

# Voting and Violence in Nigeria's 2015 Elections

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## Abstract

Election is a civic duty that is crucial to democracy. In a free and fair election, each valid ballot cast registers a political position. Thus, informed voters' count. Credible election abhors violence, which inhibits voters' right to freedom of choice in peace, and in line with their conscience. It craves for politicians and electoral umpire to ensure peaceful campaigns. Hence, non-participating or hindering electorates from exercising their franchise negates popular government. Nigeria's recent experience in leadership transitions 1999-2015 is a mixed-bag of sweet and sour. Elections were warfare-like often mired in suspicion, tension, and violence. The scale of election-related violence assumed prohibitive threshold in 2011 with over 800 deaths and 65,000 displaced in post-election violence. The 2015 elections amidst insurgency that has claimed over 300,000 lives were the most fiercely contested. From build-up to the elections, violence was considered inevitable by observers. Fears of repetition of the 2011 scenario were rife. INEC succumbed to pressure to announce a postponement for sundry security reasons. Through archival searches and media reports, this paper promises an insight into incidence and magnitude of 2015-elections-related violence, draws a parallel between 2015 and 2011 and highlight avoidable pitfalls in future elections. Representative government for the centrality of elections, and prebendalism for the intensity and persistence of struggle to control and exploit the offices of the state constitute the conceptual and theoretical frameworks. Going by outcomes of the elections, INEC's success in transparency and logistics was central to mitigating the enormity of variables on which violence thrives.

**Key Words:** Nigeria, Democracy, Government, Election, and Violence

**Word Count:** 250

## Introduction

Conducting elections in a supposedly rich pluralistic developing country like Nigeria cannot be said to be an easy task by any yardstick. Conducting free and fair elections in such a polity that allows the victor a free grab of resources is a much more difficult assignment the success of which, even angels, could not guarantee. Yet, this was the task given to the Electoral Commission – “Men and Women of proven integrity and maturity.” They proceeded to perform the task, but as, we shall see success was not largely dependent on them alone since it was not a task the twenty-four commissioners could solely perform. Conducting election in Nigeria would be a difficult task at anyone time (Adamu and Ogunsanwo 1982).

The centrality of election to popular participation and representative governance cannot be overemphasized. Election is a civic duty that is expected of every eligible citizen. It is the mechanism through which citizens choose their representatives. Periodic elections are necessary steps in the realization of the essence and benefits of representation and the aspiration of the people for freedom, security, prosperity, social services, and improved life chances. Disu Kamor rightly posits that through electioneering, electorates should be adequately informed about the track records, political parties and policy positions of aspirants for public offices. In a free and fair election, voting for choice candidates - even if such candidates or their parties do not win and form a government - is not a "waste" of vote. Each valid ballot that is cast registers a political position, implying that, informed voters' concerns must be taken seriously. There must be respect for the right of voters to register their preferences peacefully and conscientiously, as violence undermines freedom of choice. The electoral umpire and political actors must make votes count by ensuring peaceful and secure campaigns with visible commitment to the rule of law and a peaceful conduct of poll. Such election must detest violence especially those promoted by desperate and selfish politicians, who deploy political thugs that will employ violence towards civilians or disrupt the exercise in anyway (Disu, 2015).

However, election and crisis have become two mutually reinforcing phenomena in Nigeria's post independence history. Successive elections have come to depict chaos, violence, and confusion. Election and its attendant consequences constituted quite significant fraction of the several remote and real factors that had threatened the corporate existence of Nigeria. It was a critical currency of military midwifed transition programme, the fundamental basis of the crisis that engulfed the Western Region in the early 60's, the political upheavals that eventually culminated in the first Military intervention and the three-year civil war from 1967 to 1970. Mohammed Adoke recalls that the violence that characterized the 1964-65 elections in the Western Region - then referred to as the "wild, wild west" - which found expression in "operation wetie" is illustrative of the danger associated with electoral violence. With pockets of exception, series of electoral violence have also marred subsequent elections in Nigeria (Adoke, 2011).

Adamu and Ogunsanwo (1982) offer a most detailed study on the crucial aspects of the 1979 elections that was expected to usher-in representatives at the various levels of government.<sup>1</sup> In the authors' estimation, the election was considered a higher-level success within the context of the bourgeois liberal democracy and against the crisis-ridden previous elections. This was against the background of the vices associated with conducting peaceful and credible elections in Nigeria, which has been a herculean task in view of the intensity of political struggle for access to state resources. Successive electoral umpires have had to contend with pressure from different interests. Electoral officials have often been accused of compromising their offices for pecuniary benefits to the detriment of the system of rule leading to violence uprisings.

They noted that the 1979 election was devoid of violence and crisis on the envisaged magnitude largely on account of the willingness of party leaders to utilize legal and constitutional devices to resolve disputes. Peaceful conduct was also attributed to the presence of a military government, which rounded up potential party thugs and effectively

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<sup>1</sup> Adamu and Ogunsanwo (1982) offer a most detailed study on the crucial aspects of the 1979 elections from multidimensional angle namely: the political parties, their finances and that of the Commission; the electorate in terms of their perception of the political parties and the Electoral Commission (FEDECO); the extent of compliance with electoral regulations and the angle of election results. The 1979 elections was a crucial part of the transition programme of the Murtala/Obasanjo Military Government

created a peaceful atmosphere for the elections. Adamu and Ogunsanwo expressed the fear that none of these could be guaranteed in future elections implying that peaceful and orderly future polls could not be guaranteed as well. This was more so given the high stake in the authoritative allocation of state's resources; a pusillanimous acceptance of electoral verdict and court pronouncements in future could not be relied upon. They however cautioned that, in spite of whatever misgivings on its independence, politicians must have considerable trust in the judiciary rather than resort to self-help to settle political scores (Adamu and Ogunsanwo 1982). They were proven right, as election-related crisis was held accountable for the military intervention of December 1983. The widespread controversy and violence that trailed the 1983 general elections were advanced by the military for the termination of the anticipated civilian-to-civilian leadership transition.

Elections in Nigeria have provided a good platform for disaffection, poor sense of belonging and general instability in the polity with successive military coups, distortion and dislocation in the nation's politics and history, and unquantifiable loss of resources. Nigeria is yet to recover from the violence and chaos that attended the annulment of the June 12 1993 presidential election, widely accepted by Nigerians as the best elections, adjudged to be free, fair, peaceful, and orderly in spite of all machinations and against all odds. Hence, the annulment was understandably visited with nationwide outrage and violent protests. Angry Nigerians took to the street with a mass civil disobedience, protest marches and riots on a large scale comparable only to the repeat of the 1967-1970 civil war. Max Siollun reiterated that the annulment reincarnated the ethnic and sectional tension and historical rivalries and that:

Public outrage at the annulment was not predicated on a belief that Abiola was a political saviour. Rather, the public were angry at being denied the right to choose their own leaders, at being deceived by the military, and that there was no dividend for their patient wait for the outcome of a tortuous and lengthy Transition with multiple twists and turns. Either through arrogance or wild miscalculation of the public mood, the FMG badly underestimated the outrage that the annulment would provoke (Siollun 2013: 248).

Nigeria's recent experience in representative democracy (1999-2015) has equally been through strain and stress, as the country transits from one civilian leadership to another through elections and political contests. The 1999 general elections provided the needed succor in leadership transition and regime change from the military to civilian through elections. Olurode (2004) rightly noted that the General Abdulsallam Abubakar's brief interlude was a child of circumstance predicated on the mood of the nation. The corollary to this position was the attendant crisis over the annulment of the June 12 1993 elections, which gave the opposition to the military rule broad latitude. Nigerians were simply tired of military rule and were therefore supportive of whatever initiative there was to oust the military from active politics. This was on account of its vices that include massive corruption, endless transition programme from Gowon to Abacha administrations. The Abacha administration was characterized by sit-tight syndrome, which culminated in the adoption of Abacha as the sole presidential flag bearer by the then five registered political parties. Beside the struggle for the actualization of June 12 Presidential elections, the national reconciliation committee (NARECOM) was unable to achieve the much desired national reconciliation without de-annulment of the June 12 elections. Abacha's sudden death, the emergence and the brief stint of Abdulsallam Abubakar that midwived the 1999

elections therefore provided a fresh opportunity for the political actors and Nigeria to chart a new course of political emancipation and this was achieved with the election of Olusegun Obasanjo of the Peoples Democratic Party (PDP) in 1999.

The 2003 and 2007 general elections witnessed more or less intra-party leadership transition on each occasion as the PDP coasted to victory on the two instances. The PDP was at advantage on access to state resources, control of state's instrument of coercion, spoil system, and patronage. This perhaps had implications for the measure of violent dispositions of political actors and their supporters. While the degree of electoral violence seems to have scaled down drastically as Nigeria progresses, the 2011 post election-violence resonated the challenges of election-related violence and the need to proffer suggestions on how to arrest the ugly trend (Adoke, 2011). As we shall see, reports on the outcome of the 2015 general elections however represent yet, another affirmation that Nigeria has made considerable political advances having wriggled out of one contentious electoral exercise after another.

This paper addresses issues on the subject matter using media report, library and archival searches to situate violence in general and electoral violence in particular in Nigeria's Fourth Republic. From a survey of relevant literature, it discusses representative government as variants of the generic concept, democracy, and contextualizes election. Richard Joseph's (1987) conception of the Nigerian politics vis-à-vis the intense struggle for access to state resources and public offices constitutes useful theoretical and contextual framework for situating electoral violence. In addition to the extant legal framework, the paper discusses fear of, and the prior measures to guide against violence in the 2015 elections. Reported cases of violence and electoral malpractices that constituted invitations to violence were cited, confirming the assertion that violence thrives on perceived irregularities and feelings of injustice. It highlights factors that accounted for the reported incidence of violence and brought to the fore, hallmarks of the 2015 elections. A rundown of the gains that could be explored to further reduce the chances of electoral violence as the nation progresses in popular participation through free, fair, peaceful, orderly and credible elections led up to recommendations and concluding remarks.

### **Theoretical Framework**

Representative government is a blend of popular participation and limited government. Representation is a means of coping with the impracticality of assembling all the people for the continuous making and aggregating their decisions. Representation signifies an individual or sizeable number of individuals acting on behalf of a larger group of individuals. Commitment to popular participation bolstered an inseparable relationship between the ruler and the ruled, to the extent that the latter determines the former through a variety of electoral processes. (Hague, and Harrop, 2004). Representatives are to project the opinions and choices of individuals who elected them by being responsible to no one but the electorate who willingly repose confidence in them at the poll (Hans, 2000).

The essence of representation is to aggregate the dominant views of the entire individual electors, whose interests are held in trust by the representatives and whose sentiments and opinions must take precedence. Representative government also signifies the establishment of the legitimate authority of the state within a democratic polity (Hans, 2000). Representatives so elected are expected to make the values, goals and attitude of a social system authoritative and binding on, and for the common good of all (Almond, Powell, and Mundt, 1996). Representatives are elected by popular vote. Election must be free, fair and credible for the outcome to be acceptable as true reflection of the wishes,

yearnings and aspirations of the electorate and the diversity and character of the larger society. The process must also be credible to evolve a set of representatives that would connect the society to the government by standing for the people and helping government to mobilize people's consent for the system of rule (Hague, and Harrop, 2004). Periodic elections therefore hold far-reaching implications for the people as well as for the system of rule with extensive representative components including the questions of legitimacy, trust and confidence in government.

Party system generally entails the enduring platforms on which elections and political contestations thrive. The varied legally recognized political parties, the recognized size, spread and strength as well as the interrelationship of extant political parties. Anifowoshe and Enemuó define party system as "... a network of relationships through which parties interact and influence the political process". They were quick to add however that, the mere presence of political parties in a given political system is not a guarantee of the existence of a party system (Anifowoshe and Enemuó 1999). Given the centrality of political parties, the way they relate is of utmost importance especially as regards contests for power vis-à-vis violence and crises. This inter-party relationship is crucial, for, it speaks volume of the sustainability or otherwise of the prevailing political system.

Party system defines the institutional basis of representative government in a polity. Democracy could have been said to be synonymous with party system, but for a handful of exception where independent candidacy option has been incorporated into political contestation for power with considerable leverage. A political system could hardly be classified as democratic without the incorporation of political parties in the entire political process. This unavoidable incorporation of party system was borne out of the essence of political party as veritable platform for aggregating and articulating the diverse interests of the populace. Political parties represent the social forces that shape and transform the structure of society. In multi-ethnic societies, like Nigeria, political parties unify the diverse agents of social change on a national basis (Sklar, 1983). This coupled with several other functions and fundamentals of political parties and party system effectively account for the ease with which representative democracy has gained prominence.

Following Maurice Duverger (1954), Anifowoshe and Enemuó identified; one party, two and multi party systems. Except for the General Ibrahim Babangida failed transition programme, Nigeria, has always favoured multi-party system with legal framework defining geographical spread, requirements for participation in elections, presentation of candidates for election, funding, formula for winning elections and modalities for inter-party relationship in an atmosphere of representation and all-inclusive participatory democracy, especially in the post-First Republic Nigeria.

Nigeria's recent experience in party politics, civilian-to-civilian transition, and representative government through election and political contestation cannot be understood without reference to the military background of the system of rule. However, a most prominent variable that has consistently calls to question the workability of the Nigerian state and its structural configuration is the concept of power. If only to bring out both the latent and manifest 'raison d'être' for any political agitations and desire for change, power in whatever form and to whatever ends is a major determinant of any course of action, inaction or activity. While the centrality of this variable is not peculiar to it, there is an intrinsic relationship between the locus of power and regimes of elections in Nigeria. Richard Joseph's conception of the Nigerian state and politics suffices to the extent that any meaningful discussion on Nigeria, nay election and party politics would

require a prior understanding of the nature, extent and persistence of a certain mode of political behavior and its social and economic ramifications. Such discussion would also be fruitful with a clear understanding of the state system, which has increasingly become a magnet, attracting the attention of individuals with personal or group agenda to promote. Businessmen, contractors, traditional rulers, teachers, and in the recent time, Nigerians in Diaspora, religious leaders as much as politicians or politically motivated individuals, potential and aspiring public officials outdo one another in desperate bids to gain access to the control of state resources (Joseph, 1987).

Contentious outcomes of elections (on account of poor perception of electoral umpire, intra-party crisis, spoils system, sense of insecurity, complex mix of ethnic rivalry, patronage, intense competition for centralized state resources, and possible use to which state power is deployed) make the theory of prebendalism most relevant. As Richard Joseph observed, Nigeria willy-nilly opted for democracy not necessarily for its normative preferences; but, for the simple fact that no other system can guarantee - at all times - minimal representation of the 'diverse interests' of the constituent units, in an all-powerful central authority, its ministries, agencies or parastatals. Within this purview is what Joseph referred to as "ethnic balancing" in the civil service (Joseph, 1987). The Nigerian state has become a fertile ground for desperate struggle for power and relevance, a fact that was corroborated by Claude Ake in his exposition to the effect that:

The crux of the problem of Nigeria today is the over-politicization of social life. We are intoxicated with politics; the premium on politics is so high that we are prone to take the most extreme measure to win and to maintain political power... As things stand now, the Nigerian state appears to intervene everywhere and to own virtually everything including access to status and wealth. Inevitably a desperate struggle to win control of state power ensues since this control means for all practical purposes being all powerful and owning everything. Politics became warfare, a matter of life or death (Joseph, 1987: 75).

Joseph's conceptual notion – prebendalism – underscores the intensity and persistent struggle to control and exploit the *offices* of the state. It implies that the Nigerian state and politics are concerned with 'how interests are represented and benefits distributed'. Politicians and public officials exploited the system to further individual or group interests. The primary function of the Nigerian state was to enhance improvements in the "material welfare" of the people and, as a consequence, "suasion of the state or its agencies was critical for whoever had welfare to be promoted." The struggle for economic and political power in this context implies prebendal politics, which so far underlines the essence of politics and social life in the Fourth Republic. The prebendal disposition of political actors at the national level is replicated at the subnational level and is being encouraged there by the political system in which political parties and individual politicians present themselves as patrons, protectors and benefactors of interests. This explains the keen and fierce contest for, and retention of power and access to the distribution of resources in a context of scarcity, insecurity and disregard for official norms and regulations. The state thus becomes an entity composed of strategic offices, which can be captured as the outcome of a competitive process, including fair electoral contest or extra-legal undertakings (Joseph, 1987).

By and large, the ensuing party politics is viewed from the above premise and from similar conception reiterated by Max Siollun, to the effect that:

Patrimonialism is at the heart of Nigerian government, politics and society. Political leaders compete to appropriate a “share” of national resources, which they can then redistribute to their own community and personal network of followers. The resources accumulated by political leaders are used to maintain their power. The need to obtain access to state resources is often camouflaged in verbal metaphors referencing basic necessities such as food and clothing (Siollun, 2013: 184).

The understanding of this fundamental political process holds useful insights into the behavior of political actors and yields reasonable expectations concerning their actions. The situation was further exacerbated by the nature of party formation and party politics that has been rooted in the dynamics of Nigerian society, culture, ethnicity, and religion, and exploitation of these variables for limited ends (Joseph, 1987). The leading roles of political parties in championing the cause of Nigerian independence from foreign domination cannot be over emphasized. The history of party system in Nigeria dates back to the pre-independence period when ethnic, socio-cultural associations and groups took the centre stage in mobilizing the generality of the people for collective political actions. These associations thrived on sectional, ethnic and regional patronage and loyalty, all of which still pervade the polity. The preponderance of political parties established on a largely territorial basis with distinct political leanings and ideas at the twilight of the Nigerian independence in 1960 speaks volume of the prevalence of intense competition on sectional cleavages (Sklar, 1983). The National Council of Nigeria and the Cameroons (NCNC) favoured classical, individualistic form of political democracy. The Action Group of Nigeria favoured federalist democracy with special consideration for the safeguard of the rights of cultural communities. The Northern People’s Congress (NPC) leaned towards the modernization of traditional political authority, and the Northern Elements Progressive Union (NEPU), exemplified egalitarian democracy (Sklar, 1983).

### **Violence and Electoral Violence**

Violence as a recurring phenomenon is chief among the many vices associated with elections and electioneering in the Nigerian politics. Election-related violence can therefore not be taken out of context of the general prevalence of violence in societal life. Allegedly civil and uncivil interests often resort to violence to extract concessions from government and business concerns for group and personal benefits. It has bred ethnic militia that has occasionally engineered other vices like kidnapping and ransoming, militancy and insurgency. The military background of the extant system of rule engendered command and obedience mentality, which seems to have percolated into the fabric of the society depriving it of the culture of bargaining and compromise among other democratic culture that should be nurtured for sustainable representative governance. The ease with which individuals and groups resort to violence to settle scores manifest in every facet of national life of which election-related violence is pronounced. Perception of the electoral umpire has often fueled suspicion irrespective of the verdict of electoral observers. The winner takes all disposition among political actors informs allegations and counter allegation of malpractices during and after successive elections. Allegations of ruling party’s penchant for the indiscriminate deployment of military personnel to harass and intimidate voters, snatch ballot boxes and rig out other contestants in previous elections have also provoked anticipatory violent reactions.

Following Adoke (2011), in the very recent times, the nexus between free, fair and credible elections and good governance has become so strong that any attempt to subvert the process often invokes the wrath of the electorate. Electoral violence generally refers to violence that is directly or indirectly connected to protest for or against an election.<sup>2</sup> Electoral violence can be classified into three broad categories namely: (a) Pre-election violence (b) Violence during election, and (c) Post election violence. Pre-election violence occurs mainly at the stage of party primaries, when contestants from the same political party jostle for tickets to become party flag bearers. Experience has shown that at this stage, thuggery, arson, shooting and maiming are deployed to achieve a particular objective. The pattern of violence at the election stage is not remarkably different. However, in addition to the methods mentioned above, snatching of ballot boxes and papers, kidnapping or abduction of electoral officers and party agents, forcefully preventing voters from exercising their franchise, forcing electoral officers to alter, manipulate or deface results or result sheets suffice. The third category, which is post election violence, manifests in the same manner as pre-election violence through looting, arson and wanton destruction of lives and properties by aggrieved stakeholders and opportunists as well as members of a political party that lost an election (Adoke, 2011).

In fine, electoral violence cannot be divorced from the above context and from the air of violent eruption that attended the opening up of the socio-political space in 1999 with the preponderance of both civil and uncivil groups making claims and counter-claims. The socio-political space has been bedeviled with myriads of conflicts and crisis over contestations for power, relevance and patronage. As Babawale (2012) rightly observed, the political class has sustain the sectional politics and the predatory structure, which they exploit at will to acquire political power and gain unfair access to the control of state resources. The state in the process loses its relative autonomy and becomes alienated from the generality of the people who in turn relate to it as an institution to be cheated, exploited and abused at will. The perceived failure of the state to deploy its instruments of force of coercion to mediate fairly and objectively in political agitations and contestations have occasionally been held as justification for the violations of rules of engagement by both aggrieved stakeholders and opportunists alike thereby turning the state into an arena of zero-sum competition for power and the wealth that goes with it. This absence of the moderating influence of the state coupled with the erosion of the ethical foundation for political contests, renders Nigerian politics uniquely Hobbesian.

Babawale traced some of the conflicts that portends danger for Nigeria's democratic aspiration and socio-economic prosperity to this development. Such conflicts included the over fifty ethno-religious violence on record from 1999 to date. The Yoruba-Fulani conflict in Sagamu in 1999; the Hausa-Fulani retaliatory strike against the Yoruba in Kano in October/November, 1999, the destruction of Odi in Balyesa State by the Army in retaliation for the murder of twelve policemen by a local militia in November 1991, the Kaduna ethno-religious conflict in 2001, the Jos ethnic crisis beginning from 2001 to date, the Tiv-Jukun conflict in 2001 and the 'Miss World' riots in Kaduna and Abuja in November/December 2002. In 2010, four days of blood-letting in the clashes between Muslim and Christian gangs in Jos, Plateau State, led to the loss of over 460 lives (Babawale 2012). In addition to other groups' strikes across the country like the Ombatse group in Nasarawa State, as at 2015, Boko Haram alone was responsible for more than

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<sup>2</sup> Adoke, Mohammed 2011. "Stemming electoral violence in Nigeria – a focus on the adequacy of the law and its enforcement". Lagos: Vanguard Newspapers.

- See more at: <http://www.vanguardngr.com/2011/09/stemming-electoral-violence-in-nigeria-a-focus-on-the-adequacy-of-the-law-and-its-enforcement/#sthash.Elh90aIE.dpuf>



300,000 killings and over 1.5million displaced persons. The bulk of the Boko Haram attacks and casualties credibly reported and investigated took place in Borno State, the birthplace of Boko Haram, where not less than 70,000 people died. Attacks were also recorded in Abuja, Kano, Yobe, Gombe, and Adamawa States with collateral damages.

Oil and gas related issues have also given rise to countless uprising, violence, threats of war, ceaseless cries of marginalization, and very recently kidnapping and ransoming. The failure of the constitutional mechanism to redress series of apparent injustices was at the root of most conflicts and violence across the nation, some of which manifest in militancy and insurrection by the ethnic militia (Babawale and Odukoya 2007). In the 90s and early 2000, the Niger Delta region was the scene of recurring violence between members of different ethnic cum militia groups competing for recognition, patronage as well as political and economic powers (Muheeb 2005). The agitation, resistance and protests of the people of the Niger Delta have equally been met with continuous state violence and brutalization as against bargaining and compromise. Groups and individuals have found solace in violence or threat of it to extract concessions and compromises from governments often at the expense of the rule of law and effective justice system. Political expediency occasionally takes precedence over confidence in the legal framework to resolve knotty issues of social, economic, and political significance. It is within this context that this paper explores the link between the ease with which groups and individuals take to violence to settle scores vis-à-vis the seeming haplessness of the state and political actors' recourse to violence before, during and after elections ostensibly in an ensuing quest for justice.

#### **Extant Legal Framework against Election-related Violence**

The 1999 Constitution of the Federal Republic of Nigeria (as amended) expressly prohibits formation of quasi-military organizations for political purposes. Section 227 of the Constitution provides as follows:

No association shall retain, organize, train or equip any person or group of person for the purpose of enabling them to be employed for the use of display of physical force or coercion in promoting any political objective or interest or in any such manner as arouse reasonable apprehension that they are organized and trained or equipped for that purpose.

Section 81 of the Electoral Act 2010 prescribes punishment for contravention of section 227 of the Constitution. It provides that any political party or association that contravenes the provision of section 227 of the Constitution commits an offence, therefore, liable on conviction to: (a) N500,000 for the first offence; (b) N700,000 for any subsequent offence; (c) N50,000 for everyday the offence continues. The Act further provides that any person who aids or abets a political party in contravening section 227 of the Constitution, commits an offence and is liable on conviction to a fine of N500,000 or imprisonment for a term of 3 years or both.

It is apposite to note that apart from the provisions of the Constitution already discussed, the Electoral Act, 2010 (as amended) is replete with provisions specifically aimed at stemming Electoral violence. Adoke noted that although categorized as “electoral offences”, the intention of the lawmakers is quite clear from the provisions. The Electoral Act provides appropriate sanctions for contravention of the law. The relevant provisions in this connection are as follows: (i) Section 94 – Conduct of political rallies and processions; (ii) Section 95 – Prohibition of certain conducts etc of political campaigns;

(iii) Section 96 – Prohibition of use of force or violence at political campaigns; (iv) Section 119 – Disorderly behavior at political meetings; (v) Section 128 – Disorderly conduct at Election Day; (vi) Section 129 – Offences on Election Day and (vii) Section 131 – Threatening Conducts (Adoke 2011).

### **2015 Elections and the Violence Forewarn**

The 2015 elections represent a paradigm shift in the control of national and state governments from the Peoples Democratic Party to the All Progressives Congress. The PDP had been the dominant and the ruling party for sixteen straight years. The 2015 poll pitted incumbent President Goodluck Jonathan of the PDP against Muhammadu Buhari of the All Progressives Congress (APC) in what turned out to be the most hotly contested election since the transition to civilian rule in 1999. There were a number of warning signals on the impending dangers before, during and after the 2015 general elections by observers within and outside the country. The extant political parties were observed to be weak in ideology thereby giving room for mudslinging and campaigns of calumny, a factor that accounted in part for the heightened tension arising from electioneering (Joseph, 2011). A former United States' ambassador to Nigeria, John Campbell, warned of likely large-scale violence. A report<sup>3</sup> published and released by the US' Council on Foreign Relations and authored by Campbell, warned that the 2015 elections might “precipitate violence that could destabilize Nigeria.”

The report noted that President Jonathan would face a stiff competition from Maj. Gen. Muhammadu Buhari (retired.) of the All Progressives Congress (APC), which was stronger than its predecessors (the Action Congress of Nigeria and Congress for Progressives Change of 2011) with possible backlash whichever way the outcome of the elections goes. The PDP government's inability to defeat Boko Haram, the economic hardships occasion in part by falling oil prices and dwindling revenue, and a growing public perception that the administration was weak fueled support for the All Progressives Congress. Though the APC's voter base was in the North, it enjoyed national spread and massive support across the country, unlike the opposition in 2011. Campbell nonetheless identified President Jonathan's significant advantages over Buhari to include the fact of his being at the centre of extensive patronage networks; access to government's resources; and supposed control over the election machinery and ballot-counting infrastructure (Akinloye, 2015).<sup>4</sup>

In the same vein, Godwin Isenyo reported that the Chairman, National Human Rights Commission, Dr. Chidi Odinkalu, raised the alarm that Southern Kaduna will witness another electoral violence in 2015 that would be worse than that of the post-election violence in 2011 if preventive measures like genuine reconciliation by all stakeholders including traditional rulers and religious leaders to avert crisis were not taken. He hinged such initiatives on a community-based reconciliation and forgiveness initiative by the warring communities over all that happened in the past to prevent a repeat in 2015 particularly in the Southern Kaduna (Isenyo, 2015). National Security Adviser, retired Colonel Sambo Dasuki, also warned that there could be violence which would come “with a different angle” during the 2015 general elections due to the volatile security situation

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<sup>3</sup> The report titled, ‘Nigeria’s 2015 Presidential Election: Contingency Planning Memorandum Update,’ noted that President Jonathan will face a stiff competition from Maj. Gen. Muhammadu Buhari (retired.)

<sup>4</sup> Tension between Washington and Abuja is higher than in 2011, largely over how to respond to the radical Islamist insurgent group, Boko Haram, which is steadily gaining strength in northeast Nigeria”. Bayo Akinloye. 2015. “Expect violence in 2015 elections, Campbell warns”. February 15, 2015. <http://www.punchng.com/news/expect-violence-in-2015-elections-campbell-warns/>

occasioned by Boko Haram insurgency. He observed that more tension should be expected before, during and post-elections, as the competition among politicians becomes more intense, unless the security situations got better. The Inspector-General of Police, Mr. Mohammed Abubakar, also identified the security challenges that needed to be addressed to guarantee the success of the 2015 elections to include the menace of Boko Haram in the North-East; the Niger Delta crisis; kidnapping and armed robbery in the South-East; and the ethno-religious cum political crisis in Plateau State (Olorokor, 2012).

The fear of violence in 2015 was bolstered by two divergent views. There was a perceived breach of an informal agreement (in the ruling party, the PDP) that power should rotate between north and south every two terms of four years each. There was also a broadly felt sense of entitlement by every section of the country to the highest public office, the presidency. Virtually all nationalities in Nigeria crave for one of their own in the highest office to assuage their sense of insecurity and the feeling of being left out of power equation. Militancy in the Niger Delta evolved out of such sense of prolonged oppression and deprivation. For example, the Niger Delta region felt left out of Nigeria's power calculation prior to the emergence and reign of President Jonathan. From the Niger Delta perspective, since independence in 1960, individuals outside the Delta region have largely ruled Nigeria (Cocks, 2015).

As Tim Cocks observed, Niger Delta militants vigorously craved for a greater share of the oil riches and fairer representation in central government until an amnesty deal was brokered in 2009. The Amnesty deal provides militant leaders with multimillion-dollar monthly payouts they were meant to share with their men. This was in addition to lucrative government contracts like pipeline security. The amnesty was due to expire in 2014 but payments were extended for fear of a backlash as the 2015 election approaches. They therefore reasoned that Buhari Presidency could end both the payment and contract regimes. Cocks reported a militant leader to have boasted that, "With Goodluck as President we achieved what we are fighting for. It's our right. If they refuse us our right, by rigging the election, I don't think there will be peace" (Cocks, 2015).

It was on this note that ex-militants, some of whom, like Asari Dokubo<sup>5</sup> and Tom Polo, have become multimillionaires voiced their unalloyed commitment to the re-election of Jonathan at all cost and by all means including blackmail and intimidation. It was understandably instructive that Rivers State was the site of the most violent conflicts and electoral abuses. It was feared that the Southeast might replicate the thuggish conflicts of the South-West that precipitated the 1967-70 civil war. This fear found its foundation in the defection of Rivers State Governor, Rotimi Amaechi to the opposition; a development that was feared could trigger fierce battles for the control of the state government. The defection of Rotimi Amaechi, to the APC created a major breach between his supporters and the Jonathan-led contingent dominant throughout the Niger Delta and South-East (Cocks, 2015).

The 2015 elections were a rematch of the 2011 elections between the incumbent President Goodluck Jonathan (a southern Christian) and Muhammadu Buhari (a northern Muslim). Aminu (2014) noted that the parallel discontent at losing political power from the north on account of the seemingly uncontrollable advancement of Boko Haram insurgency is to be found in the nation's diversity. Nigeria is an entity of diverse nationalities making rivalries and political contests more complicated. Political tensions recur with agitations for public

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<sup>5</sup> Mujahid Dokubo-Asari's Niger Delta People's Volunteer Force pushed oil prices to record highs in 2004 with attacks and threats on the oil industry

office often between a largely Muslim north and mostly Christian south; and the political contest between Muhammadu Buhari, a Muslim northerner, and Goodluck Jonathan, a southern Christian fits this picture as well. Thus, one major factor that brought the fear of violence to the fore, especially if the poll was close was the Jonathan's assumed decision to run that was thought to have informed the widened divide between the north and the south because of a feeling in the north that it was still their "turn" to rule (Cocks, 2014). It would be recall that Jonathan, a Christian southerner, was an accidental president, who was sworn in as substantive president, a day after the death of Umaru Yar'Adua, a Muslim northerner following a prolonged illness.

Jonathan won the presidential election against his main rival Muhammadu Buhari in the 2011 poll. This was greeted with a post-election violence that claimed over 800 lives. This was followed by a series of coordinated attacks claimed by Boko Haram prompting the declaration a state of emergency in the North-Eastern States of Yobe, Borno, and Adamawa (Aminu, 2014). The success of Jonathan in 2011 election was thought to have breached an unwritten rule that power should rotate between the mainly Muslim north and the mainly Christian south. The situation was worsened by the wave of cold-blooded killings and kidnappings by Boko Haram that also held thousands captive including schoolgirls. The plight of victims of insurgent campaigns brought about shared emotional conflict felt beyond the northeast, with charged demands for more concrete actions from government (Cocks, 2014). By and large, post-election violence was deemed likely in the north if the APC loses while renewed militancy in the restive Niger Delta would be rekindled if Jonathan did.

The antecedent of the Nigerian system with no reputation for electoral purity was another major reason to fear violent reactions. For example, President Umar Yar'Adua publicly admitted the inadequacies of the election that brought him to power. Conversely, notwithstanding the well-meaning disposition of President Jonathan, the actions and utterances of some of his close associates were caustic at best. The reported pronouncements that PDP will win landslide and death wishes for the opposition candidate by key party officials and some Governor's like Femi Fani-Kayode, Godswill Akpabio and Ayodele Fayose during electioneering, with unresolved deep disaffections of their party members arising from party primaries fuelled fear of violence and blurred the prospect for a free and fair contest.

Eju, (2015) noted that the confusion and chaos that visited the collection of the permanent voters cards, the threat by the APC to form a parallel government if the elections were rigged suggesting that the opposition was prepared for the worst, the inflammable threats by militants leaders like Mujahid Asari Dokubo to set the country ablaze if president Jonathan was not re-elected by whatever means, unjustified raid by the DSS of the APC data centre among others were invitations to violence. Opposition expected that INEC would be above board but not without occasionally outbursts that suggested an assumption that INEC may be, if not already compromised. Opposition's constant reference to complicity of the police and other security agencies in alleged electoral malpractices in Ekiti and Osun states also cast doubt on the expected non-partisan and professional disposition of the security agents. This was further heightened by the postponement of the elections.

### **The Postponement that Heightened Tension**

The above notwithstanding, INEC Chairman, Professor Attahiru Jega took advantage of every platform to assure stakeholders of credible elections. Jega, assured that the Commission would spare no effort in making the general elections, not only the best in Nigeria's political history, but also the most acceptable to the citizenry. As part of efforts to reform the electoral system to achieve this feat, INEC successfully ensured the cleanup of voters' register through the consolidation and updating of the voters' register culminating in the issuance of a chip-based Permanent Voter Cards (PVC) to all voters, seamless integration of both the states' and national data of voters and institutionalization of continuous voter registration before the 2015 general elections (Umoru, 2012).

However, fears were rife over the prospect of hitch-free polls on February 14, as voters in the northeast could be disenfranchised by the unrest if the election had gone ahead with near-relentless violence plaguing much of the northeast, and Boko Haram still in control of a sizeable portion of the region. President Jonathan's repeated assurances that Boko Haram would be contained consistently proved hollow, with escalating violence. While INEC insisted that elections would be held as earlier scheduled for February 14, it willy-nilly conceded that voting would be impossible across much of the northeast. Instructively, foreign observers were emphatic that they will not monitor polling in the region due to the activities of the insurgents. The opposition, APC, with souring popularity in the North and the entire Nigeria, rejected perceived interference in the electoral process in the guise of postponement or adjustment in the INEC schedule (Aminu, 2015). Going by media reports, INEC succumbed to pressure mainly from the security agencies and the ruling party. It announced a postponement of elections earlier scheduled to hold on February 14 to March 28 2015. Although INEC acted within its constitutional powers, it nevertheless predicated the postponement on the inability of a section of the law enforcement agencies, precisely the Nigerian Army to guarantee security for the electoral exercise on account of ongoing operations against the Boko Haram insurgency.

The postponement was widely criticized by observers and opposition parties that accused INEC of yielding to pressure from the PDP, which had become panicky for fear of losing the elections. For example, the APC presidential candidate, Muhammadu Buhari queried the security forces promised renewed capability to accomplish in six weeks what they could not achieve in six years. Buhari nevertheless called for calm and cautioned against any violence on account of postponement. As Buhari reasoned, any act of violence could complicate the security challenges and provide further grounds for anti-democratic forces to truncate the transition process. He was emphatic that the new dates March 28 and April 11 for presidential and gubernatorial elections respectively must be sacrosanct and that the APC would not tolerate any further interference in the process (Payne, 2015).

The general expectation of violence was given expression by actions of a number of apprehensive politicians, privileged and wealthy Nigerians who prior to the elections moved their families out of the country to forestall being caught-up in violence that might erupt. The peaceful conduct of the elections necessitated their return to the country with sighs of relief after the elections (Falodi and Alagbe, 2015). The international community also monitored the process closely given Nigeria's strategic position in Africa and global affairs. For fear that further delay or postponement could stoke unrest in opposition strongholds following the postponement of the elections and modification of schedule of events announced by INEC, countries like the United States and UK expressed worries

over the possibility of a repetition of the 2011 post-election violence. The U.S. Secretary of State John Kerry conveyed the disappointment of the United States on the postponement and alleged "political interference" in the election process. This line of argument was equally followed by the United Kingdom (Payne, 2015). The international community feared for its outcome, not least because of a history of post-election violence. The United States and Europe, led by Britain were particularly concerned about Nigerian security. In a direct broadcast to Nigerians, American President, Barack Obama among many world leaders, pleaded for peaceful elections. The prospect of a disorganized Nigerian, both to its immediate neighbours and the world community at large, could hardly be contemplated (Akinloye, 2015).

### **Proactive Measures to Checkmate outbreak of Violence**

The stakes were exceptionally higher, and the competition was fiercer than previous elections in the recent time. The PDP presidential candidate, President Goodluck Jonathan used every available platform to reiterate the commitment of his administration to the May 29 terminal date of his term in office, urged his supporters to be calm and cautioned against utterances that could overheat the polity (Payne, 2015). In the same vein, the Inspector-General of Police Suleiman Abba assured Nigerians that the Nigeria Police Force was ready to guarantee violence-free elections. He underscored the series of training and retraining of officers and men to deliver transparent and hitch-free polls (Adepegba, 2015).

Conversely, Eju (2015) observed that President Jonathan was unsure of staying power while the perennial principal challenger Muhammadu Buhari was optimistic of victory. Prominent Nigerians including former Commonwealth Secretary General, Chief Emeka Anyaoku, publicly expressed fears not necessarily about the results but the impending reactions to the results, as memories and scars of 2011 subsist. There was palpable fear of violent reactions, regardless of the direction the pendulum swings. Consequently, former Minister of Foreign Affairs, Professor Bolaji Akinyemi promoted the constitution of a pre-election committee of eminent Nigerians to facilitate the signing of a pre-election undertaking by the two main contenders to compel their supporters to accept the outcomes of the elections. This proactive initiative was criticised for the reason that, no undertaking can prevent spontaneous negative reactions to manipulation, harassment and unhealthy compromises. This was the case in 1963 and 1993. The 1999 and 2007 experiences were different possibly because contestants in the two elections were from the same zones (Olusegun Obasanjo against Olu Falae from the South-West in 1999, and Umaru Yar'Adua against Muhammadu Buhari from the North-West and indeed same Kastina State in 2007).

Eventually, the agreement to make the 2015 general elections credible and violent-free was formerly sealed by the fourteen presidential candidates for the contest. Prominent among the aspirants that featured at the signing were President Goodluck Jonathan of the PDP and Muhammadu Buhari of the APC. Others who made appearances included Tunde Anifowose Kelani of Action Alliance (AA) Dr. Rafiu Salau of Alliance for Democracy (AD), Ganiyu Galadima of Alliance Congress (AC), Alhaji Mani Ibrahim Ahmad of ADC, Chief Sam Eke of Citizens Popular Party (CPP) Ambros Albert Oworu of Hope Party, Professor Oluremi Sonaiya of KOWA party and Chief Chekwes Okorie of Unity Progressive Party (UPP). The Letters and the spirit of the undertaking otherwise called the "Abuja Accord" by the promoters of the parley titled: "2015 General Elections: Sensitization workshop on Non-Violence" particularly barred contestants from making

inciting speeches that could cause the eruption of violence in whatever guise before, during and after the elections (Nwabughio, 2015).

### **Reported Incidence of, and Invitation to Violence in the 2015 Elections**

The orderliness, statesmanship and the interest generated by the presidential elections were a departure from what obtained at the state level during the gubernatorial elections. Prior to the elections, the campaign train of President Jonathan of the PDP was stoned with sachet water in Bauchi State. This was in addition to the burning of campaign buses, and a case of bomb blast near a campaign ground in Potiskum, Gombe State. Sporadic gun shoots at APC members were also reported in Rivers State allegedly by PDP thugs. INEC's assessment however revealed that the elections were peaceful and orderly across the country. Preliminary reports of electoral observers also revealed that the elections were peaceful and orderly in many parts of the country. Some states, nevertheless, recorded significant number of violent incidents, the most affected being Rivers, Akwa Ibom, Cross River, Ebonyi and Ondo States. INEC's records show that there were 66 reports of violent incidents targeted at polling units, the Commission's officials, voters and election materials. These were in Rivers State (16 incidents), Ondo (8), Cross River and Ebonyi (6 each), Akwa Ibom (5) Bayelsa (4), Lagos and Kaduna (3 each), Jigawa, Enugu, Ekiti and Osun (2 each), Katsina, Plateau, Kogi, Abia, Imo, Kano and Ogun (one each).<sup>6</sup>

This paper acknowledges INEC's public expression of its determination to bring all culprits of election-related violence and invitations to violence to book after thorough investigation. For example, following Ndujihe and Kumolu, allegations of widespread rigging have continued to trail the outcome of elections in Akwa Ibom State. The main opposition APC, called attention to cases of ballot box snatching, organised violence, withholding of sensitive electoral materials among other anomalies during the presidential and National Assembly as well as the governorship elections in the State. The Lagos State chapter of the PDP and some sections of the public also accused the APC of manipulating the electoral process in the State. Cases of infraction on the electoral law were cited in Rivers State where sixteen people were reportedly killed (Ndujihe and Kumolu, 2015). The INEC headquarters in Rivers state were reportedly burnt down and two people were killed during voting in the gubernatorial elections. The opposition, which alleged massive rigging, put the figure at "scores". This necessitated streets protests in the State capital, Port Harcourt by opposition supporters, calling for the vote to be rescheduled (Mark, 2015).

During the governorship polls, heavy gun shoots were reported in Ozuoba and Rumuolumeni in Obio Akpor Local Council area of the State. Soldiers moved into Buguma in Asari Toru Local Council where two persons were reportedly feared dead amid shooting by political thugs. Unknown arsonists also razed a police patrol vehicle, the house of the State Commissioner for Women Affairs, and INEC polling centre in Kalabari National College in the State. INEC was accused of colluding with security operatives to compromise the integrity of the electoral process in virtually all the 23 local governments of the State. Electoral officers in almost all the local government areas were reported to have withheld the unit, ward and local government result sheets and handed over ballot papers to the PDP thugs allegedly guarded by armed soldiers, police and Department of State Service operatives (Ndujihe and Kumolu, 2015).

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<sup>6</sup> "Election violence: INEC to bring culprits to justice". April 12, 2015. See more at: <http://www.vanguardngr.com/2015/04/election-violence-inec-to-bring-culprits-to-justice/#sthash.c5RnMBVb.dpuf>

Despite the mixed views of Nigerians on the credibility, the 2015 election seems better than the four previous elections on malpractices and controversy, as invitations to violence. The 140 cases on record was a huge improvement over the 400 received in 2011, 1250 in 2007 and 560 filed in 2003 (Ndujihe and Kumolu, 2015). The Presidential Election Petition Tribunal, which was originally scheduled to conduct its proceedings at the Abuja Division of the Court of Appeal, did not receive any case against Buhari's victory. The twenty-one days deadline for filing of petition expired with none of the thirteen losing parties challenging Buhari's victory at the tribunal. It was the first time since the 1999 return to civil rule that the outcome of the presidential election will go unchallenged at the tribunal. Chief Olu Falae of the Alliance for Democracy/All Peoples Party joint ticket challenged former President Olusegun Obasanjo's victory in 1999. Buhari and other candidates challenged the victories of Obasanjo, late Umaru Musa Yar'Adua and President Goodluck Jonathan in 2003, 2007 and 2011 respectively (Ndujihe and Kumolu, 2015).

Going by some of the identifiable causes of electoral violence highlighted in the preceding sections of this paper, there were grounds for violence before, during, and after the 2015 elections. Candidates challenging the outcome of the polls in various parts of the country have enumerated some of the various ways the elections were manipulated to buttress this point. These include the non-conduct of polls in some polling units and blatant writing of election results, as alleged in Delta, Akwa Ibom, and Rivers States, wrong compilation and computation of results, as alleged in Delta, Akwa Ibom, Rivers, and Imo States, snatching of ballot papers and boxes, as reported in much of the South-South and South-East States, preventing people from voting, as alleged in Rivers State, denying would-be voters their PVCs, as reported in Ogun and Lagos States, under-age voting in Kano, Kastina, and much of the Northern States, and inflation of election results as alleged in Akwa Ibom, Delta and Rivers States etc. Allegations of under-age voting were widespread to also include Jigawa, Kaduna, Gombe, Bauchi, and Kogi States. Under-age voters were allowed to vote in clear contravention of the Electoral Act, even as voting allegedly took place late into the night (Ndujihe and Kumolu, 2015).

Nwabughio, (2015) reported that in the South-South and South-East, particularly Delta, Rivers and Akwa Ibom, no proper election took place. Result sheets were allegedly confiscated and results fabricated, giving PDP unimaginable votes, while allocating paltry figures to the APC to portray it as non-existent in the two zones. There were allegations of widespread vote manipulation, violence, intimidation and ballot box snatching. The card reader reports also unearthed monumental fraud perpetrated in virtually all the states in the zones. For example, the election petition for Delta State reveals voters' discrepancies. While announced voter accreditation was put at 1,017,796, the actual card reader accreditation report shows only 709,700. The votes allocated to PDP governorship candidate (724,680) alone exceeded the accredited voters as recorded by the card reader report. The same scenario played itself out in Akwa Ibom, Abia, and Rivers states.

Thus, although the changes introduced by INEC to enhance the credibility of the elections succeeded in certain ways to checkmate mass figures of electoral victory usually associated with Nigerian elections, it failed in many ways to checkmate electoral fraud and violence. Contrary to expectations, the electronic voter cards could not absolutely stall massive rigging in a number of States where politicians had already connived with compromised security agents, INEC officials and thugs to deliver premeditated results to prove that they were in charge. Soni Daniel reported that in some States, thugs merely



waited for INEC officials to conclude accreditation using the cards for them to snatch both the result sheets, number of accredited voters and the card readers and thereafter move to their fortified locations to compute the ‘result’ before handing over to the INEC officials to announce not minding the feelings of the electorates. It was reported that in some States in the South-South and South-East, thugs resorted to hijacking sensitive election materials and writing results of elections to avoid being defeated in a free, fair, and orderly contest with manifestly strong opposition (Daniel, 2015).

As Daniel reported, the Smart Card Reader (SCR) simply put a ceiling to figures could be declared in the polls. For example, none of the 36 states and the FCT was able to declare up to 50 percent score of the votes when compared to the voters’ population claimed. Kano and Lagos, which emerged with the highest voter population figures of about 4 million in the recent past, would have been higher without the use of the card readers, which automatically pegged the number which any state could declare. Kano with close to five million registered voters and over four million PVCs could only return a little less than 2 million votes while Lagos that had about five million voters with PVCs was only able to turn in about 1.4 million at the end of voting (Daniel, 2015).

The Police and other security forces have been roundly accused of being abused national institutions since 1999. For example, officers and men of the Police Force have been accused of crass partisanship, turning the force into the enforcement arm of the ruling party, wantonly used to tilt and occasionally thwart the will of the people or generally act in ways that negate its constitutional mandate of maintaining law and order like shielding those who engage in violence.<sup>7</sup> As the 2015 elections drew near, men of the Force were accused of providing security cover for the Odua Peoples Congress (OPC) members who tormented motorists and wreaked havoc on the streets of Lagos while campaigning for President Jonathan’s re-election. The alleged role of the police in the Ekiti and Osun States gubernatorial elections in 2014, were indicators of the extent the institution has been dragged into partisan politics. Officers of the force have been accused of being major actors in the manipulation of electoral outcomes and violence that characterized elections especially in Rivers, Akwa Ibom, Sokoto, and Gombe States.<sup>8</sup>

It was in this spirit that Sulaiman Abba’s order directing Nigerians to vote and immediately vacate polling units during the 2015 elections was widely contested by Nigerians, as illegal directive to please the powers that be. Hence, voters simply ignored the order, voted and stayed behind to make their votes count in a number of polling units including Bauchi State where voters defied curfew imposed by the State government.<sup>9</sup> Ndujihe and Kumolu reported that the grievances in Taraba included the allegation that soldiers deployed during the March 28 elections frightened and intimidated voters allowing for malpractices. It was alleged that rather than ensure fraud-free elections, the army were used to rig the elections in favour of the PDP. The deployment of soldiers in Wukari, Takum and other communities openly threatened voters. At the end of the supplementary election in the state, the APC still alleged that the electoral process was

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<sup>7</sup> “Former IGP Abba, major actor in massive rigging, violence in Rivers, others — APC. April 23, 2015. See more at: <http://www.vanguardngr.com/2015/04/apc-to-acting-ig-shun-partisanship-embrace-professionalism/#sthash.JXuiKs3X.dpuf>

<sup>8</sup> “Former IGP Abba, major actor in massive rigging, violence in Rivers, others — APC. April 23, 2015. See more at: <http://www.vanguardngr.com/2015/04/apc-to-acting-ig-shun-partisanship-embrace-professionalism/#sthash.JXuiKs3X.dpuf>

<sup>9</sup> “Former IGP Abba, major actor in massive rigging, violence in Rivers, others — APC. April 23, 2015. See more at: <http://www.vanguardngr.com/2015/04/apc-to-acting-ig-shun-partisanship-embrace-professionalism/#sthash.JXuiKs3X.dpuf>

fraught with violence, massive rigging, ballot snatching and abuse of the card readers in substantial parts of the state by the PDP (Ndujihe and Kumolu, 2015).

Soni Daniel reported that most security men wanted to 'deliver victory' at all cost for those who paid them and by extension protect their jobs. Hence, the penchant for the snag: 'obey the last order' or comply with the 'order from above', a situation, which manifested in security agents aiding and abetting electoral fraud and violence just to maintain the status quo. A handful insisted discharging their responsibilities dispassionately and in the nations' overall interest to the displeasure of their respective bosses. This perhaps explains the widely reported insinuations on the circumstances surrounding the summary replacement of Suleiman Abba suspected of proving too difficult to the ruling party, as Inspector General of Police. Abba was accused of 'not being sensitive enough' by posting a police officer suspected to have sympathy for the opposition in Rivers State. The PDP insisted on having Hosea Karma to provide security for the conduct of the elections since he was thought to have good knowledge of the riverine State more than any of his colleagues. The attempt by Abba to 'foist' Kayode Ogunshakin on the State for the election alongside three other AIGs and 2800 policemen merely infuriated the ruling party and quickened Abba's ouster from the force. While Ogunshakin was allegedly forced to leave Port Harcourt for Calabar in the early hours of the Election Day, other officers and men could not dare the superior firepower of the militants and thugs deployed to Port Harcourt metropolis by the politicians throughout the duration of the election (Daniel, 2015).

### **Sustaining the Gains of the 2015 for Future Elections**

The electoral umpire is crucial in the same manner that other partners - like the police and other security agencies - in the electoral process are. This fact was buttressed by Adele Jinadu, Member, National Electoral Commission in-charge of Research and Statistics in his foreword to the book, Conduct of Free and Fair Elections in Nigeria: Speeches, Comments and Reflections. Weaving Jinadu's views together, the electoral umpire holds crucial position in determining not only the success or failure of an entire transition process but also the peace and orderliness of the polity as well as the legitimacy of the successor. Jinadu's assertion still subsists to the extent that the electoral umpire is in many respects the "neck", the eyes and ears of a political transition. An umpire's own self-definition of this role is crucial for the substantive and procedural contents of the transition program. It is therefore gratifying that INEC was able to live up to this consciousness, much to the expectations and yearnings of the electorate, in the general conduct of the elections against all odds. As a prelude to the peaceful and orderly conduct of the elections, the Commission effectively deployed the tremendous advantage - of considerable credibility - it had over its predecessors with its commitment to fair play. In an enviable strive to be transparent, INEC's worthy initiatives to forestall controversy and its backlashes included effective collaboration with the media, institutional partners, and professional colleagues, and other agencies while at the same time guarding its autonomy.

On the significant role of the media, former Chairman of the National Electoral Commission (NEC), Professor Humphrey Nwosu observation suffices. Nwosu asserted that:

...if we are to move forward and entrench a democratic culture in the country, NEC must overcome the overpowering burden and prejudice which it has inherited as liabilities from our past experience with the electoral process. Engaging in dialogue with the mass media community to

inform the general public through the media of our efforts to build confidence in the electoral process, and to exchange views with the media on how best this can be done (Nwosu, 1991: 7).

While it is apt to posit that INEC took to Nwosu's advice in effectively engaging the media, the United States Ambassador to Nigeria, James Entwistle, specifically hailed Nigerian media's enlightenment on the use of SCRs and PVCs for the elections. This initiative paid off in ensuring the success of the entire electoral process. The media was applauded for its nationalistic approach, particularly in ensuring that the voters were duly informed of the importance of the SCRs and the PVCs. The media helped in propagating the message of peace before, during and after the elections, leading to non-violent outcomes. The media also did creditably well in raising the confidence of the electorate before the elections and effectively took up the cause of non-violence polls and regularly called on candidates to publicly take non-violence pledge (Daniel, 2015). However, the National Broadcasting Commission failure to regulate the hate and vitriolic speeches that dominated the airwaves must be duly acknowledged and addressed to guard against future recurrence. The media sustain these initiatives and assist in building institutions rather than blind support for government in power.

The maturity, which the incumbent President and PDP presidential candidate displayed and widely acknowledged as the game-changer for the elections was another significant milestone that made the outcome of the elections remarkably different. The President's concession of defeat prior to the final statement from INEC conforms to global best practices. Ebegbulem rightly found comparison in American elections involving George Bush of the Republican Party against Al Gore of the Democratic Party, when Al Gore accepted the outcome to maintain the integrity of the American democratic institutions, even though he felt he could have justifiable grounds to contest the Florida results. Such statesmanship raises the bar for others to follow and increases the leadership expectations of the citizenry that individuals who occupy public offices must also set aside their personal considerations for national development (Ebegbulem, 2015). This implies that leaders should be prepared to concede defeat and relinquish position. The consequences of Jonathan's refusal to concede defeat after the election could have been worse. His constant admonition that his ambition was not worth the blood of any Nigerian and his swift telephone call to congratulate the president-elect, General Muhammadu Buhari, even before INEC officially announced the results put paid to the anticipated breakdown of law and order. The fact that a number of Nigerians retire to their villages for fear of unforeseen underscores the palpable trepidation that preceded his action (Nwabughio, 2015).

### **Recommendations**

Elections should be manifestly free, fair and credible to be violence-free, and with the outcome of the 2015 elections, there is a consensus of opinion that the performance of the Independent National Electoral Commission (INEC), has improved in terms of the transparency and logistics of the electoral processes. As Olorok, (2012) rightly noted, there are likely to be challenges, however well prepared the country may be, especially in the provision of election security, due to unforeseen circumstances. Thus, for elections to be free, fair and credible and for Nigeria to overcome the cycle of controversial elections, there must be thorough coordination of information, strategies and operations among relevant stakeholders including the various security agencies, INEC, politicians and the general public with harmonized views prior to the elections (Olorok, 2012).<sup>10</sup>

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<sup>10</sup> Dasuki made this submission at the opening of a two-day workshop with the theme 'Security Challenges of Election Management: Matters Arising from 2011 and Participating in 2015', organised by the

Disu Kamor was also right that electorates must take voting seriously as a means, in a free and fair electoral process, to contribute to the emergence of responsive and ethical leadership that will provide the citizenry with the tangible benefits of good governance. Voting must be seen as a crucial avenue to effect positive changes in the polity for the benefit of all. Voters must be free to exercise their right to vote based on their assessment of candidates' track-records, competencies, disposition and action plans on the issues of concern to the society. Electorate should seek interactions with public office seekers, as this would provide opportunities for aspirants and political parties to present their manifestoes. It would also afford the citizenry opportunities to hold political actors and candidates accountable and demand their commitment on vital issues (Disu, 2015).

In spite of the display of statesmanship by major actors in the political contests, the repercussions could have probably been grievous were the elections for any reason declared inconclusive. This implies that electoral umpire should endeavour to quickly and decisively address crucial administrative and logistics issues before voters resort to self-help to register their grievances, which might spur violence. Report has it that while INEC was still investigating irregularities; protests had erupted amidst calls for a rerun in Taraba and Imo States following a knife-edge voting outcomes. Reports of underage voting, electoral officials being “substituted” and the technical glitches that led to voting being extended in some instances should be adequately addressed (Uwadiogwu, 2015).

INEC should continue to be proactive as demonstrated in 2015. Ebegbulem reported that INEC Commissioner, Mike Igini noted for example that, elections were cancelled or rescheduled in some instances for reasons rooted in the desperation by politicians to manipulate the process, either through compromised staff and, worse still, some ad hoc staff, like collation officers disappearing with result sheets. This was unlike when electoral umpire's laxity gave room for individuals unhindered to mass thumb print ballot papers and to allocate arbitrary figures for their choice candidates. For example, INEC insistence on due process changed the narrative of elections and perhaps voters' ability to determine the outcome resulting in the more dignified and credible outcomes, which were departures from the previous ‘moon-slide’ or ‘landslide’ victories. Voters had their day and were apparently pleased to be unfettered. This should also be sustained to engender voters' confidence in the electoral process (Ebegbulem, 2015).

The 2015 election stands out since 1999 that the nation's electoral system would be adjudged free, fair, credible and peaceful with minimal acrimony. Against the background of a system whereby winners do emerge in an election they never contested for. For sustainable peaceful elections, the sit-tight syndrome and the winner-takes-all mentality should give way for an all-inclusive government to guarantee every segment of the polity a reassuring sense of belonging.

Perpetrators of violence, killings and arson before, during and after the governorship elections for example, in Rivers State should be brought to justice. Buhari's resolve that his administration would not tolerate “an army within the army or a police within the police”, was reassuring. This is with a view to ensuring that Nigerians are guaranteed their constitutional rights to freedom of choice in an election. The system should also make it difficult to indiscriminately deploy the military, and other law enforcement agencies for

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sinister motive or political gains. This was more so that many were disenfranchised and denied the opportunity to choose their representative through intimidation and harassment (Nwabughogu, 2015).

Instructively however, Erunke, (2015) recalls that INEC had, in the 2011 general elections recorded a total of 870,000 electoral offences, out of which 200 offenders were successfully prosecuted. Professor Jega regretted that prosecuting electoral offenders had been the Commission's "big problem" due to paucity of fund and manpower. Whereas some of those apprehended have been prosecuted and convicted; the number was rather insignificant compared to those outstanding. Jega also observed that if INEC were saddled with the responsibility of prosecuting electoral offenders, its major mandate would suffer, as the quantum of offenders would be far beyond what the commission could cope with. Hence, successful prosecution of perpetrators of electoral violence like other electoral offenders depend largely on the co-operation of the law enforcement agencies, especially the police, which has the constitutional mandate of arresting offenders. This was more so that INEC could only lookup to the police authorities for information on the number of arrests made as well as the progress made in prosecuting those implicated.

From the foregoing, there is the need to set up a tribunal where electoral offenders would be speedily prosecuted to put an end to the seemingly unrestrained electoral impunity in the polity. The absence of punishment for all previous cases of election rigging remains the foundation and incentive for the tragedy of the country's political situation. Variants of violation pervade the polity unchecked with the connivance of those entrusted to supervise the process. Efforts must be therefore geared towards bringing sanity and probity into the electoral process (Ebegbulem, 2015). This further illustrates the urgent need for an Electoral Offences Commission with professionals adept in forensic electoral investigations and judicial officers that specialized in the electoral legislative framework to effectively prosecute electoral offences. Such body with special jurisdiction should be inaugurated in an election year to deal with cases of voter registration, party primaries, and rigging or attempted rigging, or making false electoral return, etc (Ebegbulem, 2015).

### **Concluding Remarks**

The 2015 elections, more than previous elections, attracted the attention of Nigerians and the international community with unequal passion. Electioneering campaigns were characterised with hate speeches, derogatory remarks, slanderous documentaries and treacherous campaigns. Conversely, the outcome of the election defied widely held fears, as INEC was widely acknowledged and appreciated for conducting a relatively successful elections that elicited the spirit of sportsmanship in conceding defeat by virtually all critical stakeholders. While detailed information on electoral malpractices are and can only be provided by the various commands of the Nigerian Police and the police Headquarters, cases and magnitude of violence reported against the 2015 general elections by the media were far less than previous elections. In spite of systemic and institutional inadequacies, the overall satisfactory comportment of the law enforcement agencies complements the satisfactory performance of the electoral umpire as regards the peaceful conduct of the elections. However, issues of electoral malpractices and election-related violence and killings must not be ignored. Future campaigns must be issue-based rather than personal attacks; blackmail and desperation to enlighten voters that democracy thrives on decent cultures. The disappointment suffered by aspirants and political parties that lost in the elections despite huge investment in anticipation of favourable outcomes brought to the fore the need for an enforceable cap on how much could be committed electoral campaigns by aspirants and political parties.

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