The Effect of Electoral Malpractices on the Sustenance of Democracy in Nigeria

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ABSTRACT

This study examines the effect of electoral malpractices on the sustenance of democracy in Nigeria. One of the most critical and salient features of any meaningful democracy accepted all over the world is the conduct of acceptable, credible, free and fair elections. This is because free and fair elections ensure concrete and stable political development which engenders sustenance of democracy. With elections being the only legitimate way of choosing representatives in any democracy, winning at all cost becomes the norm. All forms of violent acts to out-wit political opponents are let loose on the polity. Two questions were therefore formulated as a guide for this study. Using the elite theory as propounded by Wilfredo Pareto and Guatano Mosca as framework of our analysis, the study in its findings posit that electoral malpractices endangers conflict, crises and instability in Nigerian politics, this has negatively affected the sustenance of democracy in Nigeria. The study therefore, recommends a total overhaul of the electoral system in Nigeria, the civil society organizations, the government and the international community should be more committed to ensuring credible elections and above all honest and visionary leadership should be put in power with a view to achieving the sustenance of democracy in Nigeria.
Keywords: *Election, malpractices, electoral malpractices, sustenance, democracy.*

INTRODUCTION

The genesis of representative government to a certain degree could be historically identified as the breeding father of election, which connotes the selection of people for public offices by qualified adult voters (Akindele and Obiyan, 1998). It is a fact that man has consistently been searching for better ways of enthroning a just, better and mutually beneficial new world. From the Stone Age, medieval period to the present, man has been pre-occupied with how best to enthrone a political order that would be beneficial and self re-enforcing (Okolie and Ezeibe, 2010). Following the development of our society, man moved from direct political participation to seemingly indirect political representation. The development notwithstanding, the crux of the matter in all its ramifications completely is centered on ensuring that the views of the people are heard, respected and preserved. Elections therefore, become the platform of attaining leadership positions in democratic governance. Therefore, the conduct of periodic elections where people's representatives are selected becomes a

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veritable ingredient in democracy; with the ballot box becoming a unique way of enhancing decision. Making and stimulating its implementation. Election consists of procedures and processes for choosing officers or making binding decisions concerning policy by the voting of those formally qualified to participate. As a corollary to the conduct of free and fair elections, Nnoli (2003) sees election as the manner of choice agreed upon by a group of people out of many to occupy one or a number of positions of authority. In general, every election that is contested either in the developed democracies or the third world etc., under one party system, two party systems or multi-party system, must have some element of malpractices or fraud. However, the degree and variation of these malpractices differ from one democratic setting to another. The evidence of malpractices in our electoral process cannot however, be an alibi for the abolition of election. This explains why Nnoli (1991) argues that, to abolish elections is often seen as the abolition of democracy. He argues further that elections world-wide have come to be seen as the most viable method of attaining leadership in democracy that has respect for the rule of law and social justice. Electoral malpractices is not only peculiar to Nigeria alone, it is the bane of most emergent democracies, particularly the third world. It is central to numerous socio-political problems facing many States, which if not checked well, will destroy the foundation of fragile democracy. The above scenario clearly points to a culture of endemic electoral malpractice, within our body polity, conflict and instability (Akuul, 2010).

As bedrock for credibility, elections are governed by rules and regulations which constitute the legal framework for assessing the genuineness of electoral processes and procedures. These frameworks according to Odeh (2003) must reflect national and international standards accepted for genuine elections. Whereas, the ultimate goal of democracy is to minimize autocratic rule and maximize civil rule rooted on respect of man by his fellow. The case of Nigeria has become the contrary where winning at all cost has became a norm. It is against this background of electoral malpractices, crises and conflict usually associated with the conduct of elections that this work examines what roles elections and the attendant malpractices can meaningfully or otherwise make in Nigeria's democracy.

THEORETICAL FRAMEWORK OF ANALYSIS

This study adopts the elite theory of politics by Pareto and Mosca as the preferred method of our analysis (Pareto, 1968). According to this theory, behind the diverse facades of government, power is always confined to a few people comprising the ruling class. As argued by Mosca:

> *In all societies that are meagerly developed and have barely attained the downs of civilization, down to the most advanced and powerful societies, two classes of people emerge. A class that rules and a class that is ruled, the first class always the less numerous, performs all political functions, monopolizes power and enjoys the advantages that power brings whereas, the second, the more numerous class is directed and controlled by the first (Mosca, 1939).*

In Nigeria, two classes of people exists, it is the same clique of elite that rule the Nigerian State. The basic assumptions of the elite theory of politics are that political power is distributed

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unequally. This second thesis is that, people fall into two groups-those who have significant political power and those who have none. Thirdly, the elite are unified internally homogeneous and self conscious. It is not a collectivity of stated individuals. Individuals in the elite class know each other very well; they have similar interest and background, although with occasional difference. Probing further, Putman (1976) states that the elite possesses the 'three Cs" group of consciousness, coherence and conspiracy. Another thesis is that, the elite is self perpetuated and is drawn from an exclusive segment of the society; successful leaders of a political system who select their own successors from among the privileged few. For the elite is essentially autonomous, answerable to no one else for its decisions (Bottomore, 1964).

However, it should be inferred that despite the demise of a ruling class either through a coup *d'etat*, termination of its tenure or defeat in an election, the emerging group to take over from the previous ruling class will be composed of elites. Therefore, the Elitist theory fits into this study in the sense that it suites our democratic setting. As explained by Putman (1976), the minority (elite), is in a position to manipulate the electoral process to its own. The implication is that the competition between and among groups for capture of State power, which becomes heated up and embittered, expressed in the form of promotion of extra-constitutional behaviour ranging from thuggery, rigging, forgery to killing, kidnapping and outright violence during elections across Nigeria. However, it should be noted that the electorates will definitely choose its leaders from those acceptable to the elites.

The universal truth is that, the majority, whatever the democratic mechanism used, cannot control the dominant minority. This is anchored on the view of leadership position as being of utmost importance to any given society. It is against this back drop that Gasset (1932) states that the masses find their symbol in certain chosen people, on whom it pours out the vast store of its line enthusiasm. This is so because, given the characteristics of the elites, election is just an instrument used by the elites to perpetuate themselves in power. This is true because, prior to many elections in Nigeria, the winners are already decided by the elites. The purpose of election is therefore mainly to suit the interest of the elite group. Thus the elites have a conception of the Nigerian State, where the majorities are dominated by a few, socially isolated self seeking leaders (Akindele and Obiyan, 1998).

A HISTORICAL DISCOURSE OF ELECTIONS IN NIGERIA

The birth of election in politics is traceable to the city States of ancient Greece which has been immortalized as a symbolic example of democracy, a practice which has survived till date (Akindele and Obiyan, 1998). Since then, it has passed through many reformative stages and changes ranging from denied, restricted to unrestricted franchise (rights). Therefore, elections according to Obikeze and Emeka (2004), are means by which the people of a country, constituency, organization or union choose and exercise some degree of control over their representatives. It is the way every citizen participates in the election of office holders. In fact, it is the orderly means of changing government. It is the overriding method applied in political process through which the people participate in the creation, choice and control of their government (Unamka, 2003). The history of elections in Nigeria is such that Nigerians cannot describe election as significant in document or process in

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changing their material conditions of existence. According to Anger (2004), Nigeria has a very chequered history of elections from its inception in 1923. Hence, from 1923 to 1959, the colonialists were able to conduct regional elections in 1923, 1951, 1956, and 1957. Again two federal elections were also held in 1954 and 1959, which ushered in the first Republic. In post independence Nigeria, we had regional elections in 1961, 1963 and 1965; while federal elections were held in 1964, after which the military took over power in 1966. The military ruled till 1979 when elections were again conducted in 1979 and 1983. The second Republic had similar fate, when in December, 1983 the military struck again. The Babangida and Abacha transitions to civil rules efforts were inconclusive. This is more so because, the so called search for a viable democratic system by Babangida which had carried out six elections into the transition programme ended abruptly with the historic crises of the annulment of the June 12, 1993 elections, which resulted into the stepping aside of Babaginda for an interim National Government that was led by Ernest Shonekan. The military Junta under Abacha took over and started a programme aimed at transforming himself into a life president. However, his sudden death ended that transition, which heralded the new government under the leadership of Abubakar, who eventually organized a transition programme that gave birth to the fourth Republic under the leadership of Obasanjo in 1999. After four years, the new administration conducted another general election in April, 2003, which returned the Obasanjo administration into office. In 2007, the Obasanjo administration conducted an election, which ushered in the late Yar'Adua into office as the new president. Following the death of Yar'Adua and the emergence of Jonathan, Nigeria was once again ready for another election in 2011. Therefore, in 2011, the Jonathan administration conducted another election which returned him (the incumbent) in office. After four years on the saddle, it was necessary for another election to be conducted in 2015. This election proved to be a test for the entrenchment of a democracy in Nigeria. It was hotly contested between the ruling Peoples Democratic Party (PDP) and the new opposition coalition of All Progressives Congress (APC), a syndicate of strong opposing bigwigs . This election produced a new Nigerian ruler in Gen. Muhammadu Buhari (rtd), who took on the reins of power on 29th May, 2015. The above scenario paints a vivid illustration of the history of elections in Nigerian politics. However, it should be noted that one common feature of elections in Nigeria is that they have all been inflicted with one form of malpractice or the other which is the bane to the sustenance of a democracy in Nigeria today.

Politics and Electoral Malpractice in Nigeria

The historical trajectories of electoral processes in Nigeria, shows pervasive struggle to control the electoral apparatus for selfish purposes. The political parities see their prospects for success in election as it is tied to their ability to manipulate the electoral system, or hijack the structures that favour other parties. Electoral malpractices therefore are a feature that is common with all the elections conducted in Nigeria. This explains the position of Uduma (2008) that Nigeria's inability to nurture, develop and sustain democracy can be related to her inability to design and operate a credible electoral system. At elections, tales of stuffed voters card into ballot boxes, outright and open bribery of electoral officials

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have become house hold issues. From the 1959 elections which was observed as relatively free and fair, actually carried embryos of the degeneration and that has come to perpetually afflict the country's electoral process till date. The deliberate plot aimed at pleasing the British over Lord, sowed the seed of discontent which manifested in other general elections in Nigeria. The 1961 regional elections saw open harassment and imprisonment of opposition candidates. This election also introduced for the first time in the history of Nigerian politics, the use of thugs to harass, intimidate and eliminate opposition candidates; with rigging as the political and electoral language. The use of diabolic means and initiation into secret cults as well as bullet proof to resist opposing powers becomes a sine qua non for being a strong or powerful politician. The same scenario occurred in 1964 and 1965. Voters' cards were denied opposition candidates as well as deliberate omission of their names (Dudley, 1982). This massive electoral irresponsibility was partly responsible for the collapse of the first Republic in 1966. This electoral irresponsibility was continued even in the second Republic to the chagrin of the Federal Electoral Commission (FEDECO) as they could not cope with the number of groups agitating for party registration (Kurfi, 1983). The 1983 elections were the most fraudulent of all elections in Nigeria. It was bastardized by the incumbency factor and money. With the politics of envy and bitterness inherent in that election; rigging became more pronounced and open.

According to Gboyega (1990), the 1983 elections were marred by many irregularities and malpractices. Every political party rigged the elections according to its own ability. It was evident that the institution in charge of the 1983 elections; FEDECO was not capable of handling the elections because of the politicization of the commission. In 1986, the Babanginda administration set up a political bureau, which recommended an electoral body and the adoption of a two party structure with the emergence of National Republican Convention (NRC) and Social Democratic Party (SDP). The election conducted was peaceful, coercion free and largely free and fair. However, some observes discovered high tech impersonation, multiple voting and alterations (Jinadu and Edih, 1990).

The 1999 general elections were adjudged by many international observers such as the International Fund for Electoral Systems, the Carter Centre, the Common Wealth, and the European Union (EU) etc, as free and fair. In reality, however, those elections also were marred with varying degrees of coercion, manipulation, bribery, alteration and falsifications. Though, these were on a lesser level compared with previous elections, the fact that they took place, point to the fact that, the clean bill issued by international observers was not to be accepted. According to Shima (2003), the 2003 elections were also marked by incidents of pervasive threats and intimidation of political opponents at the polling centres. Money was freely used in order to influence voters' choice of candidates. There were also incidents of interception of ballot boxes and election results in transit to collation centres.

ELECTORAL FRAUD AND THE SUSTENANCE OF A DEMOCRACY

Without doubt, elections are viable instrument for the sustenance of an enduring democracy. It is evident that in Nigeria, studies have shown that elections rather than serve as an instrument of deepening the democracy, are rather a source of crises and conflict. According to Ake (1990), democracy and development are inseparable; therefore, the inability or

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lack of will to conduct credible, free and fair elections has negatively affected the sustenance of democracy in Nigeria. Electoral malpractices in Nigeria have brought about political instability in the country which is responsible in part to the collapse of the first, second and third Republics. It has purported the entrenchment of dictatorship and political instability. It rather halts the process of development through wanton destruction of lives and property; as well as hatred that usually becomes the order of the day after elections (Uduma, 2013); instances of negative effects of electoral malpractices on democracy in Nigeria. In the old Western region, the "Wild West" slogan is traceable to electoral malpractices and the violence of the second Republic, which led to death of many, with property worth billions of naira destroyed. In the fourth Republic, the dastardly act of imposition of candidates, falsification of election results and other electoral vices, has given room to several crises in many parts of Nigeria. It has produced leaders who do not owe their allegiance to the populace; thereby creating hatred, distrust and insecurity in the country. Resources meant for development purposes are often used in settling political crises and conflicts which arose due to electoral malpractices. It is evident that the electoral commission in Nigeria is directed by the incumbency factors, which use the security agencies and men of muscle (Ndi Akpuobi) as hatchet men. The media is maximized for propaganda, distribution of money in sack bags to perceived opponents or critics in order to silence them. Therefore, to conduct elections that could stand the test of time becomes a collective endeavour.

Furthermore, it should be noted that wholesale election rigging has disastrous consequences for democracy, because it deprives elections of their essential purposes as a popular basis for government (Nwabueze, 2001). Election rigging annihilates the basic democratic principle, which is a tragic aberration more for what it portends for the future of democracy. Thuggery, arson and all sorts of electoral fraud were reported in all parts of the country. For instance, in Akwa Ibom State, a party supporter was stabbed to death, while in Bayelsa the elections were generally characterized by intimidation, snatching of ballot boxes and destruction of election materials (Akuul, 2010). In Delta, Benue, Ebonyi, Kano, Rivers, Ondo, Taraba, Yobe, Kebbi, Abia and Zamfara States, cases of arson, beating of opponents, thuggery and falsification of electoral results were established.

Again, in the 2003 general elections in Nigeria, similar scenario played itself out. It was evident that under aged voting, snatching and stuffing of ballot papers into boxes, falsification of results and all forms of unimaginable malpractices were evident in many States. In 2007, which ushered in Yar'Adua as the new President of Nigeria, took the same pattern like others. Various cases of electoral fraud including multiple and under aged voting, denial of registrations to opponents of the ruling party, inducement of electoral officials, violence during elections, snatching of ballot boxes, falsification of election results among others were established. It must be pointed out that these new dimensions are unparallel in the annals of election rigging in Nigeria. In Abia State for instance, elections did not hold in many polling units in Ikwuano, Obingwa, Ohafia, Arochukwu, Bende, Ukwa-East and Osisioma Local Government Areas. (Ugoorji, 2007). In 2011 elections which ushered in Jonathan as President, the degree of electoral fraud, which took place, was unimaginable when compared with that of 2007. Arson, kidnapping of electoral officials,

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looting, murder and all forms of electoral violence aimed at achieving victory at all cost became the order of the day. The 2015 general elections, was well contested even before the commencement of polling between the ruling party PDP and the rampaging opposition APC. To forestall rigging, INEC introduced, Card Reader Machine which was contested by the ruling party. Despite protestation, INEC was unmoved; unfortunately, it failed to deliver as promised by the electorial umpire, Prof. Attahiru Jega. However, despite the commendation by some international and local observers that the election was a success, it was again marred with irregularities including the failure of the card reading machine. He should however be pointed out here that the behaviour of political parties officials is linked to the Nigerian traditional value system which sees political power as often personalized and the leadership is permanent in the context of self recruited oligarchy.

The fierce struggle in the public sphere is equally linked to conflict that characterize leadership succession in Nigerian traditional political systems where politics guarantees access to wealth and economic power. In this situation, ethnic identity becomes the mobilizing mechanism to access political power during elections which is to consolidate dominance and control the economy (Dudley, 1973). It is therefore, arguable that the buildup of elections in Nigeria is characterized by threat, anxiety and perceived intimidation of political opponents by the State agents. This is usually preceded by disputes over electoral laws as incumbencies attempt to manipulate laws for their party's political advantages. Ndulo (2003), has also noted that the manipulation of States apparatus for personal and selfish motives supported by ethnic drives results into authoritarianism, oppression, subjugation, erosion of value system, rule of men rather than law and absence of regular means of change of government. The prevalence of these anomalies in our political system endangers the sustenance of democracy in Nigeria. It could therefore be deduced that election, and their conduct in Nigeria, usually follow a common trend of malpractices, creating an unstable political atmosphere which endangers the sustenance of our emerging democracy.

CONCLUDING REMARKS

This study examines electoral malpractices as they affect the realization and sustenance of democracy in Nigeria. The success of democracy in Nigeria is tied to high level participation in a representative government capable of resolving conflict and evolving transparent, viable electoral machineries that command the confidence of the people. Electoral malpractice has been institutionalized and that malpractices explain the crises of legitimacy that Nigerian leaders are facing today. This study strongly further posits that elections are important instrument for choosing leaders that will sustain our democracy. It implies that elections and its credibility determine our electoral process. Data collected from secondary sources clearly shows that elections and conduct of elections in Nigeria which should contribute meaningfully to the deepening of our democracy, is now a source of crises and recurrent conflicts. Therefore, in order to forestall this malady, there is the need for an overhaul of our electoral system, establishment of a competent electoral offences tribunal, tasked with the responsibility of criminal prosecution of electoral offenders, education for the youths,

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re-orientation of values in our society, creation of diverse employment opportunities, constitutional amendment, reduction of age requirement for elective positions, autonomy for our local government system and removal of executive immunity clause.

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