the 2003 elections established a plethora of cases of fraud and violence in the majority of states of the federation (TMG, 2003: 120; EU-EOM, 2003: 42). These cases include, but are not limited to, snatching of ballot papers, inflation of votes, ballot smashing, and high evidence of electoral violence.

In 2007, the European Union Observer Mission (EU EOM) explicitly pointed out the poor organization of the elections which resulted in the lack of transparency, widespread procedural irregularities, and disenfranchisement of voters (EU EOM, 2007: 1). Referring to the 2007 elections, Omotola (2010d: 46) noted that the INEC failed in its duties of running elections, resulting in missing ballot papers, voter registrations errors, underage voting, stuffed ballot boxes, absence of result sheets, and falsified results. According to Adejumobi and Kehinde (2007: 98), various failures of INEC in the 2003 and 2007 elections included the failure to deploy the names, logos and images of the opposition parties and candidates on the ballot papers, and failure of INEC officers to turn up at electoral posts or turning up with inadequate electoral materials. This has led the accusation that the INEC operates as an instrument of the incumbent regime. The International Crisis Group (ICC, 2007: 142) stated in its 2007 report that:

Widespread electoral malpractice and the staggering scale of falsified results were possible because of serious shortcomings within the regulatory agencies, most

notably the Independent National Electoral Commission (INEC). Vigorously manipulated by the presidency, [the] INEC virtually abdicated its responsibility as impartial umpire. Inefficient and non-transparent in its operations, it became an accessory to active rigging. Similarly, the police and security services which were deployed to help curb violence largely turned blind eyes to, and in some cases helped in the brazen falsification of results.

Part of the explanation for this is the fact that the INEC chair and other officials are appointed by the president and endorsed by the ruling party which is often in control of the national assembly. For them to survive they have to operate as partner of the incumbent regime (Ijim-Agbor, 2007: 92). Furthermore it is the executive that determines INEC's funding and how the funds are dispersed. This constrains both the independence and functionality of the institution. Some of the stated weaknesses of INEC are connected to the disbursement of funds. These affect the registration process and the printing of ballot papers and related matters. As Moveh (2012: 179) notes, the INEC is independent in name, yet political parties and candidates have provided part of the logistics for the administration of elections with a view to influencing the outcome of the process in their favour. This was noticeable during the 2002 and 2006 voter registration exercise where parties, governors and local government chairmen provided generators for powering the computers used for registration and accommodation for electoral officers.

The financial challenges have continued to affect the performance of INEC as noted by its chairman in 2010 in preparation for the 2011 elections:

...we met a budget on ground and you are aware that the 2011 appropriations were reduced. That budget cut also affected us because while we were requesting for 74 billion Naira for the direct data capture machines and other logistics our capital budget was reduced by eight billion. That money was meant to address some of the infrastructural decay in our state and local government offices which are in a state of disrepair....we will be making a representation to the government on this so that we will reduce to the barest minimum the dependence of our staff on governors and local government chairmen for some logistics because we found out that some of them (INEC) staff) make themselves available to be used by

going to the governors and local government chairmen to request one favour or the other (Daily trust 31st August, 2010).

Given the state of the funding for INEC and its closeness to the incumbent president and party, it has been impossible for it to exercise its independence. This has remained a conditioning factor for electoral violence in Nigeria. Its actions have also been triggering factors for violence. Another element of concern with the INEC has been its disqualification of candidates to contest elections. This was in particular critical in the 2007 elections when the INEC used the administrative panel, with supporting document from the Economic and Financial Crimes Commission (EFCC) report, to disqualify not only the former vice-president Abubakar, who was competing for presidency under the opposition party, but also 130 other candidates of the EFCC list. This was going beyond the INEC powers as the subsequent court ruling declared (Ijim-Agbor, 2007: 91-92). Interfering with party nominations contributed to the ensuing violence. Equally of concern in the 2007 elections was allowing the parties to change their nominated candidates after the cut-off date of 60 days prior to the elections (Electoral Act 2006, Section 34.1).

5.1.2 Electoral tribunals

An election tribunal is an *ad hoc* court by name and status, and affords a candidate the prospect to subject the outcome of elections through judicial arbitration. They are constituted temporarily to resolve petitions resulting from election differences and cease to exist as courts immediately after the petitions are determined. There are statutory provisions that deal with the establishment and jurisdiction or powers of election tribunals in Nigeria since 1999. As stated in Section 141 of the constitution, election tribunals must be constituted no later than 14 days before election and an election petition must be lodged within 21 days after the results are declared. Consequently, Section 285 (1) and (2) of the Nigerian Constitution makes provision for election tribunals to handle petitions arising from the conduct of elections into the National Assembly, Governorship, or the state Houses of Assembly (FRN, 1999).

Although Nigeria is a federal state, the judicial architecture is unitary in nature and reflects centrist proclivities of its military promulgators. After the conduct of an election, one or more

electoral tribunals must be constituted to hear petitions concerning the outcome, the term of office of an individual, and whether proper procedures had been observed. These tribunals, known as State Electoral Petition Tribunals (SEPT), are constituted by a chairman and four other members appointed by the President of the Court of Appeal, in consultation with the Chief Justices of the State, the President of the Customary Court of Appeal of the State, and the Khadis¹¹ of the Sharia Court of Appeal.

Petitioners who are not satisfied with the decisions reached by the SEPTs can appeal to the Federal Court of Appeal, which has the final say in all matters relating to all elections, except the presidential elections. The 2010 Electoral Act extended the petitions arising from governorship elections to the Supreme Court. Section 139 of the Constitution has a similar provision for the determination of petitions arising from presidential elections. In the case of presidential elections, the Court of Appeal acts as the Election Tribunal (as the equivalent to a federal Appeal Court) and operates only in the Federal Capital Territory (FCT), Abuja. Under Section 239(1) of the Constitution, it has original jurisdiction (to the prohibition of any other court of law in Nigeria) to hear and determine whether any person has been reliably elected to the office of President of Nigeria, or in the case of the term of office of the President ending or the office of President becoming vacant. Further appeals on Presidential election will go straight to the Supreme Court, which is the highest court in Nigeria.

The Electoral Acts provide for the State Chief Judge to establish Local Government Election Tribunals to try cases arising from local council elections handled by state electoral commissions in the 36 states and the FCT, Abuja. In terms of complaint, only a candidate or a political party can file any petition arising from election matters. No other person or group can approach an election tribunal on election matters as individual candidates are barred from contesting elections. The election petition must be accompanied by a list of witnesses, witness statements, and copies or a list of all documents to be relied on at the hearing of the petition.

¹¹The Nigerian Constitution recognizes courts as either federal or state courts. The difference between the two is that while the President appoints justices/judges to the federal courts, Governors appoints judges to the state courts. The State Courts include: the High Court of the state, the Customary court of Appeal and the Sharia Court of Appeal of a state. The predominantly Muslim northern states tend to have Sharia courts rather than the customary courts.

Section 147(1) empowers the tribunal to nullify an election if an elected candidate was not validly elected. Section 140 provides the court or tribunal to nullify elections on the grounds that the candidate voted for was not qualified to contest but shall order a fresh election. Previously, Tribunals and Courts in subsection 2 of the 2006 Act empowers the tribunal or court to declare as elected another candidate who is deemed to have scored the highest number of valid votes cast where the candidate who was returned as elected did not win a majority of valid votes. Section 149 provides 21 days from the date of the decision of an election tribunal or court for an appeal against the decision. The rules of procedures for election petitions and appeals are set out in the first schedule of the Electoral Act.

Given the fraudulent nature of the 2003 and 2007 elections, the electoral tribunals were mandated by electoral petitions. In 2003, 527 petitions were received by the electoral tribunals. These increased to 1250 petitions in 2007. While these were spread across many states there were concentrations in specific states as can be seen from Table 5.1

Table 5.1: No of cases in the 2007 general elections

State	Number of Cases
Anambra	99
Ogun	80
Rivers	68
Kogi	46
Katsina	44
Kano	43
Edo	32
Plateau	28
Kaduna	21
Kwara	21
Oyo	19
Ebonyi	17
Imo	13
Gombe	12
Borno	8
Yobe	6

Source: Modified by the Author from Ololajulo 2007: 22

Anambra states had 99 cases, Osun 80 cases, Rivers 68, Kogi 46, Katsina 44, and Kano 43. Similarly, Fabiyi (2007: 11) documents cases lodged stemming from the 2007 national elections with eight cases for the presidential, 105 governorship, 150 senatorial, 331 for the House of Representatives, and 656 for state Houses of Assembly. Lack of internal democracy was included in our definition of electoral violence, and by the provision of the 2006 Electoral Act, the unilateral disqualification of candidates is in violation of the provision of the Electoral Act. This can be seen in the disqualification of the Vice President to contest the April 2007 presidential election on the platform of Action Congress (AC), which the Supreme Court later rendered null and void barely a week before the presidential election (Shehu, 2012: 77-78). Similarly, Ibrahim Bapetal, an AC governorship candidate was wrongly omitted from contesting the 2007 governorship election. The implication on electoral violence is that the disqualification by the INEC affected the candidate in the electoral process. Psychologically, the candidate will be defeated since he is not sure of running for the position. Secondly, voters' register constitutes another problem of the 2006 Electoral Act. The 2007 elections became a problem at the very start of the INEC's preparation of the register of voters.

There has been a general acceptance of electoral tribunals partly because they have been able to overturn election outcomes not only of National Assembly candidates, but also of State Governors. A point of reference is, in March 2008, the Edo State Elections Petitions Tribunal upheld the petition of AC Governorship candidate, thereby invalidating the PDP candidate. This decision forced the governor to file an appeal in the Court of Appeal, which he lost on November 2008 (*The Punch*, 13 November 2008). Similarly, the Ondo State Elections Petitions Tribunal overturned the election of PDP Governorship candidate and declared the candidate of the Labour Party (LP) as the rightful winner of Ondo State Governorship election (*The Guardian*, 23 February 2009). The major weakness of the tribunals was the length it took for cases to be concluded. The cases of Edo and Ondo took almost two years to be concluded.

Thirdly, another flaw of the 2006 Electoral Act is the nomination of candidates. By most standards these are grossly abused procedures of the electoral processes by the parties. Some parties organized party primaries while some parties changed the names of candidates on the party lists submitted to INEC headquarters. The result was the declaration of individuals who had

not stood in the election elected (Ogunsanwo, 2006: 6). This flaw comes in because the 2006 Electoral Act allows parties to change their nominated candidates no later than 60 days before the election (Electoral Act 2006, Section 34(1)). The political parties went ahead and withdrew candidates who won the primaries and replaced them with others. The implication of this flaw is that it may lead to a problem of legitimacy since party chieftains forced unpopular candidates on the parties, also making the candidates running for the post unpopular. Therefore, the only available choice by the imposed candidates is to embark on the electoral fraud or do-or-die affairs through the use of violence, thuggery, stuffing of election boxes, and other such means to win the elections.

5.1.3 Political parties

As noted in chapter three, there were three dominant parties: the Northern People's Party (NPC), the Action Group (AG), and the National Council of Nigerian Citizens (NCNC). These were ethnically based, with the NPC controlled by the Hausa/Fulani, the AG by Yorubas, and the NCNC by Igbos. Ethnic competition and manipulation was rampant at the elections. During elections alliances and coalitions between the parties were formed. The electoral squabbles, both at the federal and state level, and the electoral violence that ensued led to the military takeover of the federal government and the suppression of the regional governments.

Five political parties re-emerged during the second republic. Out of these parties, three out of the five were in fact a reincarnation of independence parties with some of the old leaders. These were the National Party of Nigeria (NPN), a replica of the Northern People's Congress; the Unity Party of Nigeria (UPN) as a rebirth of the AG; and the Nigeria People's Party (NPP) as the former NCNC. Again, the party system cut short as a result of the fraudulent practices during the 1983 elections. Parties were again allowed to operate between 1991 and 1993. However the military limited the number of political parties and how they were to be formed and operated. Only two parties were allowed: the Social Democratic Party (SDP) and the National Republican Convention (NRC). While these went through the entire electoral process from local government elections, state assembly elections, national assembly elections and presidential elections, they were dissolved following the annulment of the presidential election results and the return to military rule.

In 1998 the military again took part in the formation of parties and only allowed three parties to contest the elections. These were the People's Democratic Party (PDP), the All People's Party (APP) and Alliance for Democrats (AD). The final outcome of the elections left two dominant parties, the PDP and the APP, as the main dominant parties after in the 1999 presidential elections. The number of parties was allowed to increase to 29 in the 2003 elections and to 50 in the 2007 elections. This, however, did not change the dominance of two parties in Nigerian politics. According to the 1999 Constitution, no candidate may run in an election unless nominated by a party. This has focused the initial election competition on gaining party nominations. There has been very little internal democracy in the selection of candidates. This has tended to generate intraparty conflicts as the parties fall under the control of *godfathers* or money bags, as well as generated violence, particularly pre-election violence. The term "godfathers" or "godfatherism" has come to dominate Nigerian politics, and is defined as the "process by which an individual establishes links with a senior within an institutional hierarchy in the expectation of favoured treatment". The godfathers in Nigerian politics are mainly people with money and status that use their means to sponsor political candidates, and who in return expect the candidates to facilitate their continued benefits from state resources through contracts or even direct payments, once in position to do so (Albert, 2005; Omotola, 2007:).

Given the economic stakes that winning entails in Nigeria, intense interparty rivalry has also developed. Consequently, this has often led to the incumbent party to perpetuate violence in a bid to retain power. Within the Nigerian context, the incumbent party sees the state as a political empire that must be retained at all costs. To the party, the word opposition does not only convey contestants but an enemy on the war front (Onapajo, 2014: 37). In the 2007 elections, for example, the ruling party PDP was reported by the observer missions as being responsible for the violence in many states, as can be seen from Table 5.2 which indicates incidents of pre-election violence during the 2007 elections.

Table 5.2: Parties and incidents of pre-election violence during the 2007 election process in Nigeria

No	Date	Place	Description	Party
1	-	Abeokuta-Ogun	Attack on governor after primaries	PDP
2	-	Mbeke-Ishieke-Ebonyi	Inter-party clashes at PDP primaries	PDP
3	-	Rivers State	8 people killed at PDP Primaries	PDP
4	-	Eleme- Rivers State	1 killed and 20 injured at inter-party clashes	PDP
5	-	Ogoni- Rivers State	2 killed, senator's car smashed at primaries	PDP
6	-	Ogubolo- Rivers State	PDP primaries deferred because of violence	PDP
7	9/12/06	Makurdi-Benue state	Fighting at PDP primaries	PDP
8	-	Minna-Niger State	Violent protests after PDP primaries	PDP
9	14/8/06	Ijan-Ekiti, Ekiti State	Murder of PDP Governorship candidate	PDP
10	22/5/06	Akure-Ondo state	Assassins attacked home of PDP candidate	PDP
11	04/10/06	Borno State	12 shot in residence of ANPP secretary	ANPP
12	07/06/06	Port Harcourt- Rivers	PDP governorship aspirant bombed	PDP
13	27/07/06	Lagos	Murder of PDP governorship candidate	PDP
14	03/02/07	Akure-Ondo State	Gang violence over governorship candidate	PDP
15	03/02/07	Delta State	Assassination of PDP chieftain L. Onokpasa	PDP
16	02/02/07	Bauchi state	2 supporters of ANPP killed by thugs	PDP
17	14/02/07	Okitipupa-Ondo state	Dispute over underage registration	-
18	27/02/07	Lagos State	Inter-party clashes	PDP/ANPP
19	03/03/07	Gombe State	Attacked on party supporters by police	ANPP
20	10/03/07	Abeokuta-Ogun State	Inter-party clashes	PDP/ANPP
21	15/03/07	Gombe State	PDP supporters attacked opposition	PDP
22	14/03/07	Kano State	Thugs attack convoy of governor	-
23	10/03/07	Lagos State	Thugs attack PDP campaign Team	AC
24	13/03/07	Lagos State	PDP thugs attack AC campaign Team	PDP
25	11/03/07	Abeokuta-Ogun State	15 people injured after interparty clashes	PDP/ANPP
26	14/03/07	Ife-Osun State	5 people injured after violence at AC rally	-
27	18/08/07	Benue State	Clashes that led to 10 deaths after the murder of PDP youth	PDP
28	21/03/07	Rumuekpe-Rivers State	71 killed and 20 injured over governorship candidates	-
29	07/03/07	Lagos State	Campaign rally of DPA candidate disrupted	-
30	15/03/07	Katsina State	Inter-party clashes	PDP/ANPP

Sources: ICG 2007; TMG 2007 HRW 2007a.

The behaviour of the incumbent party in Nigeria appears to be in tune with the actions of incumbent parties elsewhere in Africa. This is the conclusion reached by Nehler (2007: 204) who states that “violent behaviour stems from the ruling parties”. Straus and Taylor (2009: 15), in their study of violence in African elections between 1990 and 2007, found out that of the 124 cases of violence reported in the given period, 105 were perpetrated by the ruling parties. Hafner-Burton, Hyde and Jablonski (2012: 19) suggest that the use of violence by unpopular incumbents against opponents stems out of fear of losing power, and is intended to compel the opposition to boycott the election.

This does not mean that the opposition parties do not engage in electoral violence. In the 2003 and 2007 elections in Nigeria, Collier and Vicente (2008: 1) noted that the opposition parties were mostly connected with post-electoral violence which occurred mostly in the form of protests arising out of the alleged fraud by the incumbent party. Violence perpetrated by opposition parties has also assumed the proportions of rioting and arson attacks on offices of the INEC, party offices and properties owned by politicians. In the 2007 election, for example, INEC offices were burned down¹² (*Sunday Punch* 22 April, 2007: 8).

5.2 CONCLUSION

It can be concluded from the above that the INEC and how it has administered elections in Nigeria, in particular from 2003 to 2007, has contributed to electoral violence. More details of the INEC failures are dealt with in the next chapter. Equally, political parties, but more so the PDP that came to power in 1999, were responsible for most of the violence in the two elections in which were both intra- and interparty violence and colluded with the INEC and the security agents to commit electoral fraud. The operations of the electoral tribunals, despite the long delays in coming up with decisions, have contributed positively in minimizing the post-election violence in that the losers of an election have a non-violent recourse through the courts. One overtly to this recourse is the stipulation of the 2006 Electoral Act, section 145, that states that

¹²In Anambra State (INEC offices in LGA Onitsha North, LGA Akwa North, LGA Newi South, LGA Orumba and LGA Ihiala were burned down and the INEC offices in LGA Ogbaru and LGA Atani were bombed on 14 April), Benue State (State INEC office in Makurdi, 1 May) and Katsina State (LGA INEC office in Daura 21 April).

the ground upon which an election may be questioned does not include one that the petitioners have received the majority of the lawful votes cast at the election, should be returned as duly elected.

CHAPTER SIX: THE NATURE, PATTERN AND SPREAD OF ELECTORAL VIOLENCE IN THE 2003 AND 2007 ELECTIONS IN NIGERIA

6.1 INTRODUCTION

Using existing studies and reports on the 2003 and 2007 elections in Nigeria, this chapter puts together the various incidents of electoral malpractices and violence during the two elections in the various states. These are summarized in Appendix 1A and 1B. The aim here is to identify the nature, pattern and spread of electoral violence in Nigeria during these elections. This helps one to understand how the nature of politics, nature of elections and electoral institutions discussed in chapters 3, 4 and 5 contributed to electoral violence. In line with the general understanding that electoral violence happens on a continuum that includes the pre-election and post-election periods, this chapter analyses the electoral violence under three sub-headings: pre-election violence, violence during elections, and post-election violence, and thereafter links the conditioning factors to the actual triggers of election violence. The chapter ends by outlining the various electoral reforms and programmes aimed at addressing the causes of electoral violence in Nigeria.

6.2 THE PATTERN OF ELECTORAL VIOLENCE IN NIGERIA

Appendix 1A and Appendix 1B summarized the reported electoral violent activities and malpractices observed during the 2003 and 2007 elections. The elements as indicated in appendix 1A and 1B can be summarised as follows.

6.2.1 Pre-election malpractices and violence

Pre-election malpractices and violence refer to what takes place before the day of election. In the case of Nigeria, these appear to be closely associated with the selection of candidates who represent or the party nomination for the various electoral posts. According to Section 7 (d) of the 1999 Constitution, it is only recognized registered political parties that can field candidates for any elective position. The Constitution, however, is silent on how parties select their candidates. A political party reserves the right to decide on the process its candidates or standard

bearers can emerge to compete for general elections. Parties have the right to change the names submitted to INEC as their nominated candidates. Section (36A) of the 2006 Electoral Act only requires that the basis of the submission for change be “credible and verifiable”. While section 21 of the 2002 Electoral Act gave the INEC the power to disqualify a candidate not lawfully nominated and whose nomination fell short of the relevant sections of the constitution and the Electoral Act, these powers were taken away and placed in the courts with enactment of 2006 Electoral Act. The biggest source of problems in the pre-election period is firstly concerned with how parties nominate their candidates. The most common complaint in the 2003 elections has been the imposition of candidates on the electorates, leading to intraparty fighting and violence. This was the case in the North-Central region with Benue, Kwara, and Nassarawa states reporting the imposition of candidates. In the North-East, Borno, Gombe, Taraba and Yobe reported the same. The same situation also prevailed in the North-West where Jigawa, Kaduna, Kano, Katsina, Kebbi, Sokoto and Zamfara experienced the imposition of candidates. In the 2007 elections Imo state in the South-East was still affected by the imposition of candidates. This was also the case for Rivers state in the South-South geopolitical area and all the states of the federation. As noted in section 4. 3 of chapter four, the issue of illegal substitution of candidates by political parties is addressed by Section 87 of the 2010 Electoral Act.

This phenomenon of the imposition of candidates is closely associated with ‘godfatherism’”, which is defined as “the process by which an individual establishes links with a senior within a given institutional hierarchy in the expectation of favoured treatment” (Joseph 1987: 207). Godfatherism also refers to “wealthy and powerful individuals who do not hold public office but mobilize corruption and violence to subvert and control the political process by installing their protégés into office” (HRW 2007a: 15). Political “godfathers” determine which candidate is selected for election purposes, either through the prescribed channels of decision-making in the political parties or through informal networks of social ties and obligations that ultimately influence party decisions. Cases and activities of godfathers imposing their preferred candidates were clearly noticeable during the 2003 and 2007 elections in states such as Anambra, Borno, Kwara and Oyo (Omotola 2007; Ayoade, 2006; Albert 2005). Although the trend of imposing candidates was slightly reduced during the pre-2007 elections, it has been reported in other states, particularly in Imo and Rivers, that candidates which emerged from party primaries

conducted by the People's Democratic Party (PDP) were replaced before the beginning of the polls (Shehu, 2012: 78). In the case of Rivers state, for instance, the PDP relied on a purported charge by the Economic and Financial Crimes Commission (EFCC) and substituted the candidate, who already emerged as flag bearer on its ticket with the total of 6, 527 out of 6, 575 votes in the gubernatorial primaries. The contestant was replaced with another candidate who had never participated in the primary elections. In Imo state, the candidate whose name was initially forwarded to the INEC, having pulled 2,061 votes and his closest rival 1,649 votes, was replaced in a letter dated 18/1/2007 to the INEC with another candidate who recorded only 36 votes and 14 on the nomination list (Shehu 2012: 78).

This also points to the absence of democratic practices within a party in the selection of candidates. It is also associated with the incumbency system; the unrestricted access a current political holder has over the control of state machineries and resources which can be deployed to his advantage and be used against his opponents during the electoral process (Olusola, 2011: 11). In the 2003 elections, the incumbent governors automatically became the party candidates, irrespective of the local people's preferences. For example, in the states controlled by the ruling party, the PDP, the president and the incumbent state governors had automatic tickets to contest the 2003 elections. In the All Nigerian People's Party (ANPP), presidential aspirants walked out of the national convention in Abuja in 2003, arguing that the candidature of a certain aspirant had been pre-determined by the 'national body'. Similarly, the Alliance for Democracy (AD) did not allow any aspirant to contest party primaries with incumbent AD governors in the South-West Nigeria for the 2003 elections (Odey, 2003: 2).

Pre-election violence has also been associated with disqualification of candidates. This took place in Adamawa state in 2007, in Plateau state in 2003, in Anambra in 2007, in Imo in 2007. The disqualification of candidates by the INEC, which in 2007 included the Vice-President, who was a presidential candidate, and 134 others for various posts, was based on the Economic and Financial Crimes Commission (EFCC)¹³, who accused them of fraud and claimed that they were unfit to hold public office. Two things have been highlighted in this regard. First is that the

¹³ The Economic and Financial Crimes Commission was created in 2002 to fight fraud and other financial crimes in Nigeria.

EFCC was politically biased, since many of those listed were either opposition candidates or individuals who had opposed the third term campaign¹⁴ of president Obasanjo. The published list did not include several major PDP figures that the EFCC chairman had previously identified as corrupt (Jimoh, 2007: 9). Second, the INEC had no constitutional powers to disqualify candidates since its power had been taken over by courts in the 2006 Electoral Act. This was affirmed by the courts in the challenge by Atiku Abubakar, Chris Ngige, Ifeanyi Ararume and others against their disqualification by the INEC. The court affirmed that INEC had no powers to disqualify any candidate cleared by his party (Ijim-Agbor, 2007: 91).

One major failing of the INEC, particularly in 2007, has been its failure to display a voters' register in advance of the elections for public review as stipulated by law. The inadequacies in this crucial aspect of the electoral process adversely affected the INEC's preparations for the elections and undermined the proper conduct of the election processes. It is this that allowed the possibility of multiple voting, thumb-printing and stuffing of boxes during the elections. This was a major weakness in the 2003 and 2007 elections. Since then attempts have been made to address this through the 2010 Electoral Act with the introduction of an electronic voting system. The idea behind an electronic voting system was to eliminate misdemeanours of ballot stuffing/snatching, impersonation and vote rigging which occur during the end of balloting and the collation of results at the Ward Collation Centres (WCCs), Local Government Collation Centres (LGCCs), and/or State Collation Centres (SCCs). Electronic voting was not put in use until the introduction of Permanent Voters Cards (PVCs) and Data Capturing Machines in the 2015 general elections, all aimed at eliminating irregularities in the electoral process in Nigeria.

Pre-electoral violence takes place during the short campaign period and is mostly associated with interparty conflicts. This has in some places has gone beyond the disruption of another party's campaign and the intimidation and harassment of opponents to actual assaults, arson, destruction of property, rape and killings, which were common in both the 2003 and 2007 elections. In 2003, while there were reports of assaults in states such as Gombe and Yobe in the North-East and Zamfara in the North-West, these incidents were mostly concentrated in the South-South; in

¹⁴The third term campaign was an attempt by the President to change the section of the 1999 Constitution which allowed him two term limits of four years each to a limitless tenure.

particular, Akwa-Ibom, Bayelsa, Delta and Rivers states. In these states, there were clashes between party-recruited thugs that resulted in death and the destruction of properties that included the burning of the INEC office. The South-South remained the hotspot in the 2007 elections with killings reported in Delta and Rivers States. Violence then spread to the South-West with reports of assaults resulting in the killing of opposition candidates and arson reported in Ekiti, Lagos, Ondo, Ogun and Oyo in the South-West. In the 2003 elections the aim in the South-South and other regions was to force the postponement of elections. This appears to have been successful in the states of Akwa Ibom, Anambra, Bayelsa, Delta, Enugu, Kogi, Rivers and Zamfara (EU EOM, 2003: 102). In many other areas, the aim was to intimidate the voters and force them to vote for specific parties (HRW, 2004: 18).

Apart from party thugs and armed gangs of youth actively recruited by politicians in preparation for elections and being involved in pre-election violence,¹⁵ one needs to note the involvement of the security forces (the police and the army) at this period. They have been accused in the 2007 elections for the arrests and detention of contestants and supporters, such as was the case in Ekiti in 2007, but also for turning a blind eye to the activities of party thugs. The main complaint is that despite the widespread of assaults, arson, destruction of property and killings, those responsible have never been charged in court. The sense of the security forces' involvement with the party in power becomes more apparent when one details the activities of the security forces during the elections.

Finally, another element identified in pre-election violence is that of the politics of succession; that is, an incumbent either trying to re-contest or anoint a candidate to succeed him. This was the case between the president and the vice president during the 2007 election. While the Vice President was insistent on succeeding the president, the president was locked in a political tangle which was not favourably disposed to his vice succeeding him, whether under the banner of the PDP or any other political party. The indictment of Vice President Atiku by the EFCC and his subsequent disqualification by the INEC were all part of arrangements to muscle him out from

¹⁵ In Anambra State, the PDP gubernatorial candidate had allegedly paid large sums of money to “mobilize” and arm a youth militia (Black Axe Cult group) to attack rival cult groups resulting to assassination of seven people (HRW 2007: 16).

the presidential race. Specifically, the Chairman of the INEC, Professor Maurice Iwu, was quoted as having said that “court judgment or no court judgment, Atiku remains disqualified” (Shehu, 2012: 81).

6.2.2 Electoral malpractices and violence during the elections

This section deals with the malpractices and violence that takes place on the day of elections. What needs to be noted here, however, is the staggered nature of elections in Nigeria. In 2003 the elections for the National Assembly took place on 12 April, the governorship and presidential elections on 19 April, and State Assembly elections on 3 May. In 2007, the governorship and State Assembly election took place on the 14 April and the presidential and National Assembly elections on 21 April. In analysing electoral violence during these periods one has to examine what transpired in the various states. Going through the various reports on elections in Nigeria, one is struck by the fact that a greater part of the violence during these periods could be referred to as structural violence in so far as these incidents are associated with the core activities of the INEC. The structural related violence include among others:

i. The inadequate, late or non-supply of electoral materials

In the 2003 elections, the inadequate, late or non-supply of electoral materials was noted in Benue, Kwara, Nassarawa, Niger and Plateau in the North-Central region; in Adamawa, Taraba and Yobe in the North-East; and in Kaduna and Kebbi in the North-West. In the 2007 elections, this was reported in Kogi in the North-Central; in Adamawa, Bauchi, Borno, Gombe, Taraba and Yobe in the North-East; in Kebbi and Sokoto in the North-West; in Abia, Anambra, Enugu, Ebonyi and Imo in the South-East; in Akwa-Ibom, Bayelsa, Delta, Edo and Rivers in the South-South; and in Lagos, Ogun, Ondo and Oyo in the South-West. What this points to is that the situation became worse in 2007. Some of the missing materials have a direct influence on the final outcome of the elections. Of particular importance were the absence of tabulation and result sheets and ink to thumb-print ballot papers as noted in Kwara, Plateau in the 2003 elections; in Akwa-Ibom during the presidential elections; and Rivers in the 2007 elections. The worst case was the non-supply of ballot papers in Niger state which led to the cancellation of elections. The

inadequate, late or non-supply of electoral materials in many poll units resulted in the burning and destruction of properties when final results were announced by the INEC.

ii. The late arrival or non-appearance of electoral officers

In the 2003 this was reported in Benue and Kaduna states. In the 2007 elections, this became more widespread. The late or non-appearance of electoral officers took place in Abia, Anambra, Cross River, Ebonyi, Enugu, Imo, Katsina, Nassarawa and Plateau, (replaced by paid agents and thugs in the gubernatorial elections), Enugu, Bayelsa, Delta, Edo and Ogun. This had a negative impact on the final results.

iii. Non-serialization of ballot papers

Presidential ballot papers were printed with no serial numbers in the 2007 elections. This meant that no records could be kept when there were been distributed. It is this that facilitated the tampering of ballot boxes including ballot stuffing. This became a major issue in the 2007 elections. It was great oversight on the part of the INEC. Most of the other electoral violence practices in these elections such as the snatching or hijacking of ballot papers and the use of illegal ballot papers stems from this failure.

iv. Problem with voters' registers

It is the task of the INEC to have registers of voters in all polling stations. These are expected to be displayed before the elections and to be used at polling stations. Voter's registers were not displayed before both the 2003 and 2007 elections, and in some cases were not available on election day. This resulted in underage votes which were a major issue throughout the states in the North-East and North-West where underage voting was observed in all the 2003 elections. This could have been resolved if the voters' registers were released in advance of the elections. The non-display of voters' registers was again a contentious issue in the 2007 elections not only in the North-East and North-West where under age voting had been noted in the 2003 but now extended to all the North-Central states and to some states in the South-East like Abia and Bayelsa in the South-South. It is the absence of a voter's register that allowed ballot stuffing, thumb-printing, and many other malpractices which marred the 2003 and 2007 elections.

v. Problem with the printing of ballot papers

While there were no problems reported in the 2003 elections, it became an embarrassing issue to the INEC in the 2007 elections when in the North-West states of Jigawa and Sokoto, the images and names of candidates, including the party logos, were missing on the ballot papers. In Anambra in the South-East elections were postponed in 6 of the 8 national assembly constituencies because names and logos of candidates were excluded. In Imo the PDP governorship candidate was excluded from the ballot papers, resulting in annulment of the gubernatorial results. In Delta state the PPA candidate for the Delta North Senatorial District was omitted from the ballot papers. In Lagos state, candidates were excluded on the ballot papers leading to the postponement of the election in two senatorial districts. This also occurred in Ogun where party logos and the names of candidates were missing. In Lagos, party logos, names and photographs of opposition candidates were missing on the ballot. It is instructive to point out that efforts were made by the new INEC leadership to address these structural challenges in the 2011 elections. Firstly, the irregularities established in the voters' register were rectified with a new roll for each polling unit to allow voters and observers to verify legitimate voters so that electorates were not unduly disenfranchised. Secondly, logistical issues, such as errors in the printing and distribution of ballot papers and omission of party logos, were worked out for a problem-free election in 2011 (Bekoe, 2011: 2). In these states candidates were brazenly denied the opportunity to be voted for through non-inclusion of their names and/or pictures on the ballot papers by the INEC.¹⁶

Apart from the structural weaknesses identified above, there were other major causes of electoral violence during elections. The three critical ones are the under provision of security for the elections and party and the use by individual candidates of armed gangs, militias and/or thugs, all

¹⁶The affected candidates were as follows: Dr. Chris Ngige, AC Gubernatorial candidate Anambra; Nicholas Ukachukwu, ANPP Guber candidate; Anambra; Ifeanyi Araraume, PDP gubernatorial candidate, Imo State; Jimi Agbaje, DPA Gubernatorial Candidate, Lagos State; Uchenna Ohimai, Fresh Guber candidate, Lagos State; Saka Abioye, NAC Gubernatorial candidate, Lagos State; Christopher Obatunwa, Gubernatorial candidate Lagos State; Wilson Olabode, UNPP Gubernatorial candidate, Lagos State; In the case of Dr. Chris Ngige and Nicholas Ukachukwu, their names were excluded from the ballot papers in flagrant disobedience of court orders, which gives the impression that the INEC is an organization that has contempt for the rule of law and due process.

three of which are interlinked and feed into each other. The common element in almost all the states in Nigeria in both the 2003 and 2007 elections has been the snatching and stuffing of ballot boxes. This was reported in 2003 in Benue, Kogi and Nassarawa in North-Central; in Adamawa, Bauchi, Borno, Gombe, Taraba and Yobe in North-East; in Jigawa and Zamfara in North-West; in Akwa Ibom, Cross River, Delta, Edo, and Rivers in South-South; and Abia, Anambra, Ebonyi, Enugu and Imo in South-East. In Imo this included the destruction of ballot boxes from non-cooperative areas (Refs). In the 2007 elections, ballot snatching and stuffing was reported in Benue, Kogi, Kwara, Nassarawa and Niger in North-Central; in Kaduna in North-West; in Abia and Imo in South-East; in Akwa Ibom, Cross River, Delta, Edo and Rivers in South-South; and Ekiti, Ogun, Ondo, Osun and Oyo in South-West. If security was adequately provided such actions could have been prevented. The unfortunate situation is that in some of the above cases the security forces - the police and the army - were at times involved or bribed to turn a blind eye to what was going on. In fact, it has been noted that security personnel perpetuated electoral malpractices and fraud in collaboration with political parties (JDPC 2003: 16; HRW 2007b: 54). There was also failure to protect election observers who were intimidated by party and individual politicians, thugs and militias. In 2003, this was recorded in Abia, Akwa Ibom, Anambra, Delta, Enugu and Rivers states. The intimidation, including harassment of observers and barring them from collation centres, became widespread in the 2007 elections. These were reported again in and Akwa-Ibom, Bayelsa, Delta, Rivers in the South-South, and in Enugu and Imo in South-East (SDN 2007: 3).

The above activities were carried out on behalf of the parties or individual candidates. This was possible because the national and state governments allowed parties and individuals to recruit and arm what were referred to as protection groups. This involved the recruitment by political parties and individuals of youths between the ages of 8 and 35, which included school and school drop-out youths. Most of these youths are unemployed and drug addicts and prone to be violent. These youths are known by various names. In the Northern states of Nigeria they are named “*Karare boys*” or “*Yan mage*”, “*Ecomog*”, “*Yan daba or banga*”, and “*Sara Suka*”. Similar ones exist in the southern Nigeria where they are called, “*Outlaws*”, “*Niger Delta Vigilante (NDV)*”, “*Niger Delta people’s volunteer force (NDPVF)*”, “*Tokyo groups*”, “*Tawa groups*”, “*Black axe*”, “*Greenlanders*”, “*Black axe*”, “*Supreme Vikings confraternity*” or “*Vikings*”, “*Buccaneers*” and

“*Klansmen confraternity*” (Kabiru 2011: 15). It is these thugs and so called militias that committed the psychological and physical violence during the 2003 and 2007 elections. Their actions went beyond the snatching of ballot papers to intimidation, assaults, killings, and destruction of properties.

In the 2003 elections, arson, killings and violence and intimidation were recorded in Benue, Kogi, Kwara and Nassarawa in North-Central; in Zamfara in North-West; in Delta (where an INEC office was burned and electoral materials destroyed); in Edo (where INEC staff and members of the ANPP were killed); in Rivers (where some state assembly candidates were beaten) in South-South. Furthermore, Delta in the South-South (where houses were burnt and a couple visiting one of the parliamentarians were burnt and 20 wounded), in Ebonyi where INEC staff were attacked and there was reported arson and killings. In 2007 elections, violence was recorded in Nassarawa (where security personnel were assassinated), in Kano (where polling stations were invaded by armed gangs), in Katsina (where burning and destruction of properties was reported), in Abia (where voting was disrupted), in Imo (where people were assaulted and properties destroyed), in Akwa-Ibom (where electoral officers were assaulted), in Rivers (where there was detention of party supporters and observers), in Ekiti (where there was arson and assault on political opponents and damages of vehicles and properties), and in Oyo (where there was indiscriminate shooting and harassment of voters, observers and journalists).

One needs to note the fact that political assassinations were widespread prior to the 2003 and 2007 elections as a means of eliminating strong opponents in the race for party nominations of candidates, during the campaigns, and immediately after elections. Duroteye (2014: 238-239) records 15 politically-motivated assassinations between August 2002 and March 2003. These were closely related to the elections that took place from April 12, 2003. Nineteen people were assassinated between 12 April and 3 May 2003, which coincided with the actual elections, and five people in 2004, which can be related to the 2003 elections. Our own analysis of the 2007 elections indicate that 10 people were killed in Benue, 15 in Kogi, 15 in Nassarawa (including security personnel), 10 in Delta (including an INEC officer), and 16 in Osun. Most of the deaths are related to post-electoral violence (Appendix 3).

Another element of electoral violence which is associated with parties and individual candidates is that of vote buying. Bello-Iman (2007: 4) describes vote buying as a gift or gratuity bestowed for the purpose of valuable consideration given or promised for the betrayal of trust or corrupt performance of an allotted duty as a voter. For Sha (2006: 124), vote buying refers to any form of persuasion in which financial gain is suggested by one person to another with the intention of influencing a person's vote. In the 2003 elections, vote buying was noted in Kwara and Nassarawa in the North-region and in all states in the North-East and North-West. The practice continued in the 2007 elections in the northern regions and was noted in Kogi, Kwara and Plateau in the North-Central region; in Bauchi, Borno, Taraba in North-East; and Jigawa and Sokoto in the North-West. Vote buying now extended to the Southern regions and was observed in Enugu in the South-East; in Cross River, Edo in the South-South; and in Ogun, Ondo, Osun and Oyo in the South-West. This practice is closely related to the godfatherism - the moneyed individuals who field and support specific candidates in anticipation of reaping benefits in return (Omotola, 2007: 147).

The practice of vote buying is also associated with poverty. It is this that allows people to be bought and used. Poverty is also behind the use and manipulation of youths by politicians. Unless the issue of poverty is addressed, the free exercise of people's democratic rights remains threatened. One thing to note about the "godfathers" that emerged in the fourth republic is that they are predatory and operate with impunity to place people they believe can be manipulated in various elective positions. The link between money and politics has implications for democracy in Nigeria and has been identified as a source of political corruption and electoral violence. The enactment of the 2002 and 2006 acts on election financing is a testimony to the failure of many existing legal frameworks and legislation (Eme and Anyadike, 2014: 22-34). The solution to this issue is to enact laws limiting contributions to electoral coffers of parties and individuals in the country to discourage the issue of godfatherism.

6.2.3 Post-election malpractices and violence

The post-electoral malpractices and violence is associated with the release of election results that appear questionable. Although scepticism regarding election results is closely related to what takes place on election day itself, as discussed in the previous section, certain actions taken

during the counting also have impact on the credibility of the results. In the 2003 elections, opposition agents were barred from collation centres in a number of states. These included Plateau in North-Central; Bauchi, Taraba and Yobe in North-East; Katsina, Kebbi and Zamfara in North-West; and in Rivers in South-South during the 2003 and 2007 elections. Doubts are also raised when results sheets are not made available at the collation centres, fuelling suspicions that results are tampered with. In 2003 this was the case in Sokoto and Kaduna in the North-West. There have been instances where results have been announced before the final collation of results. Similarly, there were instances where the names of candidates announced as winners of election were replaced by those who neither contested party primaries nor the 2003 general elections. This was noticeable in Anambra state of the south-east, Nigeria.¹⁷ This was the case in Delta state in the South-South and Ondo state in the South-West regions and in the 2007 presidential elections. In these states, while the INEC resident electoral officers were still collating gubernatorial election results, the INEC chairman, during a press conference in Abuja, declared other candidates as the winners of the 2007 gubernatorial election (EU EOM 2007: 40). In the presidential election, the INEC chairman and the gubernatorial candidate officer for the presidential election officially announced the results of the presidential elections before all the state results were collated in the collation centre. In some opposition strongholds like Edo, also in the South-South, where it was not safe to confiscate and stuff ballot boxes, the results of the elections were not announced until they were re-written and announced at the INEC head office, in contravention of the law which only allowed Presiding Officers (POs) to announce results at the polling units (Okolie 2010: 156). In the 2007 presidential election, the INEC chairman announced that there are also cases of the inflation of voter turnout, which was the case in the Edo, Enugu and Rivers states in both the 2003 and 2007 elections. Also worrying has been the provision of results even for areas where voting did not actually take place, which has been the case in many states. In the 2003 elections, doubtful results were declared in Kogi, Kwara, Nassarawa and Plateau in the North-Central; in Adamawa, Bauchi, Borno, Gombe in North-East;

¹⁷ In Anambra state, three senators and fifteen House of Representative members who contested and won the election and were presented with certificates of return with another set of senators and members of the House, who were not nominated at the party's primary, not to talk of contesting and winning the election. It was alleged that President Obasanjo caused the INEC to issue his selected Senators and House of Representative members with certificates of return. This was however void at the Election Tribunals and Appeal Court.

Kaduna, Katsina, Kebbi, Sokoto and Zamfara in North-West; and in Abia, Anambra and Enugu in South-East. In 2007, fake results were provided in Benue, Kogi and Kwara in North-Central; Delta, Edo and Rivers in the South-South; and Osun in South-West. Appellant

Two things need to be mentioned about post-electoral violence in Nigeria. Firstly, Nigeria has been lucky that disputes over the results have not always translated into physical violence. Physical violence post-election has been minimal. In the 2003 elections physical violence was centred in the Plateau state where policemen were used to subdue protests, resulting in killings at the PDP local primaries in a ward of Jos North local government area, in the capital of Plateau State. There were however, more violent protests and killings after the 2003 elections. Physical violent protests took place in Benue where eight protesters were killed by soldiers; in Kogi where 15 were killed, including the deputy commissioner of police; in Osun, where 16 people were killed; and in Edo, where there were killings and arson.

Secondly, one needs to make mention of the use of the electoral dispute mechanisms by those that felt cheated during the elections. In 2003, 527 petitions were received by the courts. The flaw of the 2007 election was seen in the number of 1,250 petitions filed before the electoral courts. This represented over 100% increase over the petitions received in respect of the 2003 elections. A breakdown of the disputed results indicated that eight were for the presidential election, 105 for the gubernatorial election, 150 for the Senate, 331 for the House of Representatives, and 656 for the State House of Assembly (Fabiya, 2007: 11).

Critical to these petitions, however, has been the length it took for them to go through the court system which allowed the perpetration of electoral injustices. Amendments have been made to the dispute mechanism process to shorten the time it takes for decisions to be made, as indicated in chapter four. The 2010 Electoral Act was designed, among other concerns, to stamp out or reduce the delay in justice dispensation in electoral matters. The 2010 Electoral Act allows appeals emanating from Governorship polls to reach the Supreme Court - the highest court in Nigeria. Before the enactment of the Act, Governorship grievances were terminated at the Federal Appeal Court (FAC). The 2010 Electoral Act stipulates 180 days for hearing and determination of the election petition. The same Act mandated the appeal court to hear and determine appeals arising from judgement within 60 days. Petitions arising from Governorship

elections were to take 240 days or maximum of eight months before the Supreme Court. The controversies that surrounded the shoddy handling of petitions and ensuing retrials issued by the Supreme Court and non-determination of most cases at the end of 180 days is the major shortcoming of the act. What needs to be done is to ensure the smooth and fair running of the electoral process to avoid the necessity for petitions.

6.3 CONCLUSION

Electoral violence and electoral malpractices have been rampant in Nigeria's 2003 and 2007 elections as noted above. A lot of efforts have been made to deal with these issues. These have included the 2006 and 2010 Electoral Acts. While these have helped to mitigate the situation, they have not completely eliminated the violence. Reports on the 2011 elections indicate the use of thugs to harass and intimidate opponents and rival party agents, the falsification of results at the collection centres, use of police and security operatives to terrorize opponents and rival party agents, and the refusal to count and discard of ballot papers identified as thumb-printed for political parties that are not favoured (Muhammad, 2013: 570). Other irregularities recorded included under age voting especially in the northern states of Nigeria, kidnapping before elections, shooting at gun points at distribution and collation centres to snatch electoral materials particularly result sheets as recorded in most states in the south-south and south-east Nigeria, and the announcement of suspicious figures as authentic results. Yet, the 2011 elections was won and lost with people declared elected by the INEC and inaugurated as Nigerian leaders to serve from 2011 to 2015.

The next chapter will examine the applicability of Hoglund analytical framework in the 2003 and 2007 electoral violence in Nigeria.

CHAPTER SEVEN: APPLICABILITY OF HOGLUND'S FRAMEWORK IN THE ANALYSIS OF THE 2003 AND 2007 ELECTION VIOLENCE

7.1 INTRODUCTION

To analyse electoral violence in the 2003 and 2007 elections in Nigeria requires considering various contextual issues in line with the theoretical framework discussed in chapter two. The Høglund framework examines the causes of electoral violence under three main clusters, namely the nature of politics, the nature of elections, and electoral institutions. Under these headings, Høglund identifies the conditioning and triggering factors for electoral violence. Chapter three, four and five looked at how the three categories have led to electoral violence in Nigeria. In chapter six, the nature and spread of electoral violence in 2003 and 2007 elections was presented. This chapter relates theory to the realities of Nigeria as presented in previous chapters. Thus, section one relates the electoral violence in 2003 and 2007 elections to the nature of politics, section two to the electoral system, and section three to the electoral institutions. The concluding section deals with how Høglund's theory is used to capture and analyse electoral violence in the Nigerian context.

7. 1.1 The nature of politics and the 2003 and 2007 electoral violence

As stated previously in chapter two, the nature of politics refers to the existing political system and describes the relationship between leaders and citizens. It also refers to both the formal and informal interactions between leaders and their followers. Høglund (2009: 421) describes the conditioning factors of the causes of electoral violence under the nature of politics with the themes of patrimonial politics, conflict cleavage, violence as legitimate political tool, the culture of impunity, and access to arms. With regard to the factors triggering electoral violence, the author considers violent actors' participation in elections and biased police. Høglund's patrimonial politics is close to the so-called "godfatherism" that has come to dominate Nigerian politics.

7.1.2 Godfatherism and Electoral Violence in Nigeria

“One thing in politics is that you must believe in godfatherism. If I did not believe in it, I would not be in daddy’s place...whether you like it or not, as a godfather you will not be a governor, you will not be a president, but you can make a governor, you can make a president”

–Reverend Jolly Nyame, the Governor of Taraba State Northern Nigeria–.

The above quote by a serving governor in the Nigeria state suggests the importance of godfathers in politics. Their (godfathers) role has firmly become the guiding principle as well as explanatory factors in the Nigerian contemporary politics. Godfatherism alongside other concepts such as ‘prebendalism’ (Joseph 1987), ‘politics of the belly’ (Bayart 1993), ‘personal rule’ (Jackson and Rosberg 1982), ‘neo-patrimonialism’ (Bratton and van de Walle 1994, 1997), ‘predatory rule’ (Lewis 1996), and ‘informalization of politics’ (Daloz and Chabal 1998), all point to informal political behaviour. They also point to the fact that “the dynamics of internal informal social structures” have dominated the political life of many countries. For this reason, Agbaje and Adejumobi (2006: 39) note: “the informalization of politics is not a new phenomenon in Nigeria’s electoral process”. The use of the concept has become more familiar in politics as one of those informal political structures with a longstanding and deeply rooted feature of the cultural values of Nigerian society¹⁸ (Albert, 2005: 85-86). Specifically, Joseph (1987: 207 identifies godfatherism as one of the social bases of Nigerian politics since the 1950s. The author’s study of the Nigeria’s failed Second republic highlighted various scenarios which the intervention of godfathers was instrumental to the nomination and election of particular candidates.

The concept, of ‘godfatherism’ even though not new, means different things to different people. Albert (2005: 81) has been quite prominent in the use and description of this concept. In Europe and America for instance, the author terms godfather to be associated with a person with adequate means to serve as a counsellor or mentor. The term has also the same connotation in the

¹⁸For instance, the Hausa/Fulani political arrangement of Northern Nigeria, godfather is known as “*maigida*” (Landlord or head of the household). Amongst the Yorubas of the South-west, a godfather is variously referred to as “*baba kekere*” (the small father), “*baba isale*” (the father of the underground world) or “*baba nigbejo*” (a great help in times of trouble); the Ibos of the South-eastern Nigeria name a godfather as “*Nnam-Ukwu*” (my master).

tradition of the Catholic Church, where a godfather is chosen among the larger congregation to counsel a person who wants to marry or become baptised. Instructively, the interest and concern differ from above notion and centres on political godfathers, who played a key role in sponsoring and supporting candidates during the 2003 and 2007 elections in Nigeria. Whether termed kingmakers, political barons, patrons, sponsors, political financials or entrepreneurs, or else reflected as a patron-client relationship, *godfatherism* is peculiar term used in the Nigeria's political life and is understood to be the principal mechanism regulating the electoral process in politics¹⁹.

As a concept, godfatherism is defined as the 'process by which an individual establishes links with a senior within an institutional hierarchy in the expectation of favoured treatment.' In the Nigerian politics godfathers are mainly people with financial muscles and status who in turn use their means to sponsor political candidates, and who in return expect the candidates to facilitate their continued benefits from state resources through contracts or even direct payments, once in position to do so. During the 2003 and 2007 elections, godfathers sponsored candidates, controlled the internal party nomination process, corrupted election officials, and sometimes changed the names of candidates after elections have been concluded.

7.1.3 Types of godfathers in Nigeria

Five types of political godfathers have been identified in Nigeria (Albert 2005: 90). The first category are the "geo-political" or "ethnic" organisations which include "Afenifere", the Yoruba socio-cultural group; Arewa Consultative Council (ACC), which represents itself as the authentic voice of the North; "Ohaneze", and the pan-Ibo cultural group that considers itself to represent the interests of the south-east. These organisations arrogate to themselves the right to decide who represent their jurisdiction. The second category of godfathers consists of prominent individuals within the geo-political areas who are popularly respected by virtue of their past achievements. The third category of political godfathers consists of a number of rich Nigerians who see the

¹⁹The political godfathers in the First Republic included Sir Ahmadu Bello, Chief Obafemi Awolowo, Dr. Nnamdi Azikiwe. Others who fall in this category were Mallam Aminu Kano, Alhaji Waziri Ibrahim and Chief Joseph Sarwam Tarka. These godfathers, up to the point of their death, served as "clearing houses" as well as dictated who could occupy political offices in the strongholds of their geo-political regions.

sponsoring of political candidates as a source of upward social and economic mobility. The fourth type consists of “political entrepreneurs”, who invest in and live on politics. Their main asset they have is that they are well schooled in the tricks of winning elections among the grassroots people, including the use of violence. The fifth type of godfather consists of rich patrons who are willing to provide what it takes for either rich or poor clients to win elections. Usually, such godfathers provide poor candidates with money and logistical support.

The contemporary godfatherism in the Nigeria politics is as a result of the commercialisation of politics and its manifestation in current dispensation, contributed in no small measure to the 2003 and 2007 electoral violence. Formal institutions such as political parties and electoral management bodies are generally too weak to perform their required functions. Power is instead arranged through a system of relations linking rulers not with the ‘public’ or even with the ruled (at least not directly), but with patrons, associates, clients, supporters, and rivals, who together constitute the “system” (Jackson and Rosberg 1982). Indeed, electoral violence is often associated or linked to godfather politics in retaining control of the state. In political practice, it is frequently the case that political victory assumes a “winner-takes-all” form with respect to wealth and resources, patronage, and the prestige and prerogatives of office. Leaders hold onto power or office by purchasing support through the distribution of state resources; as such, any conflict over their allocation is thought to degenerate into a struggle over control of the state. In Nigeria, electoral violence erupts either because some elites crave a larger share of the spoils controlled by the leader, or because those outside the leader’s patronage-based coalition want access to resources to which they have been denied. It is therefore not about the people; it is about the patrons and the clients.

Direct examples of godfathers sponsoring political candidates were in the governorship elections in Anambra, Borno, Kwara and Oyo states in the 2003 elections. In these states, the godfathers used whatever means, including the use of violence, to install their protégées. The activities of godfathers such Arthur Eze, Emeka Offor and Chris Uba (Anambra), Modu Sherif (Borno), Olushola Saraki (Kwara) and Lamidi Adedibu (Oyo) are reference points.

a. Anambra State

The politics of Anambra state and electoral violence in the 2003 and 2007 elections in particular has been a feature of godfathers from one election to another.²⁰ In the 2003 elections, Anambra state recorded a high level of violence before, during, and after the elections in the form of politically-motivated killings and assassinations. At the apex of godfatherism in Anambra during the 2003 elections, was a member of the PDP Board of Trustees and a close ally to the Nigerian president who “sponsored” PDP candidates and rigged their elections in Anambra. Thereafter, he publically declared himself “the greatest godfather in Nigeria,” noting that “this is the first time an individual single-handedly put in position every politician in the state (Ibrahim, 2003: 4). Among politicians the godfather sponsored was the state governor. The terms of their treaty were spelled out in a written “contract” and “declaration of loyalty” that the governor signed/agreed prior to the election to “exercise and manifest absolute loyalty to the godfather as his mentor, benefactor and sponsor” including important government appointments and awarding of all government contracts (HRW, 2007a: 69). The criminal abduction of the Governor of the State is an example of disagreement between the governor and the influence of the so-called godfather (Albert, 2005: 100).

b. Borno State

The relationship of godfather and godson in Borno State though cut across party lines and began long before the Nigeria’s fourth republic elections. The status of the godfather and godson-relationship was sealed when the godson needed sponsorship to become the state governor in 1999. After winning the governorship election at the instance of his sponsor, the godson declined to patronize his sponsor to recoup his ‘profit’. Profit in this context refers to the list of state commissioners suggested to the godson to include in the cabinet. The godfather adopted a two-pronged approach in dealing with his unappreciative godson. The first was an abortive impeachment attempt at the state House of Assembly. The second successful alternative was the

²⁰This was the case of Emeka Ofor initialling Chinwoke Mbadinuju as the Governor in 1999; Chris Uba, when he “sponsored” PDP candidates and rigged their election to office across Anambra (HRW 2007a: 45).

deployment of the “political machinery”²¹ of the godfather that made it impossible for the godson to actualise a second term in office in 2003. The godson opted on another party platform but was not successful while the godfather contested the governorship position and won, thus replacing the godson (Albert, 2005: 98). The impact of *godfatherism* was not limited to Anambra and Borno states. It was equally noticeable in Oyo state of the south-west.

c. Oyo State

Oyo state is renowned for the colossal influence of godfather politics in Nigeria, notably during the 2003 and 2007 general elections.²² In this state, the godfather (Chief Adidebu) assumed the role based on his political style that thrived on patronage and politics of prebendalism. Joseph (1998: 54) defines prebendalism as “contractual arrangement between ‘patrons’ and ‘clients’ in a political system”. The godfather also used violence as strategy to install and depose uncooperative godsons (Adegbamigbe, 2007: 21). In 2007, Chief Adidebu sponsored another candidate to unseat the initial godson installed in 2003 for refusal to show commensurate appreciation for all the efforts made to put him in position (Adegbamigbe, 2007: 23). The godfather was quoted to have said that he had invested so much in making og godson governor that he should be getting at least ₦15, 000,000.00 (fifteen million Naira) a month for the security vote (Ogbuju, 2008: 8). What needs to be noted in this state is the fact that the godfather was tolerated by the incumbent leadership at the national level, including the Nigerian security agencies (HRW, 2007a: 35).

d. Kwara State

The politics of Kwara State was dominated by godfatherism (Omotola, 2007: 146-147; *The Herald*, 25 April 2007: 19). The godfather demonstrated political prowess when he install a state governor under the ANPP in 1999. While the duo parted ways in 2003 with the godfather defecting to the PDP, he arranged his political machine and secured the governorship for his son

²¹The godfather established and maintained *ECOMOG*- a militant wing of ANPP that turned Borno also into a violent state. Several lives were lost in the process.

²²Chief Lamidi Ariyibi Adedibu, was referred as “strong man of Ibadan politics”.

in 2003 and 2007 elections. Similarly, the godfather ensured that the daughter, who had been a member of the House of Representatives since 1999, stood for Senatorial election on the platform of the PDP in Kwara Central Senatorial District and won (*Herald*, 25 April 2007: 19).

The important element to be noted about godfatherism in Nigeria is that the godfathers hold their godson to account at all times by making them swear an oath of allegiance. The Human Rights Watch gives an example of such oath by an Anambra state governorship candidate in the 2003 elections. The HRW (2007a: 118) recounts the story wherein the candidate makes the oath as follows to the godfather:

Whereas I was sponsored by the group headed and/or led by Chief Chris Uba who made it possible for me to be governor of Anambra State of Nigeria, therefore, I swear I will be a true loyalist and committed member of chief Uba's group in People's Democratic Party (PDP), Anambra State. That I will never lie to him and everything I do I must let him know before doing it...I hereby pledge with all that I have that anything Chief Chris Uba tells me to do, I will do provided it will not incriminate me (See Appendix 4A, B and C).

The sponsorship of political candidates extends also to the presidential level where various elite groups create alliances to nominate presidential candidates for the various parties. The noticeable case is the sponsorship of Obasanjo for the presidency under PDP, which was orchestrated by those still serving in the military and those who were retired from within the northern political elites (Adekanye, 2005: 7; see also section 3.6 of chapter three).

It is instructive to point out; godfather is a power broker whose prominence is a function of his ability to assist the politician overcome constraints to the acquisition of political power. The Nigeria's godfathers demand, as rewards for their services, privileged access to state resources which enables them to accumulate economic resources, usually through corrupt practices. Part of these resources is invested in economic enterprises, and part converted, through distribution to clients, into symbolic capital in the form of political support which legitimizes their access to the state and its resources (Ololade, 2007: 38-39). Problems arise when the godson, once sponsored, refuses to make available the treasuries of their respective states to the godfather. This normally generates violence as the godfather seeks to unseat the godson who reneged on his oath. For the

godson to survive he has then to seek a new godfather, either within the same party or through another party. This generates both inter- and intraparty rivalry as earlier noted in Anambra, Borno, Kwara and Oyo states.

Tied to sponsorship of candidates for political gains as illustrated in the previous section is the use of incumbency by the president or governors to anoint specific candidates or to retain power. The power of incumbency refers to unrestricted access the current political power holder has to state machineries and resources which can be deployed to his advantage and against his opponents during an electoral contest. It is the interplay of forces which an incumbent leader or party attempts to influence, and the incumbent furthermore seeks manipulates the constitutional and institutional framework that guides the electoral process. This usually creates an unequal playing field for the contestants in the electoral competition (Nwanegbo and Alumona, 2011: 23). Where power of incumbency exists, there is no level playing field in the electoral process as the rules of the game keep on changing in order to offer undue advantage to an incumbent power holder. At the height of exercising political authority, incumbency gives undue advantage to a current power holder over other participants through the means of manipulating the entire electoral process (Adejumobi, 2007: 4). The power of the incumbency in the Nigerian context means “ample money, control of security forces, and a compliant electoral commission” (Herskovits, 2007: 115).

At the height of power of incumbency in Nigeria is the general framework of Nigeria’s legal system which has accorded elected officials, particularly the executive arm, enormous powers. Specifically, Section 5(1) of the Constitution provides that the executive powers of the Federal Republic of Nigeria are vested in the President and Commander-In-Chief of the Armed Forces of Nigeria. He is to exercise these powers directly or through the Vice-President, ministers of the government of the federation, and members of the public service of the federation. The executive powers of the President extend to the execution and maintenance of the Constitution; all laws made by the National Assembly including the electoral laws; and all matters with respect to which the National Assembly has, for the time being, power to make laws. Presidential powers are generally defined by the Exclusive Legislative List, contained in the Second Schedule to the 1999 Constitution. This list contains 66 items on which the National Assembly is empowered to

make laws. These powers are also replicated at the state and local government levels. The misuse of these powers by a current power holder to dispense patronage and impede the chances of other competing candidates during elections partly accounts for electoral violence in Nigeria.

The support or non-support of the incumbent president or governor has an impact on the elections in that incumbents hold valuable resources at their disposal, including the security forces, to ensure success at the polls. Here, one needs to note the case of Obasanjo's Vice President, Atiku Abubakar. The President refused to support him as the presidential candidate for the PDP and ensured that he got disqualified even to stand for the opposition party (Okolie, 2010: 161-163).

7.1.4 Conflict cleavages and electoral violence

Hoglund further identifies conflict cleavages as a conditioning factor for electoral violence. According to Mehler (2007: 195), cleavages are “politically effective conflict configurations institutionalised in the social structure”. In heterogeneous societies, these manifest in many forms. They may take the form of family ties, caste, religion, and ethnic identity (Hoglund, 2009: 420). In the Nigerian context, the North-South divide, which, apart from ethnic differences, has come to incorporate religious differences-north being Muslim and South being Christian, has also come to influence Nigerian politics (see section 3.1 and 3.3 of this thesis). The coup and counter-coup in the 1960s were tied to the North-South divide, which has had a great impact on Nigerian politics. The creation of more states was partly aimed at taking care of the ethnic divisions and tensions. Even the formation of political parties from the start were tied with the same divisions and hence the continuous enforcement by the military, especially during the transitions, to create parties with a national following. To manage the North and South divide, the Nigerian elite have instituted a zoning principle. According to Suberu (1988: 435), zoning implies the aggregation of states and all ethnic groups into a number of smaller regional blocks on the basis of which positions are allocated. Akinola (1991: 12) validates a pattern whereby the ethno-regional origins of top political officeholders, such as that of the president, alternates from one election or set of elections to another. The various states have been grouped into geopolitical zones as follows: North-Central (Benue, Kogi, Kwara, Nasarawa, Niger, Plateau); North-East (Adamawa, Bauchi, Borno, Gombe, Taraba and Yobe); North-West (Jigawa, Kaduna,

Kano, Katsina, Kebbi, Sokoto and Zamfara); South-East (Abia, Anambra, Ebonyi, Enugu and Imo); South-South (Akwa Ibom, Bayelsa, Cross River, Delta, Edo and Rivers); and South-West (Ekiti, Lagos, Ogun, Ondo, Osun and Oyo).

The zoning principles, although not enshrined in the constitution, have been used to divide principal positions at the federal level and the development of elite alliances. Akinola (1991: 13) validates a pattern whereby the ethno-regional origins of top political officeholders like the president alternates from one election or set of elections. What one needs to know about zoning since 1999 is that it essentially constitutes a power-sharing among members of Nigerian political parties, most notably the PDP. It is an arrangement designed to promote inclusiveness and therefore political stability among Nigeria's main ethnic groups from the North and South (Onwudiwe and Berwind, 2010: 8). Under zoning, six geo-political areas (North-Central, North-East, North-West, South-East, South-South and South-West) noted earlier become areas from which candidates rotationally vie for the presidency and other top leadership positions. Table 7.1 shows the distribution of the six most important positions at the federal level, namely the President, Vice President, Senate President, Deputy Senate President, Speaker, and Deputy Speaker of House of Representatives between the 2003 and 2007 elections.

Table 7.1: Distribution of six leading political offices in Nigeria

Office	Name	Geo-political Zone	Period
President	Olusegun Obasanjo	South-West/ Christian	1999-2007
	Umaru Yar' Adua	North-West/Muslim	2007-2010
	Jonathan Goodluck	South-South/Christian	2010-2015
Vice President	Atiku Abubakar	North-East/Muslim	1999-2007
	Jonathan Goodluck	South-South/Christian	2007-2010
	Namadi Sambo	North-West/Muslim	2010-2015
Senate President	Evans Ewerem	South-East/Christian	06/1999-11/1999
	Chiba Okadibo	South-East/ Christian	11/1999-8/8/2000
	Anyim Pius Anyim	South-East/ Christian	2000-2003
	Adolphus Wabara	South-East/ Christian	2003-04/2005
	Ken Nnamani	South-East/ Christian	04/2005-2007
	David Mark	North-Central/ Christian	2007-2015
Speaker of the House	Salisu Buhari	North-West/Muslim	1999-2000
	Ghali Umar Na' Abba	North-West/Muslim	2000-2003
	Ahmed Bello Masari	North-West/ Muslim	2003-2007
	Patricia Etteh	South-West/ Christian	June-2007
	Demeji Bankole	South-West/Muslim	2007-2011
	Tambawal Aminu W.	South-West/Muslim	2011-2015
Dep. Senate President	Ibrahim Mantu	North-Central/Muslim	1999-2007
	Ike Ekwerenmadu	South-East/Christian	2007-2015
Deputy Speaker	Chibudom Nwuche	South-South/ Christian	1999-2003
	Babangida Nguoroje	North-East/Muslim	June-2007
	Usman B. Nafada	North-East/Muslim	2007-2011
	Nken E. Ihedioha	South-East/ Christian	2011- 2015

Source: Compiled by the author.

Whilst this distribution of power has been used to manage the elite conflicts at the national level, there still remains intense rivalry which has come to centre on the control of states by the various parties. Each party, and in particular the incumbent party, uses all means available to it to ensure electoral success in the various states, and this has often resulted in intraparty electoral violence as recorded in the two elections (Suberu, 2007: 101).

7.1.5 Culture of impunity and electoral violence

The third element identified by Hoglund as a conditioning factor of electoral violence is the existence of a culture of violence and impunity. This is largely when the violent acts committed by state and non-state actors are accepted at the societal and individual level (Steenkamp, 2005: 253; Hoglund 2009: 421). In these societies, institutions of governance at the national and local levels are generally unaccountable, non-transparent, politically partial, and financially unstable (Jarstad 2008: 28). There are similarities of what Hoglund espouses and what is found in Nigeria. These similarities are based on the chequered history of Nigeria. Nigeria's electoral history has been dominated by fraudulent elections, violent political conflicts and military coups (Ibrahim, 2007: 2-3). The two previous attempts of Nigeria to transition from civilian-to-civilian rule (1960-66 and 1979-83) were both dogged by massive fraud and violence, and were overthrown by the military. In between these periods Nigeria went through a civil war with approximately three million casualties, a succession of military coups and its attendant brutality, an even longer and seemingly endless sequence of civil unrests, and a constant breakdown of law and order (Abubakar, 2012: 12). The infiltration of arms in the hands of youths has made violence an integral part of Nigerian politics.

Similarly, a culture of impunity exists within Nigeria, which may be understood as the misuse of legitimate power by leaders to perpetuate violence. Confident that nothing will happen to them, leaders continue to perpetrate violence under civilian administrations. This study has pointed to politically-motivated killings with the collusion of those in power that have gone unpunished (Appendix 2). It has also pointed to the fact that people that have perpetrated electoral violence have gone unpunished; in particular the collusion of the security forces in the killings. While the above are said to be conditioning factors for electoral violence, the actual violence is often triggered by the emergence of violent actors that participate in elections and politicised security forces vulnerable to elite manipulation.

As already noted in the case of hired militias, thugs have become "winning formulas" for most politicians. Apart from elections, the groups have entrenched the culture of violence in both public and private lives of Nigerian society. The purchased thugs and cults embark on irregularities, killings and other forms of electoral violence. These thugs sometimes prevent

people from voting and instead stuff ballot boxes, delivering an election at all costs with impunity for the invisible political elite from the political divide since the return of democracy in early 1999. More worrisome is the fact that these groups are linked to prominent politicians and are not held to account for their actions when caught. Politicised security men serve as accomplices in electoral violence, providing no effective tools to curb violence.

The emergence of retired military personnel as politicians means that they are already used to violence and do not hesitate to use it against opponents. This can be attested by the use of war slogans with reference to elections and opponents. While some parties had used programmatic appeals to gain votes, others employed military terminologies and inflammatory statements such as *‘the cemetery needs to be expanded’* and *‘this will be your last day’* to carry out violent behaviour (HRW, 2004: 12). This situation was made worse by the nature of elections in Nigeria in which the winner takes all, as discussed in the next section.

7.2 The nature of elections and electoral violence

The nature of elections described in chapter two, according to Hoglund’s conditioning factors of electoral violence, include the characteristics of elections based on competitiveness, political mobilisation, and the stakes of elections. The institutional arrangements are important and driving forces to uncover electoral violence as this can reward a particular behaviour and place constraints on others (Hoglund, 2009: 422). Institutional arrangement in this context means system design or the type of electoral system used.

In the Nigerian context, one could arguably link to Hoglund’s framework through the “winner-takes-all-system” provided by Nigerian electoral system. As discussed in chapter four, an electoral system refers to set of rules and procedures designed to guide elections in the choice of leaders and policies through which votes are translated into seats (Idris, 2010: 167). The existing electoral system in Nigeria is single member constituency type based on the majoritarian or First-Past-the-Post (FPTP) arrangement (see section 4.2 of chapter four). The candidate with the highest number of votes, irrespective of margin of victory, is the winner. Although the system modifies vote spread for victory in the presidential and gubernatorial elections, a candidate can win an election with only one or two votes. Table 4.2 documents emoluments of legislatures in

Nigeria while Table 4.3 compares their entitlements which are far higher than colleagues found elsewhere in other countries. The benefits attached to other offices, such as that of the President, are even higher. Remunerations in other offices like state governors, assembly members and local government chairmen are similarly attractive. Competition to occupy these positions in order to control state resources was responsible to most of the violent competition and electoral violence as recorded in Table 6.1 and 6.2 in chapter six. These take the forms of physical intimidation and partisan harassment of security forces, killings of opponents, disruption of campaigns of opponents at pre-election, vote buying and ballot snatching during election to disagreements over results, and destruction of properties at post-election period.

The second element identified by Høglund as a conditioning factor of the nature of election, apart from competition for various attractive positions for high rewards for political office holders in Nigeria, is the stakes of electoral competition. Stakes refer to the benefits and costs of inclusion or exclusion from political power in a particular context at a given time, and differs among democracies (Høglund *et. al.*, 2009: 544). The stakes of winning or losing political power is extremely high within the contexts of patronage and identity politics (Sisk, 2009: 9). Winning election, for instance, is the key to a livelihood for the individual, party, clan, faction, or even ethnic group. In Nigeria, the stakes have been high because of the “winner-takes-all-system” discussed earlier. Losing an election means an end to partaking in the sharing of national resources as there are limited employment opportunities outside the government. Mackintosh (in Nwolise, 2007: 175) maintains that:

To win an election means that you, your village, tribe, or region obtains all the top posts, the lucrative contracts, roads and tarred, scholarships are provided, wells and dug, and new forms of industry introduced. To lose is to surrender not only the good things but many of the necessities of life.

The stakes of winning a presidential election in Nigeria is equivalent to winning state power, and this is significant due to the centralisation of political power around the executive president. The president controls vast patronage opportunities, including powers to appoint officials into vital positions as well as power to award huge contracts. On many occasions, the president uses much of their powers in purely discretionary ways, and individuals that share ethnic, religious and

other social affiliations with the president tend to have more access to state resources (Nkwachuku and Nkiru, 2012: 28). Similarly, the same is reproduced at the state level by governors. Thus, losing political office through competitive election is considered contrary to patron-client networks and the livelihood of political aspirants and supporters. Furthermore, not being in political office carries the risk of being continuously kept out of power, not just for the individual, group and community. Explaining why politics in Nigeria is violent. Ake (in Nwolise, 2007: 175) states:

Those who win state power can have the wealth they want even without working, while those who lose the strong the struggle for the power cannot have security in the wealth they have made even by hard work. The capture of state power inevitably becomes a matter of life and death. That is one reason why politics is so intense, anarchic and violent.

In the context of the stiff competition for power, individuals employ ethnic, communal, and religious symbols and sentiments in order to outwit their rivals. This eventually drags an entire ethnic, regional or religious community into a political competition which is supposed to be squarely between parties. For this reason, it is difficult to draw a line indicating where communal tensions end and where electoral violence begins in Nigeria. The concentration of resources in the state makes the possession of the state powers a means to an end in controlling state resources. The system of 'prebendal' politics spurs individuals groups, communities and constituencies to seek to capture state power in order to control state resources. Those who already in control of state power often hold strongly onto it by suppressing their opponents. Under these circumstances, the democratic tradition of alternation of power among individuals and political parties is very difficult to achieve as once they are in control of state power, the incumbents try to keep it by all means, including the use of violence. At the same time, those aspiring to take over power sometimes pursue their goal by also employing extreme measures such as violence.

Holding competitive elections can generate conflict between opposition and the incumbent. Election-related assassinations and murder between the incumbent and opposition were almost rituals during the 2003 and 2007 elections as shown in Table 5.3 in chapter five and Appendix 2.

Most of the electoral violence was carried out by hired militia or thugs. It is these armed organisations that engage in the production of electoral violence during electoral campaign to intimidate and assassinate political enemies during the three phases of elections: pre-election, during and post-election periods. The reason competitive elections generate violence is that elections always produce winners and losers, with the winner authorized to implement policies which can damage the interests of the loser. Since the victor is allowed choose and enact a policy which affects the welfare of the defeated, competing political forces, especially the opposition, may want to use physical violence to win or prevent an incumbent from winning the elections.

As analysis of electoral violence in chapter six shows that attempts by candidates or parties to win or lose elections could produce deep obstructions resulting to violence. This is particularly so where the credibility of the election is in doubt. In the 2003 and 2007 elections, the PDP dominated at the national and state levels, winning the presidency, maintaining the majority in the two chambers, and securing the majority of state governor positions (see Table 4.4 of chapter four). What is important to highlight here is that electoral violence requires an organisation and it cannot take place unless office-seeking politicians recruit a sufficient number of followers who engage in the production of violence to win elections. The fear of defeat at the ballot box allows competing parties, both the incumbent and opposition, together with their supporters, to try and overturn results in their favour. This in part results in electoral violence.

In Nigeria, electoral violence based on the “winner-takes-all system” and influenced by stakes of electoral competition is triggered by electoral frauds and malpractices carried out using electoral institutions which are discussed in the subsequent sections.

7.3 Electoral institutions and electoral violence

Electoral institutions as considered in chapter five are electoral management bodies, political parties, and tribunals. According to Hoglund (2009: 422), the conditioning factors of electoral violence under electoral institutions include electoral conduct and administration of elections with few checks and little powers. On the factors triggering electoral violence, Hoglund considers the manipulation of electoral administration, electoral fraud, and unwanted or unexpected outcomes of election. Electoral administration can encourage or discourage electoral

violence. This happens where election administration has few checks and little power (Hoglund, 2009: 422). Noted in chapter five is the responsibility for managing elections in Nigeria which rests with the INEC. Section 154 (1) of the 1999 Constitution of Nigeria empowers the president to appoint the chairman and commissioners of the INEC, subject to the confirmation of the senate. The choice of election administration might create positive circumstances for electoral violence. This is important especially when one considers the issues on independence, efficiency, professionalism, transparency and impartiality (Lyons, 2005: 111; Sisk, 1998: 169). Despite the Electoral Acts of 2006 and 2010, the appointment of electoral officers in Nigeria is the prerogative of the executive arm of government.

In line with Hoglund, the impartiality, professionalism, transparency and independence of INEC in the conduct of 2003 and 2007 was questioned by both the opposition political parties and observation mission (EUEOM, 2003: 22; 2007: 13). Lack of confidence and impartiality originated from the very structure of INEC in which the president, also an interested party in the 2003 and 2007 elections, appoints members of INEC - mostly card carrying members of the ruling party. In the context of the two elections, the two chambers of the National Assembly whose responsibility was to confirm members of electoral body were dominated by one party. The INEC and elections officers at all levels displayed lack of neutrality both in 2003 and 2007 elections, and this manifested in many ways. The voter registration exercise, which took off on 7 October 2006, for example, was marred by complaints from the public. INEC did not display the voters' register as required by law. INEC's capacity to conduct credible elections became even more suspicious after the commission cancelled parliamentary and governorship elections across the country.

Several calls from opposition parties for the change of the present setting so that the chair and members of the electoral commission would be appointed by a body more neutral than the president proved abortive. There were also calls that the INEC should be delisted from the federal executive bodies, which are vulnerable to executive control and manipulation, so as to guarantee its impartiality in its discharge of duties (ERC, 2008: 145). Despite justification for the reform of the electoral system as recommended by the ERC, the presidency and National

Assembly voted down vital reforms, including the proposal to include some elements of proportional representation in the Nigeria's electoral formula (Omotola, 2010: 189).

Elections do not start and end with the casting of the ballots and declaration of results. There is a long process of preparations for the elections, and there are electoral and other relevant laws that are supposed to govern the actions of the actors and ensure a level playing field for all contestants and parties. According to Hoglund, few regulations regarding electoral conduct can condition electoral violence. In Nigeria, electoral laws are a source of concern both in the 2003 and 2007 elections. The 2003 and 2007 elections in Nigeria were fraudulent mostly due to confusion from lack of clear or contested prevailing electoral laws. Indeed, a curious part of the electoral law is that those to be appointed as members of INEC must be qualified to be members of the House of Representatives. The reading of this, which may not necessarily be in the spirit of the law, is that those appointed as members of INEC must be party members, as no one can aspire as a member of the House in Nigeria outside the party platform (Adejumobi, 2007: 3).

What triggers electoral violence, according to Hoglund (2009: 423), is the political misuse and manipulation of electoral administration by the incumbent leadership, as well as electoral fraud. The conduct of the 2003 and 2007 elections by INEC resulted in controversy and crisis arising mostly in part, from the perceived collaboration of EMB's with the ruling party. Although the preparation of INEC towards the 2007 elections started early, the entire process was both inefficient and non-transparent (Adejumobi, 2007: 4). In the 2007 election, for instance, INEC ensured that there was maximum confusion about the candidature of those that contested on opposition parties, where the images of some candidates were left off the ballot papers. This was interpreted as deliberate ploy by the electoral body, in tandem with the PDP-led presidency, to make it appear as if the ruling party was the only party that was prepared for 2007 elections (Ijim-Agbor, 2007: 89). The overriding political usage of the body was its insistence on disqualifying some aspirants contesting elections; powers which in theory were conferred onto courts and not to the INEC by electoral law.

Kwaja (2008: 4-5) summarizes the abuses of INEC during the 2007 elections. These include: delays in the supply of voting materials, delays in the arrival of INEC *ad hoc* staff leading to shortage of time and exposure of voters to all manner of inconveniences, the use of partisan *ad*

hoc staff, restriction of civil society organizations from monitoring or observing the conduct of the elections, delay in the accreditation of election observers or monitors, and the disenfranchisement of millions of Nigerians. Many had their registration identity cards but their names were not in the voters' registration lists utilized to conduct the election. Aggrieved politicians were from having access to evidence in INEC's custody to support their election petitions and INEC officials thumb printed ballot papers after elections to assist the ruling party at the tribunal court. Furthermore, INEC officials refused to provide adequate voting materials to polling stations where opposition parties were seen to have strong support. The INEC delayed the printing of presidential ballot papers and omitted the names and pictures of opposition candidates, and distributed ballot papers with incorrect serial numbers and incorrect spelling, thereby causing cancellation of elections. Furthermore, they made use of fictitious names and pictures on the voters' register.

Both in the 2003 and 2007 general elections, INEC, in collaboration with government and security agents, waged a ceaseless war against observer missions, denying them accreditation to monitor the elections. Furthermore, these observer mission groups were harassed by the state security agents (Adejumobi, 2007: 5).

The political usage of an electoral body such as the INEC relates to the funding of the electoral body (Omotola, 2009a: 202). The Nigeria's electoral body, the INEC, does not have an independent budget and depended entirely on the presidency to fund its activities during the 2003 and 2007 elections. This permits the presidency huge financial control over the body, contributing to its inability to make adequate, timely plans and preparations for successive elections.

As shown in chapter five, political parties are major electoral institutions in Nigeria. since no associations can present candidates or canvass for votes for any candidate for election outside registered political parties registered, major source of electoral violence revolves around competition for party nomination of candidates for election to public offices. The experiences of 2003 and 2007 showed no genuine party primaries in all the parties. The All Nigerian Peoples' Party (ANPP) presidential aspirants from the South had to walk out of the ANPP convention in Abuja in 2003, arguing that the candidature of General Buhari had been programmed by the

“national body” before convention. The Alliance for Democracy (AD) allowed no candidate to contest party primaries with incumbent AD governors during the 2003 elections in South-West Nigeria. The ruling party, the PDP, gave the president and all incumbent state governors automatic tickets during the 2003 elections. The situation was the same during the 2007 elections party primaries preceding the 2007 general elections which was characterised by violence.

The zero-sum nature of electoral competition, which leaves no room for coalition and cooperation, propels parties to consider elections as ‘must win’, and thus a range of devices are employed to outsmart fellow competitors in order to influence results (Adejumobi and Kehinde, 2007: 108). The zero-sum game in Nigeria has resulted in a lack of internal democracy as noted earlier. The undemocratic tendencies of party primaries have resulted in politically-motivated violence and assassinations, arson, thuggery, unconstitutionality and general insecurity that ignites and contributed in no small part to the 2003 and 2007 elections, since losing an election was not considered an option by parties and candidates. Similarly, the 2003 and 2007 electoral violence showed that the police and security agencies compromised, as they became willing tools in the hands of politicians, especially the incumbent parties, who employed them. Furthermore, Perpetrators of electoral violence have not been brought to justice by the security agencies.²³

The second element that triggers electoral violence is an unwanted or unexpected outcome of the election. Unexpected election results are related to post-election violence, notably with false declarations of election results. Related to this element is electoral fraud. Tables 1 and 2 in chapter six document a multitude of incidents of electoral malpractice and fraud during the 2003 and 2007 elections. What this suggests is that the killings on the day of election and post-election in 2003 and 2007 (see Appendix 1B) were primarily as a result of the fraud recorded in the two elections. Although electoral fraud can trigger electoral violence, it is important to emphasize that flaws in the election administration in these cases raised doubts and prompted the losers to assume that the winners stole their victory.

²³ The assassination of Serving Minister of Justice and Attorney General Chief Bola Ige under Obasanjo reveals the heightened level of pre-election killings and violence in Nigeria.

7.4 CONCLUSION

This chapter looked at the applicability of Høglund’s framework of electoral violence, developed in chapter two, in the Nigerian context. The causes of electoral violence are based on three major clusters: the nature of politics, the nature of elections, and electoral institutions. Under these headings, Høglund identifies the conditioning and triggering factors for electoral violence. Although the three clusters can be explained independently, in the Nigeria context it was found that there is no clear separation between the nature of elections and electoral institutions. This is because the two have a direct influence on each other, and thus it may be best treated together rather than separately as Høglund suggests.

Another important element identified in the Nigeria’s electoral violence which is not necessarily highlighted in the framework advocated by Høglund is so-called “godfatherism” apparent in Nigerian politics. Godfathers play an important role in the understanding of electoral violence in a Nigeria. Furthermore, the issue of godfathers and the emergence of retired military personnel into politics in Nigeria is a peculiar phenomenon. This group influences both the emergence of major political players as well as the type of party system to be adopted in Nigeria.

7.4.1 Curbing electoral violence

It should not be surprising, therefore, that there have been calls for electoral reforms. In 2008, the Electoral Reform Committee (ERC 2008) proposed reform measures to improve the electoral process in the country. To make the INEC truly independent, the committee recommended the removal of the power of the president to appoint its chairman and national commissioners as well as resident electoral officers, and suggested that the National Judicial Council (NJC) be empowered to carry out the responsibility. INEC was to be reorganized and to be funded directly by the country’s Consolidated Revenue Fund. The committee also recommended a mixed electoral system comprising elements of proportional representation, including the idea that parties that win 2.5 per cent of the seats in the National Assembly be considered for cabinet-level appointments, all with the aim of reducing the intensity of electoral competition. The Nigerian Bar Association (NBA), the Trade Union Congress, and Transition Monitoring Group proposed to the Electoral Reform Committee set up by President Yar’ Adua that 30 per cent of the

legislative seats be filled by PR and remaining 70 per cent by the FPTP system. The ERC proposed that an Electoral Offences Commission be set up to prosecute electoral offenders, and that the burden of proof in the case of election petitions should shift from the petitioner to the INEC; when challenged the INEC must prove that the elections were free and fair. The recommendations were reviewed by both the Federal Executive Council and the National Council of States. Consequently a white paper was released by the government rejecting important aspects, among them the removal of the power of the president to appoint the chair and members of the INEC and incorporation of the state independent electoral commissions into the structures of the INEC.

Durotoye (2015: 8-9) specifically recommends electoral reforms involving the screening and selection of the INEC chair by the National Judicial Council (NJC). The NJC then passes the shortlist to the president who picks one and sends the name to the Senate for confirmation. This is to disallow any sitting president the opportunity to plant a party sympathizer as an electoral chief and to do away with various allegations against the INEC. Every electoral petition should be dispensed with before the swearing of elected officials. The current situation where someone alleged to have stolen the vote enjoys the fruits of office, and even spends public funds on his petition defence before eventually losing at the court, should be discouraged. Furthermore, there should also be the formation of an Electoral Offences Commission to strengthen the state's capacity to punish electoral offenders. Such a commission should be made to dispense justice faster than the conventional courts, without necessarily sacrificing the principles of justice and fair play. If one must reform and redeem Nigerian democracy, then electoral cheats and those who aid and abet them in INEC must be made to face the full wrath of the law. Any elected office holder found guilty should not only be barred from future elections, but should also go to jail for the Offence, as should colluding electoral and security officials. Independent candidature will enrich the Nigerian democratic process and curb cases of imposition in the parties and lack of internal democracy, knowing that an alternative platform is open to aggrieved but popular candidates. A national database needs to be created as every rigged elections starts with a padded voter register. There is an urgent need to ensure the electoral roll is genuine and not fake. The existing of the Permanent Voters Card (PVC) used in the 2015 is a step in the right direction.

The PVC captures the biometrics of the voters on the roll. Lastly, there should be a “war against poverty” to discourage vote selling.

While electoral reforms are likely to mitigate the situation, one must address the various causes of electoral violence in Nigeria. Addressing the issue of political assassinations, Durotoye (2014: 240-241) identifies the following reasons:

i. Addressing the issue of political investors

Competing for elective positions in Nigeria is very expensive and politicians rely on political investors for sponsorship. These investors expect returns on their “investments” once their candidate wins the election. Since they have put down so much money, they will do everything possible including getting rid of the opponent to ensure that their candidates win. In order to meet the expectations of the investors, therefore, some politicians resort to maintaining killer squads to intimidate the opponent, with political assassination as the last resort.

ii. Curbing the massive military retirees in politics

The massive involvement of retirees from the Armed Forces into politics offered reasons behind most political killings and inability of politicians to imbibe the principles of democratic governance. Although most of the retirees quickly re-adjusted to civilian life and had enough financial means to corner choice political positions, unfortunately, their only political tutelage was garnered from their participation in military rule which in itself is anti-democratic. Hence, these new sets of politicians and their civilian allies, who had also participated in military rule as ministers or commissioners, have imbibed the culture of intolerance of opposition. This culture, which featured under previous military regimes where there were scores of state-sponsored extra-judicial assassinations, was carried over to the present regime.

iii. Addressing the politic as a zero-sum game

Politics in Nigeria is a zero-sum game, or what is generally referred to as a “winner-takes-all” approach. The apparatuses of the state are routinely used to oppress and intimidate the opposition. The power of ‘incumbency’ is almost limitless; so much so that those in the opposition are routinely hindered even from pursuing their daily affairs to make ends meet. The

implication of this is that no Nigerian politician wants to be in the opposition. Hence, both the incumbent and the opposition sometimes resort to extra-judicial means. The manipulation of elections and intimidation of political opponents are some examples of these means.

iv. Addressing the arms proliferation and youth's indolence

Youth restiveness in the Niger-Delta and smuggling of small arms into Nigeria by politicians and ECOWAS Monitoring Group (ECOMOG) returnees have all conspired to increase the rate of political assassination. By March 2004 and August 2006, the police recovered 3,662 illegal arms and 194,259 rounds of ammunition. Unemployed youths who have access to such arms were hired to carry out assassination as a means of livelihood.

v. Addressing the compromised judiciary

The Nigerian judiciary is largely compromised and corrupt. Politicians get access to judges through retired senior judicial officers who serve as consultants to those politicians. These retired judges bribe their former colleagues on behalf of politicians to thwart the course of justice.

7.4.2 Recommendations

Electoral violence will remain an on-going issue in Nigeria as the phenomenon has the potential to cause democratic reversal as demonstrated in this study. Considering the multi-faceted nature of electoral violence and its enduring causes, the study recommends the following:

1. Restraining powers of strong presidency in Nigeria

The executive power of the president at the national level in Nigeria is marked by strong presidency with imperial character. The emergence of an "imperial" or "monarchical" presidency as the most important source of power and authority must be checked through constitutional engineering. The manipulation of electoral institutions particularly electoral management bodies, the judiciary and playing the role of a godfather in political party as 'party leader', and the distortion of electoral process was made possible by overbearing powers of the presidency,

which allowed the president to hijack the ruling party and to determine which candidates were selected for elections.

2. Establishment of National Electoral Service Commission (NESC)

The management of an election is a critical element in its credibility, integrity and the legitimacy of its outcome. The weakness in the Independent National Electoral Commission (INEC) is inherent in its composition as provided for under Section 154 (1) of the 1999, which reads as follows; the appointed of INEC officials shall be done by the president, after consultation with the Council of State, for a period of five years, but have to be confirmed by the senate. Like the other commissions, the INEC should forward a bill to the national assembly for the establishment of NESC. The NESC shall comprise of the following members; five past electoral officials from the rank of a national commissioner who had served in the commission credibly without a role in electoral violence as permanent members for a period of five years. It will also comprise of permanent staff recruited and trained in the electoral processes to organise elections. The current setting where INEC relies of *ad hoc* staff and people who have no experience in election process for its conduct of election is not encouraging.

3. Modifying the Nigeria's Electoral Systems

Nigeria's electoral system is defined by the country's Constitution of 1999 and by its electoral acts, particularly of 2002, 2006 and 2010. The first-past-the-post (FPTP) system, which is also widely referred to as the winner-takes-all system (and loser-loses-all), is used for legislative and local elections. This system combined with lack of internal democracies within parties has contributed in no small measure to accentuating electoral violence over the years for state power. The current FPTP system should be modified to include 40 per cent to be filled by party-list in the legislative elections while the remaining 60 per cent by FPTP.

4. War against poverty

There should be war against poverty to discourage electoral violence. Some irregularities in the electoral process such as vote selling/buying emanate as a result of poverty in the country especially amongst the youths who are vulnerable due to unemployment. Declaring poverty as a

national threat to free and fair election would also entail finding the requisite political will to deal with the phenomenon of electoral violence. The Nigerian state should introduce poverty alleviation programmes tailored toward addressing the needs of youths who are most susceptible to electoral violence. Where these measures are already in place, it is necessary to improve, sustain and effectively implement them. Of particular note, the federal government of Nigeria should send a bill to the parliament making it compulsory for corporate such as banks, multi-national and communication companies to sponsor sports to engage the youths efficiently.

5. Punishing electoral violence offenders.

The best way to address issues of electoral violence is to punish electoral offenders. The national parliament should enact laws so that any person found as contributing to electoral violence by a competent court shall have between five to 10 years in prison with fine irrespective of his or her status.

6. 50 per cent cut for emoluments of elective positions

There should be 50 per cent cut in the salaries of elective positions in the legislative and executive arms. This will make these positions less attractive and will reduce intense battle for these positions.

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9.1 APPENDICES

APPENDIX 1A: NATURE AND SPREAD OF ELECTORAL MALPRACTICES AND VIOLENCE IN THE 2003 ELECTIONS

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
North-Central, Benue	Pre-election	Imposition of candidates; Intra/interparty clashes; Disruption of campaigns; Imposition of candidates; No display of names of candidates for election.	Parties; INEC	HRW 2004; Sunday Punch 22 April, 2003.
	Day of election	No appearance of INEC staff; Inadequate election materials; Killings; Arson; Killings; Ballot snatching/stuffing.	Parties; INEC	EU EOM 2003; Sunday Punch 22 April, 2003.
	Post-election	Falsification of results; Declaration of unauthentic results.	INEC	EU EOM 2003.
	Pre-election	Imposition of candidates; Intra/interparty clashes; Disruption of campaigns; No display of names of candidates for election; Killings		EU EOM 2003.
North-Central, Kogi	Day of election	Interparty clashes; Killings; Use of arms to hijack electoral materials; Stuffing/thumb printing of ballot boxes; Intimidation/harassment of voters/INEC staff; Disruption of balloting.	Parties; INEC; Security agents	HRW 2004.
	Post-election	Falsification of results; Declaration of unauthentic winners.	INEC	HRW 2004.
	Pre-election	Imposition of candidates; No display of names of candidates for election; Killings; Disruption of campaigns.	Parties; INEC	EUEOM 2003; UNIRIN 21 January 2003; Illorin April 2003:5 Newsweek 2004: 56.
North-Central,	Day of election	Inadequate election materials particularly tabulation and result sheets; Vote buying; Intimidation by the	INEC; Parties; Security agents	UNIRIN 21 January 2003; Illorin April 2003:5

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
Kwara		security agents.		Newsweek 2004: 56.
	Post-election	Falsification of results; Declaration of unauthentic winners.		Newsweek 2004: 56.
North-Central, Nasarawa	Pre-election	Imposition of candidates; Disruption of campaigns/Fighting among party supporters; No display of names of candidates for election;	INEC; Parties	EUEOM 2003. Other refs
	Day of election	Killings; intimidation snatching of ballot boxes; Vote buying; Inadequate supply of election materials such as result sheets.	INEC officials; party thugs	Daily Trust May 5, 2003; The Nation 22 April 2003, 34; This day April 22, 2007.
	Post-election	Falsification of results; declaration of unauthentic winners.	INEC	Daily Trust May 5 2003; The Nation April 22 2003.
	Pre-election	Imposition of candidates; Thugs were used to foment violence; disrupt campaign activities, no display of names of candidates for election.	Thugs	EUEOM 2003
North-Central, Niger	Day of election	Late distribution of election materials; Inadequate supply of election materials such as result sheets; No elections in some polling units.	INEC; Parties	TMG 2003; Sunday Tribune April 2007.
	Post-election	Falsification of results; declaration of unauthentic winners.	INEC	TMG 2003.
	Pre-election	Imposition of candidates; Inter party clashes during party primaries; Use of anti-graft agencies to disqualify candidates; inter-communal and religious crisis intersect electoral violence.		HRW 2004; NRI 2003.
North-	Day of	Inter-party crisis; Inadequate election materials	INEC; Parties;	NRI 2003.

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
Central, Plateau	election	especially result sheets; destruction of properties; killings.	Security agents	
	Post-election	Opposition agents e not allowed in collation centres; Falsification of results; Declaration of unauthentic winners; Demonstrations by opposition after declaration of results by INEC; Killing including security personnel.	INEC; Parties; Security agents	NRI 2003.
	Pre-election	Imposition of candidates; Political rivalry and clash by party thugs; inflammatory statements; destruction of billboards; disqualification of candidate; no display of names of candidates for election; inflammatory statements.	Party thugs; INEC	EUEOM 2003
North-East, Adamawa	Day of election	Vote-buying; Intimidation of opposition voters by security agents; Massive rigging-stuffing of ballots papers; Vote buying.	Party thugs; INEC	IDASA 2003.
North-East, Bauchi	Pre-election	Imposition of candidates; Inter-political clashes; No display of names of candidates for election.	Party thugs	EUEOM 2003.
	Day of election	Inter-party crisis; Vote-buying; Rigging and stuffing of ballot boxes; Opposition party agents not allowed access to collation centres; Declaration of unauthentic results.	Parties; INEC	Tijjani 2013. Oruwari, 2006.
North-East, Borno	Post-election			
	Pre-election	Imposition of candidates; Clashes between party supporters; Imposition of candidates.	Parties	Albert 2005; EUEOM 2003.
	Day of election	Inter-party crisis; Under aged voting; Vote-buying; stuffing of ballot boxes; Opposition party agents not	Party thugs; Political parties	EU 2003 HRW 2007b; Oruwari

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
		allowed access to collation centres; declaration of fake results.		2006.
North-East, Gombe	Post-election	Imposition of candidates; Inter-political clashes; Imposition of candidates.	Parties	
	Pre-election	Late distribution of voter's cards; Imposition of candidates; Inter-political clashes; No display of names of candidates for election; Gangs recruited for election unleashed violence on the local communities; Disruption of campaigns; Rape; Arson.	Parties	EUEOM 2003.
	Day of election	Interparty clashes; Underage voting; Vote-buying; Ballot snatching/stuffing; Arson; Lack of proper documentation for and distribution of sensitive materials e.g. ballot papers; Vote buying.	Political; INEC	Oruwari 2006.
	Post-election	Discrepancies in the total number of voters announced and that provided in the final voters register; later distribution of voter's card; late released of funds to INEC. Opposition party agents not allowed access to collation centres; declaration of fake results.	INEC	Oruwari 2006; HRW 2003.
North-East, Taraba	Pre-election	Imposition of candidates; Interparty clashes.	Parties	EU EOM 2003
	Day of election	Vote-buying; ballot snatching/ ballot stuffing; Late distribution of electoral materials. No show up by INEC officials in some polling units.	Parties	Oruwari 2006.
North-East, Yobe	Post-election			
	Pre-election	Imposition of candidates; Inter/intraparty clashes; thuggery; Rape; killings.	Party thugs; Political parties	EU EOM 2003
	Day of election	Vote-buying; Ballot snatching/ballot stuffing; Late distribution of electoral materials; Vote buying;	Party thugs; Political parties	TMG 2003; EU EOM 2003

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
North-West, Jigawa	Post-election	Killings. Opposition party agent not allowed access to collation centres; Declaration of unauthentic results.	INEC	TMG 2003.
	Pre-election	Late registration of voters; Imposition of candidates; Late registration of voters; Later distribution of voter's card.	INEC	EU EOM 2003.
	Day of election	Destruction of INEC office; Vote-buying; underage voting; snatching of ballot papers; Destruction of INEC office.	Parties	EU EOM 2003; TMG 2003.
	Post-election	Discrepancies in the total number of voters announced and that provided in the voters register; Change of result sheets.	INEC	EU EOM 2003
North-West, Kadana	Pre-election	Imposition of Candidates; Interparty clashes; Late distribution of voter's cards.	INEC; Parties	TMG 2003; EU EOM 2003
	Day of election	Vote-buying; Late distribution of electoral materials; Withholding of electoral materials including result sheets; Non-appearance of INEC officials in some booths; Thumb-printing.	Parties; INEC	TMG 2003.
	Post-election	Declaration of false results; Destruction of INEC office after announcement of results; Opposition agents not allowed at the collation centres.	Parties; INEC	EUEOM 2003.
North-West, Kano	Pre-election	Imposition of candidates; Interparty clashes.	Parties	EUEOM 2003;
	Day of election	Vote-buying; Late distribution of elections materials; Underage voting; Withholding of electoral materials in the stronghold of the opposition.	Parties; INEC	EUEOM 2003; TMG 2003; Aziken 2003.
	Post-election	Withholding of result sheets; Declaration of false results.	INEC	TMG 2003; EU EOM 2003
	Pre-election	Imposition of candidates;	Parties	EUEOM 2003.

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
North-West, Katsina	Day of election	Vote-buying; Underage voting;	Parties; INEC	EUEOM 2003.
	Post-election	Opposition party agents not allowed access to collation centres; declaration of fake results.		EUEOM 2003.
North-West, Kebbi	Pre-election	Imposition of candidates; Inter-party crisis; imposition of candidates.	Political parties	EUEOM 2003.
	Day of election	Delay in the distribution of election materials; Under aged voting; Vote-buying.	Party thugs; Political parties	EUEOM 2003; TMG 2003.
	Post-election	Opposition party agents not allowed access to collation centres.		EUEOM 2003; TMG 2003.
North-West, Sokoto	Pre-election	Late registration of voters; lack of display of voters register; Late distribution of voter's cards.	INEC; Parties; Government	EUEOM 2003; TMG 2003.
	Day of election	Under-aged voting; No proper documentation and distribution of sensitive materials e.g. ballot papers and result sheets;	INEC; Thugs	EUEOM 2003; TMG 2003.
	Post-election	Discrepancies in the total accredited votes and results declared; Inter party clashes after declaration of results.	INEC; Parties	EUEOM 2003; TMG 2003.
North-West, Zamfara	Pre-election	Imposition of candidates; Destruction of party supporters; imposition of candidates.	INEC; Parties; Government officials	EUEOM 2003; TMG 2003.
	Day of election	Vote-buying; Snatching of ballot papers; Intimidation of voters by security agents; Underage voting.	INEC; Parties	EUEOM 2003; TMG 2003.
South-East, Abia	Post-election			
	Pre-election	Imposition of candidates; Late registration of voters; Non-display of voters register.	INEC; Parties	EUEOM 2003; TMG 2003.
	Day of election	No elections in some polling units; Ballot snatching/multiple voting/thumb printing; Shooting	Parties; INEC; Security	EUEOM 2003; HRW 2004.

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
South-East, Anambra	Post-election	and disruption of voting by armed militias; Beating of opposition supporters; Intimidation of election observers; Security working to a particular party.	personnel	
	Pre-election	Declaration of false results.	INEC	EUEOM 2003
	Day of election	Imposition of candidates; Clash by parties; Sporadic shooting resulting to killings; Inflammatory statements; Destruction of billboards; Burning of properties including INEC offices.	Parties	EUEOM 2003; HRW 2004. Onyekamua 2003
South-East, Ebonyi	Pre-election	No elections in some polling units; Multiple voting; Snatching/stuffing of ballot boxes; Involvement of security in election malpractices; Open display of arms; Beating of opposition party agents.	INEC; Parties; Security personnel	EUEOM 2003; HRW 2004. Onyekamua 2003
	Post-election	Declaration of false results.	INEC	EUEOM 2003; HRW 2004
	Day of election	Clash by parties; killings; Destruction of billboards; Burning of properties.	Parties	EUEOM 2003; HRW 2004
South-East, Enugu	Pre-election	No elections in some polling units; Multiple voting; Ballot snatching/stuffing; Underage voting, Security involvement for a particular political party; Boycott of election by the opposition parties.	INEC; Parties; Security Personnel; Government officials	EUEOM 2003; HRW 2004
	Post-election	Declaration of false results; Killings including an INEC staff.	INEC; Parties.	HRW 2004
	Day of election	Imposition of candidates; Clash by parties; Sporadic shooting resulting to killings; Inflammatory statements; Destruction of billboards; Destruction of campaigns.	INEC; Parties; Government	EUEOM 2003; HRW 2004
	Day of election	Intimidation; Late distribution of electoral materials/polls; Ballot box stuffing; Violence at the distribution of materials; Postponement of election in	Parties; INEC; Security Personnel	TMG 2003; HRW 2004; EU 2003.

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
	Post-election	some districts; No election in some polling units; Ballot snatching/thumb printing; Declaration of false results.	INEC	EUEOM 2003; HRW 2004
South-East, Imo	Pre-election	Imposition of candidates; Clash by parties; Killings on both side of the political divide; Shooting and sporadic gunfire; Destruction of billboards and properties including during campaigns; Late registration of voters; Lack of display of voters register;	INEC; Parties	EUEOM 2003.
	Day of election	Late distribution of electoral materials; No elections in some polling units; Multiple voting; Lack of proper documentation for the distribution of sensitive materials e.g. ballot papers and result sheets; Abduction of opposition party agents by armed militias; Security escorted INEC <i>ad hoc</i> staff to non-designated areas with election materials for thumb printing; Destruction of ballot boxes in uncooperative areas.	INEC; Parties; Security personnel.	TMG 2003; HRW 2004; EU 2003; Sunday Tribune April 2007: 50.
	Post-election	Declaration of false results; Discrepancies in the total number of voters announced and that earlier accredited before voting; Opposition party agents were prevented at the collation centres.	INEC; Parties; Security personnel	TMG 2003; HRW 2004; EU EOM 2003.
South-South, Akwa Ibom	Pre-election	Imposition of candidates; Clash by party thugs; killings on both side of political divide; shooting and sporadic gunfire; inflammatory statements; destruction of billboards; burning of properties including INEC office.	INEC; Parties; Government	EUEOM 2003.
	Day of	Ballot box stuffing; Violence at the distribution of	Thugs; party;	TMG 2003; HRW 2004;

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
	election	materials; postponement of election in some districts; No election in some polling units; ballot snatching; thumb printing.	Security Personnel	EU EOM 2003.
	Post-election	Falsification of results; declaration of unauthentic winners.	INEC; Thugs; Security Personnel	TMG 2003; EU EOM 2003
South-South, Bayelsa	Pre-election	Imposition of candidates; Disruption of campaigns by thugs and hired militants; inter/intra party crisis.	INEC; Parties; Government	EU EOM 2003.
	Day of election	Result sheets stolen from INEC office at gunpoint. killings; late distribution of electoral materials/polls; Ballot box stuffing; Violence at the distribution of materials; postponement of election in some districts; No election in some polling units; ballot snatching; thumb printing; No result sheets.	Thugs; party/government officials; Security Personnel	TMG 2003; HRW 2004; EU EOM 2003.
	Post-election	Forgery of results; security and opposition parties prevented from collation centres.		EU EOM 2003.
South-South, Cross River	Pre-election	Imposition of candidates; Late registration of voters; lack of display of voters register; lack of proper documentation for the distribution of sensitive materials e.g. ballot papers; Discrepancies in the total number of voters announced and that provided in the final voters register; Late distribution of voter's card; late released of funds to INEC.	INEC; Parties; Government	EU EOM 2003.
	Day of election	No elections in some polling units; multiple voting;		EU EOM 2003.
	Post-election	Forgery of results.		EU EOM 2003.
South-South, Delta	Pre-election	Imposition of candidates; Late registration of voters; lack of display of voters register; lack of proper	INEC; Parties; Government	EU EOM 2003.

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
South-South, Edo		documentation for the distribution of sensitive materials e.g. ballot papers; Discrepancies in the total number of voters announced and that provided in the final voters register; later distribution of voter's card; late released of funds to INEC.		
	Day of election	Late distribution of electoral materials/polls; Ballot box stuffing; Violence at the distribution of materials; postponement of election in some districts; No election in some polling units; ballot snatching; thumb printing; Detention of elections observers by security personnel.	INEC; Parties; Security Personnel	TMG 2003; HRW 2004; EU EOM 2003; SDN 2007.
	Post-election	Falsification/forgery of results sheets and election results; Results not announced from constituencies; Implausible results.	INEC; Parties	TMG 2003; HRW 2004; EU EOM 2003.
	Pre-election	Imposition of candidates; Clash by parties; Killings on both side of political divide; Sporadic shooting to disrupt campaigns by hired militants; Kidnappings; Inflammatory statements; destruction of billboards and of properties. Late registration of voters; Lack of display of voters register. Late distribution of voter's cards.	INEC; Parties	EU EOM 2003; Amaize 2003.
	Day of election	Lack of proper documentation for the distribution of sensitive materials e.g. ballot papers and result sheets; No election in some polling units; Ballot snatching; thumb printing; Intimidation/harassment of election observers; Killings resulting from random shooting by hired gangs; Security sighted working in favour of incumbent political party.	INEC; Parties; Security Personnel	EU EOM 2003; Amaize 2003.
	Post-election	Discrepancies in the total number of voters	INEC; Parties	TMG 2003;

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
South-South, Rivers	Pre-election	announced and that earlier accredited; Prevention of observers at the collation centres.		EU EOM 2003
		Imposition of candidates; Late registration of voters; lack of display of voters register; Late distribution of voter's card; Killings; Kidnappings.	INEC; Parties; Government	EU EOM 2003.
	Day of election	Eruption of violence at the distribution of election materials; Late distribution of electoral materials/polls; Ballot snatching/stuffing; Postponement of election in some districts; No election in some polling units; Ballot snatching; thumb printing; Intimidation/harassment of election observers; Killings resulting from random shooting by hired gangs; Displacement of opposition sympathisers including representatives to allow rigging;	Thugs; party; Security Personnel	TMG 2003; HRW 2004; EU EOM 2003.
South-West, Ekiti	Post-election	Prevention of observers from collation centres; Falsification/forgery of results sheets and election results; Results not announced from constituencies.	INEC Officials; Party officials	TMG 2003; HRW 2004; EU EOM 2003.
	Pre-election	Imposition of candidates; Late registration of voters; lack of display of voters register; lack of proper documentation for the distribution of sensitive materials e.g. ballot papers; Discrepancies in the total number of voters announced and that provided in the final voters register; Late distribution of voter's card; late released of funds to INEC.	INEC; Parties; Government	EU EOM 2003.
	Day of election	Vote-buying; Insufficient supply of ballot papers; Lack of security men in many polling stations	INEC	EU EOM 2003.; IRI 2003
South-West, Lagos	Pre-election	Imposition of candidates; Late registration of voters; lack of display of voters register; lack of proper	INEC; Parties; Government	EU EOM 2003.

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
South-West, Ogun	Day of election	documentation for the distribution of sensitive materials e.g. ballot papers; Discrepancies in the total number of voters announced and that provided in the final voters register; Late distribution of voter's card; late released of funds to INEC.	INEC	TMG 2003; EU EOM 2003; IRI 2003 IRI 2003.
	Post-election	Insufficient supply of ballot papers; Lack of security men in many polling stations	INEC	
	Pre-election	Rejection of ballots for lack of properly handling by the poll staff.	Parties	TMG 2003; EU EOM 2003
South-West, Ondo	Day of election	Imposition of candidates; Late registration of voters; lack of display of voters register; lack of proper documentation for the distribution of sensitive materials e.g. ballot papers; Discrepancies in the total number of voters announced and that provided in the final voters register; Late distribution of voter's card; late released of funds to INEC.	INEC	TMG 2003; EU EOM 2003; IRI EU EOM 2003.
	Pre-election	Insufficient supply of ballot papers; Lack of security personnel in many polling stations.	INEC; Parties; Government	
South-West, Osun	Day of election	Imposition of candidates; Late registration of voters; lack of display of voters register; lack of proper documentation for the distribution of sensitive materials e.g. ballot papers; Discrepancies in the total number of voters announced and that provided in the final voters register; later distribution of voter's card; late released of funds to INEC.	INEC	TMG 2003; EU EOM 2003; IRI EU EOM 2003.
Pre-election	Insufficient supply of ballot papers; Lack of security men in many polling stations; Vote-buying.	INEC; Parties; Government		

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
South-West, Oyo	Day of election	documentation for the distribution of sensitive materials e.g. ballot papers; Discrepancies in the total number of voters announced and that provided in the final voters register; later distribution of voter's card; late released of funds to INEC.	INEC	TMG 2003; EU EOM 2003; IRI
	Pre-election	Insufficient supply of ballot papers; Lack of security men in many polling stations. Imposition of candidates; Change of candidates at the eve of elections; Late registration of voters; lack of display of voters register; later distribution of voter's card; late released of funds to INEC; Destruction of properties resulting to party clashes including attack on a presidential candidate.	INEC; Parties	IDASA 2003;
	Day of election	Insufficient supply of ballot papers; Lack of security personnel in many polling stations	INEC	TMG 2003; EU EOM 2003; IRI

APPENDIX 1B: NATURE AND SPREAD OF ELECTORAL VIOLENCE IN THE 2007 ELECTIONS

LOCATION	PERIOD OF ELECTION	INCIDENT OF VIOLENCE	ACTORS	SOURCE
North-Central, Benue	Pre-election	Disruption of campaigns; intimidation of candidates and electorates; imposition of candidates; Shoddy preparations for elections; Non-display of voter's register; non-serialisation of ballot papers.	INEC; Parties; Thugs	Ijim-Agbor 2007; Nwolisie 2007.
	Day of election	Non-serialisation of presidential ballots; thumb-printing and stuffing; killings; intimidation of voters; vote-buying; no polling in some places.	INEC; Security agencies; Thugs	<i>Sunday Punch</i> 22 April 2007; Catholic Secretariat 2007: 44-48.
	Post-election	Inflation of votes; change of result sheets; no display of final results as required by law; announcement of unauthentic winners.	INEC officials; Party agents and officials.	Ijim-Agbor 2007; <i>Sunday Punch</i> 22 April 2007: 13; Catholic Secretariat 2007: 44-48.
North-Central, Kogi	Pre-election	Shoddy preparations for elections; Non-display of voter's register; imposition of candidates; Non-serialisation of presidential ballots.	INEC; Parties; Thugs	Obi, 2007: 21; Ijim-Agbor 2007: 84.
	Day of election	Disruption of voting; snatching of ballots; No polling in some places as armed soldiers and mobile policemen carted away ballots to unauthorised destinations for thumb-printing and stuffing; killings; intimidation of voters; vote-buying; Intimidation; Harassment; vote-buying; use of arms to hijack electoral materials.	INEC officials; Security agencies; Thugs	Obi, 2007: 21; Ijim-Agbor 2007: 84.
	Post-election	Inflation of votes; riots after declaration of results resulting to killings of party men and security personnel.	INEC Officials; Party Agents and Thugs; Security Personnel	<i>The Guardian</i> , April 15, 2007.

North-Central, Kwara	Pre-election	Shoddy preparations for elections; Non-display of voter's register; non-serialisation of presidential ballot papers.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwoliise 2007.
	Day of election	Non-serialisation of presidential ballots; use of arms to hijack electoral materials; No polling in numerous booths; late arrival of electoral officials and materials; forceful replacement of genuine ballot papers with fake ballot papers; Vote-buying.	Parties Thugs; Security personnel.	Ajaero, 2007 Secretariat 2007: 44- in Ijim-Agbor 2007: 84.
	Post-election	Announcement of unauthentic results; change of result sheets.	INEC personnel	<i>The Nation on Sunday</i> 22 April: 34; <i>The Guardian</i> , April 22, 2007.
North-Central, Nassarawa	Pre-election	Shoddy preparations for elections; Non-display of voter's register; Imposition of candidates; Party clashes.	INEC; Parties; Thugs	<i>The Nation on Sunday</i> 22 April: 34; <i>The Guardian</i> , April 22, 2007.
	Day of election	Non-serialisation of presidential ballots. PDP thugs accompanied with armed security personnel stormed the state collation centre and carted away ballot boxes and result sheets to Government House where result sheets were burnt and replaced with new sheets to favour the ruling party.	Armed security men; Party thugs; INEC officials	Ijim-Agbor 2007: 84.
	Post-election	Six persons were killed by angry mob in protests over the declaration of suspicious results.	Party thugs	<i>The Nation on Sunday</i> 22 April: 34; <i>The Guardian</i> , April 22, 2007.
	Pre-election		INEC	TMG 2003;

North-Central, Niger	Day of election	Non-serialisation of presidential ballots; Snatching of ballot papers; invasion of polling booths by armed thugs; destruction of ballot papers; Vote-buying; intimidation of opposition by security and thugs/ party officials; police assisted in ballot stuffing for the ruling party.	INEC officials; Party thugs; security personnel	EU EOM 2003; IRI <i>Sunday Punch</i> 22 April 2007:8; Catholic Secretariat 2007: 44-48; EU EOM 2007: 103.
	Pre-election	Shoddy preparations for elections; Non-display of voter's register;	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
North-Central, Plateau	Day of election	Non-serialisation of presidential ballots; vote-buying; use of fake ballot papers for ballot stuffing; snatching of ballot papers.	Party thugs; INEC staff; Security personnel	Catholic Secretariat 2007: 48; EU EOM 2007: 99.
	Post-election	Declaration of inauthentic results;	Party thugs; INEC staff	Catholic Secretariat 2007.
North-East, Adamawa	Pre-election	Shoddy preparations for elections; Non-display of voter's register; disqualification of candidates 12 hours before polling.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots; undersupply of electoral materials in the stronghold of the opposition; ballot stuffing and snatching.	INEC; Party agents and security personnel	Nwolise 2007.
	Post-election	Protests resulting to cancelling of results in several parts of the state; Inflation of votes and declaration of unauthentic results.	Angry mob	Nwolise 2007.
North-East, Bauchi	Pre-election	Shoddy preparations for elections; Non-display of voter's register; intimidation and disruption of campaigns.	INEC; Party; Thugs; Party members	HRW 2007b; <i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots; Vote-		<i>The Guardian</i> 6 September

	Post-election	buying. Inflation of votes and declaration of unauthentic results.	INEC officials	2007: 27. <i>The Guardian</i> 6 September 2007: 27.
North-East, Borno	Pre-election	Shoddy preparations for elections; Non-display of voter's register; imposition of candidates.	INEC; Parties; Thugs	<i>The Herald</i> (2007: 19). Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots. Bribery of security personnel to allow irregularities.	INEC	<i>The Guardian</i> 6 September 2007: 29-51.
	Post-election	Bribery of security personnel to allow irregularities at collation centres; inflation of votes.	INEC staff; Security personnel; party agents	<i>The Guardian</i> 6 September 2007: 29-51.
North-East, Gombe	Pre-election	Shoddy preparations for elections; Non-display of voter's register; imposition of candidates.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots; Undersupply electoral materials particularly ballot papers and result sheets; No result recorded after voting.	INEC Staff	EU EOM 2007: 100
	Post-election	Change of results at collation centres; discrepancy between the vote cast and results collated in many polling booths.	INEC	EU EOM 2007: 100
North-East, Taraba	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots. Undersupply electoral materials particularly ballot papers and result sheets; Security personnel bribed to allow stuffing and thumb-printing of ballot papers by party agents and officials.	INEC staff; Security personnel; Party thugs	Catholic Secretariat 2007: 29-32
	Post-election	Change and declaration of suspicious results.	INEC collateral staff	Catholic Secretariat 2007: 29-32

North-East, Yobe	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	EU EOM 2007: 100 <i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots. Undersupply electoral materials, particularly ballot papers and result sheets.		
North-West, Jigawa	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots; vote buying; Missing logos and images of candidates on the ballot papers; postponement of elections.	INEC staff; Party men	EU EOM 2007: 100; <i>Sunday Punch</i> , Lagos 22 April 2007: 9; Nwolise 2007: 167.
	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	
North-West, Kadana	Day of election	Non-serialisation of presidential ballots; underage voting; snatching of ballot papers; killings; thumb-printing of ballots; clashes of different parties at polling booths.	INEC; Parties; Thugs	EU EOM 2007: 102; <i>Sunday Punch</i> 22 April 2007: 8.
	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
North-West, Kano	Day of election	Non-serialisation of presidential ballots.		<i>The Herald</i> (2007: 19).
	Post-election	Invasion of thugs on the day of election in several polling booths with dangerous weapons; Disruption of voting; underage voting.	Parties; INEC	<i>The Herald</i> , 2007: 19; E
	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
North-West, Katsina	Day of election	Non-serialisation of presidential ballots; underage voting; Insufficient supply of ballot papers.	INEC	EU EOM 2007.

North-West, Kebbi	Post-election			
	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
North-West, Sokoto	Day of election	Non-serialisation of presidential ballots; underage voting; Insufficient supply of ballot papers	INEC	EU EOM 2007.
	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
North-West, Zamfara	Day of election	Non-serialisation of presidential ballots; postponement of election in certain districts for missing logos and names of candidates; Non-serialisation of ballot papers.	INEC	<i>Sunday Punch</i> , Lagos April 2007: 9. Nwolise 2009: 167.
	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007; Bello-Ibrahim 2007: 19.
South-East, Abia	Day of election	Non-serialisation of presidential ballots; underage voting; Insufficient supply of ballot papers.	INEC	EU EOM 2007.
	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
South-East,	Day of election	Non-serialisation of presidential ballots; snatching of ballot papers; late arrival of electoral materials; non-appearance of INEC officials; ballot snatching and stuffing; disruption of voting by thugs; destruction of ballot boxes and pares; open thumb-printing; postponement of election in some districts; opposition agents were chased away from voting centres.	INEC officials; Party thugs; security personnel; gangsters; militia	<i>Punch</i> Lagos, 22 April 2007: 9; Nwolise 2007: 167.
	Pre-election	Shoddy preparations for elections; Non-display of	INEC; Parties;	<i>The Herald</i> , 2007: 19.

Anambra		voter's register; intra and inter-party clashes; political arrests and detentions; disqualification of candidates; illegal polling booths created for electoral fraud; Non-inclusion of candidates' names and/or pictures.	Thugs; gangsters	Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots; ballot snatching and stuffing; snatching of ballot boxes at gun point; voting in unauthorised places; vote-buying; non-arrival of electoral materials where there was voting; bribery of security personnel.	Security personnel; INEC officials; party thugs	Omotola 2007: 144.
	Post-election	Implausible results and lack of access to collation of media, observers and opposition party agents.	INEC; Parties; Thugs	SDN, 2007.
South-East, Ebonyi	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots; nonappearance of INEC officers in many polling stations; party thugs and agents took over voting in all polling stations; bribery of security personnel.	INEC officers; Security personnel; party thugs	Danjibo and Oladeji 2007: 193.
	Post-election	Implausible results and lack of access to collation of media, observers and opposition party agents.	INEC; Parties; Thugs	SDN, 2007.
South-East, Enugu	Pre-election	Shoddy preparations for elections; Non-display of voter's register; intimidation; disruption of campaigns by thugs.	INEC; Parties; Thugs	<i>The Herald</i> (2007: 19). Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots; thumb-printing; nonappearance of electoral officials at polling booths; random shooting of security officers to disperse angry voters protesting ballot stuffing; vote buying; bribery of security	INEC; Thugs; security personnel	Obi, 2007: 21; Danjibo and Oladeji 2007: 193.

	Post-election	personnel by party stalwarts. Implausible results and lack of access to collation of media, observers and opposition party agents.	INEC; Parties; Thugs	SDN, 2007.
South-East, Imo	Pre-election	Shoddy preparations for elections; Non-display of voter's register; intra and inter-party clashes; illegal substitution and disqualification of candidates; exclusion of candidates; Non-inclusion of candidates' names and/or pictures.	INEC; Parties; Thugs	<i>The Herald</i> (2007: 19). Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots; vote-buying; exchange of voter's card with money at voting stations; Cancellation of governorship election; stuffing of ballots; nonappearance of INEC officials in many polling booths; Bribery of security men.	Security personnel; Party thugs; INEC officials	Catholic Secretariat 2007: 29-32.
	Post-election	Implausible results and lack of access to collation of media, observers and opposition party agents.	INEC; Parties; Thugs	SDN, 2007.
South-South, Akwa Ibom	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	<i>The Herald</i> (2007: 19). Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Delayed in distribution of electoral materials/polls; Irregular and incomplete election materials; Harassment of election observers and/or voters; Non-serialisation of presidential ballots; Postponement of elections.	INEC; Parties; Thugs; Security Personnel	SDN, 2007.
	Post-election	Implausible results and lack of access to collation of media, observers and opposition party agents.	INEC; Parties; Thugs	SDN 2007.
South-South, Bayelsa	Pre-election	Shoddy preparations for elections; Non-display of voter's register; intimidation of voters/observers; shooting during campaigns; Imposition of	INEC; Parties; Thugs	<i>The Herald</i> (2007: 19). Ijim-Agbor 2007; Nwolise 2007; SDN, 2007.

		candidates.		
	Day of election	Non-serialisation of presidential ballots; Delayed in distribution of electoral materials/polls; Irregular and incomplete election materials; Harassment of election observers and/or voters; Non-appearance of INEC officials in many polling booths; intimidation of voters to deter them from voting.	Security personnel; thugs; militias	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; SDN 2007; Nwolise 2007; Obi 2007: 21; SDN , 2007.
	Post-election	Implausible results and lack of access to collation of media, observers and opposition party agents.	INEC; Parties; Thugs	SDN, 2007.
South-South, Cross Rivers	Pre-election	Shoddy preparations for elections; Non-display of voter's register; intimidation of voters/observers.	Parties; Thugs	SDN, 2007
	Day of election	Non-serialisation of presidential ballots; Delayed in distribution of electoral materials/polls; Irregular and incomplete election materials; Harassment of election observers and/or voters; Vote-buying; party agents removed ballot boxes after bribing INEC and security officials.	INEC officials; party thugs Security personnel	Catholic Secretariat 2007; SDN 2007.
	Post-election	Implausible results and lack of access to collation of media, observers and opposition party agents.	INEC; Parties; Thugs	SDN, 2007.
South-South, Delta	Pre-election	Shoddy preparations for elections; Non-display of voter's register; Intimidation of voters/observers; Killings.	Thugs; Parties; Security personnel	SDN, 2007.
	Day of election	Non-serialisation of presidential ballots; killings; shooting at electoral officers; hijacking of electoral materials; Destruction of electoral	INEC; Security personnel;	<i>Sunday Punch</i> , Lagos, 22 April 2007: 9; Nwolise: 167.

		offices and electoral materials; no voting in many polling booths; Late arrival of materials where there was voting; Missing logos and names of candidates on the ballot papers; postponement of election in some districts.	thugs; militias	
	Post-election	Implausible results and lack of access to collation of media, observers and opposition party agents.	INEC; Parties; Thugs	SDN, 2007.
South-South, Edo	Pre-election	Shoddy preparations for elections; Non-display of voter's register; intimidation of voters/observers.	Parties; Thugs	
	Day of election	Non-serialisation of presidential ballots; multiple voting; Deployment of security men to intimidate the opposition; Vote-buying; Non-appearance of INEC officials in several polling booths; Ballot snatching and stuffing; Undersupply of electoral materials; Breach of voting procedures; Early closure of voting due to insufficient electoral materials; Police and army officers sighted accompanying electoral materials to private residence; Protest of multiple voting.	INEC; Parties; Thugs; Security personnel; politicians	EU EOM 2007: 51; Adejumobi and Kehinde 2007: 110
South-South, Rivers	Post-election	Change of results at the collation centres.		
	Pre-election	Shoddy preparations for elections; Non-display of voter's register; Illegal disqualification and replacement of candidates by parties; Killings; arson.	INEC; Parties; Thugs; Security personnel	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots; disruption of voting by armed militias; snatching and stuffing of ballots; Snatching; killings; Absence of voting materials in some polling booths; Deployment of security personnel to intimidate voters and opposition representatives.	security personnel; INEC; Parties; Thugs	<i>The Herald</i> 2007: 19. Ijim-Agbor 2007: 91; Adejumobi and Kehinde 2007: 110.
	Post-election	Replacement of results at collation centres;	INEC officials	

South-West, Ekiti	Pre-election	Declaration of suspicious results. Shoddy preparations for elections; Non-display of voter's register; Assassination of leading opposition candidates; Intimidation; Detention of contestants and supporters; Interparty inflammatory speeches; Multiple voting.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007; Adejumo and Kehinde 2007: 109.
	Day of election	Non-serialisation of presidential ballots; Disruption of voting; Snatching of ballots; No polling in some booths; Killings; Organised violence; Attacks on political opponents; Theft of ballot boxes and electoral materials; Ballot stuffing and thumb-printing; Genuine ballot papers burnt and replaced with already thumb-printed and authentic ballot papers; Vote buying; Police ignoring activities.	Party thugs; politicians; security officers; public servant and INEC officials	DSM, 2007; Adeogbo and Olaosebikan 2007; <i>Sunday Vanguard</i> 22 April 2007: 5. Catholic Secretariat 2007: 37-43; EU EOM 2007: 50.
	Post-election	Cancellation of results; rigging and inflation of votes at the collation centres; Disappearance of result sheets.	INEC	EU EOM 2007: 50.
South-West, Lagos	Pre-election	Shoddy preparations for elections; Non-display of voter's register; Killings of high profile opponents by hired assassins; Postponement of election; Missing party logos; Non-appearance of names of candidates on the ballot papers.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007; 167; <i>Vanguard</i> 7 April 2007; <i>Sunday Punch</i> Lagos, April 22 2007: 9
	Day of election	Non-serialisation of presidential ballots; Undersupply of electoral materials; Vote-buying.	INEC; parties	Nwolise 2007; 167; <i>Vanguard</i> 7 April 2007; <i>Sunday Punch</i> Lagos, April 22 2007: 9
	Post-election	Cancellation of results		Nwolise 2007; 167; <i>Vanguard</i> 7 April 2007; <i>Sunday Punch</i> Lagos, April 22 2007: 9
South-West,	Pre-election	Shoddy preparations for elections; Non-display of	INEC; Parties;	<i>The Herald</i> , 2007: 19.

Ogun		voter's register; Political harassment; Attacks on the opposition; Detention of politicians; interparty clashes.	Thugs	Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots; Late arrive of electoral materials; Postponement of senatorial election in two districts after certain period of voting; partial voting; Organised violence snatching of ballot boxes; No secret of voting; Bunches of ballot papers stamped before; No voting but results recorded.	INEC; Thugs	<i>Sunday Punch</i> , Lagos, 22 April 2007: 8-9; Nwolise 2007: 167; Catholic Secretariat 2007: 37-43. EU EOM 2007: 50. JDPC 2007.
South-West, Ondo	Post-election	Cancellation of results.		
	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007. DSM 2007.
	Day of election	Non-serialisation of presidential ballots; Disruption of voting; Snatching of ballots; No polling in some booths; Killings; Partial voting; Organised violence; No voting in some polling stations.	Party thugs	
	Post-election	Declaration of unauthentic results; Burning of houses; Destruction/burning of property including INEC offices.	INEC officials; Security Personnel	<i>The Nation</i> on Sunday 22 April 34.
South-West, Osun	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007. DSM 2007; Yusuf 2007: 21.
	Day of election	Non-serialisation of presidential ballots; Partial voting in some polling booths; Thumb-printing and snatching of ballot boxes; Undersupply of voting materials in several polling stations.	INEC officials; Party thugs; Security personnel	
	Post-election	Invasion/attack of residences of party chieftains after announce of suspicious results.	Armed Security Personnel	<i>The News</i> 3 September 23 2007; Catholic Secretariat 2007: 37-43.

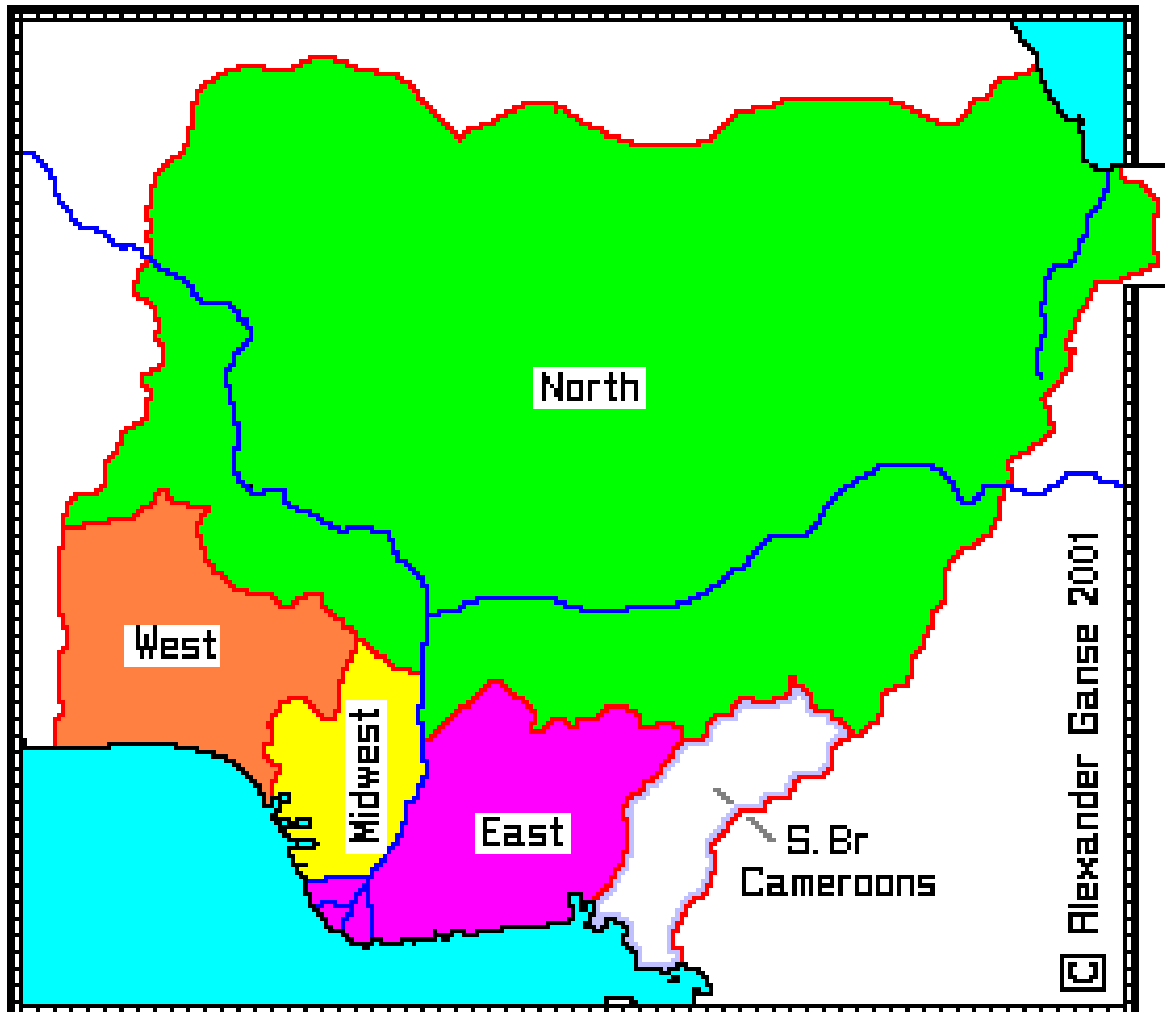
South-West, Oyo	Pre-election	Shoddy preparations for elections; Non-display of voter's register.	INEC; Parties; Thugs	<i>The Herald</i> , 2007: 19. Ijim-Agbor 2007; Nwolise 2007.
	Day of election	Non-serialisation of presidential ballots; Party logos and photograph of opposition candidates omitted from the ballot papers; Vote-buying; snatching of ballot papers; Destruction of ballot boxes; Harassment of journalists; Fighting and indiscriminate shootings and fighting by party thugs and militia.	INEC; thugs	<i>The News</i> 3 September 23 2007; Catholic Secretariat 2007: 37-43.
	Post-election	Replacement of result sheets with fake results.	INEC	<i>The News</i> 3 September 23 2007; Catholic Secretariat 2007: 37-43.

APPENDIX 2A: CHANGING STATE STRUCTURES IN NIGERIA (1960-1963)

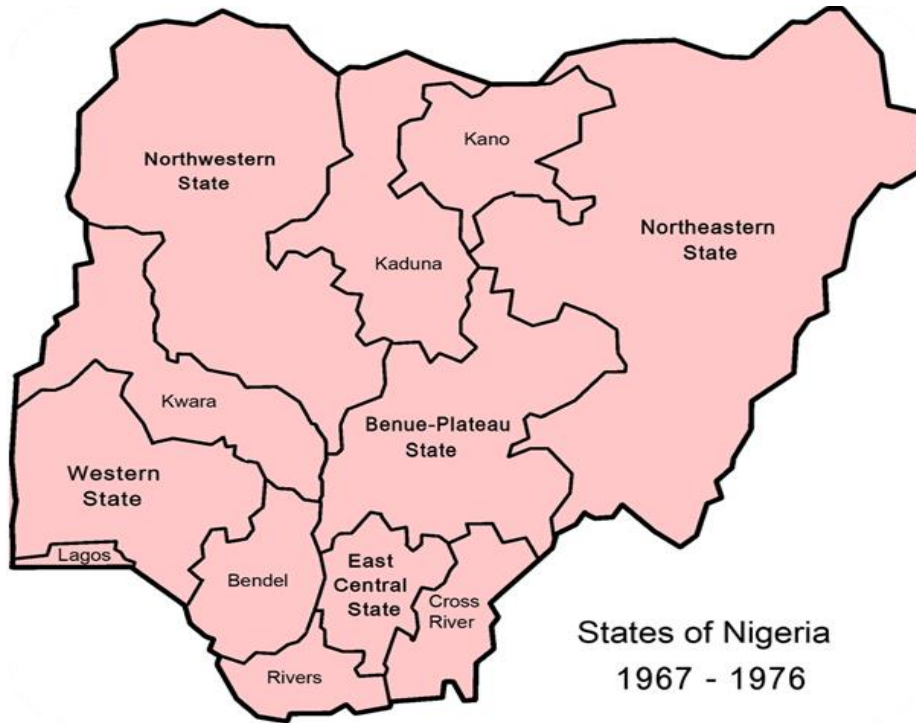


APPENDIX 2B: CHANGING STATE STRUCTURES IN NIGERIA (1964-1966)

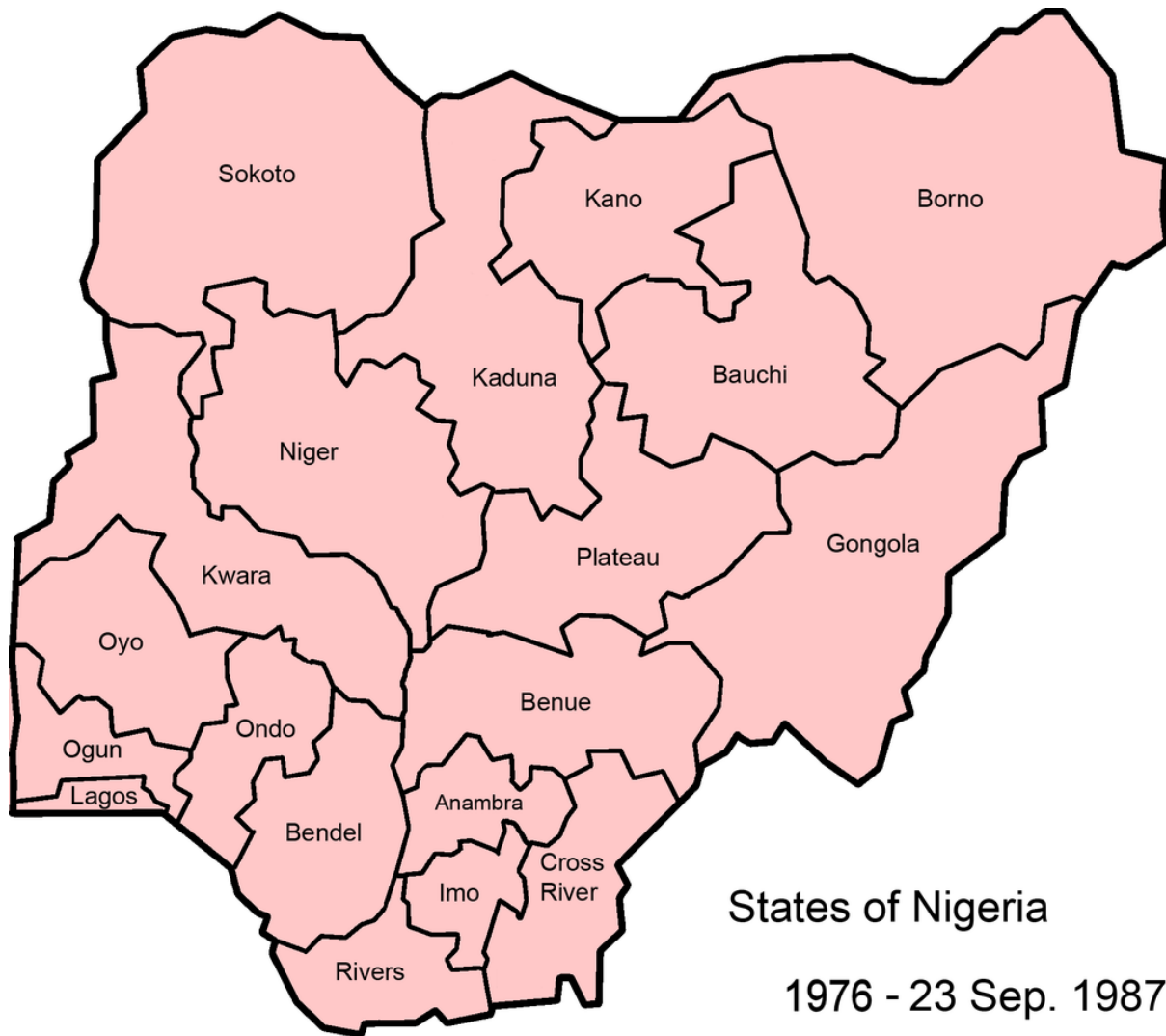
Nigeria : Regions, 1965



APPENDIX 2C: CHANGING STATE STRUCTURES IN NIGERIA (1967-1976)



APPENDIX 2D: CHANGING STATE STRUCTURES IN NIGERIA (1976-1987)



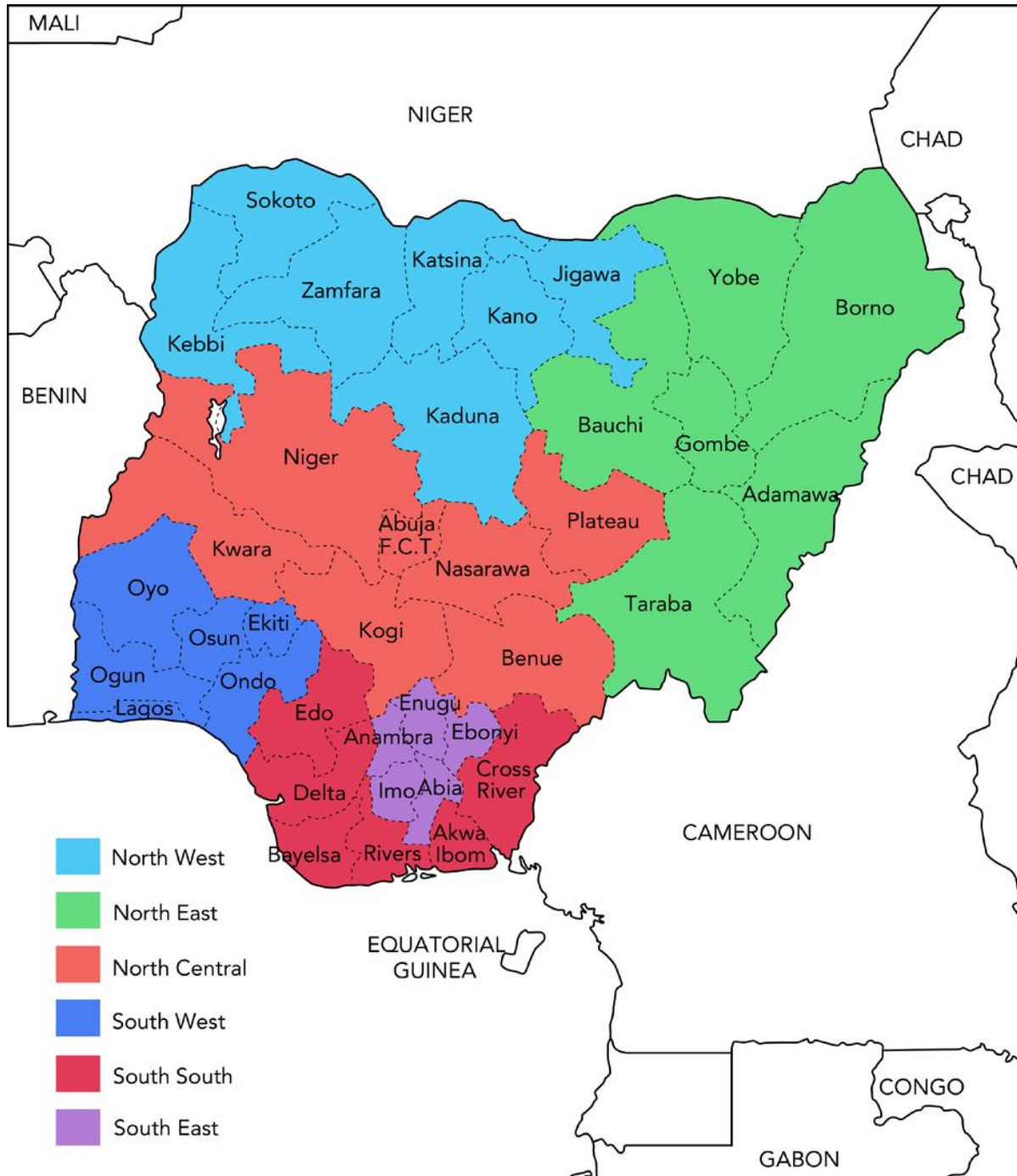
APPENDIX 2E: CHANGING STATE STRUCTURES IN NIGERIA (1987-1991)



APPENDIX 2F: CHANGING STATE STRUCTURES IN NIGERIA (1991-1996)



APPENDIX 2G: CHANGING STATE STRUCTURES IN NIGERIA (1996 to date)



APPENDIX 3

Political Killings in Nigeria-Selected cases prior to 2003 and 2007 elections

S/N	Name	Position	Date	Location	Finding
1	Mrs Janet Olapade	PDP Woman Leader	13/8/2002	Odigbo LGC-Ondo State	Unknown gunmen.
2	Ahmed Pategi	Kwara State PDP Chairman	158/2002		Was killed with driver enroute from Ilorin to Abuja for a meeting.
3	Barnabas Igwe	State Chairman, Nigerian Bar Association (NBA).	1/9/2002	Onitsa, Anambra State	The legal officer requested his state governor to resigned having failed to pay workers' salaries.
4	Dele Arojo	PDP Ogun Governorship candidate	25/11/2002	Lagos	By unknown gunmen
5	Ahj. Isyaka Mohammed	Kano UNPP Chieftain	/12/2002	Kano	By hired assassins

S/N	Name	Position	Date	Location	Finding
6	Chief Mononia Agbatutu	PDP Delta Central Senatorial District aspirant	12/12/2002	Delta state	Murdered by his driver in a pretext of road accident
7	Mr. Odunayo Olagbaju	Member, Osun House of Assembly	19/12/2002	More, Ile-Ife, Osun state	Murdered by a Mob
8	Chief Bola Ige	Serving Justice Minister	23/12/2002	Ibadan	Was shot dead by hired assassins at his Bodija residence
9	Chief Ogbannaya Uche	ANPP Orlu Senatorial District Candidate.	7/2/1003	Ebonyi	By hired assassins.

S/N	Name	Position	Date	Location	Finding
10	Theodore Agwatu	Private Secretary to Imo state Governor	22/2/2003	Imo	Killed by hired assassins in his home town.
11	Mr. Yemi Oni	A.D stalwart ib Ekiti state	/3/2003	Ado-Ekiti	was shot dead by gunmen in his Ado-Ekiti residence
12	Luke Shigaba	PDP Chairmanship candidate, Bassa LGA	3/3/2003	Bassa, Kogi LGA	By unknown gun men.
13	Philip Olorunipa	State Chairman, electoral commission	7/3/2003	Kogi state	Was killed by hired assassins.
14	Chief Harry Marshall Sokari	South-south ANPP Vice-Chairman	5/3/2003	Abuja	Marshall and his daughter were murdered in his Abuja residence by unidentified assassins in what could be referred as targeted assassination.
15	Mr. Anthony Nwodu	Eza North LGC ANPP Secretary General	21/03/2003	Ebonyi State	Was abducted from a police station by PDP thugs and killed reportedly in a house of prominent

S/N	Name	Position	Date	Location	Finding
					PDP politician. Two of the leaders of the group were charged with murder but released few days later.
16	Ikenna Ibor	ANPP councillorship candidate	27/03/2003	Anambra State	Was Killed by unknown assassins.
17	Toni Dimegwu	ANPP State Assembly Member	20/04/2003	Imo State	Was Killed by unknown assassins.
18	Mwuzi	ANPP supporter	12/04/2003	Etche, Rivers state.	Was killed by over PDP party supporter over disagreement whether INEC could distribute photocopy of election results forms rather than original.
			196		
19	Amos Akpalu	ANPP member	12/04/2003	Egbeda	Was hit by a stray bullet as police fired in the air.
20	Thankgod Nweanyi	ANPP local Chapter	12/04/2003	Ubimini, Rivers state	Reportedly killed by a

S/N	Name	Position	Date	Location	Finding
		Chairman			Mobile Police man.
21	Godwin Aleke	A Head Teacher, who was appointed as presiding office in election.	12/04/2003	Ezza North LGA, Ebonyi state	Was beaten to death on the night of April 12, the day of National Assembly election.
22	Obadiarho	ANPP Youth Leader	12/04/2003	Oredo local government, Edo state	He was killed by the Security (military) agents
23	Salifu	Prominent ANPP member	12/04/2003	Idah LGA, Kogi state	Was shot dead in trying to carry away a ballot box.
24	Charles Asuwo	ANPP supporter	19/04/2003	Omagwa, Ikwelle LGA, Rivers state.	Dunned down by a stray bullets in a shoot-out between PDP thugs and the Police.
25	Onyewuchi Iwuchukwu (Samdaddy)	ANPP supporter	19/04/2003	Amaimo. Ikereduru LGA, Imo state.	Shot by PDP party thugs on disagreement whether ballots would

S/N	Name	Position	Date	Location	Finding
					be counted at polling units or at the collation centres.
26			20/4/2003	Ogun State	Five persons were killed when president Obasanjo's daughter, Iyabo, was attacked by unknown gunmen at Ibogun Road, Ifo, Ogun State
27	Paul Ezeka	PDP supporter	23/04/2003	Ikwo LGA, Imo State.	In a clash between ANPP and PDP supporters.
28	Daniel Nwanchor	Father of PDP's local ward councillorship candidate	29/04/2003	Ikwo LGA, Imo State. 197	A rumour that Edwin Igwe, an electoral officer and an ANPP leader in the community had been killed.
29	Sgt. Ofabuo Khen	Police officer sympathetic to ANPP	3/5/2003	Oredo LGA Edo State.	The sgt. was killed by the soldiers
30	Otunba Dare Kolade	PDP Chieftain	5/2003	Owo-Ondo State	Was shot by policemen in Owo, along with his two cousins, on his way to

S/N	Name	Position	Date	Location	Finding
					Akure to attend a party meeting. The victims were reportedly mistaken for armed robbers by the police.
31	Mrs. Joyce Maimuna Katai	Commissioner for Woman Affairs and Special Development	3/5/2003	Toto, Nasarawa State	By suspected party loyalists in electoral violence in Toto LGC in what appeared to be in context of ongoing inter-ethnic conflict and governments appointments in the area.
30	Prof. Chimere Ikoku	PDP Chieftain and Vice Chancellor of the University of Nigeria Nsukka	10/2003	Nsukka, Anambra State	Was assassinated by suspected hired gunmen
32	Chief Aminsaoari Dikibo	PDP National Vice-Chairman South-south	6/2/2004	Ishiagwu Kwale/Ogwashi Uku/Asaba, Delta state.	on President Obasanjo said he was killed by armed robbers and the police denied they arrest some suspects in Asaba who

S/N	Name	Position	Date	Location	Finding
					were flown to Abuja.
33			6/3/2004	Enugu	The convoy of the Lagos State Governor, Asiwaju Tinubu was attacked on its way to Enugu State (though the governor was not on convoy). In exchange of gunfire, Governor's aides were injured.
34	Andrew Agom and Sgt. Joseph Ngam	PDP Chieftain while Ngam was a security officer to Benue state Governor.	2/3/2004	Nasarawa Egom, Nasarawa State.	The convoy of Benue State Governor, Dr. George Akume was attacked by hired Assailants on his to Kaduna for Northern Governors meeting. He escaped, his friend and PDP Chieftain, and security officer on his convoy were killed.
35	Mr. Shigaba	Caretaker Chairman,	3/3/2004	Bassa, Kogi state	Caretaker Chairman,

S/N	Name	Position	Date	Location	Finding
	& one other.	Bassa LGA. & State Electoral Commission Chairman (KSIEC)			Bassa LGA & Chairman, KSIEC were murdered by gunmen suspected to be hired Assailants
36	Mr. Daniel Asekhame	Chairmanship candidate, Owan West LGC	04/03/2004	Epoma, Edo state	Owan west LGC contender was killed with three others critically injured in what suspected to be armed robbers.
37	Sunday Atte	Leader, Yagba East Local Council.	05/02/2005	Yagba	Sunday was murdered by unknown hired assassins.
38	Sulaiman Olajokun	AD Member	15/05/2005	-	Murdered on his way to Lagos from Ile-Ife by hired Assailants
39	Anthony Ozioko	PDP's National Director, Research and lanning	27/07/2005	Abuja-FCT	Mr. Ozioko was murdered in his residence in Saburi-Gwagwada, Abuja.
40	Felix Eboigbe	Councillor, Oredo Local Council	08/2005	Edo State	Unidentified gunmen.

S/N	Name	Position	Date	Location	Finding
41	Funso Williams	Leading Lagos state PDP Gubernatorial candidate	27/07/2006	Lagos.	By hired Assailants
42	Jesse Aruku	Plateau State ACD Gubernatorial candidate	30/06/2006	Plateau State	Jesse was abducted and killed near his house in Bassa Local Council of Plateau State.
43	Dr. Ayo Daramola	Ekiti state PDP Gubernatorial candidate	14/8/2006	Ekiti	By hired Assailants
44	Chief Lawson Onokpasa	PDP Chieftain in Delta State.	03/02/2007	Delta State.	Shot by unidentified gunmen at his home town, Agbarho-Ughelli.
45	George Okoh & Nine policemen		21/4/2007	Nasarawa	Ambushed and killed by party thugs while they heading for duty in the presidential polls (<i>This day</i> April 22, 2007 Ibadan).
46	Arukwu	Plateau state ACD Gubernatorial candidate	06/2007	Jos, Plateau State	By hired Assailants



APPENDIX 4A: DECLARATION OF LOYALTY

DECLARATION OF LOYALTY

1. **WHEREAS** I aspire to run for the governorship of Anambra State of Nigeria under the platform of the People Democratic Party.
2. **WHEREAS** I am financially incapacitated and unable to fund myself for the said election.
3. **WHEREAS** I have approached, belief Chief Chris Uba (*Eselu Uga*) and requested him to sponsor me financially and also support my campaign by handing over to me his teeming followers and political structure in Anambra State.
4. **WHEREAS** Chief Chris Uba (*Eselu Uga*) have accepted to sponsor me in consideration of my exercise and manifestation of absolute loyalty to him.

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NOW THEREFORE I HEREBY DECLARE AS FOLLOWS:

1. That I DR. CHRIS NGIGE shall at all times during my tenure as the Governor of Anambra State exercise and manifest absolute loyalty to the person of Chief Chris Uba (*Eselu Uga*) as my mentor, benefactor and sponsor.
2. That I shall at all times during my tenure as Governor of Anambra State consult and seek the consent, understanding and support of Chief Chris Uba (*Eselu Uga*) in all my actions and activities as Governor of Anambra State.




3. That I shall not run the government of Anambra State as my personal business.
4. That I shall be unreservedly loyal to Chief Chris Uba (Eselu Uga) throughout my tenure as Governor of Anambra State.

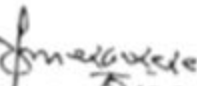
I HEREBY freely make this declaration of loyalty solemnly, honestly, conscientiously, and bonafide, and I HOLD myself bound by the content of this declaration of loyalty.

Dated at Awka this 5th day of MAY 2003.

Signed:


CHIEF CHRIS NGIGE.

In the presence of


ENGR: EMMA OKIKE

PLOT 72/74 UDOKA HOMEWE ESTATE
AWKA



APPENDIX 4B: AUTHORISATION OF CAUCUS LEADER (GODFATHER)

CAUCUS MEETING **MONDAY, 19TH MAY 2003**

In Attendance:

1. Dr. Chris N. Ngige Gov. Elect
2. Dr Okey Odunze DG, Campaign Org.
3. Dr. Ugochukwu Uba Senator, Elect
4. Sir, I.G. Abana Senator Elect
5. Chief Chuma Nzeribe Member Elect, FHR

The meeting started at about 6.00pm on 19th May 2003 with the above named members of the caucus present. We deliberated on a wide range of issues including pending court cases arising out of the elections, structure of the in-coming govt. and our interpersonal and official relationship.

It was unanimously agreed as follows:

1. That we engage immediately the services of four senior Advocates of Nigeria (SAN) lawyers to file papers at the Anambra State Election tribunal on behalf of all our PDP members elects including Governor elect, Senators elect, House of Rep members elect, and House of Assembly members elect.
2. That the in-coming government will revolve around the caucus leader Chief Chris Uba, and where he so expressly directs members of the caucus. The Governor Elect must ensure he clears in advance all policy routine administration issues including all contracts, appointments and decisions with the caucus leader, Chief Chris Uba before implementation.
3. That the following appointments shall be made immediately by the caucus leader, and where he directs, nominations from members of the caucus and signed by the Governor Elect before the swearing in.
 - i. All Commissioners
 - ii. All Special Advisers / Assistants
 - iii. All Chairmen / Members of Commissions and Boards
 - iv. All Local Govt Area transition Chairmen and members
 - v. Secretary to State Government and Head of Service
 - vi. All leadership positions in the State House of Assen...ly.



APPENDIX 4C: AGREEMENT BETWEEN GODFATHER AND GODSON

THIS AGREEMENT IS MADE THE DAY OF 2003
AMONG THE PARTIES AS PARTNERS IN THE PROJECT OF
GOVERNMENT OF ANAMBRA STATE OF NIGERIA AND ARE:


1. DR. CHRIS NGIGE – Administrator (Governor)
2. CHIEF CHRIS UBA - Leader / Financier


AND WITNESSETH AS FOLLOWS:

- i. THAT THE PARTIES HEREBY AGREE to fully and jointly partake in decision-making on ALL matters relating to the governance and administration of Anambra State of Nigeria.
- ii. THAT neither party especially, the Administrator, shall take any decision whatsoever on the following subject matter without due consultation and concurrence of the other parties first had and obtained, that is to say:
 - A) Appointments into the top echelon of the State Civil Service and parastatals, committees, commissions or other bodies however arising or constituted for or on behalf of the state;
 - B) Appointment of political nature including Commissioners, Special Adviser / Assistants, nomination into federal positions falling due to Anambra State;
 - C) Award of contracts of whatever nature requiring approval of the State Tenders Board;
 - D) Any other dealings affecting state funds whether internally generated or obtained from the Federal Government or any other source howsoever.



4. The following nominations / appointments are to be made by the caucus leader upon the inauguration of the new Govt.
 - i. Nominations for Federal appointments as they become due
 - ii. All Local Govt Chairmanship candidates of the PDP for the entire 21 LGAs of the State together with the Councillorship candidates
 - iii. All Chief Executives of parastatals
 - iv. Constitution of the State Council of Chiefs
 - v. All leadership positions of the party at Federal, State, and Local Government levels.
5. All bank borrowings and payments due and outstanding to persons or organisations without exception.
6. All contracts of the state government.
7. Dealings with international and multi-national organisations.
8. All immediate family members of the governor are prohibited from interfering, meddling or participating with the running of the state government.
9. Any person in this Caucus holding a public office must see himself as working for the caucus and the caucus leader and must therefore clear with him in all matters of state interest and be completely loyal to Chief Chris Uba and Mr. President and C-in-C of the Federal Republic of Nigeria.
10. All the above stated terms and conditions shall be effective within the period 29th May 2003 to 29th May 2007.


CHIEF CHRIS UBA
Caucus Leader.


DR. CHRIS N. NGIGE
Governor-Elect.



- iv. THAT THIS AGREEMENT is IRREVOCABLE AND BINDING.
- v. THAT NO ASPECT OF THIS AGREEMENT MAY BE ALTERED OR DEPARTED FROM without a written consent of the Leader / Financier first obtained.
- vi. THAT in the event of unfair and / or malicious exclusion of the Leader / Financier from any party of this agreement or decision whatsoever to which this agreement relates, the parties hereby agree as follows:
 - (a) The first time such wrongful conduct occurs, the Leader may call the a Administrator to account for such action who must give full explanation for such wrongful conduct(s). If satisfied, the wronged party may ratify such decision.
 - (b) Where the Leader is not satisfied with the explanation given under discussion he may insist that such decision be reversed or that he be compensated as may be agreed between the parties or both.
 - (c) The Administrator must swear to an oath of allegiance to the Leader and to the terms of this agreement even after any or all the steps stated in (vi a-d) have been taken and against future usurpation of the power conferred on the parties by this agreement.
 - (d) In the case of subsequent or continuing unfair and / or malicious wrongful conduct(s) by the Administrator that may be adverse to the terms of this agreement and interest of the Leader, it is hereby MUTUALLY agreed by the parties that:

THAT THE LEADER / FINANCIER MAY AVENGE HIMSELF IN THE WAY AND MANNER ADJUDGED BY HIM AS FITTING AND ADEQUATE INCLUDING DEMANDING THE IMMEDIATE RESIGNATION FROM OFFICE OF GOVERNOR BY THE ADMINISTRATOR. THE AMINISTRATOR (GOVERNOR) IS UNDER FIRM OBLIGATION OF THIS AGREEMENT TO RESIGN HIS OFFICE OF GOVERNOR OF ANAMBRA STATE WITHIN SEVEN DAYS.



(vii) THAT there shall be regular meetings OF THE PARTIES to review matters affected by this agreement once every month.

SWORN TO BY THE ABOVE NAMED PARTIES THIS.....DAY OF
.....2003 AS FOLLOWS:

DR CHRIS NGIGE

CHIEF CHRIS UBA

WITNESS:

Engr. Emeko Okaka