

2015 GENERAL ELECTIONS AND THE ROLE OF INEC

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Abstract

The end of the cold war in 1990s necessitated nations which were hitherto autocratic to adopt liberal democracy. Since then democracy has continued to gain ground. Democracy as the game in town cannot be without election. Therefore, as democracy progressed election also progressed. In Nigeria, democracy has been sustained since the return to democracy in 1999. Although, there cannot be a democracy without election yet effective election cannot be without a coordinated Election Management Body (EMB). Independent National Electoral Commission (INEC) since 1999 has played a prominent role at ensuring the effective administration of elections in Nigeria.

Sixteen years into the fourth republic, INEC has conducted five successful elections. In fact, the 2015 general elections have been adjudged by international observers as the best election so far in Africa. This is because of the marshaling of new technology and innovations put in place by INEC to improve the electioneering process in Nigeria. This paper explored the 2015 general elections and the role of INEC in its successful outcome. The paper contends that with effective management and further innovations, INEC will become one of the EMBs to be reckoned with not only Africa but globally.

Introduction

Since the return to democratic dispensation in 1999, Nigeria and Nigerians have been yearning for democratic consolidation. Although she has successfully transited from Military despotism to democracy and from one democratic dispensation to another at least five times- 1999-2003, 2003-007, 2007-2011 and 2011-2015 yet the country still yearns for democratic consolidation. Having repeated elections does not imply that democracy has been consolidated as there are varieties of democracy. It is against this understanding that Huntington (1998) argued that democracy could be said to have been consolidated when a group that wins power at the period of transition loses a subsequent election and to turns over to another election winner and the same reoccurs at another time too. Although, the idea of “two turnover” test has not been attained in the history of Nigeria, however the 2015 general election was a milestone in the history of elections in Nigeria. The 2015 general elections have ushered Nigeria into the era of “first turnover” towards democratic consolidation having successfully achieved turnover power from a party that had held on to power for sixteen years of Nigeria’s fourth republic to an opposition party at the national level.

At independence in 1960, Northern People’s Congress (NPC) in coalition with National Council of Nigeria and Cameroon (NCNC) later metamorphosed to National Council of Nigeria Citizens formed a national government. The first election at independence in Nigeria was fraught with massive fraud. This led to widespread violence in the polity. The violence which this election orchestrated was one of the factors which paved the way for the first military incursion in the body politics of Nigeria. The counter coup which culminated in elite fragmentation in the rank and files of the Nigerian Military on the one hand and among the post independence nationalist threw the country into almost three years of civil war.

The year 1979 provided another opportunity of democratic presence when the National party of Nigeria (NPN) won election which was keenly contested by five political parties thereby putting an end to military rule and ushering Nigeria to her second republic. This republic was however short-lived as the military struck again in December 1983 thereby truncating the second republic. It is plausible to argue that most of these elections failed because of lack of confidence in the body which facilitated the elections. The electoral umpires in all these elections have always been accused of been biased and partisan always in favour of the ruling party. From 1983, it was from one military dictator to another up to 1999. However in between the country witnessed what political experts had referred to as “transition without end”.

The military continued in power through the instrumentality of long transition programmes till 1999. Although, in between there was diarchy and Interim National Government (ING), but all these are antithetical to liberal democracy. Even the much celebrated June 12, 1993 Presidential election which was adjudged the best in the country then was annulled by the military high command. Although, the 1993 Presidential election was annulled, the process that led to the great feat achieved then became a building block for the subsequent Election Management Bodies in Nigeria.

The annulment of the June 12 1993 Presidential election increased the political consciousness of the Nigerian electorates and general resentment to continuous military rule in Nigeria. Similarly, Civil Society Groups and Trade Unions of all sorts in the country continued to sensitize the general public against continued military rule. This agitation was galvanized by global resentment towards military rule with a popular slogan “the worst civilian government is better than the best military rule.” By 1999, power was again relinquished to a democratically elected government with Independent National Electoral Commission (INEC) pioneering election since

then. Free, fair and acceptable election as a fundamental element in democratic consolidation is not an end in itself. Therefore for election to be free, fair and acceptable there is need for an unbiased umpire. Hence Joseph Stalin posit “those who cast the votes decide nothing; those who count the votes decide everything.” It is only when the right people are in place in a right institutional framework that democracy could be said to be consolidated or on the process of consolidation.

INEC since 1999 has been managing election in Nigeria, however, the 2015 general elections was very unique in the anal of Nigeria’s electoral cycle for several reasons. It was in 2015 that the super powers had predicted that Nigeria will divide along different ethnic nationalities thereby marking the end of the Nigerian State. This election also was the first time that there was power turnover at the national level since independence. It was the first time an incumbent would concede defeat without resorting to litigation or people resorting to violence. It is against this background that this paper takes a critical look at the role of INEC at achieving this great feat and playing the role of a stabilizer in Nigeria’s march to nationhood and democratic consolidation.

INEC AND ELECTION ADMINISTRATION IN THE FOURTH REPUBLIC

Election administration connotes the organization and conduct of elections to elective/ public offices by an electoral body (Iwara 2010). According to Iwara, the components of election administration include structure and process. Structure connotes the bureaucracy that is set up to organize election while the process has to do with the rules, procedures etc that governs the conduct of elections. Similarly, Arifalo (2010) sees Election Administration as “systematic and procedural process of optimum usage of men and materials for the conduct of free, fair and

acceptable election. The administration of elections occupies an important and strategic place in the enthronement of democracy. This becomes imperative, as the centrality of elections to liberal democratic politics assumes the existence of impartial election administrative body. It is against this backdrop that Jinadu (1997) averred, “the indeterminacy of elections, that is, the possibility of erstwhile winners becoming losers and erstwhile losers becoming winners- which as an inherent and necessary prerequisite of liberal democratic politics is to a large extent a function of an impartial election management.” The collapse of autocratic regimes paved the way for democratic institutionalization (Bratton and van de walle 1997, Gyimah-Boadi 2004).

Following the proposal by the military government of General. Abubakar to relinquish power to a democratically elected government in 1999, INEC was established as an institutionalized government body through the instrumentality of law to manage the electoral process in Nigeria.

The establishment of INEC marked the sixth in the series of Election Management Bodies in the annals of Nigeria’s quest for democracy. The previous EMBs include, Electoral Commission of Nigeria (ECN), Federal Electoral Commission (FEC), Federal Electoral Commission (FEDECO), National Electoral Commission (NEC) and National Electoral Commission of Nigeria (NECON) (Kurfi 2005, Omotola 2007). The change in nomenclature was just to reflect the difference in administration. Similarly Jinadu (2011) also asserts that the change of name was intended to distance the new commission from the ills of the previous commission and to create a sense of independence and acceptability.

The Independent National Electoral Commission was established by Decree 17 of 1998, now Act of National Assembly Section 153 (1) (f) and elaborated in the Third Schedule Part I (F) of the 1999 Constitution. INEC with its head quarters in Abuja, has offices in all the thirty six States of the federation including the FCT and in the seven hundred and seventy four (774) Local

Government Areas. The Chairman is the Chief Executive Officer of the Commission together with twelve (12) National Electoral Commissioners who constitute the policy-making organ of the organization while the Secretary to the Commission who is of the rank of a Permanent Secretary of a Federal Ministry is the Accounting Officer and Head of Administration. The Commission at the National Headquarters functions through Departments, Directorates and Units; headed by Directors/Head of Departments. These include: Public Affairs, Finance and Accounts, Information and Communication Technology, Estate and Works, States Coordination, Logistics and Transport, Operations, Legal Services, General Administration and Procurement, Human Resources, Political Party Monitoring and Liaison, Internal Audit and Security. There was also the Electoral Institute which was established in 2005. This can be described as the intellectual wing of the Commission.

At the State level, the Resident Electoral Commissioner (REC) is the Chief Executive while the Administrative Secretary is the Accounting Officer and Head of Administration. Each State has functional Departments, headed by Senior Officers while Electoral officers are in charge of the Local Government Area Offices.

INEC operates organizational structure which comprises nine (9) departments and four (4) directorates. The Departments are: Finance and Accounts, Estate and Works, General Administration and Procurement, Human Resources, Information and Communications Technology (ICT), Public Affairs, Legal Services Logistics and Transport and Operations.

The Directorates are: Political Party Monitoring, Internal Audit, States Coordination and Voters Registry.

The leadership of the electoral body has experienced series of changes since inception with the appointment of Justice Ephraim Ayo Apata in 1998/2000, Dr. Abel Guobadia 2000/2005, Prof. Maurice Iwu 2005-2010 (Olaniyi, 2004) and Prof. Atahiru Jega 2010 to 2015. Before now, Nigeria has had many elections and apart from the annulled 1993 general elections, all have been characterized by mistrust and outright rejection. Even in the fourth republic INEC had conducted five elections (1999, 2003, 2007, 2011 and 2015) in which the first three were marred with massive rigging and irregularities. Elections are rigged with impunity in Nigeria; in fact it has become part of the rituals of election preparation. That was why Kurfi (2005) said that Nigerian election is synonymous to rigging. The 2007 election was regarded as the worst in the history of Nigeria because of the magnitude of rigging which characterized the election. This election also introduced a new lexicon in Nigeria's political diction "Do or Die Affairs." This was credited to the former President Chief Olusegun Obasanjo who asserted that the 2007 election was a do or die affair for the People's Democratic Party (PDP). This election attracted criticism from home and abroad.

This prompted Alhaji Musa Yar'adua who emerged as the President of Nigeria through that election to initiate a massive reform of the Independent National Electoral Commission (INEC) to be able to organize elections that would have global acceptance. On assumption of office, President Yar'adua set up Justice Uwais Commission to reform the country's electoral process. Although President Yar'adua did not live to implement the reports of the Commission, however his successor President Jonathan who was his Vice President began the implementation of the reports. As part of the reforms towards the 2011 general elections, INEC introduced a new biometric register of voters, a re-modified open ballot system, security features on sensitive electoral materials (e.g, serial numbering and colour-coding of ballot papers and results sheets

and security coding of ballot boxes). Others include: modified ad hoc staff engagement, more transparent framework for results collation and returns, open and transparent procedures, modalities and processes on election day, closer collaboration and partnerships with critical stakeholders, enhanced voter education and citizen engagement, staff training and retraining, creation of inter-agency consultative committee on election security this was to ensure the effective engagement of all the security agencies during election periods (INEC, 2014).

The implementation of these reforms during the 2011 general elections increased the confidence of the Nigerian electorates in the ability of INEC under a new management to make a difference from what has become the usual norm in the Nigerian electoral process. Beyond these reforms, the integrity of the Prof. Attahiru Jega was also brought to bear having successfully served as ASUU leader. The integrity of the umpire becomes very crucial because Nigeria has had very laudable reforms which all ended up on paper not implemented. So Jega's performance when he was ASUU leader played out in this regard as it engendered confidence in the electorates and other political stakeholders in his ability to truly reform INEC.

Appointed in 2010 as INEC Chairman, the 2011 elections became litmus test for Prof. Jega to prove his ability to reposition Nigeria's electoral system. The failures of the past made Nigerians to be very skeptical of the ability of INEC under Jega to produce a credible election in 2011. Although the 2011 General Elections were adjudged free and fair in some quarters but it was still characterized with mistrust. This was as a result of the zero sum and merchandise nature of the Nigerian politics. It was also a reflection of the "do or die" affairs of the Nigerian politics. The Nigerian political class is yet to develop the spirit of sportsmanship in the game of politics. Like any other context, there is bound to be winners and losers. The stability and integrity of the system could only be determined on the ability of the losers to gallantly accept defeat.

The innovations which were brought to bear such as the digitalized voter's registration, Open Secrete Ballot System, coding system of the Ballot Sheet, and the involvement of Youth Service members shaped the election. This was a great departure from the old way which has not yielded any positive result. The immediate counting and releasing of election result at each polling unit further gave credibility and strengthening of the integrity of the ballot.

The success recorded and the lessons learned during the 2011 general election propelled INEC into action for the 2015 elections. Although, the electorates were very skeptical about the possibility of the elections yet INEC kept faith and continued to reassure Nigerians and the International Community of their willingness and readiness to conduct a hitch free election. Several factors accounted for the fear of the electorates. These include: the international conspiracy that the 2015 election would mark the end of Nigeria as a united entity, the post election violence of the 2011, the continued threat by some ethnic militia groups to make the country ungovernable should the election not favour their ethnic group, intra and inter party indiscipline, campaign of calumny, insurgent activities in some parts of Northern Nigeria and above all the fear that the ruling party may not cede power to the opposition party in the event of defeat. All these fears and uncertainties were seriously staring at INEC as she prepared for the 2015 general election. So, all these challenges made the 2015 a critical and decisive election for INEC and Nigeria at large.

The 2015 General Elections

Elections have been described as a complex set of activities with different variables that act and feed on one another (Key 1995). These sets of activities involve the participation of the people in electing their leaders and their participation in government. Although, elections are synonymous

to democracy (Bratton 1999), however, elections are fundamental element for installing democratic governance and general democratic consolidation. Elections form a core element of citizen's fundamental right in a democracy. Therefore Mozaffar and Schedler (2002) argued that a credible and competitive elections form a vital aspect of attitudinal change of the citizenry. Election day activities are germane to democratic consolidation however elections transcends the election day activities to include activities before, during and after elections. It encompasses the establishment of the election administration body, the legal and constitutional framework of elections, the registration of political parties, party campaigns, the party primaries, the role of print and electronic media, campaign finances, the activities of security agencies and government in power. It involves the authenticity and genuineness of the voter register etc.

According to INEC the following lessons were learned from the 2011 general elections: good elections required adequate planning, good elections were about effective partnerships and cooperation, good elections were about openness and better election in Nigeria is still a work in progress (INEC, 2014). With these lessons at heart, INEC was poised to make history with the 2015 general elections. In order to achieve a virile election in 2015, INEC believe that more needs to be done despite the fact that the 2011 election was adjudged the best that period. Therefore immediately after the 2011 elections, INEC developed a four year strategic plan, which was to run from 2012-2016. This was aimed at repositioning INEC as a virile electoral body. As part of the strategic plan INEC embarked on massive restructuring of the commission. These were to be achieved through massive internal reforms.

The reform process started shortly after the 2011 General Election. The first thing INEC did was to invite all Electoral Officers, Administrative Secretaries and Resident Electoral Commissioners to the headquarters in Abuja for debriefing. The lessons learned and the information scanned

from these officers from the field formed the basis of what the leadership of the Commission in Abuja gave to the Adele Jinadu Committee that reviewed the registration and Election of 2011. The Report of the Registration and Election Review Committee (RERC) formed the basis for the take off of 2015 Election and the further reforms that informed the 2015 Elections.

The 2015 General Elections is over and was adjudged one of the best in Africa but there is need to consider some of the factors which shaped the election.

Factors that shaped the 2015 General Elections

Time: Time is an important factor of life. It is as important as life itself. The current commission assumed office shortly before the 2011 election as a result it was unable to achieve much reforms before the conduct of the 2011 General Elections. However, the ability of the commission to learn from the failures of the past was one of the factors that shaped the 2015 General Election. Immediately after the 2011 General Elections, INEC did not leave any stone on touched but evolved different strategies towards genuinely conducting an acceptable election in Nigeria. So the commission had enough time to strategize.

Voters Registration: One of the major challenges and criticisms raised against the previous elections which would have also affected the integrity and genuineness of the 2015 polls was voter's registration. The voter register prior to the 2011 General Elections were full of irregularities and discrepancies. However, INEC's leverage on the biometric registration which was one of the major achievements of the commission in 2006 placed the commission above board. Although, the exercise was seen by many as cumbersome by it paid off at the end of the 2015 elections. Furthermore, the introduction of technological driven voter authentication shaped

the elections and gave it public acceptance. The use of technology in promoting the integrity of the electoral process cannot be under emphasized.

The success or failure of any election starts from the process of registration and furthermore authentication of registered voters on the Election Day. Nigeria's elections have been replete with voter's registration and authentication based fraud. However, these challenges were overcome through the adoption of card reader technology. The implication of this was the almost reduction of electoral fraud to 0% in the 2015 General Elections. The reduction in fraud led to the reduction in post election violence and litigation which usually characterized Nigerian elections.

Election Materials: One of the major sources of Election Day and Post Election conflicts in Nigeria has been Election Material related. Several things happens in the area of Election Materials. Sometimes the Election Administrators connived with the politicians to duplicate materials, ensure the delay in distribution of materials to some areas and outright ensuring that materials were not sent to some areas. However, the innovations which INEC adopted improved this process and further strengthened the integrity of the commission. The commission ensured that all the Electoral materials were coded in different patterns from State to Local Government levels. So, no one material looks exactly as the other in another place. This made the snatching of electoral materials almost impossible and promoted the security of the material and even personnel. Another innovation which was a departure from the previous practice was the cancellation of unused ballot papers in the presence of all the party agents before the commencement of counting. This promoted an unusual understanding and cooperation among all the party stalwarts and voters. Besides, the arrangement that all the materials and personnel gets

to the RA 24 hours before the commencement of election ensured that materials got to the polling centre on time.

Polling Center: In the past polling centre could be indiscriminately cited in the residence of some prominent people. This is one way by which fraud was perpetrated in the past. However, there was a departure from this exercise during the 2015 General Elections. There was strict adherence, to the rule that polling centre were placed in public places.

Integrity: Reforms are good. However, reforms do not implement itself, therefore the character and doggedness of drivers of reform to a large extent determines the outcome of such reform. The leadership of INEC needs to be greatly commended for displaying exemplary courage, strength of character, integrity, fairness and equity in the discharge of his duties. These attributes of the leadership of INEC shaped the 2015 election and ensured the stability and democratic consolidation in Nigeria.

Conclusion

The paper started tracking the history and the trajectories of EMBS in Nigeria. It went further to review how the 2011 Elections informed the preparation for the 2015 General Elections. The paper asserted that the 2015 General Elections were a huge success, but there is the need to continue to reform. The new leadership of the Commission must build on the Jega's led Commission such that in no distant future, the Nigerian INEC will become one of the best in the world.

Finally, although the mode of appointment of the members of EMBs may be important, what is more important is the strength of character and integrity of the leadership. There is definitely hope for the Electoral process and for democracy to take root in Nigeria.

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