FROM DIRECT CAPTURE TO MANDATE PROTECTION:
EXPERIENCES FROM THE 2011 NIGERIAN ELECTIONS
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Chapter 1

Introduction: 2011 and the Protection of the People’s Mandate – the CDD Experience

Jibrin Ibrahim and Terfa Hemen

The importance of free and fair elections in a democracy cannot be overemphasised enough, mainly because elections institutionalise both the legitimate authority of representative government, and democratic changes. For most people, elections found their true meaning only in a democratic context in which the majority of citizens can freely choose their representatives. It has been a great challenge for most countries, namely African countries, to conduct free and fair elections that also reflect the very aspirations of the people; that is to say, to conduct elections in which the mandate of the people is respected and protected. This is the bar which many stakeholders have been relentlessly working to raise Nigerian elections to.

When African countries broke from the yoke of colonialism and rose to independence, they sought to build viable states with strong institutions. However, the challenges of learning to adopt a new western system of governance in complex societies, often carved out by colonial masters, led to situations where many of these countries failed to successfully build robust democracies. The result was the absence of multiparty democratic governments, the emergence of military dictatorships, and the rise of leaders who monopolised power for themselves and their kin, and often perpetuated their reign through fraudulent elections masterminded by often corrupt and government controlled electoral bodies.

The period between the late 1980s and the early 1990s witnessed a resurgence of democratic governments, especially in West Africa. But the common obstacle to these newly formed democracies — similar to those of the immediate post-colonial era— has been the inability of many African countries to organize free and fair elections that both reflect the will of the people and respect their mandates.

Brief History of Nigeria’s Elections

In a representative democracy, elections and a sound electoral process are crucial to the establishment of a strong democratic culture. Elections give people the ability to decide who will wield political authority in
the country. Today, it is particularly urgent to institute a viable and stable electoral democracy in Nigeria, given the fact that most of the elections in the country’s political history have been flawed.

The 1964 elections conducted by Eyo Esua, in his quality of first chairman of an indigenous electoral commission, was fraught with fraud, and led to political violence in the south-west, an occurrence that is popularly referred to as ‘operation wetie’. Consequently, in justifying the first military coup d’état of 1966 that prematurely ended the First Republic, the army rationalised that the political elites failed to conduct credible elections and failed govern in accordance with the tenets of democracy as well.

By 1983 when Michael Ani led the Federal Electoral Commission in the controversial interpretation of what constituted the two-third majority of nineteen (19) states; fraudulent elections were again cited as the rationale for the abrupt termination of the Second Republic in another military coup d’état. In the following decade, the Nigerian National Electoral Commission, chaired by Henry Nwosu, was more successful in conducting the June 12, 1993 elections permitted by the Babangida regime. Today, many analysts still consider the 1993 elections as the freest and fairest elections ever organised in Nigeria. Although M.K.O. Abiola was clearly the winner of the elections, judging from the proclaimed results, the Armed Forces Ruling Council (AFRC) subsequently annulled the vote and scheduled new elections.

During the transition to civilian rule in 1999, Justice Ephraim Akpata who presided over the Independent National Electoral Commission (INEC) presided over a very controversial general election, which generated a lot of criticism from the international community. Four years later, the 2003 elections, organised by Dr. Abel Goubadia, were marred with political violence and various electoral irregularities. The 2007 elections conducted under the chairmanship of Dr Maurice Iwu are adjudged as one of the worst ever seen in the country.

In Nigeria, it is paradoxical that elections which should be the expression of popular sovereignty sometimes become its very subversion; this is the abiding tragedy of elections in Nigeria. Thus, it is not surprising that the history of elections in Nigeria is riddled with electoral fraud perpetuated by individuals who capitalise on weaknesses within the political party structures. Political leaders take advantage of the power of incumbency; people often manipulate the country’s weak electoral laws through the use of technicalities in electoral tribunals; people put state resources at their disposal to manipulate the electoral process to their own benefit... These manifestations of electoral fraud, inter alia, have frustrated the democratic aspirations of Nigerian citizens who have voted, or would have voted into office someone other than the fraudulently elected individual.

Of great concern and serious consequences for the democratic process in Nigeria, is the fact that electoral fraud has soared astronomically over the last successive elections, namely 1964, 1979, 1983, 1999, and 2007, during which the main forms of electoral fraud have greatly increased and have become more sophisticated.

Besides, over the years, the problem of voter apathy has become a source of great concern to Nigerian elections’ analysts. Many citizens seem convinced that the electoral process is devoid of transparency, and that the exercise is usually characterised by fraud and electoral malpractices. Rather than participate in the process, they sit back, arguing that the outcome of the vote has already been decided, whether they vote or not.

Elections and Mandate Protection in Nigeria
It is against this background of recurrent failed elections that civil society organisations have worked together with community-based organisations to improve electoral transparency since the 1999 elections. In fact, it is in the face of persistent fraudulent elections that totally disregard Nigerians’ votes and their right to freely elect their leaders, that these organisations set forth to look for ways through which the
mandates of citizens would be protected, not only as a means of making their votes counts, but as a way of deepening and consolidating the democratic process in Nigeria.

Out of this election intervention projects emerged the concept of Mandate Protection. Mandate Protection is a strategy that aims at increasing civic consciousness in Nigerian voters so that they become more empowered and more willing to defend their votes. The logic of Mandate Protection becomes even more significant as civil society organisations that analyse electoral fraud discovered that citizens were yet to fully comprehend the various strategies employed to institute electoral theft.

Following the 2003 elections, and building on experiences drawn from the 1999 elections, groups of election stakeholders began mobilising to find ways of improving the then current 2007 elections so that they perform better than all previously held elections in Nigeria. Organisations like Global Rights, IFES, IDASA, ERN, TMG, CFCR, CDD and several other groups committed themselves in voters’ mobilisation through various channels with a view to educate them in the protection of their mandate.

CDD, Elections Mandate Protection and Deepening Democracy

For many years now, the Centre for Democracy and Development (CDD) has committed itself in the improvement of the electoral process; The Centre was created out of the need to entrench democratic governance and push back against the effects of military dictatorships that had derailed the democratic process in Nigeria and in other West African countries as well. By 2003, elections and deepening democracy have become critical areas of research, advocacy, and of capacity building for CDD. Our work explores the process of expanding citizens’ political participation, especially women, and also the important issue of mandate protection, following the experiences gained in the 1999 elections.

In 2003, CDD received support from the Open Society Initiative for West Africa (OSIWA) for a project called Expanding Women’s Political Space in the North-East region of Nigeria. The project purpose was to empower women and to increase their participation in elections. One of the project key achievements was the formation of women caucuses to lobby for greater women’s participation in political parties’ decision making process.

Towards the 2007 elections, this strategy had developed into the Mandate Protection project. CDD then developed a Mandate Protection manual for grass roots organisations with support from the National Endowment for Democracy (NED). The manual became the main tool for the Centre’s awareness campaigns and voters’ mobilisation to protect their mandate. The programme was implemented in Nigeria’s South East, South West and North West regions. During the same period, CDD also received support from OSIWA to work on mandate protection in Nigeria’s South West region. CDD’s reflection on the 2007 elections is documented in Direct Capture: The 2007 Nigerian Elections and the Subversion of Popular Sovereignty, a publication supported by OSIWA.

Within the framework of the Citizens Forum for Constitutional Review (CFCR) and the Constitutional Review Dialogue Mechanism (CRDM), CDD has worked with various civil society organisations’ coalitions on issues pertaining to the Constitution and the Electoral Act amendment process to develop new ways that would enhance the people’s mandate protection. The Electoral Act successful amendment prior to the 2007 and 2011 elections is partly credited to the work of such coalitions. Yet, there was more work to do ahead of the 2011 polls and perhaps for future elections.

CDD is the leading organisation in the work to develop mandate protection strategies and in its application in Nigerian Elections. In 2007, CDD managed to develop a ‘Training Manual on Election Mandate Protection’, which the Centre subsequently used to train grassroots organisations across the country. That was made possible by funding support from NED, and OSIWA, as well as the Canadian Agency for International Development (CIDA), the UK Department for International Development (DFID), the European Union (EU), and the United Nations’ Development Programme (UNDP). The
strategy was mainly successful thanks to the careful review and updating of the training manual to include illustrations and to reflect the changes that happened in the electoral law since 2011. This reproduction was made possible by NED and OSIWA’s support.

Towards the elections, CDD also received crucial financial support, in the form of grants, from the Democratic Governance for Democracy project (DGD), anchored by UNDP; and from OSIWA and the Independent National Electoral Commission (INEC). These grants were fundamental in our work. They provided the platform for various elections and mandate protection activities across the country and gave the authors the opportunity to observe many situations, some of which are the subject of the following chapters.

This book provides a synopsis of CDD’s reflections and work, before, during, and after the 2011 general elections. The volume is important as it combines both reviews and reflections of election trends, with direct on-the-spot review of the elections through CDD’s programme interventions. All the chapters are written by CDD’s crop of programme officers who led the implementation and evaluation of the Centre’s election programming.

It is hoped that the ideas and thoughts documented in the following pages will add to the broad efforts at documenting elections in Nigeria and also provide references from which future mandate protection projects could draw upon.

**Outline of Chapters**

The book is presented in 14 chapters. The first 3 chapters cover the introduction, a review of the 2011 elections’ legal architecture, and a review of the notion of mandate protection prior to the elections.

Chapter 1, which is the introduction of the book, outlines a historical narrative of the issue of electoral fraud in Nigeria up until the emergence of the concept of mandate protection. The reason for the development of the concept, the engagement of civil society organisations, CDD’s activities with regard to mandate protection are also part of the introduction.

Chapters 4 to 8 provide detailed narratives of the history of mandate protection in Nigeria’s six (6) geo-political zones and CDD’s staff activities prior to the 2011 elections as the Centre engaged the Nigerian people in a bid to enhance their capacity to defend and protect their mandate. Chapters 4 to 8 also present "field notes" developed from the implementation of CDD’s programmes in all Nigeria’s six geo-political zones.

Chapter 9 discusses the issue of electoral violence, especially the post-electoral violence and the Sheikh Lemu Panel commissioned by the President. Chapter 10 raises the problem of money in politics and outlines its implication for mandate protection. Chapter 11 probes the dwindling fortunes of women in elections in Nigeria. Chapters 12 and 13 explore the place of observation in election mandate protection; importantly, Chapter 13 shows that Nigerian observation is increasingly going online and is crowd-sourced. The final chapter reflects on the general themes discussed and present thoughts for future elections in Nigeria.
An Assessment of the Legal Framework for the 2011 General Elections

Idayat Omolara Hassan

Introduction
Considering the historical experience of conducting elections in Nigeria, which many analysts consider a failure, it becomes clear that the examination of the legal framework upon which the electoral system rests is important for scrutinizing the country’s readiness for a developed and well-functioning democracy. The argument of this chapter is broken down into sections and begins with a look at some of the controversies associated with the conduct of elections in Nigeria, particularly the widely criticized 2007 elections. The recommendations of the Uwais Report submitted by the Electoral Reform Committee (ERC) are also reviewed. The chapter also examines the Electoral Act and other aspects of the legal framework of Nigeria’s electoral system. In the last section, this paper examines some law-making challenges in the context of the Nigerian electoral system.

It is the responsibility of the state to ensure that elections are conducted freely, fairly and in accordance with the laid down principles as enshrined in international conventions such as the 1948 Universal Declaration of Human Rights (UDHR); the 1966 International Covenant on Civil and Political Rights (ICCPR); the 1981 African Charter on Peoples and Human Rights (ACHPR); as well as the 2001 ECOWAS Protocol on Democracy and Good Governance (EPDG). This responsibility is obligatory on the state because of the intertwined nature of election rights and human rights. The established legal instruments guaranteeing a credible electoral system—although not without biases—have been domesticated in Nigeria, and they
constitute an important part of the legal documents; the constitution; and the electoral act, which legally guide the conduct of elections in Nigeria.

The 2007 General Elections and Aftermath

The environment for democratic elections must be conducive for all parties concerned to benefit from a level playing ground necessary to fully participate in the election process. Parties can then freely conduct their election and voting affairs without any hindrance or intimidation by any individual (Aliyu, N.A. 2009). Since independence in 1960, Nigeria’s elections and electoral system have been marred by controversies and crises. Rather than serving as a means of promoting democratic values, many past elections failed to pass the test of electoral credibility. The April 2007 election was widely criticized and deemed one of the most poorly conducted elections in Nigeria, especially since 1999.

The 2007 elections caused a huge public outcry as citizens demanded that government reform the electoral system to address the lingering and systemic shortcomings of elections in Nigeria. To this end, the then 2007 newly elected Yar’Adua administration constituted the Electoral Reform Committee headed by Justice Uwais, with the specific mandate of devising ways of making elections in Nigeria free and fair. Some of the committee’s recommendations were taken into consideration in the amendment of the Constitution and the electoral act in 2010, including the restructuring of the Independent National Elections Commission (INEC); the reorganization of Election Tribunals and their powers; the necessity to promote internal democracy in the political parties through INEC’s supervision of party primaries amongst others. Consequently, the 2011 general elections were conducted based on the prescription of the legal blueprint laid down in the ERC Recommendation; the 2010 Electoral Act and the 1999 Constitution as amended.

The Electoral Reform Committee and the Amendment of Electoral Laws in Nigeria

Following the 2007 elections and preparing for future polls, President Umaru Yar’adua who acknowledged the lack of credibility in the 2007 elections in which he was elected inaugurated the Presidential Electoral Reform Committee (ERC). The head of the Committee was retired Justice Mohammed Uwais. The committee’s mandate was, inter alia, to examine the 1999 Constitution, the 2010 electoral act and other legislations that have bearing on the electoral
processes and assess their impact on the quality and credibility of the general elections. Additionally, ERC was to propose specific recommendation(s) to combat malpractices and to restructure Nigeria’s electoral commission that has been implicated in many vote rigging and electoral malpractices cases. The Electoral Reform Committee spent sixteen (16) months collecting and analysing information gathered through consultations with key stakeholders, including foreign experts; through public hearings memoranda received from the public; and critical re-assessments of past elections held in the country. The exercise resulted mainly in the Uwais panel report on electoral reforms that was presented to President Yar’Adua on December 11, 2008.

The report provided a number of recommendations designed to improve the quality of elections in Nigeria and to close the observed loopholes that were used to rig previous elections. In addition, the panel submitted draft bills for the amendment of both the 1999 Constitution and the 2006 Electoral Act. The report stated that the members of the Uwais panel were “firmly convinced that the acceptance and implementation of the recommendations in the report will significantly restore credibility to the Nigerian electoral process and usher in an era of free, fair and credible elections that will conform to international best practices” (ERC 2008).

**Select List of Uwais Panel Recommendations**

- The Board of INEC should be appointed by the Council of State on the recommendations of the National Judicial Council and subject to confirmation by the Senate.
- That INEC should be delisted from the list of Federal Executive Bodies.
- That election to the House of Representatives and State Houses of Assembly should be on the basis of mixed member proportional representation.
- That an individual that meets prescribed requirements to stand for elections to any political office could stand as independent candidate.
- That the funds of the Electoral Management Body should be charged on the Consolidated Revenue Fund of the Federation and paid directly to the Commission while the recurrent expenditure shall also be so charged to the Consolidated Revenue Fund.
• That the States Independent Electoral Commission should be re-organised and incorporated into the structure of the Independent National Electoral Commission to form one single election management body for the country.

• That political office holder will not be allowed to cross carpet to any other party under any circumstance.

• That no political party will be permitted to receive funds from any source outside Nigeria.

• That section 9 (4) of the Police Act which provides that the President shall be charged with the operational control of the Nigeria Police Force is in conflict with Section 215 (2) of the 1999 Constitution and should be amended.

• That the burden of proof in relation to the fact that an election was conducted substantially in accordance with the principles of the Electoral Act shall lie on the Independent National Electoral Commission.

• That if an Election Petitions Tribunal or Court makes a determination that the election of a candidate who was returned as elected was invalid by reason of the use of State resources it shall nullify the election and, in addition, such candidate shall be disqualified from standing in any election conducted under the Act for a period of ten years from the date of such determination.

• That persons caught and convicted of selling and buying of voters card shall pay a fine of 200,000 naira or go to prison for a period not exceeding two years or both and shall, in addition be disqualified from participating as a candidate in any election conducted under the act for a period of ten years from the date of his conviction.

• That every result form completed at the Ward, Local Government, State and National levels shall be stamped, signed and counter signed by the relevant officer, police officer, State Security and, where available, polling agent at any such level and copies shall be given to the concerned police officer, State Security Service Officer and polling agent while another copy shall be posted at the relevant polling station.

• That an Election Tribunal should deliver its judgment in writing within 120 days from the date of the election.

• That an appeal from a decision of an Election Tribunal should be heard and disposed of within 60 days after the judgment of the election tribunal.
That Section 149 of the Electoral Act 2006 should be repealed so that no elected person should assume office until the case against him/her in the Tribunal or Court is disposed of.

Select ERC Recommendations rejected by the Federal Executive Council

- The procedure for the appointment of the Independent National Electoral Commission (INEC) chairman and members by the National Judicial Commission,
- That the Electoral Management Body should be delisted from the list of Federal Executive Bodies.
- That election to the House of Representatives and State Houses of Assembly should be on the basis of mixed member proportional representation.
- That the States Independent Electoral Commission should be re-organised and incorporated into the structure of INEC.
- That section 9 (4) of the Police Act vesting operational control of the Police in the President is in conflict with Section 215 (2) of the 1999 Constitution.
- The nullification of election and disqualification of candidate on account of use of state funds.
- That all electoral disputes should be concluded before swearing in.
- The creation of a Constituency Delimitation Commission.
- The shifting of the period for the holding of elections in Nigeria.

The Uwais Report and the Federal Executive Council Rejection

The review and rejection of these ERC recommendations by the Yar’Adua government was not well received by Nigerians, many of whom called for the wholesale implementation of the recommendations. Public reaction was specifically the late President Yar’Adua’s claim that he would not implement ERC’s key recommendation that INEC chair should be appointed by the National Judicial Council (NJC), rather than by the executive branch of the government. To justify this decision, the late President Yar’Adua argued that the ‘separation of powers’ principle
argued against the adoption of this specific recommendation. On 29<sup>th</sup> April 2009, President Yar’Adua sent to the National Assembly seven (7) bills designed to implement the Electoral Reform Committee’s Report recommendations and to amend the relevant sections of the 1999 Constitution, the 2006 Electoral Act, and other relevant laws. The Presidential Bills included: A bill for an act to amend the Independent National Electoral Commission (INEC), Act Cap 15 LFN 2004, and other matters connected thereto; a bill for an act to alter the provisions of the 1999 Constitution of the Federal Republic of Nigeria and for other matters connected thereto; a bill for an act to establish the Electoral Offences Commission and for other matters connected thereto; a bill for an act to establish the Centre for Democratic Studies and other related matters; a bill for an act to further amend the Police Act 1967 CAP P19 2004 LFN and for matters connected thereto; a bill for an act to establish the Political Parties Registration and Regulatory Commission and for other matters connected thereto. Unfortunately, the legislative response to the seven Presidential Bills was not favourable as the bill for the establishment of a Political Parties Registration and Regulation Commission and the bill to amend INEC Act were all rejected by the Senate. The National Assembly reasoned that some of the bills sought to duplicate INEC’s duties or that the bills could not be passed without constitutional amendments.

As Acting President, Dr. Goodluck Jonathan sent the “unedited” version of the Justice Mohamed Uwais Panel report to the National Assembly for consideration. However, the Senate Committee on the Review of the Constitution (SCRC) rejected the Uwais recommendation that the INEC chair should not be appointed by the President; the SCRC invoked the doctrine of separation of powers to explain its decision. On June 15<sup>th</sup>, 2010, the National Assembly submitted the harmonized copy of the proposed amendments to the 1999 constitution to the speakers of the 36 States Houses of Assembly for their resolution. The States submitted a harmonized version of the act to the Senate which voted in on July 30, 2010. Though the National Assembly submitted to the State Houses of Assembly 50 proposed changes to the 1999 constitution, only 29 were accepted.

The passage of the amended constitution signalled the beginning of another political controversy on whether the president’s signature was required or not to give the amendment the force of law
in the country. The National Assembly argued that since 24 of the Nation’s 36 state houses of assembly had already ratified it, there was no need for further contributions from the president. President Jonathan contended that he had to be a signatory for the amended constitution to be valid and operational. This controversy between the National Assembly and the president’s office led a lawyer and activist, Olisa Agbakoba (SAN), to approach the court and challenge the legality of the amendment, arguing that it violated section 58 of the 1999 constitution. The court eventually ruled that the amendment remain inchoate unless it was formally ratified by the President. Until this judgement was issued, no preparations could be made for the 2011 elections as the legality of the constitution was in doubt and had implications on the electoral act. With this juridical verdict, President Jonathan ratified the amended constitution.

A second alteration bill was introduced at the National Assembly following the formal legal adoption of the amended constitution. The justification for the introduction of this particular bill centred on the need to give INEC more time to put all requisite logistics in place for the conduct of free, fair and credible elections. The second alteration bill was successfully passed and set new timelines for the conduct of the National Assembly, presidential, governorship and state houses of assembly elections by INEC. It also addressed the process of adjudication of the governorship election petitions. With the amendments passed, elections must be held no later than 30 days before the expiration of the respective incumbent’s tenure of office; note that sections 76,116,132 and 178 of the first alteration stipulates that election should be held on a date not earlier than 150 days and not later than 120 days before the expiration of the incumbents’ term.

It is important to note that during this amendment process, President Goodluck Jonathan included a clause allowing presidential aides and government appointees to vote during party primaries and conventions. The second alteration bill also included clauses designed to change the order for the general elections as follows: presidential elections first, followed by the National Assembly elections, then by the governorship elections and finally by the State Assembly Elections. This proposal was rejected by the National Assembly. At this stage, one must point out that the reason for the lack of coherence in the National Assembly is that the framers of our constitution have made the amendment process arduous by providing that any
changes to the document must not only be approved by two-thirds of members of the National Assembly, but must also be cleared by two-thirds of state assemblies in the country.

The Legal Framework for Managing Elections in Nigeria
Credible elections are very important for the economic, social and political development of any nation. Indeed, the UN Declaration of Human Rights (1948), in Article 21(3), emphasised the importance of elections to human development and democracy:

The will of the people shall be the basis of the authority of government; this shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

The legal framework for the conduct of the 2011 elections consists of the amended 2010 Electoral Act and the 1999 Constitution (as amended). This legal framework specifies the structure, role and responsibility of the electoral body, and the relationship between the electoral body and political actors, amongst others. The electoral laws addressed some of the issues raised by the Electoral Reform Committee. INEC is the administrative and election management body that is mandated to conduct elections in Nigeria. The fact that Nigeria is a party to the international instruments requires the country to deploy great efforts devoted to revising the electoral laws in order to enhance electoral credibility in the 2011 general elections.

The Independent National Electoral Commission
The Independent National Electoral Commission (INEC) is Nigeria’s elections management body. INEC was established within the framework of the 1999 Constitution (see Sections 14, 15, 153-155 of the Constitution for INEC powers and responsibilities) as a permanent institutional body whose task is to oversee the Nigerian electoral system. INEC is headed by a chairperson who acts as the chief electoral commissioner. There are twelve carefully selected commissioners who must have shown unquestionable integrity in their professional careers prior to their appointment. INEC deploys a Resident Electoral Commissioner to each state and to the Federal Capital Territory, Abuja.

All INEC members are directly appointed by the President in consultation with the Council of State and confirmed by the Senate for five-year tenure. INEC’s duties include, inter alia,
organization of elections for political offices, excluding offices at the grassroots level\(^1\); registration of political parties; monitoring of political parties’ activities, including their finances; voters’ registration. The INEC’s meetings are conducted behind closed doors and a quorum of a third of its Commissioners is required while decisions are taken through the majority rule.

INEC’s independence is an important pre-condition for the successful execution of the Commission’s duties. A major improvement in the amended 1999 constitution is the regulation that gives INEC financial autonomy and administrative independence from the executive arm of government. According to section 81(3) and 84(8) of the Constitution, INEC’s funding is to be drawn from the Consolidated Revenue Fund. With regard to its administrative capacity, section 160 of the Constitution grants INEC powers to make its own rules and regulate its internal affairs without control or approval from the office of the president. Moreover, given the amendment to section 156 and section 14 of the Third Schedule of the Constitution, INEC board members are no longer expected to display partisan loyalties. It is important to note that INEC’s Chairman and Commissioners’ appointment is still the responsibility of the President; this represents a notable diminution of INEC’s independence and a rejection of a key recommendation of the Uwais panel.

INEC has been empowered to determine the sequence of election into political offices, except at the Local Government level, by virtue of Section 25 of the Electoral Act 2010 and Sections 76, 116, 132 and 178 of the Constitution. The Labour Party (LP) challenged in court the locus of the National Assembly to determine the sequence of in which general elections are held in the country. The Court ruled that the National Assembly lacks the mandate to determine such a sequence and that INEC is the only body empowered to schedule the elections in the order it deems fit.

\(^1\) These offices are provided for under sections 76, 116, 132 and 178 of the 1999 Constitution and include the offices of president and vice president, governors and house of assembly of each state of the federation and membership of the Senate and House of representatives.
INEC is empowered under the 1999 Constitution to register political parties. Since the court decision in *Balarabe Musa vs. INEC*², the conditions for political parties’ registration have been liberalized. Nigeria’s political space has witnessed an unprecedented expansion, with 64 registered political parties. This decision has however one negative, i.e. it allows political opportunists to register unviable parties merely to receive INEC’s funding support. However, the constitution provides an instrument through which this problem can be remedied: section 78(6) of the 2010 Electoral act provides INEC with the power to de-register any political parties that failed to win executive and legislative seats in elections, at the federal or state level. It is yet unclear how INEC will enforce this provision³, but its introduction represents an important step in the promotion of legitimate political representation for Nigerian voters.

**Political Finances**

Political parties’ finances constitute an important component of the electoral process. Political parties disburse finances sourced from individual and organizational donations for the conduct of their electoral campaigns. In the 2006 Electoral Act (see section 78-105), considerable attention was paid to campaign financing. Political parties are required to make their finances open to INEC’s scrutiny. They can also be made available for the National Assembly’s examination. Presidential and governorship candidates’ campaign spending was limited to 500,000,000 and 100,000,000 naira respectively.

The main issues of concern with political financing in the Nigerian political system is that despite the legal provision, there is a limiting factor in the act. namely Section 93 (8a-c) that disregards “any expenditure incurred before the notification of the date fixed for the election with respect to services rendered or material supplied before such”. This can be a legal loophole potential candidates can use to justify their spending of considerable amounts of money prior to the official start of the election campaign. Experiences from previous elections highlight the need

² SC. 228/2002
³ From the outcome of the 2011 general elections, only 8 political parties won at least one seat in either the National or State Houses of Assembly and does not risk deregistration. The parties are the People’s Democratic Party (PDP), All Nigerian Peoples Party (ANPP), All Progressives Grand Alliance (APGA), Congress for Progressive Change (CPC), Accord Party (AP), Action Congress of Nigeria (ACN), Labour Party, Democratic People’s Party (DPP), Allied Congress Party of Nigeria (ACPN) and the Progressive People’s Alliance (PPA).
for robust budgetary control mechanisms for political parties’ finances\(^4\), especially because of the rising cost of elections and the political corruption it entails\(^5\). No report on campaign financing was submitted for the 2007 elections. Few parties actually submitted audited returns of their finances, even though they received statutory grants from the government by virtue of the provisions of section 228(c) of the constitution. Given the fact that political expenditure can form a decisive advantage in determining an election’s outcome, it is very disconcerting that INEC has been unable to promote more transparent and accountable internal budget monitoring procedures.

Underscoring the importance of managing campaign finances, the 2010 electoral act empowered INEC to place limitations on the amount of money or assets an individual or group can contribute to a political party.\(^6\) These limitations were often breached during elections with aspirants resorting to third party spending. Besides, enforceability of the new powers given to INEC with regard to political financing remains weak. Those who took advantage of third party spending during the last elections include Dr. Goodluck Jonathan of Peoples Democratic Party (PDP). He utilized the platforms of groups such as ‘Neighbour to Neighbour for Transformation’, ‘One Nigeria Coalition’, ‘Voice of the Electorates (VOTE)’, ‘PDP Integrity Vanguard’, ‘Mass Interest Project’ and ‘Nigerian Progress Forum’ to run his campaign. With the 2011 elections conducted under the improved electoral act of 2010, it seems possible that the effectiveness of the new provisions could be assessed, but it was shocking when INEC Chair, Professor Attahiru Jega was quoted\(^7\) saying that: “INEC does not even have a desk that handles campaign financing for the 2011 elections”.

\(^4\) INEC is empowered by the 1999 Constitution to monitor finances of political parties, conduct an annual examination and audit of the funds of political parties and publish a report for the public information.

\(^5\) The 2003 elections witnessed cases of some godfathers laying siege on state funds having bankrolled the elections of the incumbent governors, examples are cases of Chris Ngige who was kidnapped by his godfather Chris Uba for not sharing state funds with him as agreed and forced to transmit a resignation letter and Rashidi Ladoja ousted by the late chief Lamidi Adedibu for not sharing his monthly security votes with him.

\(^6\) See sections 91 (2&3) this however is an improvement on the 2006 electoral acts which places the maximum at N500, 000,000 and N100, 000,000, respectively, see sections 91(4,5,6,7) for other offices. The idea behind the increase is to prevent third spending.

\(^7\) in Daily Trust of May 8, 2011
It was then clear that there was no way of collecting data on election finances, let alone a lead in probable prosecutions of contraventions of the act. The issue of political parties financing has not received the requisite attention it deserved since the inception of the fourth republic. There is a urgent need to strengthen INEC’s capacity to effectively monitor political parties’ finances as well as broaden the definition of election expenses in the electoral act with a view to track expenses before election notices are given and prevent third-party financing.

**Internal Democracy in Political Parties**

Nigerian political parties are often criticized for their lack of internal democracy. Phrases such as sole proprietorship, private club, cartel, private enterprise, and ethnic social club, aptly describe the nature of current Nigerian political parties. Nigerian parties tend to be dominated by a few powerful individuals who direct the planning, management and policy framework to suit their personal interests. Such highly influential individuals control membership and select their parties’ candidates for elections. Complaints from recent party primaries show that parties have failed to open up to all eligible members who want to run for office. Due to ‘godfatherism’, candidates were imposed on the political party without any election, often through the so-called consensus option. Other candidates had their names substituted after the party primaries.

There have been legislative efforts to improve Nigerian political parties’ internal democracy. For example, the amended 2010 Electoral Act mandated INEC to monitor political parties’ primaries and ensure that they conduct their activities in a democratic manner. The act provides that:

> The Commission may, with or without prior notice to the political party, attend and observe any convention, congress, conference or meeting which is convened by a political party for the purpose of
>  (a) Electing members of its executive committees or other governing bodies;
>  (b) Nominating candidates for an election at any level; and

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8 See Sections 91 (10, 11&12) of the electoral act 2010

9 This view is further stressed by Jibrin Ibrahim arguing that the “illiberal” nature of the legal framework that governs party activities in Nigeria is empowering those individuals within a party who, through political or financial control, wield enormous power in how parties function. They ultimately determine who is nominated or elected within the party or to public office. See [http://www.idea.int/parties/dialogues_pp.cfm](http://www.idea.int/parties/dialogues_pp.cfm)

10 Many aspirants had to wait till the publication of the INEC final list to know if they were still maintained as candidates. According to See 31 (3) of the Electoral Act, 2010) INEC must publish a list within seven days of the receipt of Form CF001.
(c) Approving a merger with any other registered political party.

Despite this legal provision, there are notable contradictions within the act itself. Some statutes in particular reduce the effectiveness and purpose of other statutes within the same act. Section 87 of the Electoral Act that deals with internal democracy in political parties and the democratic conduct of party primary elections loses its meaning when compared with Sections 31-38, 78-102 of the Electoral Act. More specifically, section 87(4)(c)(ii) clearly states that the aspirant with the highest number of votes shall be declared the winner of the party’s primaries at the end of the voting, and that the aspirant's name shall be forwarded to the Independent National Electoral Commission as the party’s candidate. Parallel to that, section 31(1) explicitly states that the Commission shall not reject or disqualify candidates even where the party decides to submit the names of persons that lost primaries or did not contest party primary elections in the first place. These two provisions are clearly incompatible. They actually work directly against each other.

**Pre-Election Petitions and Electoral Offenses**

A notable lacuna in the legal framework for the just concluded elections is the absence of specific statutory provisions for the submission and adjudication of petitions prior to the elections. This implies that pre-election matters are to be treated as ordinary civil litigation cases and pre-election petitions were filed with INEC, and with the Federal, and State High Courts during the actual course of the electoral process, in line with Section 87(10). So, during the 2011 general elections, INEC received over 375 petitions, and 400 others were filed in different courts throughout the country\(^{11}\). Consequently, the consideration of pre-election petitions during the actual conduct of the electoral process made it more difficult. Additionally, the consideration and determination of complaints took place during the primaries. It rendered the operational aspect of the electoral process more complicated, since a large number of judgments were delivered by the courts only a few days before the poll. An example that illustrates well such an issue is the Federal High Court’s ruling in Kogi State on April 4\(^{th}\) 2011 ordering for a fresh primary election to select the PDP candidate. The ruling meant that a new primary had to be held.

\(^{11}\) Cases submitted included disqualifications, convictions, contesting contrary to the parties, illegal substitution of aspirants by parties, exclusion of names after winning primaries, illegal nullification of primaries results, wrong imposition of names, forced letters of withdrawals.
only one day before the polls on April 8th\(^\text{12}\). This situation is regrettable as section 87(9), in the old electoral act before the 2010 amendment, explicitly states that:

*Where a political party fails to comply with the provisions of this Act in the conduct of its primaries, its candidate for election shall not be included in the election for the particular position in issue* (section 87(9) of the old Electoral Act)

This provision was expunged in the amended 2010 Electoral Act and a provision was added to Section 31(1), thereby stripping INEC of any say in the matter of qualifications of nominees submitted by political parties. This provision states that:

*“Every political party shall, not later than 60 days before the date appointed for a general election under the provisions of this Bill, submit to the Commission in the prescribed forms, the list of candidates the party proposes to sponsor at the elections, provided that the Commission shall not reject or disqualify candidates for any reason whatsoever.”*

By including the phrase ‘*any reason whatsoever*’, the law stripped INEC of the ability to enforce compliance with requirements of internal party democracy. However, there is a welcome development in the 2010 electoral act, i.e. the shift of burden of proof in electoral offences from the petitioner to INEC. But the exclusion of private citizens from instituting election petitions for lack of standing still exists, as only candidates and political parties can be plaintiffs in election petition matters (section 137).

**Election Petition Tribunals**

The long waiting period before the disposal of the petitions reduces a genuine candidate’s hopes of regaining lost mandate, especially when winners are sworn in with pending litigation regarding their election. In a notable case in Osun State, an election petition dragged on for over three years before the incumbent governor was removed. This problem is exacerbated by the high number of filed election petitions. For example, in 2003, only a total of 574 election petitions

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\(^{12}\) The CPC Gubernatorial candidate in Kano, Mohammad Abacha was removed by the court on April 20\(^\text{th}\) as the CPC candidate in gubernatorial election slated for the 26\(^\text{th}\) of April, 2011.
petitions were brought before election tribunals; the number rose to 1475 in the 2007 general elections; and in 2011, only about 400 petitions were filed mainly as a result of both the improvement in the legal framework and in the conduct of the polls. Still, one can argue that the figure remains substantial.

Section 285 of the constitution established tribunals for each of the 36 states of the federation and the Federal Capital Territory. The composition of these tribunals is set out in the sixth schedule of the same constitution. Section 285, creates the National and State Assembly Election Tribunal in its sub-section 1, and the Governorship Tribunal in its sub-section 2, which is a change introduced in the 2010 amendments prior to which the two were used in a combined form. The number of tribunal members in the governorship and the federal/ state legislative tribunals was reduced from 5 to 3 while the quorum for each of them is the chairman and any other member. At the appeal court, the tribunal for Presidential elections shall be composed of at least 3 Justices, and 5 at the Supreme Court. The time for filling electoral disputes after the declaration of results was shortened to twenty one days.

An election tribunal shall deliver its judgment in writing within 180 days from the date of the filing of the petition, and an appeal arising from a decision of an election tribunal or court shall be heard and disposed of within 60 days from the date of the tribunal’s delivery of judgment date. The new amendments also empower election tribunal judges to deliver their verdicts within the time stipulated, and to choose later dates to justify the verdicts.

The stages in determining the governorship petitions were increased from two to three, i.e. tribunal, appeal and supreme courts, while the stages for petitions relating to the election to the offices of the President, and to National and State House of Assemblies remained at two —the appeal and supreme courts for the former type of elections; and the tribunal and appeal court for

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13 (S. 239(2) 1999 Constitution as amended
14 (S. 234) as amended
15 Section 285(5) 1999 Constitution as amended
16 See section 285 (7)
17 See section 285 (2(d)
18 See S.233 (2) (e) (IV) and S.246 (1) (c) of the 1999 Constitution as amended.
the latter type\textsuperscript{19}. However, there is a key problem with this useful provision, it is the unspecified amount of time granted to the Supreme Court, the final arbiter in gubernatorial and presidential election cases, to deliver its judgment. Future reviews should consider the need to conclude all election litigations prior to the inauguration of the winner. Without such a provision, illegitimate candidates could hold office prior to the delivery of the final verdict with respect to the petitions filed against them.

The 2010 Electoral Act in section 140(2) limited the powers of the courts to nullify a disputed election and to declare elected the candidate with the second highest votes instead. It provided that a new election shall be held. Such provisions led the Labour Party to approach the court averring that the law was at variance with the provisions of sections 6(6a), 134, 179, 285 of the 1999 Constitution\textsuperscript{20}. The court declared the provisions inconsistent with the provisions of the 1999 constitution and ruled that they were null and void. In his judgment, Presiding Justice Kolawole described the National Assembly as bereft of legislative competence to adjudicate suits filed before the courts. He also stressed that section 134 and 179 of the constitution had imbued the judiciary with powers to declare winner of an election the person who received the majority of votes, and that “the various election tribunals shall not be bound by the provisions of Sections 140 (2) and 141[ of the 2010 Electoral Act”.

**Electoral Violence**

Violence continues to be a recurring challenge in Nigerian elections. This is mainly due to the substantial wealth associated with elective offices. Politicians do not hesitate to resort to political violence in order to disrupt elections or intimidate political opponents in a bid to obtain the much coveted political office. In many instances this works hand in hand with the presence of extreme poverty and desperation on the part of the youth whom politicians use to perpetrate electoral violence. This trend is observable in all elections right from the South-West in the First Republic.

\textsuperscript{19} (see S.233(2)(i), S.239(1) (a) and S. 246 (3)of the same Constitution)
A notable problem within the Nigerian context is the inefficiency of the security agencies that oversee elections. The police has limited staff and lacks the necessary logistics; additionally, there have been many instances where the police took active part in vote rigging and voter intimidation. The 2003 and 2007 elections witnessed high levels of violence leading to the death of hundreds and the displacement of thousands of people. The most intense conflicts took place after incumbent president Jonathan was proclaimed winner of the April 2011 presidential elections.

To date, section 227 of the 1999 constitution and section 81 of the 2010 electoral act constitute the main legal provisions for punishing violence in elections. One can easily argue against the adequacy of such provisions to fight electoral violence, mainly because trial of election offenses in regular courts is usually highly ineffective. The rate of successful prosecutions is usually very low and the sentences are light. INEC has filed up to 321 election-related matters across different states, but the Commission is hampered by the small size of its legal department and cannot effectively prosecute. Although INEC does have an MOU with the Nigeria Bar Association to assist in trying some of the electoral offenses in court, there is insufficient information regarding the success of such an approach. It is the reason why an election offenses tribunal has been proposed.

**Election Offences Tribunal**

The central problem with enforcing penalties against those who engage in electoral malpractices is the absence of an Electoral Offenses Tribunal. This oversight has led to the non-prosecution of electoral offenders, including those engaged in electoral violence although section 21(c) provides that:

> any person who buys or offers to buy any voters’ card whether on his own [or] on behalf of any other person, commits an offence and shall be liable, on conviction, to a fine not exceeding ₦500,000 or imprisonment not exceeding two years or both.

The main problem is that INEC does not have the capabilities to enforce this legal provision. Considering the ‘do or die’ attitudes of Nigerian politicians, the penalty is inadequate to serve as
a deterrent. There is also the need to set up a specialised Election Offenses Tribunal since election offenses don’t receive a strong treatment in regular law courts. Electoral violence in particular has had a very disrupting effect on the conduct of elections in Nigeria. The negative impact of political violence witnessed during the 2011 elections as well as the subsequent non-prosecution of a number of suspects reinforces the call for the institutionalisation of an election offenses tribunal.

**Gender and the 2011 Elections**

The issue of gender does not occupy a central position in either the 2010 electoral act or the amended 1999 constitution. Apart from the provisions of Section 51 that designate separate queues for men and women where the culture does not permit intermingling of sexes, there is no provision for affirmative action for women in politics. A review of the manifestoes of some of the political parties did reveal the presence of a chapter or a few paragraphs on women policy. However, the policies designed to include women in the life of political parties are generally viewed as lip service. Failure to integrate women into political parties’ structures means that women are often relegated subordinate roles within political organisations. The inclusion of affirmative action policies in legislative elections, as recommended by the Uwais Panel Report on Women, would have remedied this systemic exclusion of women from the political arena.

**Persons with Disability**

The 2010 Electoral Act, even as amended, made little or no provision for effective participation of Nigerians with disabilities in the 2011 electoral process, even though their number has substantially increased mainly because of the presence of many inter-ethnic, political and socio-religious conflicts in the country.

**Challenges to Law Making in Nigeria**

The National Assembly is empowered under section 4 of the 1999 constitution to make laws for the maintenance of peace, order and good government of the Federation or any part thereof, with respect to any matter included in the exclusive legislative list as set out in Part I of the Second Schedule to the Constitution. However, several challenges have hampered the Nigerian legislature from carrying out effectively its role.
The high turnover in legislatures of our legislators is a substantial challenge to effective law making processes. This persistent lack of continuity in legislative office can be explained by the fact that governmental processes are heavily influenced by the private interests of a few powerful individuals. That greatly hampers the successful execution of the legislation in that the legislative branch of the government then lacks consistent policies and is unable to establish a firm legal framework. A problem which is associated to such an issue is that legislators tend to employ people who are not qualified to work as legislative aides. As a result, there is a palpable lack of objectivity with regard to both policies and statutes, as well as the nature of employment within the legal system.

It is a notable that the capacity for legislative participation in Nigeria is significantly low. Most Nigerians are not able to participate in law making in Nigeria. Public hearings are advertised in the national dailies on the scheduled day and held in fanciful hotels beyond the reach of average Nigerians. Further complicating is the exclusive use of the English language in law making and the cost of producing several copies of memoranda.

Godfatherism, which is a form of patron-client relationship whereby few powerful individuals exercise great influence and control on the political processes, is a crucial socio-political problem that threatens the survival of democracy in Nigeria. The content of public policies, the appointment of people to the various branches of government, and many key decisions in the country are usually done in direct consultations with the so-called ‘god-fathers’. The penalties of rejecting the wishes of a ‘godfather’ can be quite high, they range from removal from political office, to ostracism to physical harm etc.

Conclusion

Although expectations to have perfect elections could be termed utopian in Nigeria, the high frequency and damaging nature of current electoral offenses are becoming alarming. What matters most in the present situation is not much to assess the scale of the offenses, but the willingness to combat them in a systematic manner that incorporates lessons from previous mistakes. INEC and the Nigerian government must look inward to correct the anomalies in our system now, and not wait for the year 2015 to arrive. Although the new and comprehensive 2010
Electoral Act has strengthened the electoral process, there remains a lot more work in the days ahead.

References


Chapter Three

Mandate Protection, Voter Registration and Campaigns

Nengak Daniel Gondyi

Introduction

Since 1999, elections in Nigeria have been a source of anxiety in the country as people fear that they lead to a national crisis. Similarly, the Nigerian political elites approach elections with desperation and a certain sense of urgency as illustrated by former President Olusegun Obasanjo’s words that the April 2007 elections would be a ‘do or die’ affair\(^{21}\) for Nigeria and for the ruling People’s Democratic Party (PDP). Yet four years after Obasanjo, the sentiments about the 2011 seem to indicate that the elections were still of grave importance to Nigeria.

There are many different reasons why the 2011 polls were of great importance. Many Nigerians believed that the country could not survive another rigged election. They argued that the progressive decline in the credibility of Nigeria’s elections since 1999 must be halted otherwise ‘the worse’ could befall the country should the 2011 polls prove to be more rigged than the 2007 polls. Others saw the new INEC with a new chair as a clear indication to a credible election. This group called for a turnaround in elections that I would call the ‘Jega Magic’.

Perhaps a background is needed to understand both the logic and demand for Jega Magic. Towards the expiration of Maurice Iwu’s tenure as INEC Chair, there were vigorous campaigns for his re-election. Since the government rejected the Uwais Panel’s recommendation to appoint the chair and commissioners of a newly reformed INEC, President Goodluck Jonathan was at liberty to nominate Iwu again, which, however, he refused to do.

\(^{21}\) Vanguard Newspaper, February 11, 2007
The realization that Iwu would be replaced led to a mobilization and negotiations for the appointment of a new Chair. Some advocated for another Igbo person to replace Iwu while others went about lobbying for certain individuals they thought were best suited for the job. To perhaps justify the eventual nomination of Prof. Attahiru Jega, the then Kano Bayero University Vice Chancellor, to replace Iwu, President Jonathan and his spokespersons embarked on a campaign to emphasize Professor Jega’s qualities. While many Nigerians agreed that Jega was indeed honest and patriotic, the emphasis laid on his virtues helped raise high expectations for the 2011 elections to be credible.

So, with a significantly strengthened electoral law and a respected and trusted leadership in INEC on one hand, and ‘do or die’ politicians on the other hand, the 2011 polls were, in many ways, perceived as very decisive, and an ultimate showdown between the forces of good and evil. The good was represented by Attahiru Jega and INEC’s new leadership, and the bad by corrupt politicians who were bent on subverting the electoral process by all means at their disposal. One encouraging note was that the Nigerian public was on the ‘good’ side although civil society and pro-democracy groups approached the elections with caution, knowing from experience that achieving credible elections in Nigeria would not be an easy task.

**Mandate Protection in Voter Registration and Mobilisation**

Civil society, with regard to Nigeria’s elections could be grouped in three broad categories. The first category contain groups who tend to literally go to sleep as soon as the results of the elections are announced, and only resume their monitoring, advocacy and capacity building activities on the eve of the next scheduled elections. The second category consists of groups who work in the period between the elections but tend to see their activities as a build-up to a single all important grand finale of the elections. Only a marginal group of civil society actors who belong to the third category often develop programmes that evaluate each step in the democratic and electoral process, both in its own merit and also with regard to their overall contribution to the success of the next elections. As a whole, the 2011 elections saw a marked increase in pre-election sensitization and programming among the different stakeholders.

**How the Civil Society Prepared for 2011**

It should be noted here that the tendency to view elections as a one-off calendar event, as discussed above, is also prevalent among some development partners from more established democracies that some local civil society groups consider as experts on democracy and elections. This trend is very pervasive, and we actually witnessed, these organizations closing down offices in the period between the elections, and also considerably reducing staff and programming until the eve of the next elections.

Because the Nigerian civil society unfortunately depends on external donor funding, it was thus unavoidable, during the 2011 general elections, that many civil society groups could not commence their projects in good time to fully observe the trends that build up to the polls. Civil society activities commenced only when donor funding was provided and much of these activities took place after the electoral act’s promulgation and the publication of the election scheduled.

Development partners’ pooling of resources to fund the activities of an exclusive and pre-selected civil society group is a closely related practice. Although it may well be that the ‘best’ civil society groups are usually included in this exclusive club, it is also likely that many local groups, especially grassroots and community based organizations with great community expertise and reach, are excluded from the process. Additionally, the failure of the civil society and their donor partners to deploy a multiple programmes strategy towards the elections means that the entire project is doomed to failure if any force majeure were to arise.

Civil society projects towards the 2011 elections were mainly designed around key components of the elections, namely voter registration; political party campaigns and primaries; voter accreditation and
Voting; collation of votes and announcement of results, how about voter education/ civic engagement. Other specialized programmes noted on the field include trainings for INEC staff, monitoring of political campaigns and finances, monitoring of post-election tribunals activities and the likes.

Voter Registration - The Change That We Saw
Among many Nigerians, doubts have, for a long time, surrounded the credibility of the Voter Register used for the elections. This doubt is really traceable to the doubts surrounding the population census results. Popular columnist, Simon Kolawole, argues in that regard that:

There is always a competition among states to produce high figures—and almost every village, every town, every city and every state is involved in this race. During the exercise, census officials are usually given special incentives, including bribes, to record favourable figures. During the 2006 census, for instance, many states offered to provide logistics to officials of the National Population Commission (NPC) all in a bid to get good figures. People who wanted to go to their states of origin to be counted were discouraged from doing so, while many states called on their citizens to return home to be counted. After the intense politicking and manipulations, controversy ensued on the provisional figures that were released. Many states protested that their citizens were not properly counted and rejected the results. Yet, for the life of me, I believe the 120 million final figure was extensively exaggerated. Today, we are supposed to be 150 million going by the projected growth rate.

Concerns over the voter register came to a head in the 2007 elections with allegations of massive registration of fake prospective voters by politicians. Some politicians were actually arrested with the direct data capturing machines used to register voters. Despite these fraudulent manoeuvres, the register was used for the 2007 elections. Both the 2007 elections and the February 2010 gubernatorial elections in Anambra State could not be perceived as credible since it is established that no credible elections are possible without a reliable register of voters. The register excluded many real Nigerians and also added names that were apparently dubious. By the time voter registration for the 2011 ended in 2010, similar allegations of misconduct were raised.

When Mr Jega came on board INEC in July 2010 and was confronted with a newly amended constitution that required that elections be conducted in January 2011 (allowing four (4) months for possible post-election litigations to be rested and to ensuring that only genuine winners are sworn in), many began doubting as to the possibility of having credible elections by the constitutionally stipulated date. This doubt was further intensified when INEC reported after an audit of the extant voter register that it could not guarantee credible elections based on the existing register and that it needed to build a completely new voter register.

The advocacy for a constitutional amendment to conduct the elections in April 2011, thus allowing the establishment of a fresh voter register began with a civil society meeting hosted by the Centre for

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24 In Anambra State, it was reported that the Late Gani Fawehimi (who lived all his life in Lagos), Bill Clinton and Mike Tyson were all registered voters. Although there was no investigation to ascertain whether there were actual Anambra voters who bore these names and if they ever turned out to vote, it is generally agreed that these names were likely to have been added by corrupt politicians to enhance rigging subsequently. It is conceivable to argue then that before the manipulators would consider adding a Mike Tyson, they must have exhausted all regular names from the community.
Democracy and Development in Abuja and by a Civil Society and Labour Unions’ visit to INEC’s Chair and Commissioners on the 23rd July, 2010. The success of this advocacy was phenomenal. Never before in Nigeria’s history has the constitution been so promptly amended as it happened in 2010.

The voter registration process actually commenced on January 15th, 2011 and was closed, after an extension, on February 7th, 2011. A total of 67,764,327\(^{25}\) eligible voters registered nationally. The most instructive result from the new voter registration was that the figures slightly differed from those produced by the 2006 National Census which placed Kano as the most populous state in Nigeria. The new figures gave Lagos the lead instead with 6.2 million registered voters, which is far ahead before Kano which followed with 5.1 million registered voters.

The emphasis on the necessity of having a good voter registration process revealed the equally crucial need for mandate protection, which for many activists should begin right after the closing of the polls.

The concept however took a new meaning in 2011 as many organizations began to advocate for its implementation in Nigeria right from the very beginning of the voter registration process. While some groups—including Project Swift Count and the Alliance for Credible Elections (ACE)—had deployed observers to specific polling units to monitor the registration exercise\(^{26}\). For example, the Centre for Democracy and Development (CDD) adopted a new strategy in which its entire staff (including non-Nigerians) accepted to monitor proceedings at the registration centres nearest to their homes. During the registration period, staff met periodically to compare notes of the voter registration progress and the challenges they themselves faced as well as those by other prospective voters. These experiences were collated and shared with INEC along with recommendations toward improving the process\(^{27}\).

The 2011 election will continue to stand out in the minds of many analysts as one in which no stone was left unturned to ensure that all eligible voters were registered. So enthusiastic were Nigerians to participate in the polls that there were allegations many underage citizens registered as eligible voters. Sadly, there are no veritable means of certifying a prospective voter’s age before they are actually registered, therefore the registration officers (often Corp Members) often had to decide at their personal discretion if the registering voter was of age or not. To disallow underage registering voters, registration officials had to often rely on the contribution of other registered voters. Such a strategy became nigh impossible in communities where people consensually agreed to register underage individuals for the purpose of eventually electing preferred candidates.

In the future, the voter registration process should be centralised and merge with other national and identity registration processes such as National Identification; National Passports; national examinations; and the like to ensure as much as possible that every registered voter’s data is crosschecked against other existing databases. If this is achieved, continued voter registration will be made easier and there will be no need for expensive and time consuming nationwide registrations prior to elections.

\(^{25}\) See: ‘Electoral body registers 67 million voters across Nigeria’ Next News online, February 22\(^{nd}\), 2011


\(^{27}\) Copies of report available on file at the Centre for Democracy and Development.
Voter Mobilisation by Carrots and Sticks

In more established democracies, civic duties like voter registration and voting in elections are duties citizens are expected to willingly perform with minimal mobilization. However, voter apathy, in various degrees, is a problem that many democratizing and developing societies are confronted with. In Nigeria, voter apathy was at its peak after the proclamation of the results for the 2007 elections. INEC’s reform and the other legal reforms made before the 2011 general elections were not enough to convince the Nigerian public that going out to register would be beneficial to them. Civil society, the government, political parties, candidates and the media, in particular, had to devise various strategies to mobilize Nigerians to register for the upcoming elections.

The arguments to convince citizens to register *en masse* for the elections are not often clear cut, as illustrated by the following statement:

[i]f the objectives of voter registration are not clearly defined or do not have widespread public support, both the legal/procedural framework for registration and its implementation can easily lose focus and become ineffective. Objectives may vary in emphasis and content from country to country depending on the challenges faced, available resources and current deficiencies in the voters’ roll… Voter registration is not an end in itself: its true test is in its use – particularly in its control, authentication and access functions on voting day.  

In Nigeria, the motivations for voters to come out and register *en masse* to vote for the 2011 general elections came from diverse sources, which I have categorized as “carrots” and “sticks.”

The so called “carrots” strategies included many well-intentioned patriotic as well as partisan and political strategies by a variety of actors in Nigeria. These strategies included declaring during the voter registration exercise a nationwide public holiday and many other State level ones in Kano, Kwara, Anambra, Rivers, Imo, Ekiti, and Enugu, just to cite a few states. These public holidays often went with terse directives to workers urging them to utilize the breaks to register.

The innovative strategy of organising musical concerts in which entry was granted upon presentation of a voter registration card. According to Nigerian music icon D’Banj who spearheaded such a similar initiative called ‘Our Time’ “it is the findings of OUR TIME that only 8% of eligible youths are registered to vote and it will do the on-going democratic transformation harm if there is a low turnout of the youths in the forthcoming elections”. Our Time consequently planned a number of concerts with frontline musical stars that Nigerian youths were eager to see performing live. The musical line-up included members of the Mo’Hit Crew, P-Square, Naeto C, Sasha, M.I, Duncan Mighty, Terry G, Timaya, Timi Dakolo and many others. Other related initiatives included the MTV’s Choose or Lose campaign and the Rep 4 Naija project. These projects were not only innovative tools for mobilization but also a well thought-out strategy to instil patriotism and nationalism in contemporary Nigerian music.

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Mandate Protection in Voter Mobilisation and Campaigns

Despite the extension of the voter registration period and the combination of “carrots and sticks” strategies to mobilize people, not all eligible citizens successfully enlisted on the voter register when the exercise closed on February 7th, 2011. However, Nigerians did not waste much time appealing for more time extensions. They instead began to mobilize for the actual conduct of the elections. Despite the impressive turnout for voter registration, it was suspected that not all who registered would willingly turn out to vote since some people only registered in response to the pressure put on them, and not on their own volition. That is the reason why voter mobilization messages were still delivered to the population.

One notable feature of the mobilization towards the general elections was the sudden appearance of allegedly non-partisan ‘patriotic’ support groups that started canvassing in support for many aspirants to various elective positions at the federal and state levels. Some of these groups were structured to look like ‘mainstream’ civil society organizations with names and missions that did not out rightly betray their solidarity to specific candidates while others, by name and mission, were overtly supporting the vision of certain candidates. Some other groups were however structured around ethnic and socio-cultural characteristics. So strong was this trend that one often found numerous such groups working alongside candidates and political parties to ensure their victory. Note that the majority of these organizations did not exist prior to the build-up to the polls. They suddenly emerged for the sole purpose of vote mobilisation.

In my opinion, the term ‘mandate protection’ will always be associated with flawed electoral processes since, as discussed in the introductory chapters, mandate protection emerged as a citizen’s attempt to prevent electoral fraud. At no other time in Nigeria’s electoral history was mandate protection as prevalent as in the 2011 pre-election mobilization. Different messages for mandate protection were heard during the elections, essentially from civil society, but also from political parties and candidates.

Messages for mandate protection were simplified into slogans like ‘RSVP’ (Register, Select, Vote, and Protect) or such as the following Hausa language refrain: ‘a kassa, a raka, a tsare’ (translated in English as ‘vote, escort the results to the collation centre and protect the votes’). The electorate was encouraged not to give in to any antics by politicians and to prepare to safeguard the polls. Civil society organisations

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31 ‘No voter’s card, no salary in Abia’; Next Newspaper, 21st of January 2011
http://234next.com/csp/cms/sites/Next/Home/5664808-146/no_voters_card_no_salary_in.csp
(Visited September 5th, 2011).
33 ‘Voters' Card, Not Condition for Salary Payment – Fashola’ Vanguard Nigeria/AllAfrica.com
http://allafrica.com/stories/201102040251.html
and INEC urged people to use cameras to document proceedings at the polling stations. In one such instance, Muhammadu Buhari, the Congress for Progressive Change (CPC) presidential candidate used the following words to urge his supporters to protect their mandates:

"After you have voted, let them count the votes in your presence. Then follow them to collation centre up to the local government collation centres. Also follow them to the state and follow them to Abuja where the result will be finally announced."  

In a statement that would later be interpreted by some as provocative, Buhari also told his supporters in Kano to “Come out and vote, protect and escort your votes, and make sure that you finish with voter’s riggers in the country. Don’t allow them to steal your votes this time around. Protect your votes as people of Kano, Bauchi and Lagos did in 2007.”  

While such statements would not help calm an already heated polity, it is important to emphasize that they are crucial in the quest for peaceful elections, which is fundamental for the conduct of credible elections.

**Conclusion**

Political mobilization for the 2011 general elections was not without incidents. Massive campaign violence was reported in some states; many irregularities, especially alleged violations of INEC’s guidelines on political party financing daunted political parties’ primaries. With regard to civil society’s effort at voter education, the main concern was that programmes began so late that their full effects were not felt. But on the whole, it has been generally agreed that voters mobilized more conscientiously in 2011 than in any previous election.

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The 2011 elections emphasized the cyclical nature of the electoral process. They also revealed the importance of pre-election programming in the successful conduct of elections. However, it is worth noting that there is both need and room for improvement. Future elections in Nigeria, especially the 2015 election, will test and show how election stakeholders, especially civil society organisations will develop and implement programmes before, during, and after the actual election this developing the electoral


Chapter 4

2011 General Elections: Field Notes on Mandate Protection in the South-South Nigeria

Idayat Hassan and Shamsudeen Yusuf

Introduction: Electoral Geography of the South-South Region

[Democratic] transitions from authoritarian rule can lead anywhere. Over the past quarter century... they have produced regimes that hold elections and tolerate some pluralism and interparty competition, but at the same time violate minimal democratic norms so severely and systematically that it makes no sense to classify them as democracies, however qualified (Andreas Schedler, 2002)

A review of the trajectory of elections and electoral process in Nigeria leaves us with no doubt that the country’s electoral politics have severely violated the fundamental principles, values, and norms of a democracy. Elections have not only become a means through which popular sovereignty can be exercised, but also an avenue for politicians to use existing power structure (the police, election management body, the judiciary, etc.) to decisively influence election outcomes. There are allegations of widespread rigging, ballot snatching, voter intimidation and bribery of the electorate and security officials. Evidently, election petition tribunal outcomes are also subject to the influence of political elites.

Elections and electoral politics in the South-South zone are chiefly problematic. This is because of the uniqueness of the dimension of electoral fraud in a geo-political zone which has grossly alienated ordinary people and some opposition parties. In 2003, the European Union listed Rivers State as one of the Federation six (6) States in which elections ‘did not even meet minimum democratic standards’. Also, Musa and Neville (2009) observed that during the 2007 gubernatorial election, polling officers colluded with political parties to snatch ballot boxes; they selectively and preferentially allocated ballot papers; distributed already thumb-printed ballot papers to voters; and diverted electoral materials as well.

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36 The South-South geo-political zone of Nigeria is geographically located in the Delta region of the country, and comprises of Delta, Akwa-Iborn, Cross River, Rivers State, Bayelsa and Edo States. The region consists of various ethnic nationalities with an estimated population of over 21 million people comprising of over forty ethnic groups inhabiting few large cities and over three thousand communities in the mangrove, swamp and lowlands. Fishing and farming is the mainstay of the communities while commerce and oil-industry related activities dominate the few urban areas. The terrain is extremely difficult and a substantial portion of the region falls under the “world’s fragile ecosystem”. Many communities live along creeks and are accessible only by boats. The region is one of the most famous of all the geo-political zones of the country as the oil wealth of Nigeria emanates from the region, plus the environmental degradation suffered due to oil exploration coupled with the militancy agitation for resource control contributes to the prominence of the region both locally and internationally.

37 See Musa and Neville (2009)
Although electoral fraud is a common phenomenon within the Nigerian context, we will however argue that the factors contributing to its overwhelming nature in the Delta region are unique. These factors include poverty and the nature of the environment—riverine areas.

Firstly, the neglect of the people to the harmful occupation of the MNCOs by the government and the subsequent environmental degradation left the people in perpetual poverty. The farming and fishing occupation of an indigenous people in the Delta region have been rendered unproductive because of the toxic substance that harms water creatures and renders the land infertile. However, with the attainment of democracy in 1999, people’s expectation was high but successive administration’s failure to deliver, especially at the State level, has resulted to growing predicament. So, during elections, it became easier for politicians to lure people into voting for them through material inducement. Michael Bratton (2008), in his study entitled “Vote Buying and Violence in Nigerian Election Campaigns,” provided a nexus between poverty and electoral behaviour in Nigeria. He justifies most poor people’s electoral behaviour by the politician’s strategic approach vis-à-vis increased concentration in rural villages—where the poor resides—for vote buying opportunities and greater influence on electoral outcome. In his own words:

*It seems reasonable to assume that, in seeking to control voter behaviour, politicians would focus their effort on the most vulnerable elements in society. One would therefore expect a disproportionate concentration of bribery and violence on poor and uneducated people. The poor are likely to be victimized by vote buying because their limited means makes them susceptible to material inducements, including offers of basic commodities or modest amounts of money […] Possesses weak defences against intimidation.*

Bratton’s work is relevant to the reality of politics in the Niger Delta. What we can deduce from the assertion is the high level of patronage politicians have on the poor. More so, because of their limited education, they may be ignorant of the essence of individual political rights and perhaps exchange these rights for material gains. Musa and Neville (2009) also corroborate Bratton’s assertion. They confirmed the politics of survival played by the PDP in the 2007 gubernatorial election in Edo State, which illustrated well the use of financial inducement to gain poor people’s votes. According to them:

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39 Since the discovery of crude oil in the Nigeria’s Niger Delta region in 1957, there has been ‘unholy alliance’ between the Nigerian State and Multinational Oil Companies (MNOCs). The MNOCs have explored crude oil in the region with an estimated earning of over $600 billion (over 60 trillion naira) from the sales of crude oil between 1958 and 2008. Sadly, there is no substantial evidence to show that oil wealth of the country emanates from the region. Their massive oil wealth has not translated into development in the region. In fact, it has wrecked large-scale environmental degradation and economic hardship on the people, leaving them in unabated poverty, marked with spectre of unemployment, inadequate infrastructural facilities, deteriorated economic capacity, amongst others; even almost thirteen years into the fourth republic. The lack of basic amenities coupled with the environmental degradation that caused loss of several livelihoods led to emergence of militant groups in the region, though most of the agitation eventually devolved to serving some personal agenda. These militant groups, besides from the kidnapping and the oil bunkering they engage in, became tools in the hands of politicians for election rigging. Following directly from the above is the attendant militarization of the zone both by the Khaki boys, ethnic militias and police.

40 Following the adoption of democracy in 1999, federal government established the NDDC in 2000 with the mission of facilitating the rapid, even and sustainable development of the Niger Delta into a region that is economically prosperous, socially stable, ecologically regenerative and politically peaceful. HRW’s report, entitled Chop Fine: The Human Rights Impact of Local Government Corruption and Mismanagement in Rivers State, Nigeria, shows that Rivers State’s 23 LGCs have been allocated more than $636 million (approximately N82.7 billion) through the Federation Account since 1999, and there average monthly allocations have increased more than fourfold over the same period. However, there are no concrete projects being executed as many of the LGs political officeholders have largely proved unaccountable to their constituents.

41 See Michael (2008)
In any case, the efficacy of voter’s mobilization was not so much reflected in the content of the party or candidate’s platform or message, as in the financial inducement that was usually promised for attendance of campaign rallies. With so much poverty in the land, many people who were not even registered to vote were willing to grace the campaign rallies of any political party that was to pay a ‘fee’ for such an appearance.

Another poverty-related issue in the Niger Delta revolves around the phenomenon of youth and violence in the geo-political zone during elections. Since the post-independent era, elections have been marred by diverse forms of violence associated with party politics and the actual conduct of elections. Electoral violence has become a central part of political competition in the region and has taken different dimensions ranging from assassination of political opponent to armed clash between thugs hired by rival political parties. This violence is most often carried out by gangs whose members are openly recruited and paid by politicians and party leaders to attack their sponsor’s rival, intimidate members of the public, rig elections, and protect their patrons from similar attack.\(^\text{42}\) Analysis of political violence cum electoral violence is not limited to rivalry between the different political parties. The inability of politicians to reach consensus on salient issues at times also causes intra-party violence. Youth’s involvement in political violence and its underlying motivation has been acknowledged by different writers. According to Akinboye (1987), youth have been repeatedly used as instrument of violence; they have actively participated in destructive anti-social behaviour such as violent demonstrations; intra and inter political party fighting and other politically motivated violence; ritual killings; kidnapping and hostage taking; arson and cult related violence.\(^\text{43}\) Nweke (2005) went further to point out the motivating factors that warrant their engagement in the social-vices. He revealed that factors that are responsible for youth-led electoral violence include the following:

A good number of youth who participated in acts of electoral violence come from embattled and economically poor homesteads; they are either educated or school drop-outs. High rate of unemployment and underemployment especially amongst graduates of tertiary institutions is yet another factor that accounts for the high incidence of youth participation in electoral violence; moral decadence in youths and as well as the political manipulation of the psycho-cultural dispositions of youth towards elections by political elites has equally generated violent competition at elections.\(^\text{44}\)

More so, in a research survey conducted by Preye and Agnes (2011) on Youth, Electoral Violence and Democratic Consolidation in Nigeria: The Bayelsa State Experience revealed that most of the youths who perpetrate election related violence are unskilled, uneducated or ill-educated, unemployed and children of parents of poor socio-economic status. They further note that the role most youths in the State perform in the political and electoral process is violent in nature. And, in most instances these violent roles are assigned to them by political classes that have deliberately refused to imbibe democratic culture as the basis for their electoral behaviour. Therefore, it was concluded that there is a strong relationship between election violence, especially youth’s involvement in the process, and the crisis of democratic sustenance and consolidation in the country\(^\text{45}\). This, however, explains the present nature of democratic practices in the geo-zone in which those who refused to enunciate policies that drives development emerged victorious in every election, even when they have lost pride and popularity amongst people in their various States. In order to sustain the internal political structure that promote their cause(s), political

\(^{42}\) See Patrick (2009)
\(^{43}\) See Akinboye (1987)
\(^{44}\) See Nweke (2005)
\(^{45}\) See Preye and Agnes (2011)
officeholders resorted to embezzlement and siphoning of public funds, thereby, further impoverishing the people.

Moreover the states in the region have very difficult terrains because most communities live along the coastal lines, which make it very difficult for them to fully participate in the elections. More often, indigenous communities are deprived of the political knowledge necessary for the successful conduct of an election thus bereft of norms and values of electoral democracy. With regard to the elections, the riverine nature of the region has two main effects on people, i.e. they will rely on the directions of both political agents and INEC’s officials who might be under the influence of politicians; and such a difficult terrain makes it tough for either INEC’s officials or the electoral personnel to reach their assigned posts days before any election. Therefore, the ugly situation always makes the entire process very “open ended” for big political parties to engage in electoral malpractices. In the previous elections, there were reports of election rigging facilitated by the distinct geographical nature of the Niger Delta. In 2007, SDN reported that in several Local Government Areas (LGAs), the results were implausible and fabricated. During the presidential election, Eleme LGA in Rivers State recorded exactly 75,000 votes with each ward returning round figures. In Rivers State hundreds of votes were recorded for parties not on the ballot paper in both Governorship and Presidential elections. For example, in the politically sensitive LGA of Asari Toru, over 500 votes were cast for parties not on the ballot for the Presidential vote. Turnout figures were also not credible—Tai LGA recorded a 99.6% turnout for the Governorship election while Omuma LGA recorded 94%, and 98% turnouts in both the gubernatorial and presidential elections.

It might that people have become cynical towards protecting their electoral mandate because of their amenability vis-a-vis the internalized structures that political elites unduly control. Consequently, opposition parties that were deprived of political victory were taking a revolutionary approach through the institution of the judiciary. However, regional political orientation was different from their perception of national politics in the preparation for the 2011 elections. The emergence of Ebele Jonathan, a native of Bayelsa State who first served as acting President and subsequently became president of the Federal Republic of Nigeria influenced popular enthusiasm towards the 2011 elections. According to an average Niger Deltan, the election is more important to the citizens of the region as they represent a southern minority running for presidential office. It was envisaged that having attained such higher position in the country, Jonathan would use the powers reposed in the office of president to put in place development policies to mitigate the sufferings of the region. Collins Imoh writes in that regard:

We, the south-south minorities, have suffered so much in terms of degradation of our environment, oppression, maiming, harassment, raping of our women and children. We have been oppressed by our Multi-National Companies and security agencies in the region, our sons and brothers have taken up arms to defend us but that has also been bastardised into militancy for private gains. Though Goodluck Jonathan becoming the president of Nigeria does not mean it is uhuru but it is a good development and shows we can get there. It is a worthy achievement for us.

The Niger Deltans thus went to the presidential election with the firm belief that their son, Goodluck Jonathan, must retain the Presidency he got after the death of his erstwhile boss, late president Umaru Yar’ Adua.

47 The effort and steadfastness of ACN and its supporters led to the verdict of March 8, 2008 by Election Petition Tribunal in Benin City that declares ACN gubernatorial candidate, Adams Oshiomole, as the winner of the 2007 election as against the initial announcement by INEC that the election was won by Senator Osunbor, PDP candidate.
CDD and Mandate Protection Training in the South-South zone
In March 2011, the Centre for Democracy and Development (CDD) organized Mandate Protection Trainings, supported by OSIWA, in Cross River and Edo States in the South-South region. The project was conceived to support and strengthen the civil society’s campaign for credible elections in 2011, through activities designed to sensitize, train and mobilize electorates (in target states) such that they actively and effectively participate in the electoral processes (including voter registration, election-day voting, and post-election vigilance) and protect their mandate to ensure that their votes count. The mandate protection strategy (canvassed in the proposal) was successfully implemented and greatly contributed to the 2007 elections’ outcome in Lagos, Bauchi and Kano states. CDD collaborated with Environmental Rights Actions (ERA), and with GREENCODE in Edo and Cross Rivers States respectively.

A-day Mandate Protection Training in Edo and Cross Rivers States
The one-day training was conducted to promote electoral mandate protection vis-à-vis the proactive engagement of the citizenry in observing, monitoring and documenting evidence during elections. The training adopted a train the trainers approach to educate participants on the necessary actions to adopt during elections and, and to teach them how to organize step down training for volunteers in their respective communities. The Mandate Protection Manual for grassroots organizations, designed by Prof. Jenkeri Zakari Okwori, was used during the trainings facilitated by Dr. Augustine Ikelebe and Barrister Chima Williams (Edo State); and by Dr. Otu Ibor and Comrade Edem Edem (Cross Rivers State). 57% of participants were male and 43% were female. In order to stimulate a constructive and informative discussion, participants were divided into four groups. The concepts of government, democracy, citizen, elections, and electoral process were introduced to the participants, however much focus was devoted to the understanding of the meaning, scope, and strategies of mandate protection as well as issues related to ward creation, registration of political parties, election campaign, voter registration, pre-election and post-election mandate protection, and intervention strategies.

The issues ensued from the training are significant to promoting electoral democracy in the region. It was observed that government has the utmost responsibility of making laws and implementing policies that are oriented towards increasing people’s standard of living. In any democracy, the emergence of government is dependent on the conduct of elections; whether credible or not. It is through elections that people give elected official political authority to administer the affairs of the country on our behalf. Therefore, it is important to acknowledge that there is a need for collective consciousness to create a communicative network that promotes credible elections and good leadership. It is through this medium that people’s yearnings and aspirations are ascertained. Our participation should revolve around pre-election, election day, and post-election activities. The pre-election mandate protection involves strict monitoring of stakeholder’s activities during ward creation, registration of political parties, voter registration, and election campaign, amongst others. The Election Day mandate protection involves monitoring of counting, and collation of votes at various polling units and collation centres. More so, INEC’s officials and police activities should be under our watchful eyes because of the known institutions’ incompetence in previous elections in Nigeria. Lastly, the post-election mandate protection is dependent on how we observe the Election Day irregularities. We should collect and collate evidence(s) using electronic devices like phones, camera, and video. That can prove useful in election petition tribunals. This, however, should be done carefully.
The participants commended the training’s organizers for the innovative nature of the exercise and for the quality of the resource persons who participated in the event. They also commended the freedom the training provided them to know their electoral rights within the ambience of the law. About 80 per cent per cent of the participants asserted that the training reached its objectives while approximately 85 of participants promised to step down the knowledge acquired. It is noteworthy to mention that IEC materials, namely training manual, mandate protection booklet, posters and leaflets were distributed amongst participants for mass awareness.

Mandate Protection in the States: Field Notes

The 2011 general elections, particularly the gubernatorial, national and state assemblies’ elections, in the South-South geo-political zones, generated mixed reactions from our trainees, partners and the people in general. While the elections have been adjudged by domestic and international observers as an improvement from previous elections—1999, 2003, and 2007—institutionalized rigging mechanisms were relatively put to work in the region. Although effort towards protecting the voters’ mandate received attention in some parts of the region, especially in Cross-Rivers State, in States like Rivers, Delta, and Bayelsa, there were reports of widespread electoral malpractices ranging from ballot stuffing to ballot box hijacking, to voters and observers intimidation, to electoral violence, amongst others. In Ugep urban of Yakurr L.G.A., voters made great efforts to protect their mandate. Strategies devised for effective mandate protection included: waiting at the polling booths for hours for the votes to be counted, properly entered into the relevant forms and publicly announced; following the results to the collation centres to confirm that the correct entries were made and duplicate copies of the results distributed appropriately. Similar situations occurred at Afaben Community of Mkpani Clan, Yakurr Local Government Area and Obubra Local Government Area of Cross River State. Where electronic devices such as phones, cameras and social media networks were utilized to monitor the process, this our trainees accord to the little sensitization of voters prior to the Election Day. While people displayed some level of self-consciousness in upholding their electoral mandate, it is sad to point out that there was widespread electoral rigging in some states of the region, with INEC officials and security agencies allegedly participating in this unfortunate development.

According to some of the participants at the CDD’s mandate protection training workshop in the South-South, these government agencies played a significant role in truncating people’s efforts, rendering them worthless, and incapable of engendering credible elections. These are excerpts from some of the interviews participants granted us:

because of the little awareness created before the general elections, the people came out with their cell phone, cameras and as well as monitoring the polling booths, but their
efforts were thwarted by the fierce looking security personnel who might have collected "bribe" from politicians to harass the masses out of the sight of the polling booths.


In some areas, INEC and police connived with the party in power to frustrate the entire exercise. Some performed below expectations because of the fear of losing his or her [sic] job. They were threatened by the party in power before and after the elections”.

Eve G. O—Egor Committee, Edo State.

From what I witnessed, security agent was on the side of the ruling PDP. Some of them were even directing voters on where they should vote. This incident was reported to incident reporting center through SMS using the code that was given to us during our training but a good number of them really help in terms of conflict management within the polling station.

Effiom Effiong, Initiative for Rural Development, Cross River State

From our South-South region’s trainees’ afore-noted statements, it is understandable that people consciously involved themselves in the elections to prevent mandate theft and provide a formidable platform for their candidates’ victory. However, the gubernatorial and house of assembly’s elections were characterized by widespread electoral malpractices with undue assistance from the police and INEC’s officials. Despite an early warning from INEC’s chairman, Professor Attahiru Jega who vowed to punish any erring electoral officials; circumstances beyond their capacity stimulate their actions. The fear of brandished guns and cutlasses, and material inducement are important factors that justify their attitude and behaviour. Without an iota of doubt, the last gubernatorial and house of assembly’s elections in the South-South are not entirely credible, as some observers note. Instances of electoral fraud abound in this regard.

There were several incidents of ballot snatching and stuffing reported in the recently concluded elections in the South-South. In Otuaega, Yenagoa, Bayelsa State, reports show that police and INEC ad hoc staff (Youth Corp member) connived to illegally moved ballot box to the house of Senator Emmanuel Paulker, a PDP chieftain, to move the results in favour of their party’s candidates. In another instance of electoral malpractices, Labour Party votes were sorted from the boxes and thrown away. More so, camera belonging to labour party members was confiscated. As a result, there was violence among the party’s agents, which resulted in many voters being injured. Other similar reported cases in Yenagoa include: PDP members, with the assistance of Joint Task Force, snatched ballot boxes at Bobougbe polling unit 9, Ayakoromo ward 7, located both in Burutu LGA, to deprive the DPP’s candidate of its mandate; also, in Opolo polling unit 007, NYSC members aided writing and stuffing ballot box with ballot papers. All these happened during house of assembly election in the State. Similarly, during gubernatorial and state’s house of assembly elections in Rivers State, in ward 14, unit 4 in Etche LGA constituency 1, PDP agents were reported to openly preside over massive thumb printing and stuffing of ballot boxes. INEC’s officials purposely distanced themselves from the ballot boxes. The presiding officer explained that their action resulted from the absence of security personnel to protect them. Also in River State, reports show that PDP thugs disappeared with materials belonging to ward 3 at Saint Pius X College, Bodo City in Gokana LGA. A similar incident happens in Sapele axis which reportedly led to several deaths in Warri.

In the same state, during gubernatorial polls, fake INEC materials were seized in Ubulu-uku.

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The electoral malpractices reports that were used in this section of the paper are sourced from the website of Niger Delta Watch (www.nigerdeltawatch.org). The reports were tagged ‘verified’ to indicate and attest to its authenticity.
Assessment of the Presidential Election

The unfortunate demise of President Umaru Musa Yar’Adua in 2010 altered the political arithmetic of power arrangement in Nigeria. It was expected that immediately after the political leadership of former President Olusegun Obasanjo, political power would shift to Northern Nigeria for another eight years. However, such expectation did not see the light of day as President Yar’Adua’s sudden death led to the inauguration of the Vice/Acting President, Dr. Goodluck Ebele Jonathan as the president of the Federal Republic of Nigeria. At the threshold of the 2011 general elections, the incumbent president began his bid to retain the presidency. The citizens of the South-South region perceived Jonathan’s as an opportunity to correct the political anomalies committed in Nigeria since the post-independence era. The indigenes of the region had suffered from political and economic marginalization for scores of years. This development culminated in a controversy amongst PDP power brokers over the legality of Jonathan’s mandate. Goodluck Jonathan’s nomination as PDP presidential flag bearer in the party’s primaries was itself a successful political coup as the position was expected to go to a northerner. However, Dr. Ebele Jonathan emerged as the winner in of the April 16th, 2011 presidential election with huge chunks of his votes coming from the South-South and South East regions. Following Jonathan’s political victory, a massive orgy of violence erupted in the Northern States where former military head of state, Retired General Muhammad Buhari enjoyed huge support. His partisans argued that the results of the presidential elections in the South-South and South-East featured ‘unrealistic voter turnout’.

Whether or not the voter turnout was accurate, the question received lots of attention in debates from political analysts, commentators, and scholars. They, in many ways, offered comprehensive analysis of the presidential election with the singular aim of ascertaining the credibility of the exercise vis-à-vis large voter turnout in the region. They mostly agreed that the election was not devoid of irregularities, and that President Jonathan would have won even without the supposed electoral vices. The large voter turnout was credited to an increased confidence by the electorate, due to the largely successful National Assembly elections; early arrival of INEC’s officials and materials; and importantly, tribal differences and the expected benefit to a region, the South-South in particular.

This section of the paper aims at examining the voter turnout against the backdrop of several factors that might have proved useful. We argue that a logical relationship exists between difference in voter turnout during the presidential and gubernatorial elections in the South-South region and the observable enthusiasm of the people towards the presidency. The table and chart below illustrate such an argument. It, in any case, proves that tribal differences and the expected benefit to a region were responsible for a large voter turnout during presidential election. For the purpose of this exercise, we delimit our analysis to three States in the region; that is, Delta, Akwa Ibom, and Rivers mainly because gubernatorial and presidential elections were co-conducted in these States, which provides sufficient basis for comparative analysis. Table 1.1 and Figure 1.1 shows that in three of the identified States there are varying degree of voter turnout. In Akwa Ibom State, 75.8% and 70.5% of registered voters voted during presidential and

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49 Given the ethnic and religious complexities of Nigeria—and the recurring cycles of violence between communities of the north and south since independence—the ruling PDP adopted “zoning” or power rotation in the interests of what it called equity. According to this idea, power should be rotated between the largely Christian south and the largely Muslim north. The south had its own turn under former President Olusegun Obasanjo from 1999 to 2007. Yar’Adua then took over but, alas, died half-way through what was supposed to be the first of two consecutive terms in January 2010. Goodluck Jonathan—who as a southern Christian was chosen as Yar’Adua’s running mate under the same equity principle—took over as president after months of confusion and debate. However, his political ambition for the presidency in 2011 was keenly challenged by the Northern PDP power brokers and by Northerners in general.

50 CPC immediately issued a statement rejecting the results in the South-East and South-South areas, alleging ballot manipulation both by electronic and manual methods. The votes in the old East—that is the South-East and the South-South, they said, were inflated. They called for a cancellation of the results. The National Publicity Secretary of the Party, Mr Rotimi Fashaki, later released a statement, making a stronger allegation in which he accused the electoral body of, for the lack of a better word, vacillation, in the conduct of the elections.
gubernatorial elections respectively. The observed difference in the State is not much. In Delta and Rivers States, the figures are 68.4% and 27.1%; and 76.1% and 51.2. Since the table indicates, in most of the States, that the presidential election featured a voter turnout larger than in the gubernatorial election which is supposed to draw more people because it is when they vote into office officials who will administer them directly., on what ground can we justify that there was no ‘unrealistic voter turnout’ as claimed by the main opposition party (CPC)?

Table 1.1: Showing difference in the voter turnout in each States in South-South geo-political zone during presidential and gubernatorial elections

<table>
<thead>
<tr>
<th>State</th>
<th>No. of Registered Voters</th>
<th>CPC (No. of Vote)</th>
<th>PDP (No. of Vote)</th>
<th>ACN (No. of Vote)</th>
<th>ANP (No. of Vote)</th>
<th>CPC (%)</th>
<th>PDP (%)</th>
<th>ACN (%)</th>
<th>ANP (%)</th>
<th>No. of Vote (% of Turnout)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Akwa Ibom</td>
<td>1,616,873</td>
<td>Presidential</td>
<td>5,348</td>
<td>1,165,629</td>
<td>54,148</td>
<td>2,000</td>
<td>0.4</td>
<td>95</td>
<td>4.4</td>
<td>0.2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gubernatorial</td>
<td>15,660</td>
<td>957,585</td>
<td>163,449</td>
<td>3,721</td>
<td>1.36</td>
<td>83.38</td>
<td>14.23</td>
<td>0.32</td>
</tr>
<tr>
<td>Bayelsa</td>
<td>591,870</td>
<td>Presidential</td>
<td>691</td>
<td>504,811</td>
<td>370</td>
<td>136</td>
<td>0.1</td>
<td>99.8</td>
<td>0.1</td>
<td>0.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gubernatorial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cross Rivers</td>
<td>1,148,486</td>
<td>Presidential</td>
<td>4,002</td>
<td>709,382</td>
<td>5,889</td>
<td>2,521</td>
<td>0.6</td>
<td>98.3</td>
<td>0.8</td>
<td>0.3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gubernatorial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delta</td>
<td>2,032,191</td>
<td>Presidential</td>
<td>8,960</td>
<td>1,378,851</td>
<td>1,310</td>
<td>2,746</td>
<td>0.6</td>
<td>99.1</td>
<td>0.1</td>
<td>0.2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gubernatorial</td>
<td>864</td>
<td>525,793</td>
<td>15,526</td>
<td>7,893</td>
<td>0.08</td>
<td>51.69</td>
<td>1.53</td>
<td>0.78</td>
</tr>
<tr>
<td>Edo</td>
<td>1,655,776</td>
<td>Presidential</td>
<td>5,348</td>
<td>1,165,629</td>
<td>54,148</td>
<td>2,000</td>
<td>0.4</td>
<td>95.0</td>
<td>4.4</td>
<td>0.2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gubernatorial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rivers</td>
<td>2,429,231</td>
<td>Presidential</td>
<td>13,182</td>
<td>1,817,762</td>
<td>16,382</td>
<td>1,449</td>
<td>0.7</td>
<td>98.3</td>
<td>0.9</td>
<td>0.1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gubernatorial</td>
<td>1,900</td>
<td>1,178,529</td>
<td>60,240</td>
<td>3,912</td>
<td>0.14</td>
<td>85.81</td>
<td>4.39</td>
<td>0.28</td>
</tr>
</tbody>
</table>

Figure 1.1: Voters turnout excluding Edo, Cross-River and Bayelsa States
Two hypotheses are generated to confirm that there exists large voter turnout and voter’s confidence in the build-up to the presidential elections. These are: i) long-time political marginalization of the Niger Delta is another important factor for the voter turnout; ii) cooperation among different party stakeholders is sufficient to explain large voter turnout on the Election Day. Firstly, the table above shows that presidential election in Delta, Akwa Ibom, and Rivers States recorded few number of voter’s preference for other political parties (an average of 2.5%) compare to the gubernatorial election (an average of 29.7%). The preference for the PDP presidential candidates was quite laudable in the region as most of the voters claimed that the essence of voting and giving their mandate to President Jonathan Ebele was not about expecting him to win, but it was mostly about hoping that the ‘son of the soil’ will be enthroned. Most often, arguments advanced for their economic deterioration established that most policies formulated in Nigeria lack the vested interest of the region. Rather, public policies are enunciated mainly for the interest of the majority groups who have directly or indirectly captured the country. Therefore, political opportunity enjoyed during the 2011 presidential election was a relief for people who have suffered long-term political and economic alienation. Many of the interviewees stated that the political marginalization the region suffers from explains well why people came out en masse and voted for Dr. Ebele Jonathan. Below are a couple of excerpts from the interviews:

“Most people cast their vote not because they believe Jonathan will win, but as a ‘son of the soil’, he should be there.” Enoma Lucky, Iguonakhi – Edo State

South-South people are expecting power. It’s just an opportunity to support because we have been marginalized. But on the gubernatorial election, voting was determined by the desire to vote for one’s candidate to occupy elective position.” Florence Otokili, SEA, Delta State

There was also no visible evidence that voter, INEC officials, security agents, etc. were intimidated during the presidential elections compared to other elections conducted in the geo-political zone. Many of the interviewees who were observers of the presidential election opined that the election was orderly conducted, due largely to unexpected level of parties’ cooperation. This aided effective mobilization and large voter turnout. The interviewees further explained that there were observable regularities in the behaviour of politicians, voters, security agents and INEC’s officials which inform successful conduct of the election. Accordingly:

Compare to the house of assembly’s elections in ward 1, Oghia LGA, Edo State, there was relative peace among political parties during the presidential election. Despite that Edo is under the mandate of ACN, South-South people wants Jonathan’s victory in the election.” Henry Ugah – Environmental Rights Action (ERA), Benin City.
The relationship between the political parties is cordial. In the city, where I voted, Ogingba, Rivers State, I observed that virtually everyone supported Goodluck Jonathan, irrespective of political affiliation. There was no dichotomy! Michael Nwoasisi – Student Environmental Assembly.

That of Presidential election witnessed a lot of commitment and zeal to work amongst the security agencies. They protected the mandate of the masses in this particular elections, but unfortunately, other elections, the case was not the same. Because of the difficult terrain, some security agents or personnel could not help matters and hence did not protect the mandate of the people in most of the wards in the difficult areas.

Ekong Ika, Cross River State

From the preceding statements, it is clear that the need for political and socio-economic emancipation of the Niger Deltans stimulates their well-defined voting preferences and the subsequent large voter turnout. More so, unlike what characterized gubernatorial and house of assembly’s elections, there was cooperation amongst parties’ stakeholders, which created a serene and conducive electoral milieu the fear for political intimation and eventual killings of innocent Nigerians did not characterize the election. Interestingly, the degree of commitment and work collaboration exhibited by security agents, INEC’s officials and politicians changed the perception about the nature of electoral politics in the geo-zone. One can therefore conclude that people were motivated to vote for Dr. Ebele Jonathan d because of the aforementioned reasons. That however does not dismiss the existence of electoral rigging, but suggest that the “inflation of voter turnout” claim cannot be empirically justified and that it was simply advanced out of sentiment.

Concluding Remark

While the 2011 general elections did give sufficient attention to pre-election mandate protection in the geo-political zone, the expected growth of the phenomenon strictly lies in the capacity of the civil society organizations to further their civil responsibility of deepening democracy in Nigeria. In spite of the electoral malpractices which characterized the gubernatorial and houses of assembly elections in the region, the collectivity (of shared goals) exhibited during the presidential election indicates a certain level of mandate protection in the region. The more the people realize the necessity to exert their political rights; the more they become motivated, which serves as an impetus to preventing mandate theft. More so, the development of judiciary intervention in Edo State is a good indication. The tenacity of aggrieved political party (ACN) has had remarkable impact in enlightening the masses of helping in the judicial process. Since the legal basis for adjudging the presidential, gubernatorial and house of assembly’s elections differs, there are still a number of lapses INEC needs to address However, despite the challenges experienced in the last elections, we still believe that democracy has a future in Nigeria, nay the region. As a nation, we have been able to weather the storm of zoning and post-election violence. For the upcoming 2015 general elections, we should, among other things, further develop our infrastructure, promote more poverty alleviation policies and review the country’s electoral laws.

Recommendations

- There is a need for further research for a better understanding of electoral politics in the South-South. This is necessary because it will help redefine our approach to electoral issues and democracy in the geo-political zone.
- Mandate protection should not be confined to elections per se; there is a strong need for active involvement in pre-election mandate protection such as monitoring of party primaries, which was largely a disastrous affair in the latest elections.
• Civil society groups should receive more support to continue with post-election mandate protection and deepening of community/public participation in governance.

• While we still commend the work of international observers in the election monitoring process, it is advised that they recruit more monitors from the States in the geo-zone and that they refrain from issuing categorical statements in their initial reports, or giving clean bill of health as witnessed in the last election.

• INEC and the national orientation agencies should try to conduct more public awareness campaigns in all future elections using local languages, community theatres, songs as medium of interaction.

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Chapter 5

2011 General Elections: Field Notes on Mandate Protection in the South-West Zone, Nigeria

Idayat Omolara Hassan and Shamsudeen Adio Yusuf

Introduction
The land that covers what is regarded as South-West Nigeria\(^1\) is predominantly occupied by the Yoruba people. Presently, the South-Western geo-political zone comprises of six states: Ekiti, Lagos, Ondo, Osun, Ogun and Oyo. The region is recognized for its considerable contribution to the development and strengthening of democracy in Nigeria; it is known for its distinct policy initiative that deepens democratic participation, and promotes infrastructural and human capital development. There is a high standard of political culture amongst people in the region, and the respective governments are strictly committed to socio-economic and political issues. The local political elite have a strong will to develop the region. Such a robust commitment can be seen as a product of a deeply entrenched culture of mandate protection—traceable to the pre-colonial day. Today, in the region, the concept has attained a high level of enlightenment, not only in terms of its structure but also of its functions.

As early as the 1900s, people in the region created ethnic-based nationalist movements. First, as a cultural project, and by the 1940s, they assumed a political dimension in form of civic nationalism; and between the 1960s and 2009, these movements involved the use of violence\(^2\). In the post-independence period, there was change in the political terrain characterized by a pernicious development of election fraud, organized in a violent manner by politicians. As a result, people engaged in mandate theft prevention activities often linked to act of resistance against the unthinking and wayward political élite wrongdoing. These mechanisms adopted were justified by Aluko (2009) in his lecture delivered at Afenifere Renewal Group (ARG), Ekiti Chapter. He noted:

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\(^1\) Prior to the excision of the Mid-Western region in 1964 and subsequently, the old Bendel State, the region included what is today known as Edo and Delta states

\(^2\) See Aderemi, S. A., 2010
Rigging an election is far worse than the case of armed robbery; so there should be no room for mercy for election riggers. They are not worthy of living because they have committed the greatest sin against their fellow men. Election riggers are human beings like the electorate, so if they are using cutlasses to steal ballot boxes around, the electorate should use guns to defend their votes.

Notable examples of violence used for mandate protection in the region includes *operation weti e* (1964-1966)\(^{53}\), *Agbekoya crisis*\(^{54}\) (1968) in Ibadan, political violence caused by election rigging in the old Ondo\(^{55}\) and Oyo States in 1983\(^{56}\), and the 1993 violence caused by the annulment of June 12, 1993 general elections. More so, mandate protection resurfaced in the zone during the 2009 Ekiti Re-run election where the Action Congress of Nigeria (ACN) adopted the “rig and roast” slogan.

Ibrahim and Egwu (2006) identified three factors responsible for the success of mandate protection in Nigeria’s South-West region. These are: high-level of literacy following government’s commitment to the development of education; people’s culture of imposing sanctions on the politicians; and stable inter-faith structure.

Firstly, under the leadership of Chief Obafemi Awolowo, the geo-political zone experienced the development of the education sector thanks to the free education policy initiated by local states governments—in the First and Second republics. This development allowed the indigenous population to enjoy an increased access to a high quality of education despite the socially-constructed dichotomy that existed between the populations. Not surprisingly, the region still boasts the highest level of literacy in the country (Ibrahim and Egwu, 2006).

Secondly, the incidence of electoral fraud and bad governance did not threaten the social existence of the zone, mainly because of the presence of a strong civil society. As a result of a distinct literacy capacity, different socio-cultural groups managed to mobilize, socialize, and inform the populace about government activities. They were also able to checkmate government excesses through revolutionary struggle (Ibid, p. 17).

Thirdly, the similarity of language, tradition, culture, and the interactions between the two faith structures, founded on a deep culture of religious tolerance, offered little room for a manipulative religious Campaign. The existing dissension was rather between protagonists of mainstream politics and regional politics canvassed by the new progressives of the old order relying on the legacies of the old order as a beacon of hope for regional integration (Ibid: 17). All these suggest the existence of formidable and enduring structures in the zone. They implicitly enhanced peoples’ political consciousness, unity, and explicit understanding of democratic values and norms. They encouraged, in the process, the conduct of credible, free and fair elections.

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53. Operation wetie is a political war waged in the South-West in reaction to the massive irregularities that characterized both the 1964 federal and 1965 western region elections. The word wetie is coined from the use of petrol to wet and set ablaze property of perceived opponents. The consequences of these crises largely contributed to the first military takeover of government in January 15\(^{th}\), 1966.

54. The Agbekoya Parapo Revolt of 1968-69 was a collective action of the peasants against tax increments enacted by the government.

55. The election was said to have been manipulated in favour of the NPN candidates, Akin Omoboriowo, whose government controlled the centre in a UPN stronghold. The people took to the streets, torching the office of the Federal Electoral Commission (FEDECO) and maiming and destroying property of opponents in the states. Omoboriowo had earlier defected from the UPN to the NPN to contest the election; the result was overturned by the courts. See Ajasin Vs. Omoboriowo.

56. Oyo state also witnessed same level of violence which also contributed to the 1983 military coup.
However, elections conducted between 1999 and 2007 in the geo-political zone recorded varying degree of electoral vices, ranging from ballot box stuffing, to snatching of electoral materials and smashing of ballot boxes, to vote inflation, to high incidence of electoral violence and other electoral fraud dimensions. The large scale of fraud robbed the people of their electoral mandate and, consequently, hampered socio-economic development. There was high-level poverty amongst people who suffered from unemployment and poor access to basic social and educational facilities while elected representatives indulge in corruption and forego the ethical execution of their democratic duties. Interestingly, the emerging political elite, while holding political office, used vast amounts of money accrued through corrupt practices to prolong their elected terms. However, the verdicts against former governors of Ondo, Ekiti and Osun States have somehow reclaimed the peoples’ mandate. Yet, it is essential that people prevent their mandate from being stolen right at polling booths.

It is within this purview that, at the threshold to the 2011 general elections, the Centre for Democracy and Development (CDD) played a significant role in educating and building people’s capacity for strategic interventions and mobilization for mandate protection in Nigeria’s South-West.. This essay provides explanatory notes on electoral politics; details series of activities the Centre implemented to enhance citizens’ capacity on mandate protection; assesses citizens’ mandate protection and voting patterns during the 2011 general elections, particularly in the South-West. It concludes and offers policy recommendations ahead of the 2015 general elections.

The South-West’s Electoral Geography: Synopsis of Electoral Politics

The modalities that are pivotal to the region’s distinguished political culture and effective communication amongst stakeholders should be apparent from the brief introduction above. We presented the specific factors enhancing the strength and viability of civil society which, consequently, determined the direction and dynamics of the region’s electoral politics. The focus here is to set forth how the shared history dictates the nature of the region’s Fourth Republic politicking, specifically in the period before the 2011 general elections. There is also a need to understand the region’s electoral geography in an attempt to decipher the dynamics of both its political culture and electoral politics. This, of course, will draw attention to the political and cultural factors that aptly describe its peculiar characteristics and also provide a lucid understanding of the important issues concerning elections and the electoral system.

For the purpose of the analysis, the scope of this section will be delimited to the role of collective memory as a determining factor in Nigeria’s South-West electoral politics. This is critical in the analysis of the region’s politics because it provides a good framework for a solid understanding of its political sociology in the wake of the 1999 military.

There are two important issues that predominates electoral politics in the region’s Fourth republic. On one end, we have political actors building their career on the legacy of Awolowo, using his achievements and political philosophy as a strategy for political campaign and mobilization. This is common amongst members of the Alliance for Democracy (AD), the Action Congress of Nigeria (ACN)—particularly because of Afenifere’s support—57, the People’s Democratic Party (PDP) and other parties that emerge later. These leaders wrongly saw themselves as the region’s untouchable natural leaders. There is also ‘godfatherism’ that greatly influences local politics and plays an active role in the acquisition of political

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57 Afenifere is a socio-cultural organization for the Yoruba people of Nigeria. When the Alliance for Democracy (AD) political party was formed in 1998, it took the Afenifere agenda as its official manifesto.
power in the region. This is particularly the case of Chief Adedibu and Asiwaju Bola Tinubu in Oyo and Lagos States, respectively.

On the other hand, there is an active public that tends to evaluate and judge politicians from Awolowo’s political performances and standards rather than from their endorsement by Afenifere.

Thanks to the AD gubernatorial and legislative chambers’ candidates’ acclaimed leadership (both at the national and state assemblies), they won all elective positions in the region. However, having performed very poorly by the region’s standards, most incumbents were voted out. The South West which was a regional block controlled by the Alliance for Democracy (AD) in the wake of the 1999 general elections lost all but one State (Lagos State) during the 2003 elections. Beyond the poor performance of AD governments, the unwritten agreement between AD governors and former President Olusegun Obasanjo of the PDP is also an important factor. During the run up to the 2003 elections, the leaders of the AD in the South West region agreed with the then presidential standard bearer of the PDP, Olusegun Obasanjo, that AD, in solidarity with Obasanjo, will not field any presidential candidate. In exchange, the PDP allowed the AD governors to have a smooth sail in their re-election bid. Notwithstanding, the PDP machinery swept the South West, winning all the States except Lagos State, both in the Governorship and the National Assembly elections.

We can suggest that PDP’s success is factored on two issues: firstly, although some rigging did occur, absence of mass protests contrary to what was experienced in the previous republics implied that the level of rigging did not significantly change peoples’ mandate; secondly, the machinery deployed by PDP could not be matched by AD and its politicians.

In 2007, PDP also swept most electoral seats in the South West States, with the exception of Lagos State won by the Action Congress (AC). Reports by both domestic and international observers relating to the 2007 general elections showed that there was a high degree of electoral fraud. The phenomenon was referred to as ‘wholesale rigging’ by Ben Nwabueze (2007). In his word:

58 Late Chief Lamidi Adedibu is often referred to as the strong man of Ibadan’s politics, a kingmaker who deposes elected officials at will. Adedibu was influential in the nomination of Rasheed Ladoja as governor of Oyo state in 2003. But upon a disagreement Adedibu uninstalled him using the machinery of the State House of Assembly, which impeached him out of office. Adedibu was said to have rewarded all the members of the assembly with a new car afterwards. He is often quoted as saying “the Oyos do not serve a governor twice” when he is not reckoned with. In Oyo state politics, for sometime time now, no governor has won a second term. Bola Ige, Oluloyo, Lam Adesina and Rasheed Ladoja, all failed in their bid to govern the state twice.

59 Senator Bola Ahmed Tinubu is ACN national party leader, a party he singlehandedly formed. The party rarely holds primaries but handpick its future representatives. It has been said that when questioned, Tinubu often retorts “emi ni mi ni egbe mi” which translates to “I own my party.”

60 In Ogun State, Chief Osoba was removed and replaced by Gbenga Daniel. In Oyo State, Chief Lam Adesina was removed and Ladoja and Akala Alao took over. In Osun State, Chief Bisi Akande was voted out and Oyinlola replaced him. In Ekiti, Niyi Adebayo was replaced by Ayo Fayose. In Ondo, Chief Adefarati was thrown out and Agagu was replaced.

61 The AC emerged from an alliance of a faction of the AD led by Chief Bisi Akande and some other smaller political parties, now led by Asiwaju Bola Ahmad Tinubu. The party was determined not only to keep Lagos as the only remaining legacy of the defunct AD but also to gain back some of the South West states lost to PDP as a result of the 2003 political accord (See, Voke 2009) and also in 2007. Its nomenclature was later changed to Action Congress of Nigeria (ACN).

62 This connotes complete subversion of the will of the people.
The travesty was so monumental in its completeness that words, even the word ‘rigging’ are inadequate to describe it. It would simply be an abuse of language to use any of the epithets ‘free,’ ‘fair,’ or ‘credible’ in connection with the charade that took place in Nigeria on the 14th and 21st of April, 2007. (Nwabueze, 2007)

The pathetic shape that the 2007 elections took was also captured the European Union Election Observation Mission (EUEOM) report:

The 2007 state and federal elections have fallen far short of basic international and regional standards for the democratic elections. They were marred by poor organization, lack of essential transparency, widespread procedural irregularities... As a result, the elections have not lived up to the hope and expectations of the Nigerian people and process cannot be considered to have been credible (cited in Aliyu (not date))

Consequently, widespread electoral rigging negatively impacted the region in many ways. Firstly, the moral stand of the society was delegitimized. Youth in the region realized that the political leaders who speak in high sounding language about integrity and moral values were in fact insincere and fraudulent, willing to falsify documents and engage in numerous electoral offenses. Cheating and dishonesty become acceptable values amongst youth, thereby weakening values within civil society. Secondly, the people were suffering from extreme poverty and their areas were characterized by lack of economic growth and development. Political actors wasted and embezzled public funds budgeted for improving the living conditions of their constituents. Lastly, political violence in the region, including politically motivated killings, was widespread and marked by great intensity, mainly because of the need for people to protect their mandate.

CDD and the Mandate Protection Training

For the centre for Democracy & Development (CDD) voters’ education and mandate protection training are vital in the Centre’s efforts to reduce abuses of the electoral system which, for many years, have thrived in the political system. This is a mandate protection and capacity building systematic approach for voters to have the resources to halt the culture of impunity amongst politicians.

This section will focus on the Voter Education and Mandate Protection Training sessions in Lagos State and as well as the Town Hall Meetings organised in the region’s six states of the region, with the support of the Open Society Initiative for West Africa (OSIWA), and by the United Nations Development Programme (UNDP) respectively.

It is worthy noting that, to ensure an effective implementation of the strategy, CDD collaborated with sister organizations in various states that hosted the programmes. Also, the Centre consciously adopted a broadened and comprehensive methodology to promote representation of various groups in the region. We hereby provide a thumbnail sketch of these activities in the preparation for the 2011 general elections.

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63 Osun state in particular witnessed a high level of political violence ranging from the bombing of the government secretariat, several political assassinations such that on assumption of office, Governor Aregbesola had to convey a truth and reconciliation committee to determine some of the perceived violence.
One-Day Training on Voter Education and Mandate Protection in South-West Zone

The one-day training session on Voter Education and Mandate Protection organized at the Hocal NIMR Suites Hotel, the Nigerian Institute of Medical Research, Yaba, Lagos State, on the March 14th, 2011, brought together representatives of women’s groups, professional bodies, grassroots organizations, traders and artisans, student leaders, amongst others. Sixty nine participants attending the session, ender representation was relatively balanced (Male 58% and Female 42%). The training session provided an insight into the frequently encountered methods of election rigging and educated participants on how to play an informed role in elections to forestall a repeat of failed elections in the country.

The participants were introduced to the critical aspects of electioneering process, namely ward delineation; voter registration; registration into political parties; party internal democracy; gender discrimination; the electoral act; election campaign;, election procedures; and post election mandate protection. They additionally received information on the different ways to report electoral malpractices and the implications of primordial sentiments to democratic growth and development in the country. The training reveals that, following the continuous involvement of politicians in electoral irregularities and mandate theft in previous elections in the region, there was a need for people to work together, form effective communication networks, and be vigilant to protect their votes.

At the end of the training session, participants were asked to use the knowledge they acquired to educate members of their community on voters’ rights and mandate protection.

One-Day Town Hall Meeting in the Six States of the South-West Zone

In 2011, the Centre convened a one-day town hall meeting in each the region’s six states, including Lagos, Oyo, Ekiti, Ondo, Osun and Ogun to educate Nigerians at the grassroots level, on the new electoral laws with regard to mandate protection in the 2011 general elections. The town hall meetings were conceived to change Nigerians’ pessimistic impression on the electoral system, and to educate them on how to act within the confines of the law and take collective steps to the organisation of free, fair and credible elections in the region.

Prominent amongst participants were representatives of Community Development Committees (CDCs), artisans, Civil Defence officials, Community Based Organizations (CBOs), Business Groups, Youth and Women Groups, political parties, National Union of Road Transport Workers (NURTW), village/traditional heads, among others. A total of 1,200 participants attended the meetings, representing 637 males and 563 females44. The participants were introduced to important issues regarding the 2011 general elections, security, and INEC’s election guidelines. A central aspect of the exercise was the conduct of mock elections with the intent to mitigate the occurrence of void votes during elections.

The mock election was conducted to teach participants problems they may encounter on Election Day, and how they could possibly tackle them. In order to impact necessary information, facilitators adopted a dramatized technique as a medium to effectively equip them with practical knowledge. Volunteers were identified as voters, party agents, security agents, electoral officials and domestic and international

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44 The peculiarities of each of the state manifested itself during the trainings, in Ondo and Oyo state, we had predominantly women participants. In fact, in Oyo state, women in purdah came out in droves and actively participated in the mock elections. The defining character of the town hall meeting in Lagos was the presence of lots of African traditional religion practitioners. Our association with the community development associations and the market women/group men associations in the state was also useful to us as invited us to come join their meetings outside the trainings/town hall meetings. What is more intriguing in all the town hall meetings was the determination of the people to actively participate in the elections. This further buttresses the fact that in program development in increasing women participation in politics, geo-political context should be taken into consideration. (Please review the last sentence. It does not make sense to me.)
observers. It is worth noting that CDD provided sufficient materials for the mock election, i.e.: ballot paper, indelible ink, stamp pad etc.

Mandate Protection in the States: Field Notes

Voters’ mandate protection in polling units has been applauded as an important factor in the conduct of credible, free and fair elections in the region. Voters in various polling units committed themselves to overseeing the counting and collation of votes. There was an established communicative network facilitated by the use of ‘new media,’ that is, frequent usage of mobile-enabled social media platforms (especially, Facebook and Twitter), to disseminate information and build a formidable network to prevent mandate theft. In most communities in Lagos State, which could be said to have the most successful mandate protection exercise in the region, people gathered around polling units to vote; they brought chairs, mats, food and water from their various homes to share with neighbours.

The most intriguing aspect of the mandate protection exercise in Lagos State was that it was not restricted to the rural areas or just to the poor; it included most Lagosians, irrespective of social class. In the high brow Island Communities, residents sat around the polling units sharing various snacks till the end of the election. In a related development, despite the fact that the electioneering process in Oyo and Ogun States was marred with political turmoil, prior to the 2011 elections, citizens in the states trooped out en masse to protect their mandate. Citizens did not only vote but protected their mandates. According to Alhaja Adegbenro, a resident of Oyo State: “Oyo [State] has been disappointed by the people they voted for as they fail to perform plus there is a need for a change in the state employed violent means of killing, incarceration and thuggery of dealing with their political opponents or to achieve their personal agendas.”

Oyo state was adjudged one of the violent prone spot prior to the 2011 general elections as the state witnessed lots of political violence prior to the elections. Political parties in the states experienced intra-party crises, especially within the People's Democratic Party (PDP) members while the Action Congress (CAN) also decried the imposition of candidates without party primaries coupled with the “Godfathers syndrome” made the state dangerous and volatile. In a struggle for political power, within the state, several people were assassinated, notable amongst them, is the National Union of Road Transport Worker (NURTW) factional leader at I.D.C Primary School, Olunloyo area of the state during a local government congress of the Peoples Democratic Party (PDP). The state was almost engulfed in a chaotic riot following the news that four DDC machines meant for registration disappeared only to reappear with 2000 names and fingerprint on it, if not for the timely intervention of security officials monitoring the registration process, this could have devolved into chaos, it further witnessed several incidences of pre election violence, arson, maiming etc. The state was also volatile as Alao Akala, popularly referred to as Oyato governor was tipped as the first sitting governor likely to break the syndrome of “oyo doesn’t serve elected governor twice”. Similarly, Ogun State, prior to the 2011 elections presented an unpredictable web of intricate politics for pundits. Aside from the level of enlightenment amongst its citizenry, there was huge fractionalisation amongst all the political actors with PDP leading the pack. There was no love lost between former President Obasanjo and then incumbent governor Gbenga Daniels with the former Speaker Dimeji Bankole also in the pack. The turmoil caused with the PDP primaries eventually led to the fractionalisation of the party with Governor Gbenga Daniel leaving the PDP for the Peoples Party of Nigeria (PPN) where Isiaka Gboyega Nasir was fielded as the gubernatorial candidate. All these led to the dwindling of the fortunes of the party in the state and led to Ibikunle Amosun winning the election. Even the daughter of former President Obasanjo, Iyabo Obasanjo Bello lost the senatorial election alongside Dimeji Bankole. All the wizardry of Obasanjo and Daniel could not come together to ensure their candidates won the elections in the state.

Many of the people are more interested in voting out Alao Akala and Gbenga Daniel protégé—formers governors of Oyo and Ogun States respectively.

Is the Deputy coordinator representing FOMWAN in Project Swift Count in Oyo state
Because they believe that the protection of their electoral mandate was a success, the majority of Nigerians adjudged that, in the region, the just-concluded elections were free and fair. Interviews conducted in the region, during and after the general elections, with stakeholders that attended the mandate protection training organized by CDD, revealed that the collaboration between civil society, security agents and the electoral commission contributed to the successful conduct of the elections. We hereby provide a few statements and comments by some of the interviewees:

Yes the election was free and fair; we all stood up and protected our vote. I go to the polls, cast my vote and waited till after the counting and declaration of results before I go back to my house. I have to do this to protect the future of my children and there is no way I can do this other than to vote and protect my vote. Afeez Ismaila (from Apapa Iganmu, Lagos).

Comparing mandate protections in these 2011 elections to the 2003 and 2007 elections, people are becoming more aware of their rights. In my ward in Onigbagbon, Maryland in Ikeja, where I voted and monitored elections, people actually voted, waited for their votes to be counted and results posted, in fact they mandated presiding officers to paste the results. It didn’t end there as people followed their votes to the collation centre. “people in this election really wanted to see what has changed in the electoral process, how credible Jega electoral administration was and as a result of this followed the votes to the collation centres’ and for the first time in the history of Nigerian elections, the media gave minute by minute rendition of the results” Tunde Abu (Aids Alliance Nigeria).

We will like to thank the Centre for Democracy and Development for coming to mainland local government to educate us on our rights as voters. As a prominent leader in Ebute Metta, I alongside the chairperson of the market women association of Oyingbo, Sikirat Olobi mobilized the people to vote and protect their mandates. In fact, we followed the votes to the collation centre and waited till the middle of the night during the presidential elections for votes to be counted and results declared. Also for the first time, most of our youths that engage in thuggery during elections desisted from such, as we undertook step down trainings in our communities using the resource materials donated by your organisation. There is nothing more important than empowering the people, knowledge is power” Chief Agbeloba, Lateef Lasisi, elder statesman and politician in Mainland LCDA.

Despite some unprecedented level of violence that led to several people killed, maimed or kidnapped, elections in Osun state was largely peaceful, with the people turning out in droves to exercise their mandate as well as undertaking mandate protection to varying degrees. An exercise that proved successful, when the alertness of the people led to the discovery of over 50 already thumb-printed ballot papers on a Youth Corps member serving as a Presiding Officer at the Local Authority Grammar School, Ibokun, Obokun Local Government, Osun State. Abu Jihad

68 No fewer than five persons were killed in the early hours of yesterday (???. Put in context please. Or is it a quote?) In Isale-Agbara in Ile-Ife, Osun State, by suspected political thugs. The bloody clash was said to have started when the thugs invaded the house of the candidate of the Action Congress of Nigeria (ACN) for the House of Representatives in Ile federal constituency of the state, Mr Rotimi Makinde, shouting that they were looking for the head of Makinde. See Leadership, Bloody elections in Bornu, Kebbi, Delta, Osun and Ogun, April 10th, 2011

69 Osun Female Corp Member arrested with thumb printed papers by Yinka Kolawole, ThisDay, 26th of April, 2011
As against the normal fear exhibited by Nigerians of the security services, during the last elections, the citizens expressed satisfaction with the conduct of the security operatives during the elections. The general assessment was that most of the polling units were safe. Police forces showed a reasonable level of impartiality throughout the elections. However, in some states, the deployment of military forces into some of the states was said to have prevented some people from accessing the polls. The unswerving impartiality of the security agencies can be argued against two important factors: firstly, increased awareness and CSOs capacity building for security officers; and secondly, the remuneration approach adopted by Prof. Attahiru Jega. In the past, the security officers’ remuneration was often short-changed, but during the last elections, funds were directly released to them. In an interview conducted with Ibrahim Lawal of the Swift Count to elicit information on the performance of the security agencies and their contribution to mandate protection in the last elections, Lawal opined that:

with the Inspector General of Police insistence that people should not use camera as well as stay three hundred meters away from the polling units, citizens expected that the security agencies will be hostile and exhibit their usual aggressiveness but we were all taken aback in Oyo state where I monitored the election, not only were they courteous, ready to assist but they also maintained a certain amount of impartiality. However, the importation of the MOPOL into the state during the Presidential election caught some people unaware and prevented them from participating in the election. I find this alarming as there is a professional colleague of mine who was jolted by the sights of the MOPOLs in Ogbomosho and refuse to vote during the elections. If a well read and articulate professional could be ‘so scared’ what do we expect from the general citizenry, the use of security agencies is another challenge that has to be surmounted in the upcoming 2015 general elections?

In furtherance:

The security provision for the elections generates mixed reactions from me. In some polling units and areas, the police officers were non partisan and cooperative and even pointed out irregularities for observers to note down, such experiences were commendable, in fact one told me he want good leaders to be elected so the future of his children could be secured. But in other areas, we saw many policemen without their name tags, some drinking while on duty while some of the army and civil defence people intimidated people from participating in the election especially in Agege, State High School Oko-oba during the presidential election. So the feelings are mixed. Kayode, M. (Observer, National Human Right Commission/Cleen Foundation on Security Watch).

Mandate protection success in the region cannot be discussed without mentioning the steadfastness of Professor Jega led INEC’s initiative tagged “vote and wait”. Such an idea was also behind the introduction of the Modified Open Ballot System (MOBS). Not only the strategy helped prevent electoral malpractices, but it also curtailed multiple voting. INEC conducted an education campaign around the strategy, printing posters, asking people to vote, and to wait and protect their votes. However, prior to the commencement of the votes, the Inspector General of Police (IGP), Hafiz Ringim announced that voters should leave after voting and will not be allowed to stay within 300 meters from the polling centre, nor
use cell phones and cameras at the polling units to record events\textsuperscript{71}. While Nigerians were still grappling with the impact of this announcement, National Security Adviser (NSA), Retired General Owoeye Azazi, in a media parley also announced that voters should go back to their houses and wait for the announcement of the results. According to him “government will not allow people to wait behind.”\textsuperscript{72}

The argument of the government was premised on the need to prevent the outbreak of violence in any part of the country. However, Nigerians saw this as a ploy to keep the voters out of the polling units and thereby make way for the rigging of the elections. Opposition political parties, including the Congress for Progressive Change (CPC), and Action Congress of Nigeria (ACN) also joined in advocating the “vote and wait” initiative,\textsuperscript{73} alleging that NSA and IGP positions was conceived out of the plans of the Peoples Democratic Party (PDP) controlled government to rig the polls\textsuperscript{74}. However, in the midst of all these controversies, INEC remained steadfast, and maintained that the idea behind the “vote and wait” initiative was germane to ensuring the much-desired transparency in the election\textsuperscript{75}. The public tended to agree with INEC which sustained that voters should stay after voting to themselves ensure the protection of the ballots, and check fraudulent manipulations by desperate politicians such as ballot stuffing, hijacking of ballots or declaration of false results.

Another crucial contribution of INEC to mandate protection in the last election was the open door policy operated with Nigerians, especially civil society. This open door policy created an enabling environment for organizations to undertake several innovative policies on monitoring the electoral process. One of such policies is the parallel vote tabulation undertaken by the election situation room and other organizations such as reclaim Naija group, Independent Electoral Monitoring Group (IEMG), Project Swift Count and CDD several projects. In addition, within the short timelines, Professor Jega reshaped the electoral institution by improving staff capacity for effective service delivery and mobilized them for the conduct of the fairest elections ever organised in the region\textsuperscript{76}. Political commentators attributed Jega’s success to his relative independence, and the strong political will he demonstrated towards promoting electoral democracy in the country.

Analysts consider the 2011 elections in the region as relatively free and fair because of the aforementioned factors. Not surprisingly, there were limited cases in the election tribunal compared to previous elections in South-Western Nigeria\textsuperscript{77}. Most members of the political elite who sought re-election

\textsuperscript{71} This met with lots of backlash from the citizenry who in the majority were in agreement with INEC that voters should stay behind to protect their mandate in order to forestall ballot stuffing or declaration of false results. Noble Laureate, Prof. Wole Soyinka described the directives of the IGP as “nonsense and illegal,” according to him, there was nothing wrong for citizens to monitor and record voting process with their cell phones and cameras, he enjoined people to come out and protect their mandate. See Tribune 25\textsuperscript{th} March, 2011 by Tunde Awosiyan: April Polls, Soyinka slams IGP on the use of cell phones.

\textsuperscript{72} Vote counting: Confusion as NSA warns voters to stay away by Olusola Fabiyi, Punch, 31\textsuperscript{st} March, 2011

\textsuperscript{73} See ACN/ CPC backs Jega on vote counting at polling units, The Punch, March 28, 2011 by Niyi Odebode and Olamilekan Larrey

\textsuperscript{74} It must be noted that proponents of the go home after voting argument was also premised (do not know what you mean here) on the section 62 (2) of the electoral act as amended which states “after the declaration of the close of polls, no voter already inside the polling units shall be permitted to remain in the polling units unless authorized by this act. (Please review both the note and the quote itself."

\textsuperscript{75} In a meeting with the Commonwealth Election Monitoring Group, Prof. Jega insisted that allowing people to stay and monitor the process will add credibility to the exercise, see 2011 elections, fanning the embers of violence, peopleledonline.com, march 21\textsuperscript{st}, 2011, see also vanguard April 17\textsuperscript{th}, 2011

\textsuperscript{76} According to Prof. Abubakar Momoh of the Lagos State University “Jega has achieved within the limit of what an individual could achieve within the context of the Nigerian electoral system. Channels TV monitored 13\textsuperscript{th} June 2011 at 9pm

\textsuperscript{77} There are just 400 petitions before the election petition tribunal as against the last elections of 2007 and 2003 that witnessed 1475 and 574 petitions respectively
and lost in the race wholeheartedly accepted the results. For example, the former speaker of the House of Representatives, Mr Dimeji Bankola, who lost his bid for re-election, did not question the credibility of the election. He rather congratulated the winner.

**An Assessment of the Voting Patterns in the region**

Compared to the 2003 and 2007 general elections, which were bedevilled with several electoral misdeeds, international and domestic observers conclude that the 2011 general elections presented a real step forward. Although, the election was not without problems, but in term of logistics, preparation, political galvanization and awareness, they help improve Nigeria’s ranking in the international community as a leading African country where democracy is thriving. Particularly, elections in the South-Western Nigeria that led to the overwhelming victory of the Action Congress of Nigeria (ACN) over the People’s Democratic Party (PDP) were appraised as relatively credible. Observers and citizens accepted the credibility of the election, not only because the outcomes reflected their voting choices, but also because it was believed to promote the emergence of a transparent and accountable regime.

Previous governments in Ogun and Oyo States, under the leadership of Gbenga Daniel and Alao-Akala Adebayo respectively, had perverted the traditional culture of democratic governance through their consistent corrupt practices. The most prominent amongst the corrupt allegations against former Governor Alao-Akala was the fraudulent conversion of ₦316, 470,000 which emanate from the 33 Toyota Hiace ambulances for the 33 local governments supplied by Nitro-Tech System Limited, Agodi, Ibadan at ₦14, 190,000 per unit instead of the market price of ₦5, 600,000. While he claimed to have constructed or rehabilitated about 800km at the cost of several billions of naira before the end of his tenure, the road project was poorly executed and hardly lasted one year. Similarly, Otunba Gbenga Daniel, former Ogun State governor, was allegedly engaged in corrupt practices. However, the situation in Lagos State is different from the ones just mentioned. The government of Babatunde Raji Fashola has been applauded for his accountability and transparency, and his considerable political achievement, as he promotes development in every facet of life.

In the 2011 general elections, there was amongst members of civil society a popular enthusiasm towards addressing the issue of bad leadership in the region. This came out of the expectation that elected officials should formulate and implement policies that drive human development. This might suggest that people’s consciousness flows from the belief that democracy should be measured in term of development and that people perceived democracy as a necessary component of the ability of individual to live freely and autonomously, and also that government should provide institutional guarantees so much so that the policies and laws it promulgates have a reasonable fit with the fundamental interest of the people. Consequently, one could strongly argue that the democracy-development orientation was the main drive for the change in voting patterns and electoral outcomes witnessed in the 2011 general elections.

Table 1 and 2 below illustrate the significant change that occurred in voting patterns among eligible voters in the region’s 2011 general elections.
Table 1:

<table>
<thead>
<tr>
<th>State</th>
<th>State House of Assembly</th>
<th>Senate</th>
<th>House of Representative</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ACN</td>
<td>PDP</td>
<td>PPN</td>
</tr>
<tr>
<td>Ekiti</td>
<td>24</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Lagos</td>
<td>40</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ogun</td>
<td>17</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Ondo</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Osun</td>
<td>26</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Oyo</td>
<td>13</td>
<td>12</td>
<td>0</td>
</tr>
</tbody>
</table>

Summary of the Result of Candidates for Assemblies in the 2011 General Elections in Nigeria’s South-West

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78 On September 30th, 2011, the National and House of Assembly Election Petitions Tribunal in Oyo State, Ibadan, nullified the election of Mr Rabiu Musiliu Adesola, a member of the PDP in the Oyo State House of Assembly, declaring the candidate of the Action Congress of Nigeria, ACN, winner. At the time of writing this paper, there is no knowledge of whether Mr Rabiu Musiliu Adesola has appealed. However, the ACN candidate has not resumed (started official duty you mean?? Please review) official duty.
Table 1 above shows that Action Congress of Nigeria (ACN) won 69%; 70%; and 77% of the legislative seats at the State House of Assembly, House of Representative, and Senate respectively. The elections saw ACN winning all the seats in the State House of Assembly, Senate, and House of Representatives in Lagos and Osun States and recorded higher percentage of success in the States that are predominantly dominated by the PDP in the wake of 2003 and 2007 elections. These States include Ekiti, Ogun, and Oyo. In Ekiti State, out of the available 26; 6; and 3 seats for the membership of State’s assembly, House of Representative, and Senate respectively, ACN won 24 and the rest of the National Assembly.

This was also the case in Ogun and Oyo States where ACN overwhelmingly won 100%; and 66% of the Senatorial seats. Likewise, 69%; and 77% of the of State’s Assembly and House of Representative seats was won in Ogun State and conceded the remaining to PPN and PDP. Although, it was not the case in Oyo State (having 41%; and 23% for the State’s Assembly and House of Representative respectively), but it is totally different from the one-party dominance experience prior to the recently concluded elections. Ondo State remained the only state where ACN did not win any seats. In Ondo, the Labour Party (LP) carried the day with 8 and 23 seats in the House of Representatives, and State’s Assembly. PDP won only one seat, each from the legislative chambers. The LP won the entire seats for the Senatorial district.

Table 2 below shows that ACN won gubernatorial elections in three States where elections were held. However, voting patterns here differ from the ones seen in the aforementioned elections in the southwest region. There is a difference in the voters’ choice of party during the presidential election. This suggests that voters are more fascinated by local elections than by national elections, but they voted for individual lines as against party lines. It was expected that ACN having won in the five south western states during State House of Assembly and National Assembly elections, and the three gubernatorial elections, the presidential election would follow similar voting patterns. However, with the exception of Osun state where the ACN Presidential candidate, Mallam Nuhu Ribadu won, President Goodluck Ebele Jonathan, PDP flag bearer, overwhelmingly won the elections in the remaining five states.
### Table 2:

<table>
<thead>
<tr>
<th>State</th>
<th>No. of Registered Voters</th>
<th>CPC (%)</th>
<th>PDP (%)</th>
<th>ACN (%)</th>
<th>ANPP (%)</th>
<th>CPC (%)</th>
<th>PDP (%)</th>
<th>ACN (%)</th>
<th>ANPP (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ekiti</td>
<td>764726</td>
<td>10.0</td>
<td>2.5</td>
<td>3.3</td>
<td>1.4</td>
<td>3.3</td>
<td>0.26</td>
<td>1.4</td>
<td>0.9</td>
</tr>
<tr>
<td>Lagos</td>
<td>6108069</td>
<td>10.0</td>
<td>2.5</td>
<td>3.3</td>
<td>1.4</td>
<td>3.3</td>
<td>0.26</td>
<td>1.4</td>
<td>0.9</td>
</tr>
<tr>
<td>Ogun</td>
<td>1941170</td>
<td>10.0</td>
<td>2.5</td>
<td>3.3</td>
<td>1.4</td>
<td>3.3</td>
<td>0.26</td>
<td>1.4</td>
<td>0.9</td>
</tr>
<tr>
<td>Ondo</td>
<td>1616091</td>
<td>10.0</td>
<td>2.5</td>
<td>3.3</td>
<td>1.4</td>
<td>3.3</td>
<td>0.26</td>
<td>1.4</td>
<td>0.9</td>
</tr>
<tr>
<td>Osun</td>
<td>1293967</td>
<td>10.0</td>
<td>2.5</td>
<td>3.3</td>
<td>1.4</td>
<td>3.3</td>
<td>0.26</td>
<td>1.4</td>
<td>0.9</td>
</tr>
<tr>
<td>Oyo</td>
<td>2572140</td>
<td>10.0</td>
<td>2.5</td>
<td>3.3</td>
<td>1.4</td>
<td>3.3</td>
<td>0.26</td>
<td>1.4</td>
<td>0.9</td>
</tr>
</tbody>
</table>

**Summary of the 2011 Presidential and Gubernatorial Elections' Results in Nigeria's South-West region**
We would like to argue here that south westerners are more interested in the gubernatorial and assembly polls than in the presidential election as they consider the former crucial to the development of the region and specifically to their day-to-day livelihood. This arguing as depicted in the citizens’ voting patterns remains consistent in the region.

The loss of the all the south western states, namely Ogun and Oyo by the PDP to the benefit of the PDP, is in itself a case in point as well. Notable senators like Iyiola Omisore, Adeleke Isiaka, Bankole Dimeji, Iyabo Obasanjo and several others lost their seats. In addition, the power of incumbency did not work in favor of the south western governors during the last election. Alao Akala, the former governor of Oyo state who was expected to be the first person to break the electoral jinx and return to office for a second term is a good example of such a reality. For once Oyo state’s citizens moved beyond “amala politics” and voted him out. A politician trying to describe why Akala could not use his incumbency factor to win the elections utilized the names of the major cities in Ibadan to explain. He said: “Akala knew all places in Ibadan but as powerful as he seemed to be, he did not know the mystery that surrounds ‘Monatan, ‘layipo and oje’”.

**Concluding Remarks: Text on the Challenges**

This paper argue that electoral politics in the region follow a logical relationship between people’s electoral behaviour and level of accountability, transparency and a government’s development. In 2003, PDP candidates took the mantle of leadership of some states in the region because the AD power wielders could not perform as expected. Although, such was not the case in 2007 in spite of several corrupt practices perpetuated by PDP leaders, but the convergence of the contributory factors facilitated electoral mandate protection and transference of power to ACN in 2011. We should not be shocked if there is a change in electoral behaviour against ACN in 2015.

Nevertheless, while the 2011 general elections was a major improvement as against all the previously held elections in Nigeria since the inception of the fourth public, the system is not yet fool-proof as it witnessed lots of technical hiccups on the part of the INEC. In the first election, the ad hoc staff was not attuned to the use of the newly introduced electoral guidelines MOBs there was however some improvement in the subsequent elections; campaign spending was also huge as incumbents utilized public resources to promote their candidacy. In Lagos state for example, besides the popularity of the incumbent governor, there was no leveled playing field for him and his opponents in terms of campaign spending.

The collation process still remains a weak link in the electioneering chain, and despite INEC introduction of several measures to mitigate the issue, the process still remains vulnerable to vote inflation and rigging. The introduction of the new electoral guideline few weeks before the elections also constituted a defect in the process as many people were not aware of the regulations. These regulations, while beneficial to mandate protection, they also kept many people off the polls as they believe that it was onerous to wait until the close of accreditation before voting. The disagreement of last person on the queue also posed lots of difficulties for the electoral officials and the citizens. While commending the provision of adequate security for the polls, the presence of many security officials, especially the military restrained many people from voting. Accredited observers in several parts of the country also faced difficulties in observing the collation process.

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79 Monatan means an average Ibadan man will not divulge the contents of his mind to you, no matter how close he is to the person when it comes to politics. Layipo means if you know the order of things there are still so many things that are shrouded in mystery which you may not understand. Oje is if you know the right thing, there are still many cunning options which will give the same desired results. Oyo State, it is more than Amala Politics for Ajimobi. Ibadan is often referred to as the heartbeat of Yoruba politics. Accessed at Nigeria weekly news on 10/09/11
Policy Recommendation: Towards 2015

- Mandate protection should not be confined to elections *per se*; there is a strong need for active involvement in pre-election mandate protection such as monitoring of party primaries which was largely a disastrous affair in the just concluded elections.

- Civil society groups should receive more support to continue with post-election mandate protection and deepening of community/public participation in governance.

- While we still commend the work of international observers in the election monitoring process, it is that advised they recruit more monitors from the States in the geo-zone and that they refrain from issuing categorical statements in their initial reports, or giving clean bill of health as witnessed in the last election.

- INEC and the national orientation agencies should try to conduct more public awareness campaigns in all future elections using local languages, community theatres, songs, as medium of interaction.

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Chapter 6

Field Notes from the Northwest Geopolitical Zone of Nigeria

Nengak Daniel Gondyi

Introduction
The CDD’s Voter Education and Mandate Protection intervention in Nigeria’s Northwest Geopolitical Zone was implemented in the build-up to the 2011 General Elections under two project headings: 1) ‘Voter Education on Mandate Protection in the Nigerian 2011 General Elections’ in Kaduna State and five other states, namely Lagos, Bauchi, Cross River, Edo and Plateau. CDD implemented the project with support from the Open Society Initiative for West Africa (OSIWA); 2) ‘Voter Education and Mobilization of the Electorates on the Amendment of the Constitution (as it affects the elections).’ supported by UNDP through the Democratic Governance for Democracy (DGD) project and implemented in all the region’s seven States.

Both projects were linked with regard to their shared understanding of the place of the electorate in democratic elections. They sought to educate voters to fully engage the electoral process. Changes in the Nigerian electoral law (discussed elsewhere in this publication) considerably altered the electoral process such that, without intensive voter sensitization and education, a large number of voters ran the risk of being disenfranchised (such as those who would arrive at the polling units after noon). Also, looking at the voter apathy that arose in the wake the 2007 General Elections, there was a need to reassure voters that the 2011 elections would be different.

This chapter draws from CDD’s projects in Nigeria’s northwest geopolitical zone—namely, the project’s field work; planning notes and reports; and other gathered documentation. It also built on reports from partners and participants’ interviews; and from the media and other information sources.

In the Northwest, CDD’s overall goal was to encourage voter participation and to support mandate protection. In that regard, the Centre’s specific objectives were:

i. Enhance the capacity of citizens in the project states to defend their electoral mandate as expressed through the ballot.
ii. Raise the consciousness of people at the lowest level about the importance of protecting their mandate.

iii. Build a network of voters, politicians and organizations, including community based organizations, in the focal states to initiate mandate protection in their communities.

iv. Create capacity building avenues for voters so that they demand accountability from elected officials on the basis of the mandate.

v. Increase women’s participation in the electoral process—through Voters Education—, in a way they can vote at elections, defend the popular mandate, and stand for political offices.

vi. To educate citizens on the changes in the Constitution as it affects elections in Nigeria.

**The Northwest Zone: an Electoral Geography**

A few words about Nigeria’s Northwest Geopolitical Zone, especially concerning elections, are needful at this stage. The region consists of seven (7) states, namely Jigawa, Kaduna, Kano, Katsina, Kebbi, Sokoto, and Zamfara; all seven states passed into law the Sharia legal code over the past few years.

The 2006 national census ranked Kano as the most populous state in Nigeria with 9,383,682 residents followed by Lagos whose total population amounts to 9,013,534 people. However, with 5,027,297 on the voters’ register, Kano was lagging behind Lagos’ 6,108,069 total registered voters for the 2011 general elections. Such a discrepancy in the number of registered voters between Nigeria’s two most populous states suggests two possibilities:

- First, it is possible that a larger proportion of the Kano population is below age 18, which not the case for the Lagos population; if Kano has a large number of people under age 18, then such a trend is most probably similar across the entire Northwest region.
- Second, it is possible that as of 2011, the total population of Lagos State might have overtaken that of Kano State. The Northwest is also the zone with the highest number of out-of-school children and also the highest number of Almajiri children on the street.

Since collectively, the Northwest states had 19,803,689 registered voters (or 27%) out of the country’s total of 73,528,040, it was clear that votes from the region would be critical in the outcome of the 2011 elections. However, this logic applies only to the Presidential election, which contrary to other local elections, draws voters from the whole region and indeed the entire country.

One noteworthy fact with regard the 2011 elections in the Northwest region is that Muhammadu Buhari, the Congress for Progressive Change (CPC) Presidential candidate,, and Umaru Musa Yar Adua, the last
Nigerian elected President (elected in 2007), who had died in office in May 2010, are both from Katsina State, in the Northwest.

**The Mandate Protection Project in the Northwest**

The implementation of the voter education and mandate protection projects in Nigeria’s Northwest region was crucial as they were meant to improve the quality and credibility of elections in Nigeria in general, and the uniqueness and centrality of the Northwest to the 2011 general elections in particular. To that end, CDD and its local partners performed the following activities:

a. Training Workshop on civic action, popular participation, and mandate Protection in Kaduna State.

b. Developing, airing, and monitoring the publication of radio jingles in Kaduna State.

c. Preparing, publishing, and widely disseminating a large variety of information, education and communication (IEC) materials, in tandem with project partners, first in Kaduna State, then across the country.

d. The organisation of three (3) dialogues with different stakeholders on the implementation of election laws as contained in the amended constitution. These dialogues were held in Zaria (for Kaduna, Jigawa and Kano States); in Katsina (for Katsina and Zamfara States), and in Sokoto (for Sokoto and Kebbi States). The three dialogues were organized for 50 participants, drawn from youth, people with disabilities, religious and political leaders, men and women residing in the target states. There were two facilitators in each dialogue. They used the pre-designed modules on changes to the election laws to facilitate the dialogue.

e. A one-day workshop on voter education and election laws for hundred participants, supervised by three facilitators was held in Zaria, and Kaduna States; besides the traditional training module, mock elections were used to show people how to properly mark ballots on Election Day.

f. One town hall meeting on voter education and election laws for two hundred participants, supervised by six facilitators was successfully conducted in each of the region’s seven states.

**Reflections on Project Implementation in the Northwest**

CDD should be commended for successfully conducting all these activities in the Northwest zone as described above; the Centre should also be given credit for doing a similar work in other regions in Nigeria, as described elsewhere in this publication. Due to time constraints in the implementation of such activities, especially after the promulgation of the amendment on the electoral act (2010) concluded in January 2011, because of a few technical and logistic issues, CDD could only conduct its activities back to back in each zone, and concurrently across other zones.
To come to such great results, CDD constituted zonal teams headed by a Project Officer and supported by Programme Officers, Finance Officers and Facilitators. Each team was also assisted by state-level partners, namely civil society organisations based in the states, as well as by Project Interns who were recruited to assist in project implementation and also to build their own capacity. Depending on the activity, a certain number of facilitators drawn from civil society, academia and the local community, were asked to lead discussions at the meetings, using a previously agreed upon manual, or presentation notes and slides.

To ensure a hitch free project implementation, each zonal team held regular planning meetings and also participated in collective planning meetings with other zonal teams. Such a strategy helped highlight grey areas that needed attention prior to deployment. Project Officers were also encouraged to consult their team while on the field and to refer questions to superiors where applicable. From my experience in the Northwest Zone, the team showed great team spirit and was supportive to the Centre vision; this was crucial to the project success.

**Highlight of Activities - Observations and Lessons Learnt**

Having led the CDD Northwest team to conduct twelve different meetings, air radio jingles and widely distribute information, education, and communication materials, I am honoured, in this chapter, to reflect on these activities and look at how the electorate received them; how they impacted the electorate; how they affected the elections in general, and what the implications for the future of Nigeria’s democracy were. Though the specifics of each project activity were different, the activities were similar across board. They mostly revolved around the following:

- **Reflection on Mandate Protection**: Despite the number of similar initiatives aimed at promoting the ideal of mandate protection, in the Northwest, people received the concept with mixed-feelings. On one hand, there were people who thought that “everything should be left to the authorities and citizens should just cast their votes and go home.” People in this category perceived mandate protection as an infringement on the space needed for civic authorities to discharge their functions, especially in sensitive scenarios in which elections resulted in conflicts. On the other hand, there were those who thought mandate protection was about “dealing” with the corrupt politicians by forcefully preventing election fraud. It people in this category who were accused of perpetrating electoral violence. Moreover, there was a class of people who understood mandate protection is as a legal strategy complementing and feeding into
the work of constituted authority through pre and post-election mandate protection activities. CDD’s programming subscribes to this final school of thought.

So pervasive is the view that mandate protection encourages voters to take the law into their hands that, when violence broke out in the wake of the presidential elections, it was blamed on calls for voters to “guard their votes”. To avoid such a misunderstanding and to also ensure that those seeking violence do not twist the message for mandate protection into their own call to arms, there is a need to further reflect on the messages and strategies mandate protection conveys.

- **IEC Materials:** Participants felt involved and empowered when IEC materials are handed to them at workshops. The workshop conclusions presented in the leaflets and in other training materials serve as reminders and reference materials for the project follow up and step-down communication. There is also a need to avoid generic nationwide messages, and rather emphasize local peculiarities in the messages. In this regard, the use of local languages should be emphasized in developing communication resources.

- **T-Shirts:** T-shirts are closely related to IEC materials. While popular opinion within civil society sees t-shirt advocacy as needless, our own experience from the 2011 elections shows that they are perhaps the most effective advocacy material. The use of posters has proven to be an environmental nuisance in Nigeria and should be discouraged. T-shirts on the contrary are living advertisements when worn by a trained advocate. Messages printed on the clothing are likely to provide conversation starters and allow advocates to engage in a conversation with different stakeholders wherever they go. So, T-shirts are very effective for information dissemination. They also demonstrate well participants’ endorsement and buy-in on the project. The use of T-shirt for mandate protection activities should be emphasized in future.

- **Multiplicity of Activities:** The rise of civil society organizations in Nigeria has resulted in the multiplicity of activities. In the build-up to the 2011 elections, we witnessed a wide variety of activities taking place in the country. For example, when our team visited Jigawa to organize a town-hall meeting; it took CITAD, our state-partners, enormous efforts and interface to find hotel accommodation for three team members due to a number of election related activities organized by the civil society and political parties in the town (the latter usually book whole hotels). This wealth of voter sensitization projects is necessary to convey well the message for credible
elections is to different strata of the society, however, this magnitude of the trend calls for reflection:

i. The rise of ‘civil society merchants’ who maintain presence in local communities and are in touch with bigger civil society organizations and tend to serve as links and gatekeepers to the local communities. Unless care is taken, the composition of participants, the dissemination of IEC materials to participants, and access to hotel/hall facilities could be filtered by these merchants sometimes to the detriment of the project goal.

ii. The ‘per-diem industry’: A multitude of civil society groups organise different election related activities in local communities in which they often pay transport and feeding allowance (per-diem) to participants. Such practices led some voters to avoid workshops with small per-diem since multiple activities are often organized at the same time. This reality is not limited to participants; it also concerns some workshop moderators who are available only to the highest bidder and easily renge on their commitments to other groups at the last minute.

- Political Campaigns and Civil Society Activities: In the Northwest, we observed signs of political campaign hooliganisms. For example, travellers and bystanders sometimes complied when asked to chant campaign slogans for fear of being harassed; sometimes, cars are stopped and passengers forced down to chant the magic words. Civil society activists travelling in such areas are particularly vulnerable to such practices since are unlikely to partake in such political rituals, thereby risking being attacked.

CDD was not the only organisation who made such an observation. Other civil society groups also did. For example, in a conversation with members of one international observation mission in Kano, it was revealed to the author that the mission considered Kaduna, Sokoto and Zamfara States too risky to receive any international observers. This judgement later proved correct when the CDD’s team in Sokoto State had to be ‘evacuated’ by air after local civil society groups advised its members not to risk a road trip back to their base in Abuja after they concluded project activities in Sokoto and Kebbi States.

- Voter Education: In 2011, Nigeria had been a stable democracy for 12 years However, the message for free and fair elections is yet to trickle down to many, especially when a large number of stakeholders in the electoral process tend to view elections as an event that happens (and not a cycle completed) once every four years. In some cases, questions were asked about the possibility to vote on behalf of persons who might not be able to vote; or argument in favour of allowing
under-aged citizens to votes, either because they were close to the voting legal age (age 18), or because they are considered ‘of age’ and able to take decisions.

There is need to continue voter education and mandate protection projects, especially in the years between elections. It is also important to test run the knowledge gathered in re-run elections and local government elections, which are likely to be held before the 2015 General Elections; and to begin considering project initiatives and strategies that could contribute to credible elections in 2015.

**2011 Elections in the Northwest**

Nigeria’s 2011 general elections’ highlights are discussed elsewhere in this publication. They are also available in reports by various election observers’ missions. However, in the Northwest region, reports by election observers formally deployed on the ground, and by ‘citizen observers’ drew attention to some key issues including the following:

a) **Under-aged Voting**: Many observers complained about under-aged citizens casting (or attempting to cast) votes in the 2011 elections across the region, especially in Kano and Katsina States. This is a sad development, but the real underlying issue is how to effectively identify under-aged voters. This issue is indicative of the shortcomings of the national identification project, which gives electoral officials the liberty to determine the voters’ age, often on the basis of facial looks or on affidavits easily sworn in the courts. Usually, unless serious doubts arise, individuals would state their age and date of birth which officials often consider valid.

In the future, a national identification scheme in which all citizens would be registered and have their biometric data stored centrally must be put in place, and attempts by under-aged persons (ideally all registrants) to register should be crosschecked against this identity database to confirm, not only the registrant age but all their biometric data. Unqualified people should be denied registration and punished in accordance with the law.

- Youth Restiveness: Noting that the post-election violence was concentrated in the Northwest region, with Kaduna and Kano States bearing the worst of the damage; and also noting the high number of out-of-school youths and children in the region, we recommend that government, development partners and civil society educate, train, and empower these youths and help them leave the vulnerable position that their poverty places them. It is also important that people who
recruit them to perpetrate violence, whether during elections or not, be reprimanded in accordance with the law.

**Conclusion: Towards Sustainable Democracy in Northwest Nigeria**

As documented in reports by various election observation teams, Nigeria’s 2011 General Election significantly improved in terms of fairness and credibility compared with the 2007 elections; however, they are, by no means, the best that is possible in Nigeria. Looking toward the near future, there is need for increased vigilance on the part of the electorate. Such vigilance is needful during elections, but it also must be extended to the process of governance after elections.

Government officials and politicians should realize that the public is constantly watching them, and that civil society constitutes a watchdog for governance. It is only when politicians clearly receive the message that the role of mandate protection will be seen as complementing and not competing with that of constituted authority, especially INEC’s work. In this regard, the healthy INEC-Civil Society relationship, which was observed in the build-up to the election, must be sustained and deepened, both in governance oversight and in other phases of the current election cycle that will culminate in 2015.
Chapter 7  
Mandate Protection in Northeast Zone:  
Lawal Amodu and Audu Liberty Oseni

INTRODUCTION

The promotion of democracy as a fundamental element of open societies is, globally, one of the core components of development work. For most international organizations, including donor agencies, democracy has become a selling point, a requisite governing system, which nations and governments—by practice—should adopt in order to remain relevant in the comity of nations. Inclusiveness, public participation, and accountability at all levels of government are key tenets of democracy. Moreover, free and fair elections are a critical pillar on which a country can rely on to achieve democratic rule, which is an essential characteristic of an open society.

In Nigeria, the 2007 general elections were characterised by electoral fraud, malfeasance, and manipulation perpetrated by the ruling power with the aid of godfather(ism) politics. One effective way to deal with such an issue is to advocate mandate protection; sanctity of the electoral process; and to call for good governance, characterised by the rule of law and the respect of individual freedoms (Nana Tanko, 2007).

This chapter draws from the experiences gained from leading a project’s implementation in Bauchi State. It will mainly focus on mandate protection as well as on the environmental determinants that made it possible. Moreover the chapter will review civil society’s contribution towards mandate protection in the 2011 election, and concludes with reflections on the effectiveness of the strategy in Bauchi State.

Mandate Protection

Mandate protection is a conceived as a citizen’s approach to checkmating the gross abuse of the electoral processes. Mandate Protection was consequential in promoting electoral democracy and the attainment of credible, free, and fair election in Bauchi State in the 2007 election. ‘Mandate’ is the “authority given to someone to undertake assignment or to serve or function in a specific role” (Adele, 2005:2). Mandate protection goes further to show, through the mechanism of elections, who will be the custodian of the people’s sovereignty for a specific time frame. Mandate protection concerns itself with how citizens could ensure that an election’s outcome and results reflect the preference of the voters. *It therefore means that*
mandate protection involves monitoring, exposing and challenging election fraud and abuse at every step in the electoral process.

Electoral Geography of the Northeast
While the 2011 elections have been relatively successful in some geo-political zones, it was reported that elections were not held at all in some areas in the Northeast. Also, it was reported that in some places where voting took place; it was followed by violence and killings. The differing fortunes of elections across zones has geographical implications, hence the need to consider the electoral geography of the North East zone.

The Northeast zone has a distinct socio-cultural and religious outlook that affects the conduct of election in the area. The North-East zone occupies a vast land area compared with other Nigeria’s geopolitical zones. Also, the presence of mountainous and poor road infrastructure in many parts of the zone, including Gembu (Mambila Plateau), and Tunga in Adamawa state, makes the region nearly inaccessible, and has severe implications for the conduct of elections in the area. Elections could easily be manipulated in the remote areas of Taraba, Adamawa and Borno states. Though the Northeast region has a low literacy rate, the lowest in the country, political awareness is high in the region, and the high voter turnout in the 2003; 2007; and 2011 elections in the zone is a good illustration of such a reality. However, contrary to the southern zones and elsewhere in Nigeria, there is a marked absence of civil society organisations in the Northeast, which constituted a challenge to our mobilisation for a good implementation of our mandate protection project in the zone.

Boko Haram and 2011 Elections
The activities of the Jamā‘a Ahl al-sunnah li-da‘wa wa al-jihād terrorist group had a significant impact on the 2011 elections, especially in the North East zone. Not all incidences of violence in the zone are linked to the Boko Haram insurgency group. Some of the electoral violence resulted from inter–party wrangling; PDP zoning principle; alleged rigging of elections; as well as violent riots that erupted in northern Nigeria, following the announcement that president Goodluck Jonathan was the winner of the presidential election.

However, a number of attacks by terror groups were obviously directed at the 2011 elections; for example, the bombing of a polling centre in Maiduguri on April 9th, 2011; the bombing of the INEC’s office in the same city, on April 15th, 2011; and the series of attacks that took place on
the same day, in which several people were shot. Moreover, a plot to bomb an All Nigerian People’s Party (ANPP) campaign rally in Maiduguri was foiled by the police. Boko Haram carried a series of political assassination, including the killing of ANPP gubernatorial aspirants, Modu Fannami Gubio and his brother, as well as a police officer. While these attacks were perpetrated directly in Borno State, they had the psychological effect of demoralising voters and politicians in many other parts of Nigeria. Combatting terrorism is likely to be a top-priority for election security in Nigeria over the coming years.

**The 2007 Elections and Mandate Protection in Bauchi State**

The history of the use of the mandate protection strategy in Nigeria’s elections could not be complete without reference to how the concept developed in Bauchi State during the 2007 gubernatorial elections. During these elections, the ruling People’s Democratic Party (PDP) lost to the All Nigerian People’s Party (ANPP). In the build-up to the election, there was an attempt by Adamu Mu’azu, the outgoing Governor, to keep PDP in power even though it was Isa Yuguda, from the opposition ANPP, who was clearly the most popular candidate in the State.

After that the central collation centre received all the results for verification and before proclaiming the winner, thousands of electorates surrounded the venue, a football stadium, thereby remaining truthful to their “*A kasa, A raka, A tsare*” strategy [Vote, Escort, Secure]. Youths prevented the incumbent Governor Muazu from entering the collation centre as they believed that allowing him entrance could lead to the falsification of the election results. Youths also mounted roadblocks across the state and searched for commuters for ballots that might be moved to secure locations and later added to the election results. While the results were allegedly being sorted out for days, all efforts to disperse the crowd proved abortive, Youths vowed to remain on the site until the proclamation of what they considered as the actual results.

In the end, Isa Yuguda was proclaimed winner, and the election ended peacefully. This was seen as the victory of the popular mandate against the antics of the political elites. The outcome of this election was possible, in part, thanks to the mandate protection training carried out in the state. It is true that candidates and political parties’ mobilisation also contributed to the increased civic participation and people strong interest in the election, which invariably led to one of the most successful deployments of the mandate protection strategy in Nigeria’s electoral history.
The 2011 CDD Mandate Protection Project in Bauchi State
The implementation of the CDD/OSIWA project in Bauchi State was part of the broad civil society’s initiatives for voter education. The strategy was also designed to ensure that people’s votes will be counted, and that the elections will be credible, free, and fair. Civil society’s projects complemented efforts by formal agencies such as INEC, which took a leading role in civic and voter education’s activities, in close collaboration with the National Orientation Agency (NOA), and the Ministry of Information to ensure that updated voting procedures were communicated to all citizens, especially those in the rural areas (EU Report, 2011, p.28).

In Bauchi State, it was observed that a large chunk of the election voter education campaign was performed by political parties and their candidates. A few public outreach activities were observed in the States, especially in the remote areas (EU Report 2011). This is perhaps due to the above-mentioned low presence of civil society groups in the geo-political zone. However, some local and national civil society groups were very active in educating people on the electoral process. CDD conducted a number of training workshops, both on the amended Constitution and the amended 2010 Electoral Act 2010, as the Centre believed that these amendments would impact on the 2011 elections. Besides, CDD did a public awareness campaign on mandate protection through posters, leaflets, and through the use of radio jingles in Bauchi State.

The 2011 Elections in Bauchi State
The Presidential election in Bauchi state was held under the threat of violence. The two main contenders, the People Democratic Party (PDP) candidate, President Goodluck Jonathan; and the Congress for Progressive Change (CPC) candidate, Mahammadu Buhari, each considered Bauchi State as one of the ‘swing states,’ and both suspected that the other side would rig the elections in the State.

The announcement of the presidential election’s results was followed by violent reactions in many parts of northern Nigeria. The worse affected states were Bauchi, Kaduna, and Kano. In Bauchi State, some properties were cruelly destroyed, and many lives were lost. It is important to note that in Bauchi state, nine (9) members of the National Youth Service Corps (NYSC), who were on duty as INEC’s officials, were killed.

The violence that followed the presidential election’s results led to the postponement of Bauchi and Kaduna states’ gubernatorial and state assembly elections scheduled for April 28. By the
time the elections were held, the violence recorded from the presidential election contributed to
the low turnout recorded in some Bauchi state’s quarters. However, the voting process, from
accreditation to the casting of votes, was generally peaceful and timely (EU Report, 2011 p.48).
But, the EU Report shows that there was increased disorder outside the polling premises during
the April 26th and 28th 2011 elections respectively. In Bauchi state for instance, there was
“occasional defection of NYSC Staff and an overall increased interference and undue influence
of party agents” following the attack on the NYSC members only a few days prior (EU Report,
2011. p.48). Those Corps members who actually participated in the elections did exhibit a great
deal of courage.

As a result of the electoral irregularities recorded in Bauchi state, the Independent National
Electoral Commission (INEC) cancelled the governorship and House of Assembly elections in
Misau and Ningi Local Government Areas in the state. According to INEC, the election
monitoring team observed irregularities in the two councils. In the end, PDP’s Isa Yuguda polled
771,503 votes, representing 60.57% of the total votes, and was declared the winner ahead of his
nearest rival, CPC’s Yusuf Maitama Tuggar, who polled 238,426 votes, representing 18.72% of
the total votes. The number of candidates in the elections was eleven (11).

The use of the mandate protection strategy in Bauchi State in the 2011 election was notably
different from that of the 2007 elections. Significantly, the popular dictum of the 2007 mandate
protection, “A kasa, A raka, A tsare,” was not popularised in the 2011 elections. The absence of
this popular rallying call for advocacy and mobilisation in the grassroots negatively affected
mandate protection in the state in 2011.

**Conclusion**
There are a number of key lessons learnt from the 2011 elections in Bauchi State. The elections
were conducted in an atmosphere of fear and threat of violence. Note that in 2007, Bauchi State
became famous as it revealed that opposition political parties could mobilise and defeat the
ruling party by voting out the incumbent state governor. While this was done peacefully in 2007,
the desire of the electorate to ensure that the 2011 elections would be conducted in a credible
way, resulted in an unsettling post-election violence.
The 2007 election in Bauchi state was hailed as transparent and demonstrated the political maturity of both the electorate and the election officials. However the return of political violence on such a shocking scale in 2011 greatly negated the gains in the advocacy for peaceful and credible elections in the state. Hopefully, the 2015 elections will consolidate political attitudes in Bauchi State. If they are flawed, they could unleash electoral violence. However, adequate civic and mandate protection awareness projects could return the state to the path of peaceful and credible elections.

It was demonstrated in 2011 that the outcome of the Nigeria’s presidential election directly affects the outcome of Governorship elections in Nigeria, especially in Bauchi State. This has significant implications for the scheduling of future election in Nigeria. So, it is needful to consider the merits of the proposal to begin elections with the grassroots (Governorship and State Assembly), and conclude with the Presidential polls. An alternative proposal is to hold all elections on the same date.
Chapter 7

Field Notes from the North Central Geopolitical Zone of Nigeria

Paul Yao Ahiave

Introduction
Nigeria is a federal republic made up today of six composite geopolitical zones and a Federal Capital Territory, Abuja. The composite zones are namely South West; South East; South-South; North East; North West; and North Central. Except for the South East which embodies five (5) states and the North West which consists of seven (7) states, each of the other zones comprises of six (6) States. The North Central is composed of Nassarawa, Plateau, Benue, Niger, Kogi and Kwara States. Relatively, the North central includes the political capital, Abuja. Like in the other zones, in the past, elections in the North Central did not meet the yearnings and aspirations of the people. This Chapter will highlight the political peculiarities of the North Central zone; document the 2011 electoral process and outcomes in the region; analyse lessons learnt; and extract recommendations for improving future elections, which hopefully will deliver the mandate to the people.

Political Peculiarities of North Central Zone
The zone prides itself as a hub of tourism and has abundant water and power resources, food and mineral endowment. But, all these riches have not so far helped to eradicate poverty, mitigate vulnerabilities of livelihood and risks to life and property, which seem to have rather increased in intensity and scope before and after the 2011 elections. The zone is inflicted with violent protracted ethno-religious conflicts, predominantly in Plateau, lately rendered complex by acts of radical terrorism and counter terrorism. These acts mostly resulted in large number of deaths, displacements, destruction of property and economic activities, and in the erosion of social trust and cohesion as well.

Sporadic violence occurred during and after the 2011 general polls. It happened along with a violent antagonism between the Tiv in Benue, and the Fulani in Nassarawa over grazing lands at their common border area. Moreover, there were concomitant pre-election violence incidences in Plateau, Benue, Kwara and Kogi between rival political parties. They manipulated the unemployed youth into acts of violence, intimidation and criminality. There was an identified general apathy exacerbated by excessive monetisation of politics. It left many manipulated and induced for wrong causes throughout the zone, with
serious implications for safety and security of lives and properties in Benue, Kwara and Kogi. As for traditional rulers they were incapable of remaining neutral and could not either command genuine authority in their respective domain; most of them became involved in politics to advance the interests of the incumbents.

**The 2011 General Elections in the North Central Zone**

This subhead will focus on how the actions and interventions of stakeholders, both state and non-state actors, contributed to the outcomes of the 2011 elections, which are considered acceptable, both domestically and internationally, and judged as the fairest and most credible elections since the country returned to democratic rule in 1999. Doing so, we shall focus on CDD-led activities in the three distinct but interwoven signposts necessary for election operations, i.e. the pre-election; the Election Day/Balloting; and the post-election mandate protection.

**CDD Mandate Protection Projects in the North Central Zone**

1. **The CDD /OSIWA Mandate Protection Project**

Drawing from the overview of Mandate Protection in theory and practise, CDD implemented mandate protection projects for the 2011 Election in the North Central zone, principally in Plateau and Benue State in partnership with the Open Society Initiative for West Africa (OSIWA), Nigeria office and complemented by the CLLEN Foundation. Building on a 2007 partnership with OSIWA that pioneered mandate protection, not only as a concept, but as programmatic agenda to rescuing Nigeria from electoral doom, the CDD 2011 agenda set the following objectives:

- Raise the consciousness of people at the lowest level about the importance of protecting their mandate;
- Enhance the capacity of citizens in the project state to defend their electoral mandate as expressed through the ballot;
- Build a network of voters, politicians and organizations, including community based organizations in the focal state;
- Increase women’s participation in the electoral process through a Voters Education campaign for defence of the popular mandate, voting at elections, and standing for political offices;
- Create avenues for enhancing capacity of electorates to demand accountability from elected officials on the basis of the mandate.

To achieve the set objectives, CDD proceeded to map out and identify stakeholders including women; youth; persons with disabilities; political parties; members of the Police and the Civil Defence Corps in
Plateau and Benue States. The project also organized training workshops on elections and mandate protection; raised awareness on radio through jingles; and finally printed and distributed CDD’s mandate protection manuals and other IEC/advocacy materials on mandate protection.

2. Voter Education on the Amendments of the Constitution Relating to the 2011 General Elections in North Central Zone

This project was implemented as part of the three zonal projects funded by UNDP through the Democratic Governance for Development (DGD) project. The Centre implemented similar activities in the South West and in the North West zones. One essential feature of the 2011 elections was the multiple and hurriedly-conducted amendments to the very laws that officially govern the 2011 general elections. There were thus concerns that the Nigerian electorate had somehow become confused and stressed with the amendments of the Constitution and the Electoral Act. The amendments had radically altered the 2011 general elections compared with previous elections; they put intense pressure on stakeholders working for credible and participatory elections and gave with very little time to educate electorates on the changes. At the end of the constitutional amendment, CDD launched its project and the activities implemented in the zone were as follows:

a. Three (3) dialogues with various stakeholders in the zone on the implementation of election laws as contained in the amended constitution and electoral act were held in Jos, (for Plateau, Benue and Nassarawa States) Ilorin (for Kogi and Kwara States) and in Minna (for Niger State and the FCT).

b. One (1) residential workshop on voter education and election laws was organised in Jos, Plateau State, for all the States in the Zone.

c. Six (6) town hall meetings (one in each State) on voter education and election laws were held. Each meeting combined facilitated trainings with extensive questions and answers sessions.

In implementing these activities, CDD drew from the experiences and reach of state-level civil society organisations. This approach strengthened relationships with and among NGOs in the project states. I also enabled the project’s activities to be stepped down through local partners. Additionally, the Centre recruited experienced expert facilitators with a great knowledge to deliver lead discussions in the project meetings.
Participation in CDD Mandate Protection Project

The project drew participations from diverse segments of the electorates, including CSOs/NGOs, youth groups, women groups, persons with disabilities, CDD project partners in the states, the media, Okada riders’ association, traditional and religious leaders. The table below summarises stakeholder participation for the Project and provides comparisons with CDD’s similar projects in the North West and the South West zones.

<table>
<thead>
<tr>
<th>ZONE</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
<th>Male %</th>
<th>Female %</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Central</td>
<td>851</td>
<td>613</td>
<td>1464</td>
<td>58.13%</td>
<td>41.87%</td>
</tr>
<tr>
<td>North West</td>
<td>1028</td>
<td>491</td>
<td>1519</td>
<td>67.68%</td>
<td>32.32%</td>
</tr>
<tr>
<td>South West</td>
<td>768</td>
<td>646</td>
<td>1414</td>
<td>54.31%</td>
<td>45.68%</td>
</tr>
<tr>
<td>Total</td>
<td>2647</td>
<td>1750</td>
<td>4397</td>
<td>60.20%</td>
<td>39.80%</td>
</tr>
</tbody>
</table>

Table 7.1: Participation in CDD Project Activities in the 3 Zones

The CDD election project received a large turnout, well beyond estimated numbers in many activities. In the North central, for example 851 males and 613 female participants attended our meetings, thereby suggesting a closing in the gender gap in our programming. Compared with the North West and the South West, we see that the North Central had the second highest participation (behind North West); the region also had the second highest female participation (41.9%), behind South West 45.7%.

2011 Elections and Lessons learnt

A number of lessons can be drawn from the CDD’s mandate protection activities and the 2011 elections in the North Central zone as well. These lessons can help improve future elections in Nigeria in general and in the zone in particular.

- The peace and security awareness introduced into the mandate protection training exercises in the zone produced some positive outcomes which contributed to limiting the tendencies for violent conflicts during elections, especially in Plateau and Benue States.

- While a limited number of political elites are eager to subvert the electoral process; there are many voters willing to protect their mandate and ensure that their votes are counted. It is therefore key to continue to engage this progressive elements and expose them to strategies they could adopt both to protect their mandate and to sensitise potential vote riggers.

- The credibility of the Independent National Electoral Commission (INEC) serves as a morale booster for popular participation in the electoral process. Therefore, when voters perceive INEC
as corrupt and bent on subverting the electoral process, they tend towards apathy. However, a credible management of INEC easily inspires support and partnership from the electorate.

- Despite the massive voter education projects implemented over the years in Nigeria, there exists a considerable gap in the electorate’s understanding of the electoral process. This is perhaps caused by the frequent amendments to the electoral codes guiding the elections. It is therefore important to perform the Nigeria’s election legal review in a timely way to allow enough time for voter sensitization on the election process.

- The non-availability of voter education materials in local languages, i.e. the training manual and posters being produced only in English constituted a huge obstacle to an effective project implementation and grossly limited the trickledown effect of voter sensitization. New innovations could be incorporated in future sensitization projects in Nigeria, namely putting education manual in local languages.

**Conclusion**

The North Central zone faces considerable threat of violent and intractable insecurities similar to what was witnessed in the Niger Delta, and now in the North East. Against this background, people and entities involved in the preparation for the 2015 elections must endeavour, not only to prevent rigging of the polls, but also outbreak of violent conflicts. In this regard, future election mandate protection programming in North Central zone must prioritise peace building, conflict prevention and conflict mitigation.

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**Chapter 8**

**Mandate Protection in Northeast Zone: Bauchi State**

Lawal Amodu and Audu Liberty Oseni

**INTRODUCTION**

The promotion of democracy as an element of open societies is one of the core areas of developments globally. For most international organizations including donor agencies, democracy has become a selling point which undemocratic nations and governments-by practice, must have to cue into in order to remain
relevant in the comity of nations. The central element of democracy that is being preached is the need for
governments to be all inclusive, participatory and accountable at all levels. Election is a critical pillar on
which democracy rests or relies on to achieve an open society. It is perceived as a symbol of both
participation and representativeness.

In Nigeria the 2007 general elections was characterised by electoral fraud, malfeasance, manipulation
perpetrated by power of incumbency with the aid of godfather(ism) politics. One way to deal with this
factor is by adequate mandate protection, sanctity of the electoral processes, and quality of governance
eradicated by the rule of law and the respect for individual freedoms” (Nana Tanko, 2007). This
captures what happens in Nigerian election process and therefore mandate protection is fundamental for
checkmating this. This chapter discusses Bauchi State and will focus on what is mandate protection, what
are the environmental determinants that allow or disallowed citizens from defending their mandate. What
civil society did to ensure mandate protection in the 2011 election, how well this strategy had been
utilized in the election process? The effective of mandate protection in Bauchi State is the prime concern
of the chapter.

**Mandate Protection**

This is one major strategy of citizen approach to checkmating the gross abuse of the electoral processes.
Mandate Protection was consequential in promoting electoral democracy and the attainment of credible
free and fair election in Bauchi State in the 2007 election. In a precise meaning, ‘mandate’ is the
“authority given to someone to undertake assignment or to serve or function in a specific role” (Adele,
2005:2). Mandate goes further to show through the mechanism of election who will be the custodian of
people’s sovereignty for a time frame. Mandate protection concerns itself on how citizens could ensure
that election outcomes and results reflect the preference of the voters. *It therefore means that mandate
protection involves monitoring, exposing and challenging election fraud and abuse at every step in the
electoral process.* There is no doubt however, mandate protection aides a credible electoral process where
the preferred candidate emerge and this has the ability of making the custodian of the mandate gives
dividends of democracy to the people.

**Electoral Geography**

Obviously, while elections have been relatively successful in some geo-political zones, elections were not
held in others at all, and where voting took place, it was followed by violence and killings. This
manifestation has geographical dimension to it and one appreciates it if he understands respective
geographical dynamics. It is on this premise that the Northeast zone has its own distinct socio-cultural and
Religious factors that directly or indirectly affect the conduct of election in the area. However, understanding electoral geography of Nigerian state equips one to understand, why credible electoral system continues to elude Nigeria despite the electoral Law? Why do different parts of the country exhibit different problems and tendencies in the context of electoral behaviour? Why are some zones more capable than the others in protecting their vote? (Ibrahim and Egwu, 2005).

The North-East Geo-Political Zone has its own unique political geography. The zone occupies a vast land area compared to the other zones in the country alongside the difficult and almost inaccessible terrain that makes election activities very cumbersome. Gembu (Mambila Plateau) and Tunga in Adamawa state are also sufficing examples. Election can easily be rigged and election results manipulated in places like Taraba, Adamawa and Borno states and this can be attributed to the landmass of the region configuration of the states. In spite of low literate rate in Northeast, political awareness and consciousness of the people is high contrary to what is obtainable in other zones. Media especially the Hausa services of both local and international media outfit have been instrumental in education, enlightenment and awareness among the people. High turnout in the 2003, 2007 and 2011 in the zone is a pointer to this.

However, the presence of Non Governmental Organizations is lagging in the zone, contrary to what is obtainable in the Southern zone of the country. This factor poses serious challenge for CSOs work on democratic governance in this zone. The need for CSOs to engage the zone particularly on the negative implication of electoral fraud that the Centre for Democracy and Development (CDD) with support from OSIWA engaged in Civic/Voter Education on the electoral law, the election process and procedure, and the need for the electorates to vote and protect their vote during the 2011 elections. Intervention by CDD provided knowledge and awareness among the people on how to achieve mandate protection during the 2011 election.

**Mandate Protection 2007 Electoral Process**

Experience from the 2007 election in Bauchi state shows mandate protection is fundamental if election result must reflect the preference of the electorate. The 2007 elections in the state showed how the incumbent the People’s Democratic Party (PDP) lost to All Nigerian People’s Party (ANPP). The victory became possible as a result of mandate protection carried out in the state. The case of Bauchi does not only reflect mandate protection but also it shows mandate protection also facilitates consolidation of democracy.

During the 2011 elections there were noticeable threats of violence; however, this could not stop the election and turnout was high. In Gamawa and Ningi, there was surveillance on the suspected partisanship
from the Electoral Officers. In a more commitment for mandate protection, youth kept vigil in almost all the major towns with road blocks mounted on roads, this made it possible for checks particularly on electoral materials that were not accounted for. Election materials including ballot papers smuggled by PDPD members were seized from the youth who were on the road checks. In another development, the incumbent governor (Gov Muazu) was prevented from entering INEC State Headquarter in Bauchi where collation of result was done, they believe allowing him entrance could lead to the falsification of election results.

**Mandate Protection 2011 Electoral Process**
The Open Society Initiative for West Africa (OSIWA), provided support to the Centre for Democracy and Development (CDD) to implement ‘Voter Education on Mandate Protection project in the six geopolitical zones of Nigeria. Bauchi State was one of the states the project was implemented, the intervention was meant to guarantee people’s vote in the 2011 general elections and their mandate protected. INEC also took a leading role in civic and voter education activities in close collaboration with the National Orientation Agency (NOA) and the Ministry of Information to ensure that updated voting procedures were communicated to all citizens especially those in the rural areas (EU Report, 2011 p.28).

The majority of the voter information activities were left to different competing political parties’ while few public outreach activities were observed in the States, especially in the remote areas (EU Report 2011). However, local NGOs also provided awareness and enlightenment on the electoral process with central focus on mandate protection. Training workshop on Constitutional provisions and the Electoral Act 2010 as amended was carried out in Bauchi state prior to election. The major focus of the training was understanding the basic tenets of democracy; citizens’ obligations and behaviour during the process of voting; forms of electoral rigging, as well as the knowledge of mandate protection.

Besides this intervention, Public awareness on mandate protection was carried out through the media. This therefore made information on the mandate protection gain wider outreach making it possible for citizens to defend their electoral mandate.

**Election Day Activities in Bauchi**
The 2011 general elections were conducted by the Independent National Electoral Commission (INEC). However, the elections could not hold because of the logistics problems that arose from nationwide voter registration exercise. Also the inability of the INEC to circulate election material to all the polling units on the Election Day was another major contributing factor. Although the elections were conducted on April 9 when the earlier challenges encountered were seen to have been taken care of.
The Presidential election in Bauchi state held amidst the possibility of threat of violence. Two political parties People Democratic Party (PDP) Goodluck Jonathan and the Congress for Progressive Change (CPC) Mahammedu Buhari respectively contested the election. There was controversy among the North and South elites which arose as a result of PDP disregard of its constitution provision for zoning. President Goodluck Jonathan and PDP were seen to have breached the party constitution when he contested the 2011 presidential election. Northern political elites therefore felt that the death of President Umaru Musa Yar’ Adua does not abrogate the 8 years 2 tenures zone the north and therefore advocated a northern candidate should be allowed to contest the 2011 presidential election.

It is important to note that the Presidential election recorded a high turnout; this was achievable as a result of the sensitization that was carried out prior to the election by the INEC, civil society as well as the political parties.

The announcement of the Presidential election was followed by violent reactions in most parts of the North Bauchi inclusive. This resulted to lose of many lives including the National Youth Service Corp (NYSC) members that served as INEC Ad-hoc staff for the election. This violence had implications for the Governorship and House of Assembly elections that followed.

The violence that followed the presidential election result led to the postponement of Bauchi and Kaduna states governorship elections April 28. The violence recorded from the presidential election contributed to low turnout in some quarters in Bauchi state governorship election. Voting process from accreditation to casting of votes was generally peaceful and timely (EU Report, 2011 p.48).

The EU Report on the 2011 elections shows that there is a general increase of disorder outside the polling premises during the 26th and 28th April 2011 elections respectively. In Bauchi state for instance, there was “occasional defection of NYSC Staff and an overall increased interference and undue influence of party agents” (EU Report, 2011. p.48). In Zaki LGA, reports show that “most polling agents from opposition parties were allegedly driven away by the PDP agents who were there in large numbers, in Ganjuwa LGA voting started before the lawful time permitted by the Electoral Act 2010 as amended. The Act provides that accreditation of voters should commence from 8am while the actual voting starts at 12 noon on the election days.

As a result of electoral irregularities recorded in Bauchi state, the Independent National Electoral Commission (INEC) cancelled the governorship and House of Assembly elections in Misau and Ningi local government areas in the state. According to INEC our election monitoring team observed
irregularities during the elections in the two council” cases of ballot box snatching and stuffing and other malpractices were recorded.

Eleven political parties Peoples Democratic Party (PDP), Congress for Progressive Change (CPC), Action Congress of Nigeria (ACN) and the All Nigeria Peoples Party (ANPP) participated in the election.

Going by the result of the governorship election released by INEC, Mal Isa Yuguda (PDP) polled 771,503 votes representing 60.57% of total votes cast. Yusuf Maitama Tuggar (CPC) polled 238,426 representing 18.72%; Baba Tela (ACN) scored 157,237 at 12.35% while Senator Suleiman Mohammed N. got 102,093 at 8.02% of total votes cast at the April 28th 2011 Governorship election in Bauchi State. However, INEC declared Mal Isa Yuguda winner at the polls on the fact that he got the highest number of votes.

See the break down in the table below.

**Governorship Election Contestants and their Scores**

<table>
<thead>
<tr>
<th>S/no</th>
<th>PARTY</th>
<th>CANDIDATE</th>
<th>VOTE SCORE</th>
<th>% SCORE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PDP</td>
<td>Mallam Isa Yuguda</td>
<td>771,503</td>
<td>60.57</td>
</tr>
<tr>
<td>2</td>
<td>CPC</td>
<td>Yusuf Maitama Tuggar</td>
<td>238,426</td>
<td>18.72</td>
</tr>
<tr>
<td>3</td>
<td>ACN</td>
<td>Baba Tela</td>
<td>157,237</td>
<td>12.35</td>
</tr>
<tr>
<td>4</td>
<td>ANPP</td>
<td>Sen. Suleiman Mohammed N.</td>
<td>102,093</td>
<td>8.02</td>
</tr>
<tr>
<td>5</td>
<td>MPPP</td>
<td>Alh. Danladi Musa</td>
<td>1,307</td>
<td>0.10</td>
</tr>
<tr>
<td>6</td>
<td>APGA</td>
<td>Umar Abdullahi Lawuma</td>
<td>590</td>
<td>0.05</td>
</tr>
<tr>
<td>7</td>
<td>KP</td>
<td>Yusuf Ahmad</td>
<td>588</td>
<td>0.04</td>
</tr>
<tr>
<td>8</td>
<td>APS</td>
<td>Kabir Usman Y.</td>
<td>512</td>
<td>0.04</td>
</tr>
<tr>
<td>9</td>
<td>SDMP</td>
<td>Ahmed Bello Bakunawa</td>
<td>467</td>
<td>0.04</td>
</tr>
<tr>
<td>10</td>
<td>ALP</td>
<td>Alh. Musa Gwaskwaram</td>
<td>382</td>
<td>0.03</td>
</tr>
<tr>
<td>11</td>
<td>AD</td>
<td>Haliru Abdullahi</td>
<td>313</td>
<td>0.02</td>
</tr>
</tbody>
</table>
The Reality of Mandate Protection

Mandate protection in Bauchi State in 2011 election was significantly different in ideology and process compared to that of 2007 election process. There was no clear message in 2011 that forms the rallying point for the stakeholders to unite on the mandate protection project. The popular dictum of the 2007 election- “A kasa, A raka, A tsare” was not observed in the 2011 election and this affected mandate protection in the state.

In 2007, the conflict between PDP and the then incumbent governor Abubakar Muazu made Isa Yuguda cross carpet to ANPP. This development weakened the strength of PDP, hence the decamping of Isa Yuguda alongside with his loyalists made PDP lost the governorship seat in 2007. However, Yuguda decamped back to PDP after winning governorship election under the umbrella of ANPP. This action has two implications first the acclaimed mandate protection in 2007 election in the state was itself based on differences expressed by the leadership of the PDP with Muazu. Secondly, the elections and the determination to protect the peoples mandate were not rooted on party ideology but on the personality of Isa Yuguda.

In the 2011 polls, the Congress for Progressive Change (CPC) contested the governorship election in Bauchi state; the party became so popular on the perception of the people particularly the youth that the party can deliver the required dividends of democracy. The personality of Muhammadu Buhari CPC presidential candidate made many northerners to rally their support around him. In Bauchi, the CPC despite its massive support could not defeat PDP in the April 28 2011 elections. This could be that it lacked the structure required to translate its support into electoral victory.

The power of incumbency and the inefficient strategists by the opposition parties to mobilize the people could said to have affected effective mandate protection in the state.

Post Election Mandate Protection

Mandate is given to a person expecting in return that it is judiciously used to the advantage of the giver. It is on this context that the electioneering campaigns of the various political parties are revolved. After the election, it is expected that the campaign promises be fulfilled. Across Nigerian state, less is seen in the demands from the people on the fulfilment of the campaign promises. The level of activism and the demands for people mandate in Edo and Ekiti states has helped to restore the mandate of the people (Report Direct Capture Meeting, 2008).
It is important to note that mandate protection does not end after the announcement of election results. The electorate has the responsibility of protecting their collective mandate given to political office holders. This however, will be done when the electorate holds political office holders accountable on their campaign promises and compel them to deliver.

**Lessons Learned**

Number of key lessons was learnt from the 2011 elections in Bauchi State. The elections in were conducted in an atmosphere of fear and the threat of violence. Those who did not come out to vote hinged their argument on the tension that had built up through the election process. In 2007, the area became prominent in Nigeria’s electoral history by the way the opposition mobilized the people against the incumbent PDP leadership in the state. It was not just mobilization; the people assured adequate protection of their mandate and made sure the election result resulted the wishes of the people.

In 2011 elections, the incident of 2003 resurfaced the consequence of the post election violence made good number of voters not to perform their civic responsibility during the elections. The effect of this to democracy is that it limits popular participation which is fundamental to democracy. Though the election result was announced, it is important to note that the result was not the true reflection of the people as most of the electorate were disenfranchised arising from trepidation in the post election violence.

2011 election incidence in Bauchi state shows large percentage of women was unable to vote for the candidate of their choice because of fear of violence.

Although the elections in Bauchi state have shown traces of electoral malfeasance, in the overall it marked a departure from what was obtainable in 2003. The 2011 election provided the citizens the opportunity to vote whereas INEC made efforts in reducing electoral malpractices.

**Conclusion**

In spite the awareness created by the civil society organizations, INEC and political parties, elections in Bauchi state were not free and fair. Also testaments from the process in Bauchi shows that mandate protection was determined by the power of incumbency and therefore limited the chances of the opposition to defend and protect their mandate.

Amidst this, 2011 elections showed some level of improvement from that of 2003 and 2007, as an emerging democracy in the process of consolidating it. Nigeria can improve on its elections through constitutional and electoral reforms.
We therefore recommend

(1) CSOs, INEC and other relevant stakeholders should intensify voters and the capacity for citizens to engage the process.

(2) Citizen’s capacity must be built to hold elected office holders accountable on the delivering of campaign promises.

(3) Justice Mohammed Uwais’ recommendations on electoral Act should be implemented.

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Chapter 9

Mandate Protection, Electoral Violence, and the Sheik Lemu Panel

Oluchi Agbanyim

Introduction

The 2011 Nigerian general election will be remembered on two major planks; one is that it marked a great departure from the declining precedent of the three last elections since 1999. The
second plank is the unfortunate violence that accompanied the electoral process. The first plank is in part explained by the audacious willpower, and great competence and leadership exerted by the Independent National Electoral Commission (INEC); and by the resolve of the Nigerian people to have a better electoral outcome.

A clear indication of the people’s desire for improved elections is exhibited in the vigorous campaigns and mass actions towards the end of the tenure of the former INEC’s chairman, Professor Maurice Iwu. The second indication was evident in the massive turnout during the voter registration exercise in January/February 2011. Through the use of available indicators and observations, the 2011 general elections were rated as an improvement on the 2007 general elections. However, this relative success was sadly marred by a grave outburst of violence during the elections, especially following the presidential election of April 2011.

Although Nigeria has a history of violent conflicts, ranging from ethno-religious conflict to civil war, to election violence etc., the 2011 elections’ violence, which claimed hundreds of lives, displaced hundreds of people, and led to many losses of properties worth millions of Naira, stands out as the biggest electoral violence in recent years, particularly since the country’s return to civil rule in 1999. The magnitude and format, the 2011 post-election violence took was unprecedented in the country’s history. The causes of the violence could be summed up to a string of events or factors including: the nature of previous elections; the lack of internal democracy in political parties, the age-long and widening disparity between the ruling class and the populace; the politicization of ethnicity and religion; as well as the poor state of governance, which in itself has a multiplier effect on the state of the nation.

**Violence and Election – the Link**

Election violence refers to acts of cruelty and aggression by a person or persons and directed against another person or group of persons within the electoral process. Experience from Nigeria and elsewhere suggest that while all forms of election violence (namely pre-election violence, election-day and post-election violence) are theoretically directed against election officials and parties to the elections, in reality it is an uncoordinated orgy of violence which spares no one. The nature or manifestations of election violence vary and could include: murders/killings; looting; destruction and damage of property; assault; bombings; fighting among political parties;
violent street protests and hooliganism; arbitrary detentions and arrests without warrant; abduction; economic repression or sabotage and death threats\textsuperscript{80}. It could also be psychological violence; forceful dispersion of political rallies; and intimidating voters and attempting to prevent voting.

Pre-election violence occurs with series of accumulative events and violent acts geared at frustrating, disrupting or manipulating electoral plans or the opposition to either fail or work in their favor. Election Day violence is geared at usurping or manipulation of the electoral process to secure victory or at least to prevent defeat. Post-election violence could be defined as the expression of fury or antipathy at the outcome of polls and is usually instigated by the perceived loser in the polls.

Election could be viewed as a cumulative process whereby the people (or the electorates) decide their leader(s) in an orderly, transparent and equal manner climaxing with a winner emerging from the polls. As African countries gained independence, most leaders became autocratic and clung to power, accepting the principle of democracy in theory, yet subverting it in practice, by all means to retain authority, hence the popular clamor for free and fair elections as the only means to attaining freedom.

**Elections and Election Violence in Africa**

Typically, the conduct of elections in Africa and other democratic societies often result in one of the three following dimensions: a) acceptance of results, either victory or defeat; b) rejection and acknowledgement of doubts and grievances but without intention to contest the results; and c) rejection and contest of election results.

The first dimension indicates a spirit of sportsmanship in which a great sense of maturity is exuded. Congratulatory messages are sent by the losing parties expressing a willingness to support or cooperate with the winners and to move the society forward. A good illustration is former House of Representatives Speaker, Dimeji Bankole (PDP) congratulatory message to Segun Williams (CAN) after the latter emerged as the winner of the Abeokuta South Federal

\textsuperscript{80} Samuel Monday Atuobi, Election-related Violence in Africa – Conflict Trends Issue 1 (2008), African Centre for Constructive Resolution of Disputes (ACCORD), Umhlanga Rocks South Africa (please review reference and look if it is the correct format).
Constituency during the 2011 elections. Dimeji Bankole was quoted as saying “for me, the race was not a life and death duel, of more importance is building, maintaining and developing our democratic institutions and processes towards true national development and greatness.” Similarly, Olagunsoye Oyinlola, former Governor of Osun State accepted defeat of Osun Central Senatorial District ticket to Olusola Adeyeye. 81

The second dimension is not much of an issue; it is often a matter of squabbles, back and forth trading of blames, and perhaps hope for victory in future elections. The third dimension where election results are rejected and contested is usually the most problematic of all three. Yet the rejection in itself is not the main problem, instead it is the manner in which the aggrieved parties deal with their loss and grievances that could end up in electoral violence. In mature political systems, the rejection is often resolved through recourse to the appropriate judicial mechanism with authority to review the election process and result, as well as power to grant necessary remedies. In weaker political systems, predominantly in Africa and some parts of Asia, parties to the disputed elections resort to diverse means, including self-help and violence. It is hard to say whether this resort to violence is as a result of weak conflict resolution and judicial institutions; or if these institutions are weak because of neglect. For example, electoral violence has been experienced in recent years in Zimbabwe, Uganda, as well as in Kenya in 2008 where over 1,200 people were repeatedly killed and 600,000 others displaced.

Election Violence in Nigeria

Violence is no stranger to Nigerian elections. Violence and deep dissatisfaction—especially in the Western—region, from the 1964/1965 post-independence election between the Nigeria National Alliance (NNA) and the United Progressive Grand Alliance (UPGA) greatly contributed to the advent of the first coup d’état in 1966 as well as the 1967-1970 Nigerian civil war. Later on, the outcome of the flawed second term election organized by President Shehu Shagari in 1983 was believed to be the main reason for the coup by General Muhammadu Buhari in 1983. Later, when President Babangida annulled the famous June 12, 1993 election, adjudged to be the freest and fairest election in Nigeria, violence erupted in Nigeria. About 100 people

were reported killed; however, the nation was lucky not to have been engulfed in high scale violence\textsuperscript{82}.

Though elections in Nigeria have been marred by pockets of electoral violence since the country’ return to democracy, The magnitude of the violence does not in any way compare to the 2011 general elections’. Though widely acclaimed as an improvement on the 2007 general elections, the 2011 elections witnessed violence in all its stages, i.e., Pre-election; Election Day; and Post-Election Day. Moreover, the violence that followed the declaration of the Presidential elections’ results turned the whole equation around, making it difficult to reconcile this positive view of improved elections with the accompanying violence.

One of the reasons that can be immediately identified as one of the causes of the post-election violence is the zoning agreement reached within the People’s Democratic Party (PDP) in 1999. The PDP leaders struck a zoning deal whereby the presidency would be zoned to the South West geopolitical region, and after eight years, returned to the North region. Thus after eight (8) years in power, Obasanjo handed over the presidency to Yar’ Adua in 2007. President Yar’ Adua became critically ill and died in May 2010, Vice President Goodluck Jonathan was sworn in as Acting President. Concerns were then raised about the ascendance of Goodluck Jonathan to the presidency with regard to the retention of the presidency in the North\textsuperscript{83}. The vehemence with which advocates of the return of the presidency to the North kicked against the candidacy of Goodluck Jonathan, and the equal vehemence with which their opposite numbers insisted on his candidacy deeply heated the polity and brought on the national stage the question of zoning, which prior to that, was simply a party issue. In a concerted effort to reclaim what they thought was their right, the Northern Political Leaders’ Forum (NPLF) led by Adamu Ciroma endorsed former Vice President Atiku Abubakar as the consensus candidate for the North over former president Ibrahim Babangida, and the then governor of Kwara State Bukola Saraki, and the only female contestant in the race: Sarah Jibril. When Goodluck Jonathan won the primaries, the

\textsuperscript{82} Jibrin Ibrahim and Okechukwu Ibeanu, the 2007 Nigerian Elections and Subversion of Popular Sovereignty, Introduction, p 7. Professor Oculi likens the aftermath of December 2007 elections in Kenya to the annulment of the June 1993 elections in Nigeria and explores the build-up to those elections and emergence of “new democratic windows” that shaped the outcomes of the elections. Although the Nigerian experience passed off without the type of ethnic violence that we saw in Kenya, the lesson for Nigeria remains that only a thin line separates a peaceful electoral aftermath and a bloody one. (please review reference and cite properly)

\textsuperscript{83} Moses Okorie Vincent, PDP Zoning a Matter of Choice, all Africa.com, 24 October 2010 - \url{http://allafrica.com/stories/201010250901.html}. See also Sections 144, 145 and 146 of the 1999 Constitution.
Northern consensus brought its support to Muhammadu Buhari of the Congress for Progressive Change (CPC). However, PDP candidate, Goodluck Jonathan, went ahead to win the presidential elections, and some elements in the North undoubtedly felt robbed of their presidential seat and were convinced that the elections had been rigged.

**Summary of Pre-Election Violence**

Table 9.1 below summarizes the major reported incidences of pre-election violence across the country.

<table>
<thead>
<tr>
<th>State</th>
<th>Incidence of Violence</th>
<th>Date</th>
<th>Reported Casualties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bayelsa</td>
<td>Labour party/ Timi Alaibe, campaign rally</td>
<td>9 – 01 -2011</td>
<td>4 dead</td>
</tr>
<tr>
<td>Borno/Maidugri</td>
<td>ANPP/Fannami Gubio</td>
<td>28 -01 -2011</td>
<td>8 killed</td>
</tr>
<tr>
<td>Rivers/Eleme</td>
<td>Aspirant/activist Richard Nima</td>
<td>1 – 02 – 2011</td>
<td>1 killed</td>
</tr>
<tr>
<td>Nasarawa/Lafia</td>
<td>Children near Palace</td>
<td>9 -02 -2011</td>
<td>2 shot dead</td>
</tr>
</tbody>
</table>

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### Table 9.1 Major Incidences of Pre-election Violence

<table>
<thead>
<tr>
<th>Location</th>
<th>Event Description</th>
<th>Date</th>
<th>Casualties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rivers /Port Harcourt</td>
<td>Stampede at PDP Presidential Rally</td>
<td>12-03-2011</td>
<td>Between 12 – 20 killed</td>
</tr>
<tr>
<td>Niger/Suleja</td>
<td>Bomb blast at PDP Rally</td>
<td>3-03-2011</td>
<td>4 killed</td>
</tr>
<tr>
<td>Ebonyi/Izzi LGA</td>
<td>ANPP Rally</td>
<td>19-03-2011</td>
<td>3 killed</td>
</tr>
<tr>
<td>Lagos/Lagos Island</td>
<td>ACN/PDP Clash</td>
<td>21-03-2011</td>
<td>3 killed</td>
</tr>
<tr>
<td>Plateau/Jos</td>
<td>CPC presidential Rally</td>
<td>21-03-2011</td>
<td>7 killed</td>
</tr>
<tr>
<td>Anambra/Awka</td>
<td>Senator Okonkwo rally</td>
<td>21-03-2011</td>
<td>1 killed, another nearly lynched</td>
</tr>
<tr>
<td>Ondo/Akure</td>
<td>PDP,CAN, Labour party</td>
<td></td>
<td>7 dead</td>
</tr>
<tr>
<td>Ekiti</td>
<td>CAN and PDP</td>
<td></td>
<td>2 dead</td>
</tr>
</tbody>
</table>

According to Amnesty International, between July 2010 and mid-March 2011, at least 50 people were killed in election-related violence in Nigeria. However, The International Society for Civil Liberties and the Rule of Law argued that, based on its findings, in the week between the 15th and the 22nd March, 2011 alone, more than 30 persons were killed in different parts of the country. According to the media, between July 2010 and March 2011, over 100 people had been killed, and about 300 others injured. These were the current trends in electoral violence in addition to more structured and conflict cases which predate the 2011 elections. Some examples are the Boko Haram terror campaign in Borno State and in other parts of the Northeast, and the prolonged Indigene-Settler crisis in Jos, Plateau State.

Unfortunately, people did not pay attention to early warning signals. For instance, reports by Amnesty International, prior to the elections, showed that “Nigerian government is not doing enough to bring people to justice in connection with the violence, and this is creating and

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85 Jude Atupulazi, 100 Nigerians die in pre-election violence, says group, Next Newspaper, March 25 2011.
fostering a culture of impunity, which is allowing an escalation of violence leading up to April’s elections.”

In the same spirit, Lucy Freeman of Amnesty International warned that:

Government had clear warnings that this was going to happen. There were very violent elections in 2003. There were violent elections in 2007, and yet action hasn't been taken to address this. And if we look at the other areas of insecurity, commissions of enquiry, questions asked about how [to] address the problem of security, nothing [has] been acted on.

2011 Elections – The Fairest; the Bloodiest

Violence erupted in the northern part of the country following the announcement that President Jonathan had won the presidential election. The results that President Jonathan of the ruling Peoples’ Democratic Party came ahead of Muhammadu Buhari of the Congress for Progressive Party. The protests degenerated into violent riots or sectarian killings in the northern states of Adamawa, Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Niger, Sokoto, Yobe, and Zamfara. About 800 people were estimated to have been killed in the about three-day intense riots. Relief officials estimated that more than 65,000 people had been displaced. The situation was worse in rural communities where security officials took longer to arrive there. Some people who manage to take refuge in police stations were still not safe as police forces were either outnumbered or lacked arms to protect both the population and themselves. It was the sad case of the nine corps members killed in Bauchi. Seven (7) of were killed in the Giade Police

86 Voice of America, Amnesty Warns of Pre-Election Violence in Nigeria, March 18th, 2011.

87 Lucy Freeman, Amnesty Warns of Pre-Election Violence in Nigeria, Voice of America March 18th, 2011


89 Hundreds killed in Nigerian post-election violence - Reuters guardian.co.uk, Sunday 24 April 2011 16.27 BST Article history - http://www.guardian.co.uk/world/2011/apr/24/hundreds-killed-nigeria-post-election-violence
station where they had ran to for safety, but the rioters overpowered the policemen on duty and killed the corps members.\(^{90}\)

Below is a summary of some reported cases of the post-electoral violence:

- A lecturer at a college on the outskirts of Zaria described an attack on the college: “The students ran away but the mob pursued them into the staff quarters and they had nowhere to go. The mob beat them to death and hit them with machetes. Four Christian students and a Christian lecturer were killed.”

- In the city of Kaduna, Christians and Muslims, who found themselves on the wrong side of the river during the riots, were bludgeoned to death by marauding mobs. Churches and mosques were torched in the city. Christian travellers were reportedly dragged out of their vehicles by Muslim mobs and killed on the road. Christian mobs also torched vehicles on the expressway leading through the city's southern neighbourhoods, killing Muslim motorists.

- In Kafanchan, Kaduna State, clashes between Muslim and Christian youths continued unabated throughout the night of April 18\(^{th}\). Christian and Muslims leaders told Human Rights Watch that, by the next morning, at least 20 Christians and 34 Muslims had been killed. The mobs torched hundreds of homes, shops, and vehicles; and razed the central market. 26 mosques and 4 churches were burned or destroyed. One of the leaders from the Igbo ethnic group, the vast majority Christians from South-eastern Nigeria, told Human Rights Watch that 11 Igbo residents were killed in Kafanchan, while 224 of their houses and 837 shops were burned, many of the latter located in the central market.

- In Bauchi State, rioters targeted members of the National Youth Corps Service, who served as ad-hoc election staff.\(^{91}\) According to media reports, on the afternoon of April

\(^{90}\) The nine corps members were Adewumi Seu (Ekiti), Teidi Olawale Tosin (Kogi), Adowei Elliot (Bayelsa), Okpokiri Obinna (Abia), Gbenjo Ebenezer Aypotunde (Osun), Ukeoma Ikechuwku Chibuzor (Imo), Nwazema Anslem Chukwuonyerem (Imo), Adeniji Kehinde Jehleel (Osun) and Akonyi Ibrahim Sule (Kogi).

\(^{91}\) One of the slain corps members, Ukeoma Ikechukwu had posted on his Facebook page:
17, in Giade in northern Bauchi State, rioters attacked the youth corps members in the town’s police station. The mob killed the police officer and burned down the police station. The mob also raped two of the female youth corps members, then hacked them to death with machetes, along with five other of their colleagues. In total, rioters killed ten youth corps members in the state.

**Explaining the 2011 Violence**

The 2011 post-election violence could be mainly explained as the activity of a mob targeting top politicians of the ruling PDP in the affected areas as well as traditional and religious rulers. The “mobs burned the homes, vehicles, and properties of ruling party stalwarts, most of whom were Muslim, and traditional leaders who were seen to have backed the ruling party.”

This violence is rooted in the mobs’ dissatisfaction with the victims, whom they accused of having sold their citizen’s rights to the south. This sense of betrayal of the North is not only a conflict from a political party perspective, it also took an ethnic and religious connotation since it was a Christian/southerner who emerged as the winner of the presidential election. Victims were thus targeted based on their alleged linkage to the winning camp, thereby, the targeting of youth corps members, mainly from southern Nigeria, who were performing their mandatory national services.

Many members of the Hausa/Fulani ethnic groups are Muslims and their religion and culture preach respect and service to both traditional and ethnic rulers who in turn could tremendously influence public opinion in their domain. It was thus surprising to see in northern Nigeria a violence of that magnitude, directed against northern political elites. What emerged from the 2011 post-election violence is the possible appearance of fissures on the hitherto strong bond between the ruling class and lower classes in the North. At this time, it is uncertain to predict if the fracture will heal. A tentative explanation for this break in societal command is likely to

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*Na wao! This CPC supporters would hv killed me yesterday, no see threat oooo. Even after forcing underaged voters on me they wanted me to give them the remaining ballot paper to thumb print. Thank God for the police and am happy i could stand for God and my nation. To all corps members who stood despite these threats esp. In the north bravo! Nigeria! Our change has come. (Please review quote)*

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92 Ibid
point towards the pervasive poverty, unemployment, and illiteracy that prevail in many states of Northern Nigeria.

Table 9.2 below summarizes the conduct of police and an assessment of their overall behavior during the 2011 general elections.
<table>
<thead>
<tr>
<th>Zones and Election</th>
<th>Police armed with firearms (%yes)?</th>
<th>Police courteous and approachable (%yes)?</th>
<th>Police showed impartiality (%yes)?</th>
<th>Police maintained orderliness (%yes)?</th>
<th>Feeling of security at poll centres (%yes)?</th>
<th>Police handling of security threats (%yes)?</th>
</tr>
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<tbody>
<tr>
<td>North – Central:</td>
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<tr>
<td>• National Assembly</td>
<td>12</td>
<td>89</td>
<td>81</td>
<td>74</td>
<td>89</td>
<td>75</td>
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<tr>
<td>• Gubernatorial and States’ House of Assembly</td>
<td>12</td>
<td>89</td>
<td>93</td>
<td>80</td>
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<td>• Presidential</td>
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<td>91</td>
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<td>83</td>
<td>76</td>
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<td>North – East</td>
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<td>• National Assembly</td>
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<td>• Gubernatorial and States’ House of Assembly</td>
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<td>• Presidential</td>
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<td><strong>North – West</strong></td>
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<td><strong>South – East</strong></td>
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<td><strong>South – South</strong></td>
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<td>Gubernatorial and</td>
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<td>Presidential</td>
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<table>
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<tr>
<th>South – West</th>
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<th>93</th>
<th>76</th>
<th>95</th>
<th>88</th>
<th>100</th>
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<tbody>
<tr>
<td>National Assembly</td>
<td>7</td>
<td>92</td>
<td>90</td>
<td>90</td>
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<td>93</td>
<td>85</td>
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</tbody>
</table>

Table 9.2: Police Conduct at the Polling Centres[^93]

<table>
<thead>
<tr>
<th>Assessment</th>
<th>National Assembly</th>
<th>Presidential</th>
<th>Governorship/State House of Assembly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very good</td>
<td>31</td>
<td>19</td>
<td>15</td>
</tr>
<tr>
<td>Good</td>
<td>48</td>
<td>62</td>
<td>65</td>
</tr>
<tr>
<td>Fair</td>
<td>7</td>
<td>10</td>
<td>12</td>
</tr>
<tr>
<td>Poor</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Very poor</td>
<td>2</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

*Table 9.2 Assessment of security officials’ Conduct*

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From the foregoing analysis, police and security officials’ conduct during polls is highly commendable. Regrettably, while security was adequate during the elections, election officials were apparently not prepared for the post-election violence. This is perhaps traceable to the wrong perception of elections as a linear exercise that ends when the polls close on Election Day.

The police spokesperson in Kaduna State told Human Rights Watch that more than 500 people had been arrested and charged following the recent post-election violence. There is no indication that any of those arrested had either been prosecuted, or exonerated and set free. Inability to prosecute such cases would only perpetuate impunity in the land. Diligent prosecution and punishment of perpetrators of such violence, and their sponsors as well, would prove useful in preventing future occurrences.

**The Sheik Lemu Panel**
Following the violence that marred the 2011 general elections, President Goodluck Jonathan, on May 11th, 2011, set up a twenty-man presidential panel to investigate the remote causes of the pre and post-election violence. The Panel’s terms of reference were to include:

To investigate the immediate and remote cause(s) of the pre-election violence in Akwa Ibom State as well as the tide of unrest and civil disturbances in some northern States of the Federation following the Presidential election, and make appropriate recommendations on how to prevent future occurrence;

To ascertain the number of persons who lost their lives or sustained injuries during the violence; to identify the spread and extent of loss and damage to means of livelihood and assess the cost of damage to personal and public properties and places of worship and make appropriate recommendations;

To investigate the sources of weapons used in the unrest and recommend how to stem the tide of illegal flow of such weapons to the country;

To examine any other matter incidental or relevant to the unrest and advise Government as appropriate.

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The panel\textsuperscript{96} was headed by Sheik Lemu with Samson Uwaifo, a retired justice, as the Vice Chairman, and F. F. Ogunshakin as Secretary.

Panels of inquiries or committees are not new in Nigerian governance. Sometimes they are the standard template for the Government’s response to challenges and emergencies. Unfortunately, reports of previous panels have not been implemented, and are often cached as official secrets. The Human Rights Violations Investigations Committee (HRVIC) otherwise known as Oputa Panel, as well as the many panels on conflict in Jos, Plateau State, are examples of previously unimplemented panel reports. Invariably, some stakeholders argue that “setting up the Presidential Committee is a sham designed to divert attention of the world to the proper prosecution of the perpetrators, and compensation of victims and families of those killed.”\textsuperscript{97}

Beside the loss of public confidence on the efficacy of investigatory panels, the Sheik Lemu panel was confronted with strong oppositions and criticisms, some of which relates to the following issues:

\textit{Legality and Jurisdiction}: there were concerns that the federal government lacked the legal backing to constitute the panel. Under the Tribunal Inquiry Act of 1966 and the section 315 of the constitution, only NASS has power to raise same for only the FCT while the states reserved the exclusive right for their states. This was further strengthened by the case of Fawehinmi v Babangida (2003) 23 WRN 1 (2003) NWLR (PT 808) 604 in which the Supreme Court held that the residual power to raise such panels rests on the states by virtue of the 1999 Constitution.

It was probably in light of this that Governor Patrick Yakowa of Kaduna state set up a parallel state judicial commission of inquiry into the post-election violence. Headed by Justice Mohammed Lawal Bello, the committee disclosed that a total of 255 memoranda were received,

\textsuperscript{96} Other members of the panel include Lateefat Okunnu, former deputy governor of Lagos state; Ajibola Ogunsola, immediate past Chairman of Punch Newspaper; Idowu Feron, a clergyman; Muhammadu Danmadami; M. B. Wali; Timiebi A. Koripamo-Agary; Peter Esele, President of Trade Union Congress (TUC); Mohammed Ibrahim; Femi Odekunle; Ralph Uwuche; Bukar Usman; Sheikh Adam Idoko; Mohammed Said, a retired major general; P.C. Okorie; Shamsuna Ahmed, L. P. Ngubane; Sani Maikudi; I. Hotonu; and a corps member.

\textsuperscript{97} Chino Obiagwu and Jibrin Ibrahim ON NCICC, May 23\textsuperscript{rd}, 2011 – also expressed dissatisfaction on previous panels such as Jos crisis, genocides in Zaki Biam in Benue state, Odi in Bayelsa state, Boko Haram menace. NCICC called on government to prosecute perpetrators of these international crimes under the Rome Statute involving crimes against humanity, war crimes and genocide which Nigeria ratified in 2002.
and said that the commission visited all the camps built for internally displaced persons (IDPs), the emirates and chiefdoms, as well as Jaba, Jema’a, Zangon Kataf, Lere and Birnin Gwari local government areas to ascertain the facts on the ground\textsuperscript{98}.

\textbf{Neutrality:} Some groups opposed the appointment of Sheik Lemu as the chairman of the panel; groups such as the Christian Association of Nigeria (CAN Kaduna branch), and the Middle Belt group questioned the appointment of Sheik Lemu to head the panel. The declared:

\begin{quote}
We have no faith or [sic] confidence in Sheikh Ahmed Lemu, a grand Khadi and a major brain behind the obnoxious Sharia legal system in some parts of the northern Nigeria, [sic] which has brought in its wake nothing but violence and deprivation of basic rights of non-Muslims\textsuperscript{99}.
\end{quote}

The main criticism was that since the post-election violence under review had religious dimensions, the panel being headed by a Muslim religious leader could not be seen as neutral.\textsuperscript{100}

\textbf{Panel Membership:} The other major concern was about the panel’s constitution itself; the membership was viewed as not balanced. CAN in the north has alleged that the major parties involved in the crisis were not adequately represented since no Christian from Kaduna, Bauchi, Katsina, Kano, Borno, Niger and Zamfara states, where the violence took place, are represented on the panel.\textsuperscript{101}

\textbf{Age of Panel Members:} The panel was composed predominantly of senior citizens. Sheik Lemu himself declared in a statement after the inauguration of the panel that “most of them [members of the panel] had already collected their boarding pass at the waiting lounge of departure.” At age 82, some expressed doubt on the capacity of Sheikh Lemu to handle the pressure that would come with the job. Additionally, there were concerns as to the efficacy of such a panel that is so

\begin{footnotes}
\item[99] Luka Binniyat, Opposition-Mounts-Against-Lemu-As-Post-Election-Violence-Panel-Chair, Vanguard, May 19, 2011 -\url{http://www.vanguardngr.com/2011/05/opposition-mounts-against-lemu-as-post-election-violence-panel-chair/}
\item[100] Aza Musa, CAN Rejects Lemu, Electoral Violence Panel Chairman, National Mirror, 16/05/2011 -\url{http://nationalmirroronline.net/news/12150.html}
\item[101] Ibid
\end{footnotes}
removed from the youths who are said to be the demographic group responsible for much of violent acts in Nigeria.

**Key findings of the Sheik Lemu Panel submitted to the President in October 2011.**

Perhaps the most relevant finding of the committee was that the views of Muhammadu Buhari concerning the need for his supporters to protect their votes had been misconstrued as an invitation to bloodletting by his supporters.\(^{102}\) This view is of direct importance to mandate protection strategy and is indicative of two things. First, it shows the power and potency of political messages, especially when delivered by high ranking politicians like Buhari. Secondly, it demonstrates the lack of awareness on the lawful and peaceful manner to execute mandate protection.\(^{103}\)

The Lemu Panel report further lamented the failure to implement earlier reports from similar panels, which thus facilitated the sense of impunity for the commission of violent crimes in Nigeria. This blame was extended to virtually all administrations in Nigeria since independence. The committee noted that insecurity of life and property occasioned by armed robbery and kidnappings served as fuel to the fire of public frustration and disappointment, and could thereby predict “social revolution,” unless urgent preventive measures were taken.

Additionally, the role of money in politics was fingered as a cause in the violence. The Panel queried how political office holders had ‘lucratised’ their positions at the expense of the whole nation, thus encouraging desperation to win public office and hence refusal to consider defeat in elections. The panel lamented that money had “turned politics in Nigeria to a do-or-die affair for which many politicians of all parties are seriously establishing private armies to execute their political schemes. There are many factors that contribute to that, namely easy access to drugs; serious general poverty at the grassroots level; and youth unemployment. The last in the list,

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\(^{102}\) See: The Nation, 13/10/2011  

\(^{103}\) Future programming should therefore work together with politicians, political parties and candidates, first to develop and standardise the message of mandate protection and also to disseminate it to their supporters at the highest level. At this stage it is only possible to speculate what would have been the outcome of the elections if all candidates in the elections had called on their supporters to eschew violence.

\(^{104}\) For a good summary of this report, see Jide Ojo, ‘Implement Lemu’s Report on 2011 Electoral Violence’  
youth unemployment in particular, is providing many foot soldiers ready for recruitment at a cheap rate.\textsuperscript{105}\textsuperscript{105}

The Panel also pointed to the negative campaigns and rumour mongering by unscrupulous individuals as part of the triggers of electoral violence, especially the controversy over zoning within the PDP, which became a major deciding issue for the presidential election. Lastly, the committee recommended strict enforcement of all the laws and regulations concerning use and trafficking of illegal arms, and urged that the negligence exhibited by security agencies should be severely sanctioned. The committee noted that the weapons used in northern Nigeria were largely knives, axes, cutlasses, and clubs, among others. However, in Akwa Ibom, there was a tide of illegal flow of sophisticated weapons into the state, which were used in the violence.

As of July 2013, very little has been heard of the implementation of this report, except that funds totalling 5.7 billion Naira\textsuperscript{106} had been allocated to the financial compensation of the victims of the carnage. It is still likely that the report has been shelved just as hundreds of other reports before it.

\textbf{Conclusion}

For the future, it is important to consider the creation of a specialised agency to handle electoral offences. The current strategy of prosecuting such high level acts of violence alongside other civic cases has not yielded the desired result. Additionally, it is important to revisit all relevant past reports and draft implementation strategies. They could be adopted and used by other stakeholders such as local communities and civil society organisations, even if the government is hesitant on a wholesale implementation of the recommendations. Drafting reports with practical and measurable recommendations should be the watchword for future exercises.

As argued above, the history of violence in elections in Nigeria is as old as the conduct of elections in the country. Much as one would hope, it is not realistic to think that the 2011 episode would be the last in a list of violent elections, unless clear measures are put in place urgently. It is therefore important for civil society groups and other stakeholders to prioritise the search for peace and stability with the same vigour rigged elections are pursued. Mandate protection

\textsuperscript{105} In Jide Ojo, \textit{ibid}
\textsuperscript{106} The Punch, \url{http://www.punchng.com/news/jonathan-approves-n5-7bn-for-post-election-violence-victims/}
practitioners must consequently henceforth recognise the misunderstanding between mandate protection and hooliganism, and duly realize that advocacy and voter education will be greatly needed in the coming years, though an uphill climb.

To help stem impunity, it is crucial that incidences of pre-election violence are punished as much as possible before the elections. This would hopefully warn would-be offenders of the fate that awaits them. Peaceful and credible elections are not only mutually attainable, they are indeed inseparable.

Chapter 10

Money Politics: Implication for Mandate Protection

Victoria Oseyande Ikearu-Udoh

Introduction
The absence of ideology in Nigerian politics is regrettable and is largely responsible for the lack of moral and ethical standards governing the conduct of elections in the country. Adichie shares such a sentiment when he writes:

[Unfortunately], Nigerian politics has been, since the era of military dictatorships, largely non-ideological. Rather than a battle of ideas, they are about who can pump in the most money and buy the most asset. Cash is handed out to local leaders, bags of rice are given to women’s groups, and promises are made about fixing roads that nobody really believe[s] will be fixed (Adichie, 2011).

Before the April 2011 elections, the Nigeria’s electoral system has deplorably been on a sharp decline, especially since 1999. The system was associated with problems of ineptitude and partisanship of election administration; and coupled with very weak electoral umpires, it became unscrupulous and undependable. The electorate was becoming rather apathetic and indifferent to the elections. Politics has been seriously monetized; public offices made so comfortable for
politicians so much so that the contest for political office has become a do-or-die affair. (SwiftCount, 2011)

In Nigeria, the public regrettably believes that voters do not matter and that politicians can buy or fabricate the votes to gain office regardless of the wishes of the people. Many fail to realize the power their votes carry for demanding accountability and effective representation. This trend could also be explained by the fact that people vote under heavy financial inducement or are forced to vote for candidates or political parties due to threats or an oath/promise to do so.

Nigeria’s history of long, unchallenged, and unpunished electoral fraud has caused the average Nigerian to believe that their votes do not count, and that the next elections would be rigged just as the last one. The Review of past elections, from 1999 to 2011, shows that an important part of the issue is not in voting per se, but in mandate protection before, during, and after voting. The incessant “theft” of the people’s mandate during elections in Nigeria has caused voters, especially the educated ones, to stay away from polls, as they are unwilling to waste precious time on voting queues, only to see that the election was rigged and fake results announced. (Mbagwu, 2007)

It was against this background, and the need to correct the unhealthy practice of vote-buying by politicians/vote-selling by the electorates that the Centre for Democracy and Development (CDD) implemented voter education and mandate protection projects for the 2011 elections. This chapter will reflect on the use of money in politics and the implications for elections and mandate protection in Nigeria.

**Money and Mandate Protection**

In Nigeria, it has been observed that money and the distribution of commodities play more important roles in campaigning than real issues—i.e. candidates’ political platforms. The use of money to gain unfair advantage in politics is referred to, in colloquial language, as *magomago, wuruwuru* and *chuwachuwa* (CDD, 2007). Money is used by rich political godfathers to sponsor contestants whom they can put in power to facilitate theft of public funds. Also, the citizenry are lured with gifts of money, items, and the promise of projects into voting for the sponsored candidate, or intimidated by thugs hired to terrify, harm or kill opponents as well as voters. During voting, some politicians fill their cars with money and go around and openly pay people
to vote for their candidates. They also use money to bribe electoral officials and the police to help them cheat. (CDD, 2011)

A survey conducted by IFES in 2007 (cited in Adetula, 2008) on public perception on corruption in the realms of politics showed that a majority of Nigerians think it is wrong for an ordinary person to sell a vote in return for goods or money. However, more than a third of the sampled population thinks it is understandable and excusable to do so. Furthermore, most people surveyed think it is wrong for political parties to offer money to people in returns for their votes while a third thinks it is understandable for them to do so. 1/4 of the sample admitted that someone already tried to offer them rewards in exchange for their votes in elections. Today in Nigeria, money politics, vote buying, godfatherism and “share the money” are regular household phrases and slogans portraying the moral decadence of politicians, political parties and voters.

**Explaining Mandate Theft in Nigeria**

In Nigeria, the 2004 household statistics released by the National Planning Commission (NPC) indicated that more than 70% of the population are in poverty. Such an abysmal national poverty rate suggests that elections in the country can only be characterized by widespread corruption and violence, especially when ‘political money’ is the only contact platform for politicians and the electorate. Free distribution of less than ₦10 (ten naira) in most cases; and sometimes of larger gifts such as motorcycles, umbrellas, food seasonings (salt, magi cubes, etc.); or giving of scholarship and soft loans often constitute the critical campaign strategies, and delivery of the ‘dividends of democracy.’ Candidates campaigning for elected positions have no other choice than to adopt such fraudulent practices for fear of losing people’s votes. Practically speaking, poverty is a great asset to politicians, especially in the rural areas (Adetula, 2008).

Unemployment is also a very critical factor contributing to “mandate theft” in Nigeria. The high number of jobless, untrained, or underpaid Nigerians is not just a social disaster, but an equally huge waste of economic assets, which undermines the possibility of sustainable progress, and can likely turn into a social time bomb (CBN, 2008). Millions of unemployed people, especially youths are left without any viable means of livelihood, which renders them susceptible to performing all kinds of crime and vices during periods of elections. They seize each election period as a time of “milking politician” of part of the “national cake.”
The 2007 National Directorate of Employment (NDE) report reveals that over 200,000 graduates granted National Youths Service Corps (NYSC) discharge certificates issued in the last seven years have remained unemployed. This figure was obtained through a national registration of unemployed graduates conducted in 8,812 Wards nationwide. It is worth noting that the total figure of the unemployed was not yet released. Again, this high unemployment rate suggests that the poor are the most vulnerable group to be influenced by money, gifts and “false promises,” in exchange for their votes (Sanyaolu, 2009). Another critical factor is illiteracy which tends to make voters susceptible to manipulations. It was recently revealed that Nigeria has the highest number of out-of-school children in the world (Afisunlu, 2013); these estimated 57 million children will likely become tomorrow’s voters, thereby susceptible to the influence of money in politics.

Since 1999, many forms of abuses and malpractices have characterized elections in Nigeria. The 2007 elections were particularly disastrous because they are regarded as worse than all previous elections. In some places, citizens were not allowed to vote and yet results were declared. The elections were marred by rigging and snatching of electoral materials; killing of opponents; and proclamation of false results (Ibeanu, 2007). By February 2007, midway through the general election campaign, some 12% of Nigerians interviewed acknowledged that a candidate or a party agent had offered “something in return for [their] vote”. In the last elections, the most common money inducement was 500 naira, however the average price paid for a vote rose from 1,750 naira in 2003 to 2,250 naira in 2007, largely because the proportion of large payments (10,000 naira or more per vote) increased over time (Bratton, 2008).

Though they were far from flawless, the 2011 elections have been regarded as the best organized, free, and fair election in the country’s history. International observers described the vote as a ‘significant improvement’ over previous elections, which is a correct characterization. Though the unprecedented high voter turnout — nearly 100%—in specific areas (mostly in the south and eastern parts of the country), there were reports of underage voting (mainly in the north of the country), which is probably due to money paid to individuals to influence their votes.
Money and Mandate Protection in the 2011 Election

Mandate theft through vote buying, and political intimidation are common features of Nigerian election at all stages. The 2011 election was no exception as obvious cases of vote buying and mandate theft were observed during the election. Before the 2011 election, there were reports that a political party was buying votes for as much as ₦10,000 per vote, and asking voters to swear that they would vote for the party. It was also reported that political parties in Kano spent millions of naira as allowance for their polling agents; some of the incentives allegedly given out by a few political parties in the state included five yards of cloth along with ₦1000 for each of the voters. Others distributed a large quantity of grains, such as millet, maize and beans, while others bought fertilizers for the voters. (Oyelere, 2011). Other forms of money inducements included mobile phone recharge cards, and umbrellas. It was reported\textsuperscript{107} that some persons in the voting queue in ward 13, in Igore, Abeokuta, Ogun state, were paid ₦500 each by one party’s agents, ostensibly to get them to vote for their candidate.

During the election many cases of mandate theft were witnessed in Soku, Akuku Toro LGA, Rivers State, ranging from massive thumb-printing to ballot box snatching. In Benue State, a publisher was caught in a vehicle with thumb-printed ballot papers. There were also incidences of ballot-box snatching in Achia Ikyurav-Ya, in Kwande, and in Pus, in Shough ward, Gweru East LG, Benue State (Situation Room, 2011).

One emerging trend as regards money in politics is the shrinking of the political space to the exclusive benefit of the rich. For example, nominations fees for party members seeking elective positions have become so high that only the rich and daring “political entrepreneurs” can participate in party primaries. In 1992, for example, presidential hopefuls spent over one billion naira during party primaries while other not-so-rich contenders’ budget for primaries was estimated at about 120 million naira. Although this Babangida administration’s reckless political transition programme was aborted, the trend of unrestrained use of money for political influence has taken roots and still persists to the detriment of women and youths who, among the population, are the most vulnerable to the practice due to their lack of access to wealth (Adetula, 2008: 28). Female political contestants lack the financial resources necessary to compete equally.

\textsuperscript{107} Tell, April 2, 2011
with men. Apart from financial constraints, female candidates experienced intimidation and pressure to step down in favour of male candidates; consequently, only 1 presidential candidate and 9% of the candidates for the national assembly elections in 2011 were women.

What played out during the last general elections was foretold by the former President Olusegun Obasanjo when he observed\(^\text{108}\) that:

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\text{We prepare for elections as if we are going to war, and I can state without hesitation, drawing from my previous life, that the parties and candidates together spent during the last elections, more than would have been needed to fight a successful war. The will of the people cannot find expression and flourish in the face of so much money directed solely at achieving victory. Elective offices become mere commodities to be purchased by the highest bidder, and those who literally invest merely see it as an avenue to recoup and make profits (Ojo 2011).}
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For the 2011 elections, candidates spent millions of naira from picking their nomination forms for the primaries until the end of the elections; this excludes the cost of litigations which could follow the elections. For instance in the PDP as well as ACN, CPC, APGA and the LP, party primaries were heavily monetized and financially competitive. Aspirants for Governorship and Presidential offices paying nomination fee of N5 million and N10 million upward, this is besides what is paid to godfathers, delegates, and voters. Hundreds of millions of naira was spent to conduct campaigns by politicians in contravention of INEC's regulation and the provisions of the amended electoral act (Soweto 2011a).

According to the 1999 constitution (FGN, 1999) in section 225(3)(a)(b) and section 91(3)(a) of the 2010 Electoral Act as amended (FGN,2010) , no political party is allowed to “hold or possess any funds for other asset outside Nigeria, or be entitled to retain any fund remitted or sent to it from outside Nigeria”. If violated, section 225(4) of the 1999 constitution provides that “the party shall cause to have the funds or other assets remitted or sent to a political party from outside Nigeria shall be paid over or transferred to the commission (INEC) within 21 days of its receipt with some information as the commission may require”. The penalty for holding/possession and retaining remitted funds from outside Nigeria is to “…forfeit the funds

\(^{108}\) address to the INEC-Civil Society Forum on November 27\(^{th}\), 2003
or assets to the commission and no conviction shall be liable to a fine of not more than 500,000.00” whatever the initial amounts involved (section 77).

The provisions of the 2010 electoral Act limit presidential candidates to a campaign budget of ₦1 billion; governorship candidates to ₦200 million; Senatorial and House of Representatives candidates to ₦40 million and ₦20 million respectively; and states’ House of Assembly candidates to ₦1 million. However, candidates have no reporting obligations, which make these provisions ineffective and weak. Unfortunately, the 2011 election spending was unregulated and showed no regard for the allotted maximum in the electoral act.

Though the 2011 election was widely applauded, it must also be admitted that money played too big a role in the process. This is regrettable and indicative of Obasanjo’s assertion that those who win elections by means of money will seek to recoup their investments, perhaps with a profit.

According to an article by Soweto, in Benue State, the incumbent State Governor, Gabriel Suswam of the PDP “held a fund raising dinner where over ₦600 million was realized from friends and associate” to support his campaign—note that the law allows governorship candidates only a campaign budget of 200 million Naira. Equally in Ebonyi State, Soweto evokes in the following the case of the State Governor, Martins Elechi of the PDP:

[He] has ready sources of funding being the incumbent …During a ceremony to herald his ‘acceptance’ to seek a second term held at the Abakaliki Township Stadium, two business men from the state donated buses and cash totalling ₦20 million on the spot… opposition politicians accuse the governor of obtaining N16.5 billion from the capital market to fund his campaigns. According to him, at a fund raising dinner organized by the PDP, over N115 million was harvested, including ₦11 million cash (Soweto, 2011b).

One can conclude that the 2011 election was, in general, characterized by an abuse of office by some incumbent political office holders; government aircrafts, vehicles, personnel, media and security agencies were used to the detriment of their challengers. It is a breach of section 100 (2) of the 2010 electoral Act, which provides that “states apparatus including the media shall not be employed to the advantage or disadvantages of any political party or candidate in any election.”

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Despite these enormous state resources, some incumbent political office holders still lost at the polls, including the sitting governors in Oyo, Nassarawa, Zamfara and Imo states (Ojo, 2011). Moreover, many ruling party’s officials were voted out.

Oyo State Governor, Adebayo Alao-Akala applied the money-for-vote strategy in his home town of Ogbomosho. Akala’s loyalists were said to have showered members and potential supporters of the ruling PDP with money amidst screams of “Owo Akala” (Akala’s money) and exacting promises that they would vote for PDP. Beneficiaries were said to have received between ₦500 and ₦2000. While some promised to vote for Akala, others jumped to a rare opportunity to extract money from a ‘non-performing’ governor (Ademosun, 2011).

The role of ‘godfathers’ is often decisive in Nigerian elections; according to Jibrin Ibrahim, “godfatherism is firmly establishing itself as a guiding principle in contemporary Nigerian politics. Godfathers are generally defined as men who have the power personally to determine both who gets nominated to contest elections and who wins in a state” (Jibrin Ibrahim, 2003).

**Conclusion: Money and the Future of Elections in Nigeria**

From the rate at which monetization of politics and elections is growing, there is a clear danger for future elections in Nigeria. It may not be possible to contest an election without spending money, but there is need to put in place stricter and more enforceable laws on election financing in Nigeria—surely, to contest an election should be cheaper than prosecuting a war!

In the last thee elections in Nigeria, it seems there has been a marked rise in votes’ trade. Consequently, money is fast becoming the sole *lingua franca* for politics. This trend has direct implications on the quality of governance to be experienced in the country as well as on corruption, inflation, and crime in society. In the words of Olusegun Obasanjo:

> With so much resources being deployed to capture elective offices, it is not difficult to see the correlation between politics and the potentials for high level corruption. The greatest losers are the ordinary people, those voters whose faith and investment in the system are hijacked and subverted because money, not their will, are [sic] made the determining factor (Ojo, 2011).
It is clear that for the *status quo* to change, the responsibility to check the negative practices such as vote buying, electoral malpractices, electoral malfeasance, intimidation, and mandate “trade”, and so on, rests not solely on INEC, but on all election stakeholders—the government, political parties, politicians, voters, the general public, public agencies, the private sector, the press, security agencies, CSOs, and CBOs, especially toward the 2015 election. Nigeria is at a critical juncture in its political history, the extent to which money will be used in 2015 could well signal the direction Nigeria’s democracy is headed.
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Chapter 11

Women and Mandate Protection in the Nigerian 2011 Elections
Alvana Ojukwu

Introduction
Mandate Protection is often perceived as the citizens’ response to any action and inaction that does or may affect the true outcome of an election, which in turn can undermine the voters’
The inauguration of Nigeria’s 4th Republic in May 1999 signalled a break from decades of military dictatorship and the general usurpation of the political will of Nigerians. The opening up of the hitherto constricted political space was a much anticipated component of this process, and is of particular significance to advocates of women’s rights, mostly because under the military rule, scant regard was paid to the political representation of women as the army was overwhelmingly, and by policy male. Clearly, giant civil and political strides have been made since May 1999. However, while such developments are celebrated, they must be situated against the context of how truly empowered the various segments of the civil society are, namely women.

Unfortunate as the situation is, most Nigerians still believe that women should not be allowed any significant involvement in their communities’ political life. However, over the past years, women have been making efforts to actively engage in this ‘forbidden arena’. A number of organizations have been established—and the mandate of some others enlarged—to help women organize themselves and articulate their causes. Advocacy, enlightenment, capacity building and training workshops, among others, have been put together to equip women and women organisations with information and strategies to help them actively and effectively participate in the political process as members of political parties, candidates, and as voters. The protection of women’s mandate is the mandate protection of all Nigerians, and in the final analysis, it is the securing of democracy in Nigeria.

As already known, every social action or inaction has a gender dimension, and mandate protection is no exception, especially in patriarchal Nigeria where the political arena is still perceived in essentially masculine terms. In the following pages, we shall examine the gender dimensions of mandate protection in the Nigerian 2011 elections. The chapter will, inter alia, reflect on some of the actions/inactions of some key individuals and organizations, and obviously determine the lessons learnt and then make recommendations.

Right from the outset, it may be needful to point out that some mandate thefts, environmental thefts in particular, are indirect, but no less drastic and effective. Electoral violence, internal

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110 Election Mandate Protection Fact Sheet by the Centre for Democracy and Development(CDD) in collaboration with Women’s Rights Advancement and Protection Alternative(WRAPA)

party democracy, labelling, voter education/ capacity building are not only crucial to mandate protection, but they are also particularly gender coloured. They will thus form the main thrust of this chapter.

**Electoral Violence**

Towards the 2011 elections, a coalition of civil society organisations, activists, and volunteers put together a pilot study that was aptly named VAWiP (Violence against Women in Politics). They benefitted from the support of the United Nations (UN) Women; the United Nations Development Program (PNUD) Democratic Governance for Development (DGD) project, with the Institute of Democracy in South Africa (IDASA) as the leading technical partner. This initiative was part of a larger Africa regional project by UN Women that aims at stimulating evidence-based, systemic, and institutionalized response mechanisms to the issue of electoral violence against women. The project studied electoral violence not just against candidates, but also against the electorate in general.

The study revealed that a significant percentage of Nigerian females, who were of voting age, had their voter’s cards taken away by male relatives, thus denying them the right to vote. Some others were denied the right to vote for a candidate of their choosing as they were coerced/mandated to vote for the candidate chosen by their male relatives. Also, during the voting process, it was noted that, especially in rowdy centres, men used their ‘superior physical strength’ to intimidate and get ahead of women in voting lines, which sometimes demoralised female voters, who then would abandon the queues.

The first pre-election statement issued by the VAWiP partners using findings between March 21\(^{st}\) and 30\(^{th}\), 2011 showed that 75% of the field monitors reported at least an incidence of violence targeted specifically at women. The most common forms of violence reported were intimidation; physical harm; death threats; and murder, directed either to particular female candidates, their family members, or ordinary women who are party supporters. The largest number of victims was ordinary women party supporters or potential voters (14.8%); and women candidates (13%)\(^{112}\). In a second statement issued, in terms of specific targeting of women, there

\(^{112}\) Press Statement on Violence Against Women in Politics (VAWiP) in Nigeria Issued by a Coalition of Civil Society Organizations with Support from Un Women and UNDP/DGD
were 1.4% of cases reported during the presidential election compared to 31.4% during the State House of Assembly/Governorship elections\textsuperscript{113}.

Amongst other things, these reports show that there were differences in the types of violence experienced by women during the State Houses of Assembly and Governorship elections; and the Presidential election. For example, no cases of rape were reported during the presidential election compared to the 12.7% figure reported during the State House of Assembly elections. There were also more cases of verbal harassment in the State House of Assembly/Governorship elections (13.7%) than during the presidential election (1.4%). This apparently supports the pattern observed from previous elections that State House of Assembly/Governorship elections tend to be more violent than other elections, and women are not exempt from experiencing particularly gendered incidents such as rape\textsuperscript{114}.

A study from the VAWiP initiative shows that women experienced electoral violence for three main reasons: (a) by chance: here they are caught in the cross fire of political unrest; (b) by choice: here violence meted out against them owe to their making the choice to enter the political space as candidates, voters or party supporters and (c) by conspiracy: here, these women are targeted deliberately for daring to invade what is socially viewed as a male dominated space. These trends close up the political arena and inhibit fair completion, effectively robbing some female voters of either their actual votes or the will to vote or be voted for. To this end it is important that:

- The legislature passes laws to combat the menace of electoral violence (in all its facets) and ensure that violence against women is specifically targeted.

- Sanctions be placed on political parties/figures who perpetrate any form of violence or fail to take adequate steps to secure women and other citizens who participate in their activities. INEC needs to explore ways to monitor electoral processes through objective guidelines to regulate and create a culture of nonviolence. Specifically, INEC may

\textsuperscript{113} Second Statement Issued by a Coalition of civil Society Organizations in Nigeria in Collaboration with the UN Women and UNDP-DGD on findings From A Situational Scanning

\textsuperscript{114} ibid
establish, in collaboration with security agencies and Civil Society Organisations (CSOs), tracking, documentation and response initiatives to facilitate accountability. An early warning and alert mechanism be established with links to CSOs and community based platforms which could serve as entry and feeding points for the alerts and sensitization at the lowest level of the electorate. The communication and action chain should be supported by a strong IT hub for data tool generation, collation and analysis for decision making.

**Internal Party Democracy**

Because the protection of the citizen/voter’s choice is pivotal to mandate protection, internal democracy within political parties is therefore inalienable to mandate protection. If the choice of the people is not guaranteed at the party level, then it becomes almost impossible to guarantee democracy at the national level. Consequently, if women cannot secure fair platforms at political party level, then they will not be presented to the electorate and therefore their mandates will inevitably be stolen, almost before conception.

To this end, the UN Women in Nigeria hired expert consultants to help develop a guideline for political parties on how to implement voluntary party quotas for women. They also organized a pre-primaries advocacy conference with political party leaders; women focused CSO partners and the media on the implementation of quotas in favour of women.

Studies reveal that rather than facilitate, political parties in Nigeria have largely disempowered women and impeded their access to leadership positions. The selection process, in most political parties, has therefore been crucial in perpetuating gender under-representation in governance. A review funded by the GAA reveals that, though many political parties, in their constitutions and manifestoes, provide for non-discriminatory clauses for women to contest and stand for elections, it has not been the case in practice. So, it is important to move beyond non-discriminatory practices to support affirmative action.

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115 A position paper developed by GAA IBP on Electoral Violence As an Impediment To increase in Quality and Quantity, Women’s Political Participation
116 *ibid*
117 A paper presented by GAA IBP on Enhancing Internal part Democracy (IPD) to Improve Women’s Status in Political Parties
For instance, though the ruling People’s Democratic Party (PDP) has agreed in principle to affirmative action in line with international agreements, i.e. 30% of positions to women, the party sometimes pegs the number of women at percentages below the 30% benchmark. Many times, the women who are allowed positions are women leaders; an office that neither commands any real influence over the party structures nor does it have a real voice in the place of critical decisions. Furthermore, provisions in some sections effectively reserve major positions for men. This is the case with provisions that demand experience as former presidents, vice presidents, governors, members of senate etc. to qualify for membership of the Board of Trustees. Such a policy puts women at a disadvantage as there are not many women who have occupied such positions\textsuperscript{118}.

Also, as observed during the 2011 elections, women movements within the political parties became very vocal and crucial in the campaigns of male candidates, even when other women are competing for the same position. In the PDP, Sarah Jubril\textsuperscript{119} got one vote and lost to President Jonathan during the party’s primaries. This situation was surprising given that women party leaders and delegates from across the nation participated in the party election.

A GAA IBP analysis of the National leadership of sixty (60) of the registered political parties in Nigeria, with particular reference to five (5) key positions, including National Chairman, Secretary, Financial Secretary, Treasurer, and National Legal Adviser revealed that only one political party, the United National Party for Development (UNPD) has a woman as its National Chair. Only three parties, the Change Advocacy Party (CAP), Fresh Democratic Party (FRESH) and the UNPD have a female National Secretary. Only five political parties have a female National Treasurer, i.e. CAP, the Kowa Party (KP), the Liberal Democratic Party of Nigeria (LDPN), the Labour Party (LP), and the Movement of the People Party (MPP); seven (7) women serve as their party’s National Financial Secretary; and three parties, including All Nigeria Peoples Party (ANPP), CAP, and MPP have women as their National Legal Officer.

\textsuperscript{118} ibid
\textsuperscript{119} Sarah Jubril’s presidential ambition came to limelight in 1992. She was an aspirant in the defunct Social Democratic Party (SDP). Six years later, she contested again for the presidential seat under the of the Peoples’ Democratic Party (PDP) but lost the presidential ticket to Chief Olusegun Obasanjo. In 2011 she contested again and lost to President Goodluck Jonathan.
It is clear from the above-mentioned statistics that to guarantee mandate protection at the first level, that is, at the party level, women representation should be enlarge. To that end, we proposed the following recommendations:

- Amendment to parties’ constitutions, manifestoes, policies and practices to guarantee 35% positions for women in executive committees and all subcommittees at local, state and national levels;
- Admit clauses that bind parties to rotate key party positions such as Chair, Secretary, Financial Secretary, Treasurer and Legal Adviser between men and women at all levels;
- Amendment to parties’ constitutions, manifestoes, policies and practices to mandate party to present 35% of women as their candidates at elections, failing which INEC should invoke punitive measures against the defaulting party.

**Labelling**

Often political parties and politicians tend to label female aspirants as being less committed to the party because of the fee waivers many women aspirants benefit from as part of the party’s affirmative action policies. The argument is that fee waivers to the benefit of women party members is a vivid demonstration of their lesser commitment towards their parties. Politicians see women within their ranks more as an act of benevolence on the party than as a crucial ingredient for democracy, and for the party’s success. The argument that the ‘committed contributions’ of the men should be recognized and rewarded, thereby creating a platform for the exclusion of women. It is worthwhile recalling Geof Wood’s analysis on the role of labelling in eliminating competition. Wood argues that the authors of labels and designations have determined the rules of access to particular resources and privileges, and are setting the rules of eligibility, inclusion, and exclusion, amongst other things.

From the foregoing, once a negative label such as the one pinned on these women has been successfully imposed on an aspirant, it is easy to fully exclude the labelled person, irrespective of

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120 Recommendations are as culled from a position paper developed by GAA IBP on Enhancing Internal Party Democracy (IPD) to Improve Women’s Status in Political Parties.
the formal rules and procedures established, simply because, the person’s legitimacy—in this case the woman’s— has already been fraudulently eroded.

Apart from the kind of labelling discussed in the preceding paragraphs, there is also the strategy of excluding women from the political arena by labelling them as cultural deviants. The deceitful argument here is that Nigerian culture—and sometimes religious beliefs— abhors women in leadership positions. It deliberately refuses to acknowledge historical precedents in which women wielded governmental power. Once a woman’s legitimacy and credibility have been eroded in such a way, the stage is set for mandate theft during elections.

**Women focused Voter Education and Capacity Building**

Voter education could be a great opportunity for enhancing women’s participation in elections as it creates avenues for women to learn about the elections and to have their fears about the process addressed. It is important for voters to understand that each ballot must be marked secretly and privately\(^{122}\). ‘Family voting’ or forced voting for specific candidate or party is contrary to Nigerian electoral laws and international standards as well, yet some women experienced it during the 2011 elections.

The media did a commendable work in voter education in the 2011 polls. A number of CSOs, government agencies, as well as development partners were also actively involved with voters’ education, in varied parts of the country. For example, in the activities carried out under the UNDP/DGD project, a strict quota for women’s participation was built into the programme activities. Such a strategy turned out to be a critical indicator in weighing the success of the project during evaluation. As a result of the voter education projects, voter apathy reduced considerably, which also meant that more women than usual voted during the last elections.

The Centre for Democracy and Development (CDD) implemented a number of voter education programme during the 2011 general election across Nigeria. These activities carried out in collaboration with the Open Society Initiative for West Africa (OSIWA), and with UNDP under the DGD project. Table 11.1 and 11.2 below presents a gender disaggregation of participants under the two (2) projects respectively.

<table>
<thead>
<tr>
<th>State</th>
<th>Male Participants (%)</th>
<th>Female Participants (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kaduna</td>
<td>70.4</td>
<td>29.6</td>
</tr>
<tr>
<td>Bauchi</td>
<td>48.3</td>
<td>51.7</td>
</tr>
<tr>
<td>Lagos</td>
<td>61.4</td>
<td>38.6</td>
</tr>
<tr>
<td>Cross River</td>
<td>75.5</td>
<td>24.5</td>
</tr>
<tr>
<td>Plateau</td>
<td>66.2</td>
<td>33.8</td>
</tr>
<tr>
<td>Edo</td>
<td>67.6</td>
<td>32.4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>64.9</strong></td>
<td><strong>35.1</strong></td>
</tr>
</tbody>
</table>

*Table 11.1 Sex Disaggregation of CDD/OSIWA Mandate Protection Project Participants*

<table>
<thead>
<tr>
<th>Zone</th>
<th>Male Participants (%)</th>
<th>Female Participants (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Central</td>
<td>58.12</td>
<td>41.87</td>
</tr>
<tr>
<td>North West</td>
<td>67.67</td>
<td>32.32</td>
</tr>
<tr>
<td>South West</td>
<td>54.31</td>
<td>45.68</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>60.20</strong></td>
<td><strong>39.79</strong></td>
</tr>
</tbody>
</table>

*Table 11.2 Sex Disaggregation of CDD/UNDP-DGD Voter Education Project Participants*

While these modest strides by CDD in increasing the participation of women in voter education processes are appreciated, there is huge room for improvement in future programmes, and ideally to fully achieve gender parity in civil society programming.

Away from the interventions of CDD, the UNDP Democratic Governance for Development Project also invested in the following: (a) Training support to over 80 female candidates and 217 female potential aspirants; (b) Publication of a handbook for female aspirants; (c) Public Service Announcements on TV and handbills urging women to get out and vote; (d) Step down activities by Community Facilitators on the National Gender Policy and voter education in the six (6) geo-political zones; and (e) Gender responsive voter education posters.

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123 Details culled from UNDP Nigeria DGD Progress Report; April 4th, 2011
The UN Women group sought to improve women’s participation in politics/mandate protection by hiring communication consultants to train female candidates to effectively participate in the April general elections as presidential/governorship candidates. Their main strategy was to use media based advocacy; to produce various IEC materials; to create and disseminate gender and voter education manuals; to elaborate and disseminate gender and election sensitization booklets; and to organize a one-day review meeting with CSOs, media partners and political party leaders to evaluate women’s performance in the primaries and advocate for improvement in political party mechanisms ahead of the April elections.

Furthermore, the Federal Government, through the Ministry of Women Affairs and Social Development, launched a N100 million Nigerian Women’s Trust Fund as “a mechanism to increase the number of women elected into political positions at all levels of governance in Nigeria” by providing, among other means, aspiring women politicians with financial and other forms of resources towards their political campaigns, irrespective of political inclinations.

Also, to complement the government’s effort, and in line with her pet project, the President’s wife and initiator of the Women for Change Initiative, Mrs. Patience Jonathan, also presumably gave, from her personal money, various sums of money (up to a maximum of N1 million) to each of the 809 female candidates across political party lines.\(^{124}\) Despite these initiatives and other programmes designed to prepare female politicians to effectively compete with their male counterparts, the trends and results show that women still have a long road to travel before attaining equality with men as the scales are still outrageously tipped in favour of men.

Over 800 courageous Nigerian women vied for political positions in the elections but the results are woefully showing only seven female Senators (6.4%), three of whom have been elected for a second term (out of 109 Senatorial seats); only 12 women (3.33%) out of 360 seats in the House of Representatives; one (1) female deputy governor; and a few seats in the State houses of

In fact, the 2011 figures are regressive compared with the previous elections’ (the overall percentage of women was 2% in 1999; 4% in 2003; and 6% in 2007.

![Figure 11.1 Sex Disaggregated data of House of Representatives Seats in 2011](image1)

![Figure 11.2 Sex Disaggregated data of House of Senate Seats in 2011](image2)

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125 Statistics culled from a Press Statement issued by GAA IBP on Actualizing the 35% Affirmative Action by President Goodluck Ebele Jonathan
126 The women represented in the above diagram include Rafeesuat Arinola of ACN, Olajumoke Abidemi Okoya Thomas of ACN, Ayo Omidiran of ACN, Khadija Bukar of ANPP, Lillian Ekwunife of APGA, Nnenna Elendu Ukaeja of PDP, Nkiruka Onyejioche of PDP, Aishatu Ahmed of PDP, Rose Okoji Oko of PDP, Stella U.O.N. of PDP, and Simiat Adeleke of ACCORD.
127 These seven women are Nkechi J. Nwaogu, of PDP, Mrs. Helen U. Esuene, of PDP, Nenadi Usman, of PDP, Aisha Jummai, of PDP, Christiana N.O. Anyanwu, of APGA, Joy Emordi of APGA and Chief (Mrs.) Oluremi Tinubu of ACN.
Although the number of female candidates increased for most of the elective positions, there was only one female presidential candidate; Mrs Ebiti Nduk of UNPD. There were four female vice-presidential candidates, namely Rose Yakubu of the African Renaissance Party (ARP), Kadijat B. Abubakar of the Better Nigeria Progressive Party (BNPP), Binutu Fela Akinola of FRESH and Bilikisu Ismo Magogo of the National Transformation Party (NTP). It is also important to note that none of the four (4) leading political parties (PDP, CPC, CAN and ANPP) had a female presidential, vice-presidential or governorship candidate.  

Concerning the governorship elections, not all the states were due for the fresh general elections in April 2011. Consequently, all we had from the 60 political parties were 348 governorship candidates. 13 (3.7%) out of the 348 governorship candidates were women and they contested in 10 states, namely Benue, Delta, Ebonyi, Enugu, Imo, Kano, Kebbi, Kwara, Oyo and Plateau. None of these women were successful at the elections, which means that to date, Nigeria is yet to produce a female Executive Governor of a State except for the brief period that Dame Virginia Etiaba held forth for Governor Peter Obi of Anambra State when he had some political challenges that led to Dame Virginia Etiaba being sworn in as governor.

**Conclusion**

As it has always been the case in Nigeria, patriarchy; electoral violence; religion; labelling, poor implementation of internal party democracy; corruption; ethical and cultural issues; and financial constraints; all of these factors contributed to limiting the chances and opportunities of female candidates and electorates, and facilitated theft of mandate in the 2011 elections. Considering the regression in the previous gains in women’s participation in these elections, it is clear that women greatly suffered from the above-mentioned challenges. The 2011 election ranked among

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129 Their names and parties were Emilia Uba, Omaliko African Democratic Congress (ADC); Victoria Azaber Pausu, All Progressives Grand Congress (APGA); Dame Gloria Obi, African Democratic Congress (ADC); Princess Esther Nwodo-Agbo, People’s Redemption Party (PRP); Nkechi Offor, African Liberation Party (ALP); Scolastica Emerole, Action Party of Nigeria (APN); Okoronkwo Precious, Better Nigeria Progressive Party (BNPP); Themadu Nkemdika, Fresh Democratic Party (FRESH); Hajia Musa Yakassi, Action Party of Nigeria (APN); Hauwa Mohammed, African Democratic Congress (ADC); Gbemisola Saraki-Fowora, Allied Congress Party of Nigeria (ACPN); Dada Fatima, Mega Peoples Progressive Party (MPPP); Paullen Tallen, (Labour Party).

130 Ibid
the most credible elections conducted in Nigeria’s history. Increased efforts at dismantling these challenges by both the government and NGOs would be of enormous help towards guaranteeing mandate protection for both men and women in future elections.

It is crucial that election stakeholders begin now to re-strategize for the 2015 general elections. While all of the voter education, and capacity building done in preparation for the 2011 elections were helpful, they could have been incontrovertibly more effective if they started earlier. The establishment of a neutral and non-governmental women’s political movement to train and mentor female aspirants is also important as it will improve participation and increase women’s fortunes in governance. Finally, while the election results were not favourable to women, an analysis of the number of appointive positions since 2011 shows improvements, and boldly speaks for a bright future for women in governance in Nigeria. It is important to use these positions to showcase women’s expertise and leadership skills rather than to justify party and state quotas.

It is however important to note that protecting the mandate of Nigerian women is not just a women’s issue, but rather a central issue for democracy, good governance, and national development in Nigeria as evidence from France, South Africa, and Scandinavian countries show that the most developed countries are usually the ones with the highest representation of women in government. Development and increased women’s participation in politics and governance are obviously inseparable.

Chapter 12

Election Monitoring and Observation

Adeolu Kilanko
Introduction
Elections present an opportunity for making leadership choices that are fair and equitable to all. Properly managed, elections provide a veritable platform for conflict resolution and transformation outside the battlefield and without bloodshed, hence the requirement for elections to be free and fair. Moreover, election monitoring and observation have become a part of the global process to promote liberal democracy in Africa and other parts of the developing world. Monitoring and observation boosts confidence in the fairness of the electoral process; helps deter fraud in the balloting and counting procedures; reports on the integrity of the election; mediates disputes resulting from the election; and vouchsafes democratization. During the Nigeria’s 2011 general elections, both local and international observers and monitors were on the field to examine the election procedure. This chapter presents accounts of different groups that monitored and observed Nigeria’s 2011 general elections.

Although the terms ‘monitoring’ and ‘observation’ are often used interchangeably in relation to elections, it is important to note that the two processes are, in fact, fairly distinct, albeit intertwined. Observation refers to information gathering or on-site fact-finding before making an informed decision about the credibility, legitimacy and transparency of the electoral process. It is often carried out by external agencies that cannot intervene in any material way in the process. As for monitoring, it refers to information gathering and examination, and evaluation of the electoral process. It is often carried out by domestic agencies that are able to draw the attention of the presiding officer to observed deficiencies during the elections in the hope that the identified problem could be redressed.

Election monitoring and observation may take two main forms: (a) long term—covering all the phases of the electoral processes; and (b) Short term—covering just polling day activities. Both stages are crucial for evaluating and assessing whether or not the electoral process, in any given country, has been conducted in a free, fair, transparent and credible manner.

Analysis of Reports of Key Observer Missions
In 2011, the Independent National Electoral Commission (INEC) accredited a total of 337 civil society organizations as local observers for the 2011 general elections; some international groups
also participated in the observation and monitoring of the elections. Below is a summary of the findings from some of the main reports:

**a. European Union Election Observation Mission (EU EOM)**

The European Union (EU) deployed a number of observers to monitor the conduct of the 2011 general elections. The EU EOM was deployed in Nigeria, from March 1\textsuperscript{st}, to May 21\textsuperscript{st}, 2011 following an invitation of INEC, and as such, the Mission made a long term observation of the electoral process. It was led by Chief Observer Alojz Peterle, a Member of the European Parliament and comprised 141 observers from the then 27 EU Member States and from Norway and Switzerland as well. The observers were deployed to all the states and Abuja. During election days, the EU observers visited 1,684 polling units in order to observe accreditation, voting and counting. They also observed the collation of the results at 309 centres at ward, Local Government Area (LGA) and higher levels. The EU EOM operated independently under its specific mandate, in compliance with the 2005 Declaration of Principles for International Election Observers. Some specific observations from the EU EOM report on the 2011 general elections include the following:

- Adequate legal framework existed for the conduct of democratic elections in accordance with international principles, and with the international instruments ratified by the Federal Republic of Nigeria.
- Production a credible register by INEC was crucial to deliver transparent and genuine elections, and to building the confidence of the electorate in the system,
- Pre-election environment was generally conducive to the election campaign
- The repeated National Assembly elections on April 9\textsuperscript{th} proved that the decision to postpone the voting was favourable to a positive and peaceful conduct of the Election Day.
- The Presidential elections of April 14\textsuperscript{th} were conducted in a generally peaceful and orderly manner with enthusiastic voters committed to patiently attend accreditation and voting from early in the morning.
- Post-election violence that erupted in the North and in the Middle-Belt of the country including Kano, Kaduna, Gombe, Bauchi, Adamawa and Taraba States, were probably
triggered by the perception that the result of the presidential election might have been rigged.

- Despite the security concerns, the elections held on the 26 and 28 of April were generally calm, and INEC managed to deliver an adequate technical process that allowed the electorate smooth accreditation and voting.
- In the face of stringent time constraints; hampering logistical and operational challenges; and other various adversities INEC nevertheless managed to organise the 2011 elections, guaranteeing to Nigerians citizens an overall effective exercise of their voting rights.

b. National Democratic Institute (NDI)

The thirty member delegation arrived in Nigeria on April 4th, prior to the National Assembly elections, and remained in the country until April 18th. As part of NDI’s comprehensive election observation mission, the delegation builds upon the findings of NDI’s pre-election delegation visit conducted in October 2010, and the reports of the twelve NDI long-term observers who have worked in Nigeria since January 2011 and observed pre-election preparations, including voter registration and the electoral campaign. The NDI delegation also observed the April 9th National Assembly elections and concluded in a statement that despite a number of significant problems, the elections represented a break from Nigeria’s electoral past and provided a real opportunity for citizens to exercise their right to vote. During the presidential election, delegates observed over 153 polling units in 61 local government areas (LGAs) across 11 states in all Nigeria’s 6 geopolitical zones and in Abuja, the Federal Capital Territory (FCT). The NDI delegation noted that both the National Assembly elections and the presidential poll represent a step forward from seriously flawed elections in the past. Some other observations from the NDI included:

- The delegation noted a voter turnout higher than for the National Assembly elections in polling sites observed, and was impressed by the dedication and neutrality of polling station staff, primarily comprising NYSC members. Election officials showed initiative and exhibited increased confidence in addressing challenges that arose on Election Day.
• Essential materials, including ballots and results sheets, were present in all polling stations observed, and most stations opened on time. The impact of refresher trainings quickly ordered by INEC was apparent—with many polling staff, for example, making renewed efforts to post polling station-level results.

• In response to voter register omissions that emerged during the April 9 elections, INEC took positive steps to enfranchise more eligible voters, by providing updated voter registers or, in a few cases, addenda to polling staff.

• The delegation noted a lack of uniformity among different states and localities in implementing INEC directives issued just days before the election, as well as an inconsistent application of prescribed procedures, especially regarding changes to the voter register.

• Secrecy of the ballot continued to be a problem in many sites, where poor station set-up, lack of privacy screens or improper instructions to voters on folding ballots was observed. In one extreme case witnessed by delegates, voters were displaying their ballots to party agents before placing them in the ballot box.

• Overcrowding was observed in many stations, creating a challenge for polling staff and security officials alike. While most polling staff and officials employed cooperative and creative measures to ensure order within stations observed by NDI, some were unable to maintain sufficient organization of the process. In these problematic stations, procedures developed by INEC to prevent fraud, including distinct accreditation and voting periods and double inking, were set aside—often at the request of voters—to expedite the congested process.

• Delegates in some locations witnessed serious incidents including underage voting, campaigning, intimidation and indications of vote buying. While these incidents were limited and most polling station officials attempted to mitigate them, observers noted that the local voting communities in some areas encouraged these violations.
While some collation centres were well organized, transparent, and adequately staffed, others lacked basic necessities, including sufficient space and electricity. In some locations, observers witnessed large crowds—mostly comprising male youths—that were unruly and sometimes violent, threatening the quality of the process.

Observers saw a number of party agents on Election Day and, despite isolated incidents of undue voter influence, most contributed positively to the process by cooperating with polling station staff and security officials to maintain order in polling stations.

The delegation notes the diligent efforts of tens of thousands nonpartisan citizen election observers, including the systematic observation activities of citizens on Election Day. It is troubling that a number of citizen observers were intimidated and harassed; some were prevented from completing their duties when they were not allowed to enter polling locations or to travel between polling sites. A number of observers were reportedly kidnapped by thugs and detained by police. In Asaba, Delta state, six domestic observers and one NDI international advisor were held overnight at a police station.

Security forces deployed throughout the country to maintain order in polling stations and prevent incidents of violence throughout Election Day. While the delegation found them to be present in most stations, their numbers in some stations were insufficient—particularly in rural areas.

c. The Commonwealth Observer Group (COG)

The COG was deployed from March 31st to April 9th for the National Assembly elections and for the Presidential elections from April 15th to April 17th. The Group split into teams that covered eight States (Edo, Enugu, Plateau, Oyo, Kaduna, Kano, Lagos, and Nassarawa) plus the Federal Capital Territory, Abuja. Some critical issues in Nigerian electoral arena highlighted in COG report are:

- Emergence of a more credible Voter Register and stemming from a transparent and thorough registration process
With regards to INEC, the COG noted that: the incumbent president appointing the Chairperson and the Resident Electoral Commissioners can raise the spectre of political influence or patronage and may also make the body vulnerable to undue influence. Also, that public confidence in INEC as an institution was severely tarnished after the 2007 elections, hence the need for the image to be redeemed. The appointment of Professor Attahiru Jega, an esteemed person, played a major role in redeeming the Commission’s battered image.

Revision of electoral timelines and procedures is necessary as a way of forestalling INEC from having to work under strict timelines while striving to follow principles stated in the Electoral Act.

Even though there are adequate provision to address complaints, appeals, and electoral offences in the 2010 Electoral Act, INEC must ensure that appeals are concluded early while electoral offenders are appropriately punished.

Persons on election duty on polling day, such as INEC’s polling staff and security officers, have the right to vote as Nigerian citizens, but under the existing provisions they are not afforded the opportunity to do so.

INEC’s failure to hold the elections as scheduled, and the re-setting of the revised date was a serious setback. Public confidence in INEC, and in its Chairman, was undermined as a consequence. However, the disappointment felt by many at INEC’s failure was countered by the openness of the Chairman in explaining the problem and his willingness to accept responsibility.

Observer teams reported a largely peaceful voting process, with few security-related problems reported at polling stations.

Polling staff worked hard and diligently, often in quite difficult circumstances throughout long and hot days. Staff, drawn largely from the NYSC, comprised of a good mix of males and females. There was also a large presence of Party Agents as well as domestic and international observers.

d. Project 2011 Swift Count

Project 2011 Swift Count was formed by four credible Nigerian organizations and was one of the largest monitoring groups. The project deployed over 8,000 stationary and
mobile election monitors throughout the country to observe the elections. The monitors reported on the conduct of accreditation, voting, and counting of ballots at polling units. They also followed closely the official results as announced by the Independent National Electoral Commission (INEC) for the presidential and gubernatorial elections in six (6) states (Plateau, Borno, Kano, Oyo, Imo, and Delta), representing the six (6) geo-political zones, and compared these results with the data submitted by their observers. The key findings from their report are summarized below:

- Project swift count detects a situation in which the President clings to the selection of members of the Commission so that a wrong signal is not sent that INEC is being positioned to be the agent of the ruling party. It was recommended that the Justice Uwais-led Electoral Reform Committee report be revisited and reconsidered in this regard.

- INEC was provided with sufficient funds for the April 2011 election which placed the Commission in a better stand than in previous elections. In addition INEC benefited from the Uwais Report and enjoyed unhindered financial independence as its funding and administration were no longer decided in the President’s office. This contributed to rising public confidence in both the government and INEC.

- INEC showed transparency in the decisions it made and provided important information on a number of key issues, including the final number of candidates, and a transparently verifiable voter register containing the number of voters per constituency. INEC provided observers with standard information and materials, including access to the voter register and permitted observers to attend its meetings with political parties or the media.

- In addition, local and international observers were accredited earlier than in previous elections. INEC also made provision for results to be posted at polling stations or published at superior levels of the election administration.

- INEC did not have difficulties in recruiting its ad-hoc staff who are members of the National Youth Service Corps (NYSC).

- For security reasons, most Resident Electoral Commissioners (RECs) and Administrative Secretaries were reshuffled to different states some days before the election, including public affairs officers.
• Peaceful campaign activities predominated in the pre-election period except in isolated cases where campaign rallies were halted by some hoodlums who were immediately arrested by vigilant security officials. Violence was limited during the election, except when it became a post-election phenomenon.

• Findings indicated a steady progression in levels of critical incidents from the National Assembly through to the presidential and gubernatorial elections. For the National Assembly elections, our mobile observers reported a total of 201 incidents, which increased to 628 during the presidential elections, and jumped to a total of 937 critical incidents reported during the gubernatorial elections.

• Project 2011 Swift Count also recorded a number of cases where monitors were chased out of polling units and in some instances kidnapped by political party agents, local government chairmen, party thugs, and community members. Project 2011 Swift Count received reports that at some polling units, some INEC’s officials and security forces looked unconcerned when monitors were intimidated and chased out.

• Overall, credible reports were received from our monitors, and international and domestic media indicating that the elections were, at least, free, fair, and not violent ridden in large parts of the country.

• In their 2011 code of conduct, political parties resolved to ensure the promotion of active participation of women in electoral processes. However, women remain clearly under-represented in the elections as evidenced by the very low proportion of women candidates, and the equally low rate of success they enjoy in elections.

\(e\). The Situation Room and the CSO Report

The Election Situation Room domiciled in the Policy and Legislative Advocacy Centre (PLAC) consists of 25 of the leading civil society organisations, including the Centre for Democracy and Development (CDD), the Centre for Legislative Advocacy (CISLAC), the CLEEN Foundation, the Centre for Leadership Strategy and Development (Centre LSD), Reclaim Naija Group, the Election Monitoring Group and other human rights organisations.

These organizations and their partners collectively monitored most parts of the country, and then set up a control room where reports from deployed monitors and from other Nigerians
as well were received and analysed. The reports would come in real time through phone calls and text messages, and once analysed, action was taken including phone calls to security services and INEC. A part of the situation room was also monitoring the activities of specific organisations such as INEC, and Reclaim Naija Forum, on a certain number of social networks, e.g. Facebook and Twitter. The Situation Room issued a number of reports following each election, the key points of which are summarized below:

- Though the overall conclusion was that the elections were generally free, fair, and credible, there remain contentious results in a few states.
- A problem specific to the April 9th National Assembly elections was the late arrival of voting materials, INEC staff, and security officials in many of the polling units monitored across the country—that still happened after the April 2nd elections were necessarily and courageously postponed for the same reason. All of these factors combined created an unnecessary tension reminiscent of previous elections in Nigeria, and also brought understandable doubts on the possibility to organize relatively peaceful elections.
- A major issue in all three elections was the persistent incidents of ballot box snatching and stuffing, which occurred in many parts of the country.
- Another serious issue was the seemingly systematic and coordinated intimidation, arrests and even detention of election observers, some of whom were held incommunicado for several hours. This was particularly notable in the April 16th Presidential election.
- Inadequate security was a persistent feature of the elections. There were cases of inadequate security personnel in many polling units, notably in areas known to be prone to violence, which resulted in the unfortunate tragic deaths of a number of NYSC members and other citizens, especially during the National Assembly and Presidential elections. However, it is worth mentioning that only a few similar incidents occurred during the Gubernatorial/State Houses of Assembly elections.
- Underage voting was a persistent feature of all three elections in selected parts of the country. Furthermore, attempts by INEC to stop the practice, sometimes with the support of observers and journalists, were resisted by the voters themselves, which is
a good illustration of the electorate undermining the very process that was supposed to liberate them.

- Violence erupted during the Presidential elections and was followed by low voter turnout for the gubernatorial/state houses of assembly elections. The low voter turnout may also have been caused by heavy security presence which, while reassuring the general public of their safety, also had the unfortunate effect of intimidating potential voters.

- The weakest link in the chain throughout the entire process was the seeming inability of INEC to control the collation process, which is where most of the alleged rigging took place, most notably in the presidential election. That happened despite INEC’s own directive requiring observers to be accredited to monitor the collation process and be present at the centres.

- Obvious cases of vote buying observed during the general elections were also another anomaly, which was not properly addressed by the election authorities.

- There is need for INEC to institute an audit of the 2011 General Elections in order to address irregularities that occurred during the process to improve future elections.

\[f. \quad \text{Civil Society Complementary Election Monitoring and Observation}\]

The Independent National Electoral Commission supported the establishment of a monitoring and observation organ comprising members of civil society organisations led by the Nigerian Bar Association (NBA), and the Nigerian Labour Congress (NLC). This served as a complementary, yet viable addition to internal monitoring already planned by the Commission. The monitoring and observation team recruited and deployed 114 observers, constituted into state teams, to all 36 states and the Federal Capital Territory, Abuja. Each state team was required to take on monitoring and observation of elections in a specific senatorial district from their state. The coordination of complementary election monitors and observers was done in collaboration with the Election Situation Room. The team also formed part of the pool of monitors and observers whose reports feed into the Situation Room’s analyses and reports. A summary of findings extracted from the reports submitted by the monitors are given below.
• Identification and arrangement of Polling Booths: Generally, polling booths are easily identifiable and well arranged. Specifically, reports indicated that most polling booths were arranged with a table and a chair, and sited where voters can freely access them.

• Security and behaviour of security officials: Reports revealed that while armed police officers accompanied electoral materials to the polling units, most of the police officers designated to polling units were not armed. In addition, members of the Civil Defence Corps were reported to have played critical roles in the elections. Generally, observers reported that security officials at polling booths were pleasant to voters.

• Promptness of Electoral Officers: Observers reported that materials arrived early generally for the elections. For the three elections, reports from state teams revealed that electoral officers arrived at their designated polling units between 8 a.m. and 9 a.m. for most of the polling units.

• Comportment of Electoral Officers and Party Agents: a smooth relationship between party agents and electoral officers characterized all the elections and at various collation centres as reported by field officers. Noteworthy is the commitment and dedication exhibited by members of the National Youth Service Corps, even after violence erupted in different parts of the country.

• Accreditation Exercise: While the accreditation process could be generally said to have been smooth and conducted within the stipulated time of 8 a.m. and 12.30 p.m., the late arrivals of materials and electoral officers in some states resulted in some delays.

• Voting Process: Voting was done largely in a relaxed and unhurried situation during the three elections and the rescheduled ones. The report mentioned massive thumb printing, as observed, for example in Akuku Toro LGA in Rivers State; and a related issue, namely ballot box snatching in Benue State. The problem of underage voting was widely observed in many polling units in Bauchi, Gombe, Kaduna, Kano, Plateau, Nasarawa, and Taraba states.

• Declaration of Results: As provided by the 2010 Electoral Act, the elections results were declared at the polling booths visited by observers and were duly signed by party agents.

• Collation of Results: This process was reported to have been as smooth from the ward level to the LGA collation in most states; and key stakeholders were allowed access to the collation centre. Although the final collation of results were more tedious and
laborious, key stakeholders including LGA returning officers, party agents, security agencies, and observers were allowed access to the collation centre. Stakeholders endorsed results declared by the returning officers at the final stage.

- **Voter Turnout:** General voter turnout for the elections was low. The only election that witnessed a relatively good turnout was the presidential election. There were allegations that, in some cases, figures might have been doctored. Of particular note were the exceptionally high turnout figures in Abia (77%); Akwa Ibom (75%); Bayelsa (85%); Bauchi (63%); Cross River (63%); Delta (68%); Edo (74%); Enugu (62%); Kaduna (65%); Imo (84%); Plateau (62%); and Rivers (76%) states. These figures were higher than the national average of 53%.

**Conclusion**

In conclusion, one can argue that the 2011 general elections in Nigeria were adequately monitored and observed. Findings from the reports of election monitors and observers—local and international groups—revealed that the elections were among the freest and most credible in Nigeria’s history. Yet they were neither perfect nor faultless; they revealed persistent challenges, including logistical problems and election-related violence. Nevertheless, the elections provided a genuine opportunity for citizens to exercise their right to vote and for their votes to count. The elections reversed the downward trend in Nigeria’s electoral processes and set a new benchmark for credible elections in the country.

The elections’ outcomes should inspire Nigerians to deepen the discourse on electoral reforms aimed at more transparent and credible electoral processes and legitimate outcomes as well. The efforts and huge costs of deploying observers—local and international—, as well as the disenfranchisement that results from serving as an election observer could only be fully justified if Nigerians use the period between elections to correct the anomalies observed in the 2011 elections. If this is done, then the 2015 elections would be a significant improvement from the 2011 elections, which were themselves a significant improvement from the 2007 elections.
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Final Statement of Election Situation Room, April 29, 2011

Statement of the National Democratic Institute's International Election Observer Mission to Nigeria's April 16 Presidential Election.
Chapter 13

INFORMATION and COMMUNICATION TECHNOLOGIES (ICT) and SOCIAL MEDIA AS TOOLS FOR MOBILISING AND PROTECTING MANDATE
Terfa Philip Hemen

Twitter became most popular during the presidential election with 77% volume of content; SMS 22% and others 1%. Nigeria set a new record for recent African elections in the number of reports tracked using social media (tracking social media).

Elections constitute a core component of the democratic process, the failure of Nigeria and most other African countries to deepen and sustain the practise of democracy can, among several other factors, be traced to their failure to conduct free and fair elections, but also to their inability to put in place transparent and effective structures that could enhance the conduct of elections.

The emergence of information technology has undoubtedly played a key role in changing and shaping the 21st century. Information technology has impacted all aspects of life, whether negatively or positively. The political landscape has also been touched by the innovations that emerged from the field of information technology, especially from the 1990s when the internet revolution gained ground. The changes are significant, be it voters’ mobilisation, electoral campaigns, election observation, or even the way results are announced. The use of Information and Communication Technology (ICT) and its application to modern democratic procedures seem to represent new methods that could enlarge democratic participation and strengthen democratic institutions-procedures (JITI, Journal of Information Technology Impact)

The overall goal of media coverage during elections campaigns in democracies is fair and objective reporting, and information dissemination. The mobilisation of the electorate; electoral campaigns; and


133 Internet World Stats. “Media in Election Campaigns” Internet World Stats http://www.internetworldstats.com/africa.htm#ng
the proclamation of election results in Nigeria have always been through the traditional media channels of television, radio and newspapers. That poses a certain number of challenges, namely transparency, independence, ethnic-geopolitical sentiments, which are often associated with these channels.

Because a large section of the media is controlled by the government, the extent to which these media houses exhibit independence during elections—from the campaign period to the announcing of results—is suspect. As for private owned media, they often tend to trail along the path of geo-political and ethnic sentiments or towards the actualisation of selfish aims, mostly related to profit. In both scenarios, an overwhelming number of the electorates are made victims as they cannot effectively put across their voices.

The emergence and development of information technologies led to the creation of an electronic public sphere, which is guaranteed by, not only the use of internet for the conduction of electronic polls, but also by the citizens’ capability to access any kind of political information on the local, national, and international processes and procedures. Moreover, the creation and operation of chat rooms for political themes and real-time communication provides the means of consolidating the necessary communication among citizens. Modern technology annihilates the geographical distance, thereby giving electorates a chance to meet regardless of where they live or work.

Electorates worldwide have been provided a new opportunity via the internet, which is one of the major achievements to have come out of the internet revolution. Since the early 2000s, the face of elections has continuously changed through the new platforms the internet offers as ordinary electorates were getting more and more involved in the electoral process.

While the western nations have long embraced the concept of e-democracy, the gradual appreciation and improved infrastructural capacity of African nations has increasingly developed their usage of the internet and social media networks as tools for mobilising and defending the mandate of the people. Countries like Kenya and South Africa have engaged these platforms earlier. In Nigeria, it is only from the 2011 election

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135 Op Cit p.76
that the country witnessed a massive growth in the use of these technologies to mobilize people to register, participate in the vote, and be fully involved in the observation and monitoring of the polls.

The upsurge in the use of social media networks gained momentum in the United States during the election campaign of Barack Obama. By 2011, in Nigeria, the terrain of elections was astronomically redefined. In 2008, the then U.S. presidential candidate Barack Obama broke new ground by using social media in ways never seen before. Yet, it was Goodluck Jonathan, the current president of Nigeria, who took the extraordinary step of announcing his bid for the country’s highest office on Facebook. On Wednesday, September 15th, 2010, he informed his 217,000plus fans, on the world's most popular networking platform, of his intent. Twenty four hours later, 4,000 more fans joined his page. By the day of the election, on April 16th, 2011, he had over half a million followers.136

The face of elections in Nigeria has since changed. These platforms were helping mobilise the electorates, and even the Independent National Electoral Commission (INEC) that hitherto relied on the traditional channels, television, radio and newspaper, became deeply involved in the use of social networks to perform well its mandate. Between March 10th and April 16th, 2011, the electoral commission posted almost 4,000 tweets, many in response to voter queries. Commission officials at polling stations around the country, also used Twitter to communicate among themselves, and they even confirmed the death of one of their members who had been attacked on the social network. "Twitter ultimately proved to be the most efficient way to interact with INEC," the document authors report. The commission's use of social media led to its website receiving a record 25 million hits in three days during the presidential elections. "By using social media to inspire voters, the electoral commission has redefined elections in Nigeria."137

The media, especially daily newspaper, followed suit by creating their own sites using these platforms; a good example is Daily Trust Newspapers. The boom in social media use during elections also helped the media expand their readerships. Shortly before the polls, the Daily Trust newspaper had 32,000 fans on Facebook. A few weeks later, the number had more than doubled to 65,000, placing its online reach beyond its print distribution of 50,000. To build up its fan base, the newspaper also used social media in its reporting. Journalists solicited and used questions from Facebook fans for interviews with INEC's chairman. Since the elections, the Daily Trust has further increased its Facebook presence, with 95,000


137 Ibid (August 2011, page 34)
fans by July 2011. The same can be said of other daily newspapers such as Vanguard, Punch, Thisday, etc. Traditional ways of reporting had changed; social networks expanded a two-way interactive relationship between newspapers and the electorate that hitherto was of a limited scope.

Another group of Nigerians that immensely benefit from this new technology during the elections were civil society groups which, since 1999, have sought new ways to better engage the electoral process. This determination for a stronger commitment came out of the necessity to correct acts of rigging, violence, and falsification of results which for so long has bedevilled and threatened the sustenance of the democratic process. The communication channels that civil society organisations had at their disposal were often limited, which is in total contrast with social media platforms like Twitter, Facebook YouTube, MySpace etc. To fully appreciate the work these organisations performed, the chapter will look at some of the networks created prior to the elections and see how they helped towards the mobilisation of electorates to participate in the whole electoral process, from voter registration to the protection of their mandate through the independent observation and monitoring of results.

**Reclaim Naija**

The Reclaim Naija platform was set up by Community Life Project, which is a non-governmental-organisation, and driven by the Ushahidi web engine. It was established as a reporting platform with a mechanism to allow grassroots to have their voices heard on issues of electoral transparency and governance. The platform made it possible for citizens to monitor the electoral process and report incidents of electoral fraud and other malpractices, simply by sending text messages or calling dedicated numbers in four major languages (Hausa, Igbo, Yoruba and Pidgin). During the elections citizens were able to communicate and send information through text messages, via Frontline SMS, Email Platform, and direct reporting via twitter. The Reclaim Naija.net website was another key component of the effort; it served as a one stop online resource for information on the elections. It had several components giving information on polling units, senatorial districts and wards, the Nigerian Constitution, on candidates, and on election time table, among others.

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To effectively succeed in reaching out to citizens throughout the country, it partnered with Community Development organisations nationwide and the Federation of Muslims Women’s Association in Nigeria (FOMWAN). Prior to the elections the promoters of Reclaim Naija carried out 193 civic and voter education forums for community and grassroots leaders spread across the 36 States of the country and the Federal Capital Territory, Abuja. An average of 120 leaders attended all the forums. Participants were drawn from existing networks with viable structures such as Artisan and Trade-Based associations, Faith-Based Organisations, Community Development Associations, Youth Organisations, Okada (Commercial Motor Bike) Riders and Owners, and Associations of Persons with Disabilities. The trainings embarked upon by the group were meant to enhance the capacity of community leaders who, in turn, would mobilise their wards towards activities centred on the elections.

The work of Reclaim Naija eventually contributed immensely in mobilising citizens during the voter registration exercise. Here are a few of the Organisation’s achievements:

- For the first time in our history, citizens of this country have a formidable platform for promoting electoral transparency and popular participation.

- Citizens were able to positively influence the electoral process, which inspired confidence in the elections. For instance, a lot of reports came from communities with limited access to registration centres, and a couple of them managed to extend the deadline for voter registration by two days.

- The deployment of the Ushahidi platform was an innovation that we introduced; hitherto, the platform was deployed around the world as standalone but we integrated it into the Reclaim Naija website and that allowed for the rich messaging carried out.

- The Reclaim Naija Ushahidi had more usage than any other ushahidi platform deployed in other parts of the world for elections.

- Reclaim Naija was also the first to deploy ushahidi for pre-election work—voter registration.

- The massive and unprecedented scale of civic and voter education that reached 24,579 community and grassroots leaders.
• Reclaim Naija’s ability to forward real time information and citizen reports of electoral incidents to INEC\textsuperscript{139}.

**Enough is Enough (EiE)**

EiE functioned as a loose coalition which executes its programmes through its partner organizations across the country. It is another organisation that utilised ICT and social media during the elections. The coalition made up of different civil society organisations that are not only focused on elections but also on other areas concerning the improvement of Nigerian society. Prominent organisations in the coalition includes: Future Nigeria; Kudirat Initiative for Nigeria (KIND); Light up Nigeria; 419 Positive Project; Paradigm Initiative Nigeria (PIN); Education as Vaccine against AIDS (EVA); Omotola Jalade Ekeinde Youth Empowerment Programme (OYEP); and Linking Youth of Nigeria through Exchange (LYNX).

The Register, Select (ed), Vote, and Protect (RSVP) project was the core of the coalition work during the election period. The Register aspect focused on the registration of voters, a part of its website contains a detailed breakdown of the registered number of people in the country. The Select (ed) part of the project focused on the display of results for the different elections including, Presidential, Gubernatorial and National and State Assemblies. A detailed breakdown of the results, inclusive of the geographical representation and percentage performance of the political parties is available on the site. The Vote page seeks to inform Nigerian voters on election dates. The page was designed during the 2011 elections and it currently displays forthcoming elections. The Protect component was significant in the organisation's strategy to protect the mandates of citizens. To that end, ReVoDa, a new mobile application was designed to allow citizens to report incidents, results, violence/fraud, police behaviour, INEC staff conduct, etc., from their respective polling units—and from the comfort of their mobile phones. ReVoDa turned eligible voters into informal election observers, and allowed monitoring.

organizations to draw conclusions about the legitimacy and accuracy of the elections. The project's target was to turn 87,297,789 Nigerians with mobile phones and 43,982,200 citizens with internet access into informal election observers.

Using ReVoDa, the organisation reported on its website that 6,300 people downloaded the app during the National Assembly Elections; by the time of the Presidential elections, the number shot to 7,700.

**Use of ReVoDa App during the National Assembly Elections**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Respondents (%) Via ReVoDa</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Electoral Officials Arrival</strong></td>
<td>349 citizen reporters confirmed that INEC officials arrived on time while 195 stated that the officials arrived late</td>
</tr>
<tr>
<td><strong>Materials Availability</strong></td>
<td>79% of ReVoDa users who sent in reports said they were sure that electoral materials were available ahead of the commencement of the voting process. 20% did not report on the availability of materials while 1% stated that electoral materials were insufficient.</td>
</tr>
<tr>
<td><strong>Voting</strong></td>
<td>1.3% of ReVoDa reporters confirmed that voting had not started as at 1:30pm in their polling units, and we believe this is not unconnected to the late arrival of INEC officials and materials. We also think this may be due to the inability of some polling units with more than 300 registered voters to split into multiple voting centres.</td>
</tr>
<tr>
<td><strong>Vote Counting and Result Announcement</strong></td>
<td>54% of ReVoDa users stayed back at their respective polling units and confirmed that they all witnessed vote counting and result announcement.</td>
</tr>
<tr>
<td>Violence and Fraud</td>
<td>2% of ReVoDa users reported incidents of violence in their polling units while 3.8% reported suspected cases of fraud.</td>
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<td>-------------------</td>
<td>----------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Police Behaviour</td>
<td>Of the 371 ReVoDa users who commented on the behaviour of police officers in their polling units, 96.3% said the police officers were helpful, 1.6% thought they were biased, and 2.1% said the police officers in their polling units were intimidating.</td>
</tr>
</tbody>
</table>


**Use of ReVoDa App during the Presidential**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Respondents (%) Via ReVoDa</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electoral Officials’ Arrival</td>
<td>Late arrival of INEC officials was down to about 7% from 36% while on-time arrival went up from 64% to 92.71%.</td>
</tr>
<tr>
<td>Materials’ Availability</td>
<td>98.1% of the 367 ReVoDa users who sent in reports said they were sure that electoral materials were available ahead of the commencement of the voting process while 1.9% stated that electoral materials were insufficient.</td>
</tr>
<tr>
<td>Voting</td>
<td>0.6% of ReVoDa reporters confirmed that voting had not started as at 1:30pm, compared to 1.3% from the April 9th election report.</td>
</tr>
<tr>
<td>Vote Counting and Result Announcement</td>
<td>54% of ReVoDa users (same percentage as the April 9th election reports) stayed back at their polling units to confirm that they all witnessed</td>
</tr>
</tbody>
</table>
vote counting. 92.4% of these reports confirmed that vote counting was done in their presence, immediately after the final voter exercised their voting rights. Of the 51.28% of ReVoDa citizen reporters that stayed back to witness result counting by INEC officials, 92.46% confirmed that results were announced.

| Violence and Fraud | 2.15% of ReVoDa users reported incidents of violence in their polling units, up by 0.15% compared to the April 9 reports. Polling units in Lagos had the highest number of incident reports while ReVoDa users also reported violence incidents in polling units in Akwa Ibom, Anambra, Jigawa, Kebbi and Abuja. 2.36% reported suspected cases of fraud, down from April 9th reports’ 3.8%. Polling units from Lagos and Borno recorded more fraud reports but other states that had fraud reported from polling units include Akwa Ibom, Anambra, Bauchi, Kano, Rivers, Sokoto and Taraba. |
| Police Behaviour | Of the 309 ReVoDa users who commented on the behaviour of police officers in their polling units, 97.1% said the police officers were helpful (up from 96.3% on April 9), 2.27% thought they were biased (up from 1.6%), and 0.32% said the police officers in their polling units were intimidating (down from 2.1%). |


The use of the ReVoDa application was undoubtedly significant throughout the elections. Though the percentage number of users was not as high as expected when compared to the number of citizens eligible
to vote, the ReVoDa application overall contribution to the electoral process is quite substantial. In that regard, the progress achieved during the 2011 elections can be unquestionably consolidated as we move towards the 2015 polls.

**Project Swift Count**

Project Swift Count was part of the various projects designed to observe and monitor the elections through the use of ICT and social media tools. It was specifically a joint initiative of civil society and religious organisations—namely the Federation of Muslim Women’s Association in Nigeria (FOMWAN); Justice, Development, Peace/Caritas Nigeria (JDPC); the Nigerian Bar Association (NBA); and the Transition Monitoring Group (TMG)—aimed at solidifying the determination of all Nigerians to effectively protect the people’s mandate in the 2011 elections.

Project 2011 Swift Count deployed over 8,000 stationary and mobile observers throughout the country. Our observers reported on the conduct of accreditation, voting, and counting of ballots at polling units. We also closely followed the official results as announced by INEC for the presidential and gubernatorial elections in six (6) states (Plateau, Borno, Kano, Oyo, Imo and Delta), representing the six (6) geopolitical zones, and compared these results with the data submitted by our observers.¹⁴⁰

The use of text messages via mobile phones formed the core method the Project Swift Count observers deployed into the field used to transmit their reports while statistical tools were used to analyse data. To ensure the highest level of data quality, two observers were assigned to each sampled polling unit and both were required to send in reports, including the official results, via coded text message.¹⁴¹ The data received from the field was analysed and subsequently compared to the data released by INEC.

A good example that corroborates the efficacy of such a strategy is that the presidential election results estimates we came up with, which were based on reports received from 1,441 (96%) out of 1,497 sampled polling units, closely matched the estimates released by the INEC’s Chair on April 18th, 2011.¹⁴² During the Gubernatorial elections, Project 2011 Swift Count used the same scheme and set up a total of 2,392

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sample polling units in the six states—approximately 400 sampled units per state. Based on the official results collected by our observers from a representative random sample of polling units, Project 2011 Swift Count, once again, confidently released results estimates that were consistent with the official results as announced by INEC\textsuperscript{143}.

**Situation Room**

The Situation Room was a forum comprising more than 40 civil society organisations working on the 2011 general elections, including Action Aid Nigeria, Transition Monitoring Group, Centre for Democracy and Development, Justice Development and Peace Commission, Policy and Legal Advocacy Centre, CLEEN Foundation, Community Life Project/ReclaimNaija, Enough Is Enough, etc. It was the largest collection of civil society organisations whose aspirations were the conduct of free and fair elections and the assurance that the people’s mandate would be protected.

The Situation Room relied on the use of ICTs, especially social media platforms and mobile phones to get reports from the field throughout the elections. Most of the information was from members who set several social network platforms to that end. The use of text messages through mobile phones was also extensively used.

**The Social Media Tracking Centre**

This project was the outcome of a meeting sponsored by the Canadian High Commission with organisation by the Yar’ Adua Centre. It aims at promoting a two-way communication between INEC and its stakeholders following the openness with which the Professor Attahiru Jega-led INEC had operated. Dr. Judith Asuni and of AA PeaceWorks and Mrs Jacqueline Farris, Dr Mohammed Kuna of INEC, among others, attended the roundtable. Thereafter, they decided to create an independent social media tracking platform, with two primary goals.

The first goal of the platform was to gather and effectively analyse the importance of real-time data collected from the different technologies—Facebook, Twitter, YouTube or mobile phones—used by the different civil society organisations that adopted the use of social media as a means of observing and

\textsuperscript{143} Project Swift Count, \textit{Final Statement on the April 2011 General Elections: National Assembly, Presidential and Gubernatorial Elections} (Project Swift Count 2011) P6
monitoring the elections. Secondly the idea behind the centre was to provide an avenue where the different organisations would have the opportunity to comfortably share their experiences.

Mainly the brainchild of Foster Tucker, an American consultant to the International Federation of Electoral Systems (IFES), the project was expected to explore: the performance of social media platforms during the election period; the trends they might be developing; the possible course corrections; and the ways groups could learn from their respective past experiences. Based on his experience in Afghanistan, the Philippines and elsewhere, Tucker expected the data to offer stakeholders an opportunity to perfect a monitoring mechanism that could track subsequent elections.

*By the time elections started the centre was fully operational.* During the first election, *Sweeper (Swift River)* software was used to mine real time content from seven platforms: Reclaimnaija.net; ReVoDa; Nigerianelections.org; INEC; IFES/NEVR; Twitter; and Facebook. Ushahidi software was used to categorize and map posts and comments. Data collation involved incident reports, including violence; fraud and administrative lapses; incidental or deliberate disruptions of network providers as well as geographic specific information. Information was crowd sourced. Reports, pictures and videos were voluntarily provided by voters in order to express opinions, present evidence and garner feedback. With more data pouring in from subsequent elections, it became evident that the select software could not effectively handle the inflow of data.

In the subsequent elections, and with 50 tweets per second, *Sweeper* was overwhelmed. The centre had to work with its foreign partners to develop and adapt another software tool called *Aggie the MetaAggregator* to effectively contain the inflow of information. *Aggie* proved to be most effective in providing an interface for scanning reports and providing a map based on incident reporting data for some

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areas of the country as well as an automatic classification of reports based on content and election related locations.\textsuperscript{146}

**Sampled Collected Data from Social Media Platforms**

<table>
<thead>
<tr>
<th>Election and Date</th>
<th>SMS</th>
<th>Twitter/Facebook</th>
<th>Photographs</th>
<th>No. of Voters</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 2 postponed NASS</td>
<td>15,132(33%)</td>
<td>33,756(61%)</td>
<td>369</td>
<td>12,000</td>
<td>49,257</td>
</tr>
<tr>
<td>April 9 National Assembly Election</td>
<td>94,592(70%)</td>
<td>40,016(23%)</td>
<td>534</td>
<td>60,000</td>
<td>135,142</td>
</tr>
<tr>
<td>April 16 Presidential Election</td>
<td>33,460(22%)</td>
<td>130,426(77%)</td>
<td>463</td>
<td>65,000</td>
<td>164,349</td>
</tr>
<tr>
<td>April 26 Gubernatorial and State Assembly Elections</td>
<td>14,791(14%)</td>
<td>92,056(85%)</td>
<td>319</td>
<td>35,600</td>
<td>107,166</td>
</tr>
<tr>
<td>Total</td>
<td>157,975</td>
<td>296,254</td>
<td>1,685</td>
<td>70,000</td>
<td>455,914</td>
</tr>
</tbody>
</table>

\textsuperscript{146} Asuni, Judith and Farris, Jacqueline. *Tracking Social Media: The Social Media Tracking Centre and the 2011 Nigerian Elections*. Abuja: Yar’ Adua Centre and Enough is Enough, 2011 P 6
The added value of the Tracking Centre became more glaring from the analysis that was carried out from the inflow of data via the different social media platforms. Not only did the analysis help in getting a clearer picture of the on-going events, but it also brought to the fore the enormous capabilities these platforms provide with regard to mandate protection. The use of social media will most certainly continue to soar as more and more future elections in Nigeria will draw upon the 2011 experience.

**Nigerian Election Violence Report**

The group was led by the National Association for Peaceful Elections in Nigeria (NAPEN) in tandem with the International Foundation for Electoral Systems (IFES). Unlike other social networks, the focus of this group was electoral violence. The group’s main mission was to enhance the capacity of civil society organisations to monitor, analyse, and respond to issues of election related conflicts, before, during and after elections. The project draw upon the Election Violence Education and Resolution (EVER) programme developed by IFES based on best practices in monitoring and mitigation of election violence and on implementation experiences in over a dozen countries worldwide147.

The group’s website serves as major platform for access to information. It was designed by the West African NGO Network (WANGONET) on the Ushahidi platform with an SMS monitor embedded on the site to enable receipt of reports. The intention was to give the public and other stakeholders near-instant access to incidents around the country and a variety of other election-related information as well.

It is impossible at this moment to assess correctly the magnitude of the impact of social media on the 2011 elections, mainly because of the disparity that exists between the number of registered voters and the amount of data collected and polling units observed and monitored during the elections via social media. The advent of these new types of media has changed the electoral environment; previous elections were often manipulated behind the scenes and results altered indiscriminately by politicians, and in

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certain cases by the Electoral Commission itself. The introduction of social media meant that even untrained citizens could share their objective and subjective election experiences.

The launch of Reclaimnaija in late March 2011 demonstrated a change in mood as hundreds of community activists, ranging from motorbike and taxi drivers to market women, hairdressers to battery chargers, stood and held their mobile phones aloft, chanting “the power is in our hands”.

Social media platforms have opened a whole new channel towards the bid for mandate protection and making people’s votes count. As we move towards 2015 and even beyond, the experiences gained during the 2011 elections, namely the use of ICTs and social networks, indisputably constitute a huge potential towards mandate protection and the conduct of free and fair elections in Nigeria. However, to achieve such celestial goals planning has to start now and not in 2015.

Chapter 14

Conclusion: The Future of Elections and Mandate Protection

Jibrin Ibrahim

Introduction
Available evidence since independence in 1960 suggests that elections in Nigeria are often severely rigged. Despite this history of flawed elections, there is a growing perception that first round elections—in which the incumbents are not contesting— are often less rigged than the notorious second term elections in which incumbents are contesting, thus the more favourable public perception of early elections held in 1959; 1979; 1993, namely the ill-fated elections of June 12th, 1993; and in 1999. Since 1999, however, the conduct of flawed elections seems to

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have become institutionalized with each successive election deemed more flawed than the one before.

As a result, many citizens perceive the new elected officials as being ‘selected’ by the ‘powers that be,’ under ‘do or die’ elections imposed on the general populace. The resultant legitimacy deficiency is obviously one explanation for the lack of accountability in governance as demonstrated by record levels of corruption and embezzlement of public funds, non-performance of government, and thereby low level of infrastructural development. Following the 2007 general elections, President Umar Musa Yar’Adua made an attempt to correct this flawed election system by instituting the Electoral Reforms Committee (ERC), whose recommendations—the Uwais Panel Report—, though loudly applauded by the public, was not fully implemented by the government.

A modest package of electoral reforms were completed ahead of the 2011 polls, especially the 2010 Electoral Act, the amendment of the 1999 Constitution, the appointment of a new chair and management in INEC as well as the new voter registration exercise conducted in 2011. But, there was no certainty that the challenges which marred previous elections would be overcome in 2011. For one, there is voter apathy: turnout in previous elections had hovered near 50% even though Nigeria operated the first-past-the-post model in which second round voting was effectively ruled out. There is also the history of electoral violence, vote-buying, intimidation of electorate and opposition, marginalization of women and youths, the monetization of politics, and the ‘power of incumbency’.

The 2011 General Election was a very different kind of election for two important reasons. First, there is ERC’s work and the advocacy for the adoption and implementation of the Organisation’s report. Secondly, 2011 was a first round election, but the incumbent was contesting too. In the first instance, the depth and foresight embodied in the ERC report, which was widely available and publicly debated, helped heighten the thirst for credible elections; and Nigerians rose as one to call for the adoption and wholesale implementation of the Report’s recommendations. Although Nigerians were convinced that credible elections were possible, by the time the elections timetable was concluded, only selected ERC recommendations had been accepted. Moreover, the death of President Umar Musa Yar’Adua, mid-way through his first
term, in May 2010, resulted in the then Vice President, Goodluck Jonathan, taking office, which meant that in 2011, a sitting President would be seeking a first elected term as President.

**Trends in the 2011 General Elections**

In the course of the civil society’s advocacy and observation activities conducted before, during, and after the 2011 polls, a number of relevant general trends were observed including the following:

1. *Increased centralization of civil society programming*: Instead of a number of different election projects, we are seeing massive and national scaled election programmes coordinated by coalitions of civil society groups. This approach to programming is a welcomed development in that it allowed for more national level analysis of the election. But there is the risk that local peculiarities and expertise could be lost and subsumed in these mega-projects.

2. *Wavering pattern of voter turnout*: While Nigeria has a long history of low voter turnout in previous elections; the 2011 elections unearthed a new dimension to this issue. In the first instance, we heard repeated reports of underage voting in some parts of the country even though the overall voter turnout remained below the 50% threshold. If children were voting, where were the registered adults? Additionally, the miracle of near-100% turnout in specific parts of the country calls for reflection and increased election observation. If such high figures are possible, then they must be explained and sustained in all future elections.

3. *Unofficial Observation*: Although the scale of the deployment of electoral observers — local and international— has remained high, and very likely unmatched in Africa, we are witnessing increased efforts by individual citizens to contribute to improving the quality of elections from their own constituencies. These unofficial and self-deployed efforts include citizens’ eagerness to send reports of events that happened in their areas to one or more of the regional, and regional scaled projects, let alone their willingness to rebroadcast reports about the elections. It is likely that future election observation efforts would draw more from these self-deployed observers and less from officially deployed observers. CDD tested this system of observation when its staff documented the voter registration process for the 2011 elections.
4. **Online Observation**: Closely related to the above, we are witnessing an increased dependence on ICTs and online social networks to successfully monitor elections. Even the traditional local election observation missions are developing ICT platforms for the speedy collation, analysis and dissemination of the reports. It is clear that in the future, both the actual conduct of elections and its observation will increasingly be ICT-based. But, recent reviews of failed ICT-based elections such as in Kenya call for an appraisal of our ICT tools and tests before major deployment.

5. **Invalid Votes and Electoral Violence**: Despite the relentless efforts made in voter education by civil society, public agencies, INEC, as well as politicians and political parties, the tally of invalid votes\(^{149}\) cast in the Presidential election has risen, between 1999 and 2011, from 1.40% to 3.19%. In parliamentary elections, IDEA estimates a rise in invalidated votes from 2.40% to 3.20%, between 1999 and 2003 alone. If more and more Nigerians are incorrectly voting, then current approaches to voter education need to be reviewed and updated. Furthermore the fury of election related violence we have witnessed, especially following the last presidential elections, also put to question the efficacy of our current approach to voter education.

6. **Mandate Protection**: It is possible to theorize, at this stage, that the elections recognized as free, fair, and credible by the electorate are usually accepted as such based on the actual voters’ participation in the electoral process rather than on received election reports. If this is accurate, then we are likely to see more and more citizens fully participating in the electoral process and confirming their correct participation in all the stages of the process.

**Mandate Protection in Future Elections**
What could the 2011 elections tell us about the 2015 and subsequent elections? First we now know that the management and conduct of elections could change radically in a single election circle as seen in the changes that occurred between 2007 and 2011. Luckily, there is ample room for more similar positive changes between 2011 and 2015. We also know that every adult citizen is potentially both a voter and an observer—if this observation resource is effectively harnessed, there will be no hiding place for corrupt politicians and vote riggers.

By far the most sensitive issue for reflection in designing future mandate protection programmes is the alleged linkage between mandate protection and electoral violence. On the one hand, two key outcomes are of extreme importance in the electoral mandate protection process: the increased interest of citizens from all strata of society in the electoral process; and the increased advocacy by political and community leaders for mandate protection—or to “protect votes.” On the other hand, there is a negative trend that raises some concerns, namely the obstruction of the electoral process and the use of violence allegedly in the name of mandate protection. This approach mistakes hooliganism for mandate protection.

Between these observed positive and negative trends, there is the missing link of mandate protection education. The failure of many stakeholders, including politicians, civil society groups, and community leaders to systematically train the electorates, especially the youth, on the electoral process and the rudiments of mandate protection has left the electoral system with a significant number of citizens who feel the need to protect their mandate but have no training on how to do so within the confines of the law. This does not, in any way, disprove unemployment, and youth bulge and restiveness as the main explanations for electoral violence.

The high interest generated in the electoral process in 2011 should not be allowed to fall in future elections. There is a flaw in our democracy if critical decisions such as the election of public officials are continuously decided by only a half of the eligible population of voters. If voter turnout for future elections is to rise above the 53.7 threshold achieved in the 2011 presidential elections, then there is need to conduct more voter education and voter sensitization programmes to ensure that the increased participation is done in accordance with the dictates of the existing electoral law.

Conclusion
The search for definitive words such as ‘free’, ‘fair’ and ‘credible’ should not be the goal of the conduct of elections in Nigeria. Rather than focusing on such descriptions, it is more important to report that elections are incrementally improved and that citizens are more and more satisfied with the outcomes. It is thus imperative that adequate steps are taken to address the flaws identified in the 2011 and all previous elections. For instance, since the presidential inquiry commission on the post-election violence has concluded its investigations and submitted its report, INEC and the police must also prosecute identified perpetrators of violence and other
electoral crimes. Additionally, while the significant drop in the number of election petitions filed before the various election tribunals is welcomed news, and might suggest that people are relatively content with the electoral process, it is important, in future elections, that all petitions are speedily and thoroughly heard and decided before the assumption of office of the elected official.

Other suggestions to consider include:

- The constitution should be amended to introduce a process for the appointment of the INEC chairman, Commissioners and Resident Electoral Commissioners in a way that does not involve the office of the president, or interference by any political body affiliated with the serving administration.

- The Constitution should be amended to allow for independent candidates to run for office in accordance with international standards.

- The constitution should be amended in order to resolve election petitions before the president’s inauguration day.

- The constitution should be amended to provide for the establishment of an Electoral Offence Commission.

- INEC should undertake an audit of the voters’ register to determine and exclude all cases of multiple registrations. The Commission must also continuously update the voters’ register.

- An Electoral Offences Tribunal should be set up in order to ensure the swift prosecution of people involved in election related offences and political violence.

- The electoral act should be amended to allow for electronic voting and out-of-country voting should also be initiated in the 2015 elections.

- The Electoral Act should be amended to include detailed provisions for the publication of results per polling unit, ward, collation centre, and constituency.

- INEC should establish an efficient monitoring unit to oversee campaign financing.
• The Electoral Act should be amended to allow individual voters to file election complaints and petitions at all stages of the election process.

• The Electoral Act should be further strengthened with provisions on internal democracy of political parties. Provisions like the expunged 87(9) in the old electoral act of 2010, amongst others, should be reintroduced.

As we strive for improvements in the quality of elections conducted in Nigeria and elsewhere in Africa, it must be stressed that elections in themselves, no matter how credible they may be, are not ends in themselves, but merely vehicles for the delivery of good governance. Therefore, public officials must deliver on campaign promises—the electorate must hold them accountable at every stage of the journey, especially through budget monitoring and analysis. Finally, it must be realized that the electoral process is cyclical and the outcome of one election directly impacts the process for the next cycle. Therefore it is not just the outcome of elections that we seek to improve, but also the culture of elections and electoral democracy.

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iv Ibid, p. (add page number)

v Ibid, p. (add page number)

vi Ibrahim, Jibrin and Egwu Sam. Nigeria’s Electoral Geography & the Path to Free and Fair Elections. Abuja, Electoral Reform Network (ERN), 2005

Ibid, p. (add page number)