

Electoral Process and Good Governance: The Nigerian Challenge 2015

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Abstract

Elections in essence are institutionalized processes by which the electorates choose those who will represent them in government and exercise the authority and power of government. Sadly enough the electoral process in Nigeria has suffered and is still suffering from the malaise of a monetized polity making politics and governance sure short-cuts to becoming billionaire overnight. The electoral processes of past elections in Nigeria have been bedeviled by all forms of electoral malpractices, rigging, electoral violence, manipulations, intimidation, and irregularities among others. Thus the dream of a free, fair and credible election that will usher in men and women with requisite credentials of integrity, transparency, accountability, equity and credibility, towards good governance in Nigeria remains a mirage. This paper posits that given the monetized polity of Nigeria INEC lacks the wherewithal to conduct a free, fair and credibility election comes 2015 in the face of this monster monetized presidential system of government. It is therefore recommended that the Nigeria presidential system of government be demonetized so that only men and women with genuine heart of servanthood could emerge via the electoral process for the purpose of good governance. Concepts of governance, good governance, election etc are herein examined in detail.

Keywords: Governance, Good Governance, Election and Electoral Process.

Background to the Study

In every democratic system of government the like of which is being practiced or operate in Nigeria, elections represent institutionalized procedures for the choosing of persons who should occupy and exercise political power and authority by some or all the recognized citizens of the country as legally competent to participate in the electoral process. The purpose of an electoral system is to provide the electorates of any given democratic state the opportunity to choose their representatives and maintain contact with them. Not just equally opportunity to choose, it must also give the electorates freedom to make real and meaningful choices devoid of coercion or intimidation (Eminue, 2001, cited in Beetsen, 2012). Election in essence is a democratic process of putting people into positions of control of the nation's resources for the good of the entire nation.

It is only when the right persons are put into positions of authority via a democratic electoral process that one could hope of getting good governance in return. An electoral process is, said to be democratic only when it is free, fair and credible right from the registration of voters all through the collation and declaration of results of the election. A free fair and credible electoral process is a significant pre-requisite towards the attainment of good government in a democratic system of government.

Good governance as a concept emerged mainly because practices of bad governance, characterized by corruption, unaccountable governments and lack of respect for human rights, had become increasingly dangerous, and the need to intervene in such cases had become urgent. Beyond entailing, just multi-party elections, a judiciary and a parliament, good governance goes on the address several other issues such as universal protection of human rights, non-discriminatory laws, efficient, impartial and rapid judicial process as, transparent public agencies, accountability for decisions by public officials, devolution of resources and decision making to local levels from the capital, and meaningful participation by citizens in debating public policies and choices (good governance the concept). In a nutshell, good governance implies equal participation by all members of the society, rule of law maintained through the impartiality and effectiveness of the legal system, transparency of the decision-making process, accountability and responsibility among others. All these vital elements of good governance are realizable only when those vested with power and authority to govern a nation are the products of a free, fair and credible electoral process. To produce men and women who are credible, transparent, accountable and responsive and subject to rule of law who will be vested with power and authority to govern for the purpose of ensuring good governance in Nigeria, the electoral process must be free, fair and credible.

Literature Review

From 1999 to 2011 Nigeria as a nation had conducted 4 general elections which were supposed to be free, fair and credible. But almost all the elections had been characterized by huge electoral violence, intimidation, manipulation of electoral commission and security agencies, election rigging, multiple voting, hijacking of ballot boxes, vote buying, accusations and counter accusations (Uhunmwangho et al, 2012). No wonder therefore that the men and women produced via those elections are bereft of the necessary qualities and capacities to deliver good governance to Nigerians.

In a recent survey by Daily Trust it was revealed that the 976 legislators across the country passed only 601 Bills in two years most of which were executive bills. See table. This is despite their receiving over 12 billion naira from June 2011 to June 2013.

S/No	State	No of lawmakers	No of bills passed
1	Kaduna	34	19
2	Kano	24	35
3	Jigawa	33	27
4	Kebbi	24	16
5	Sokoto	30	16
6	Zamfara	24	14
7	Yobe	24	15
8	Taraba	24	12
9	Gombe	24	34
10	Adamawa	25	33
11	Bauchi	30	36
12	Kogi	25	20
13	Niger	27	23
14	Kwara	24	15

15	Plateau	24	9
16	Benue	30	7
17	Nasarawa	24	51
18	Rivers	32	19
19	Bayelsa	23	31
20	Cross River	25	7
21	Akwa Ibom	26	12
22	Imo	26	36
23	Ebonyi	24	6
24	Enugu	24	6
25	Ondo	26	18
26	Oyo	32	35
27	Ogun	26	28
28	Osun	28	18
29	Lago s	40	8
30	Katsina	33	Not available
31	Borno	29	Not available
32	Delta	29	Not available
33	Edo	23	Not available
34	Abia	24	Not available
35	Ekiti	26	Not available
36	Anambra	30	Not available

Source: Daily Trust News Paper Monday, November 25, 2013 P. 5

As the year 2015 draws nearer and as Nigerians look forward another general elections, the questions that have been agitating the minds of both the Nigerian citizens and the electoral body, is INEC, are how to eliminate the electoral malaise that have afflicted all the past elections and put in place a democratic electoral process that is free, fair and credible for sustainable good governance in Nigeria.

The Concept of Election

The significance of election lies in the fact that it is impossible or unfeasible for an entire people within a nation, state or country to engage in governing and or directing the affairs of the state. Hence, the state has to derive a means of selecting or electing those considered trustworthy enough to be vested with authority to represent them according to due process of law enacted for that purpose. In essence, election is a decision making process by which a nation or people chooses an individual to hold a formal office. Election can be said to be mechanism by which modern representative democracy fills offices in the legislature, executive and sometimes in the judiciary, and in regional and local government. The word election is derived from the Latin verb "legere" meaning "to choose". Elections, simply, are processes through which citizens choose who will represent them in government or what will be done about a particular issue (Aliyu, 2009).

Dowse and Hughes (1983:322) viewed election as a procedure recognized by the rule of an organization, be it a state, a club, a voluntary organization or whatever, where all, or some, of the

members choose a smaller number of persons to hold an office, or offices, of authority within that organization. It can also be defined as a procedure that allows members of an organization or community to choose representatives who will hold positions of authority within it. Furthermore, election is the act of choosing public officers to fill vacant posts by vote, it is an act of choosing those that will govern a state, it may be conducted periodically (Omonijo et al 2007 in Awopeju 2011).

The act of election must be the product of a free and voluntary exercise of the will and right of the electorates in any electoral process. It therefore means there can be an election but not a free election. A free election according to Mackenzie (1963) is one with a sentiment of popular consent and participation in public affairs which allows for the peaceful transfer of authority to new rulers when the time comes for the old rulers to go. He further stated that for an election to be regarded as free, these four conditions must be satisfied, which are:

First, an independent judiciary should interpret electoral laws.
Secondly, an honest, competent, non-partisan administration to run elections;
Thirdly, a developed system of political parties, well organized enough to put their policies, tradition and team of candidates before the electorates as alternatives between which to choose;
Fourthly, a general acceptance throughout the political community of certain clear rather than vague rules of the game which limit the struggle for power because of some unspoken sentiment that if the rules are not observed more or less faithfully the game itself will fail and the wreckage of the whole system.

Apart from the conditions enumerated above as the constituents of a free election, Nnoh (cited in Alumona, 2010) opined that certain basic elements must be present whenever there is an election irrespective of the context of the election. These basic elements are;

1. An element of choice, that is the electors must have an option to choose from,
2. The independence of the electors in making their choice, and
3. A selection must take place.

Drawing more from the contributions of Nnoh; on the concept of election, he maintained that elections serve various functions some of which are:

- a. Elections serve the function of political recruitment,
- b. Elections ensure that popular influence and state power co-exist.
- c. Elections provide opportunities to the citizenry at large to renew its faith in and commitment to democracy.
- d. Elections act as a conduit through which the people can hold their elected representatives accountable.
- e. Elections provide both ruler and the ruled an opportunity to take stock of political leadership and policy-making through a critical assessment of electoral platforms and manifestos.

Since the contemporary political dispensation in Nigeria, at least from 1999 to date, is said to be a democratic system of government, the electoral process must be one that in all ramifications

complied with every standards of a democratic election. The electoral process must be both in essence and form free, fair and credible in the eyes and mind of democratic nations and institutions. For free and fair election is a direct dividend of democracy and vice-versa, because, there can only be free and fair election where there is democracy, and there can never be democracy where there is no free and fair election. Free and fair democratic election entails chains of processes that must be complied with in order to meet up with the standard of what is recognized as international standard as well as to comply with the minimum standard of treaties and conventions relating to election. In such elections the parties and their candidates must be given equal opportunity of rallies and campaigns, as well as access to public and private media among other things (Aliyu, 2009).

Processes for Conducting Democratic Elections

Democratic elections must be conducted according to the procedures specified by the electoral laws and guidelines enacted by the legislature of the nation in question. However, the chosen electoral system or law must allow the people or electorates to express their will through periodic and genuine elections, conducted on the basis of equal suffrage secret ballot. The act of conducting election involves several elements and stages that culminate in a conclusive election.

The processes for conducting a free and fair democratic election include; fair registration of political parties and eligible voters, accreditation of voters, the verification of the voters, conduct of poll, counting of votes, authentication or signing of result forms and the publication of results or declaration. The voters; register is compiled by the electoral body charged with the responsibility of conducting elections as provided for by the electoral laws and guidelines of a particular nation or state. Registration of voters for any democratic election must be carried out long time in advance before the election day or period. The procedure of registration of voters is as fundamental as the actual right to vote itself in conducting a free and fair election, because without fair, adequate and impartial registration of voters the right to vote and be voted will be worthless. Thus, the voter's register is a means of checking and preventing electoral abuse and fraud by any persons, group of persons and or political parties. Also as part of the processes of democratic election, political parties must be fully registered to field or sponsor a candidate in an election. Political parties are required to present their candidates to the electoral body to comply with law to ensure that a candidate is eligible to contest an election. The candidates and their parties must satisfy the requirements set by the electoral body for contesting election into a particular office. If the candidates satisfied the legal requirements then the context is ripe and election could be conducted into the existing offices or positions.

Under a democratic electoral process, the opposition should be allowed to participate freely in the process as dissenting and opposition views under democracy are regarded as healthy development in democracy as righteous guaranteed under law (Aliyu, 2009).

An Overview of the Electoral Process in Nigeria

According to Beetseh (2012) a survey of Nigeria electoral process has increasingly revealed an important point of concern. This is sequel to the fact that the process rather than provide expected results has become a misnomer and an episode that could be term a force. And that

from 1959 2011 elections the process has gradually moved from a failing process to a failed process, worse still that the process has recently deepened its fraud characteristics and further increased its sophistication in rigging, that the survival and endurance of our democracy is highly questioned. He further asserted that the electoral regulatory bodies instead of abating electoral fraud have joined with the so called ruling party to disfranchise the electorates. In short, the electoral bodies have helped instruct electoral crime in the polity and as such the electoral processes particularly in the 2003/2007 2011 elections have been seen as charade. The magnitude of flagrant and deliberate abuse of electoral process especially by people in power is clear. That elections were flawed from inception to execution lacked the corollaries that can produce genuine results that could be respected by observers and all the contending parties.

Also in surveying the Nigerian electoral process since the attainment of independence, (Uhunmwangho and Aibieyi, 2012) asserted that electoral fraud has remained a knotty issue in the process. The first three attempts at democratic experiments were truncated on account of electoral fraud and poor election management. Furthermore, the 1999 general elections that heralded the current democratic dispensation were reported characterized by widespread and monumental electoral malpractices and irregularities, huge electoral violence, intimidation, manipulation of electoral commission and security agencies, election rigging, multiple voting, hijacking of ballot boxes, vote buying, accusation and counter accusation. In particular, the seriousness of the electoral malpractices, and irregularities that marred the presidential election of 1999 resulted in the rejection of the election result by the opposition party's presidential candidate, Chief Olu Falae, and subsequently called for the establishment of Government of National Unity.

Democratic Electoral Process and Good Governance; The Nigerian Challenges by 2015. It is not disputable that election is the central institution of democratic representative governments. This is because, in a democracy, as presently being practiced in Nigeria, the authority of the government derives solely from the consent of the governed. The principal mechanism for translating that consent into governmental authority is the holding of free and fair elections (Uhunmwangho and Aibieyi, 2012). The life and soul of every genuine democratic electoral process is to ensure a free, fair and credible election right from the ward/party's primaries all through to the declaration or announcement of election results. It is only when the electoral process is free, fair and credible that people with integrity who represents the caliber of persons the electorate desire to have to be conferred with authority and power to govern their affairs can be elected. The desire of the electorates in any election is to ensure that only those who are free from personal and selfish ambition whether for money or power, those who are transparent, accountable and credible are elected to represent them in government. Only such persons have the capacity and the moral resources executed the constituents of good governance, which are participation, accountability, transparency, effectiveness and efficiency, equity, observance of rule of law, among others. A genuine democratic electoral process that is free, fair and credible is capable of producing men and women who are free, fair, credible, transparent, accountable and responsive to the needs of the electorates and who are subject to and obedience to rule of law. The electoral process must be such as to ensure that the people that are the electorates are free not induced or manipulated by money, religion tribe or nay extraneous

factor, but a free exercise of their will in voting. Also those who are seeking the people's mandate to represent them in government are likewise free, but only have an all-consuming passion to serve the people and uplift the entire nation into economic growth, sustainable peace and national development. Good governance can be achieved via electoral process only where both the electorates and those to be elected are free from every form of inducement and manipulation such that the votes cast in an election come from those who freely exercise their will and those who presented themselves to be elected are not being driven by personal or selfish ambition for power and wealth but are free from such vices. Thus, the electorate process cannot be free, fair and credible where the electorates are susceptible to inducement or manipulation on the one hand and where those to be elected to represent the people in government are pressurized and pursued by the craze for wealth, power, selfish ambition, self-aggrandizement and other extraneous factors of the other hand. For an electoral process to be free, and credible so as to deliver good governance to the people, the electorate, the elected, the political parties and the electoral body charged with conducting election must be free, credible, transparent, responsive and accountable in accordance with the spirit of democratic good governance.

The Nigerian Challenge by 2015

The forthcoming general elections in 2015 present a testing ground for the electoral body in Nigeria that is the Independent Electoral Commission (INEC), to put in place an electoral process that is democratic ensuring the emergence of free, fair and credible elections at all levels. Already it has released its timetable and schedule of activities for the 2015 General Elections (see table). The life of good governance depends on the type of electoral body put in place (Beetseh, 2012). All eyes are on INEC to set forth an electoral process for 2015 general elections that will bring about the election of men and women who will be the true representatives of the electorates toward ensuring good governance.

S/N	ACTIVITY	DATE	REMARK
1	Notice of election	1 st October, 2014	Section 30 (1) of the Electoral Act, 2010 (as amended) provides not later than 90 days before the election
2	Commencement of campaign by Political Parties	Presidential & National Assembly – 16 th November, 2014 Governorship & State House of Assembly – 30 th November, 2014	Section 99(1) of the Electoral Act, 2010 (as amended) provides 90 days before polling day.
3	Collection of Forms for all elections by Political Parties at INEC Headquarters	4 th – 11 th November 2014	For Political Parties to issue to their candidates.
4	Conduct of Party Primaries including resolution of disputes arising from the Primaries	Commencement date 2 nd October 2014 End 11 th December, 2014	To enable Political Parties democratically nominate candidates for the election as required by Section 87 of the Electoral Act, 2010 (as amended)
5	Last day for submission of Forms CF001 and CF002 at the INEC Headquarters (for all elections).	Presidential & National Assembly – 18 th December, 2014 Governorship & State House of Assembly – 25 th December, 2014	Section 31(1) of the Electoral Act, 2010 (as amended) provides for not later than 60 days before the election
6	Publication of Personal Particulars of candidates (CF001) (for all elections).	Presidential & National Assembly – 25 th December, 2014 Governorship & State House of Assembly – 1 st January, 2015	Section 31(1) of the electoral Act, 2010 (as amended) provides for publication within 7 days of the receipt of the form CF001

7	Last day for withdrawal by candidate(s)/replacement of withdrawn candidate(s) by Political Parties	Presidential & National Assembly – 30 th December, 2014 Governorship & State House of Assembly – 13 th January, 2015	Section 35 of the Electoral Act, 2010 (as amended) provides for not later than 45 days before the election.
8	Last day for withdrawal by candidate(s)/replacement of withdrawn candidate(s) by Political Parties	Presidential & National Assembly – 6 th January, 2015 Governorship & State House of Assembly – 20 th January, 2015	Sections 32, 37, 38 and 39 of the Electoral Act 2010 (as amended). (Commission to appoint time for submission).
9	Publication of Personal official Register of voters for the election	13 th January, 2015	Section 20 of the Electoral Act, 2010 (as amended) provides not later than 30 days before the election.
10	Publication of list of nominated candidates	Presidential & National Assembly – 13 th January, 2015 Governorship & State House of Assembly – 27 th January, 2015	Section 34 of the Electoral Act, 2010 (as amended) provides at least 30 days before the day of election
11	Publication of Notice of Poll (for all elections)	28 th January, 2015	Section 46 of the Electoral Act, 2010 (as amended) provides not later than 14 days before the election.
12	Submission of names of Party Agents for the Election to the Electoral Officer of the Local Government Areas or Area Councils	Presidential & National Assembly – 29 th January, 2015 Governorship & State House of Assembly - 12 th February, 2015	Section 45 of the Electoral Act, 2010 (as amended). Provides not later than 7 days before the election.
13	Last day of campaign	Presidential & National Assembly – 12 th February, 2015 Governorship & State House of Assembly – 26 th February, 2015	Section 99(1) of the Electoral Act, 2010 (as amended) prohibits Advertisements or broadcasts of campaigns 24 hours prior to the day of election.
14	Dates of Election National Assembly/Presidential Governorship/State House of Assembly	Presidential and National Assembly – 14 th February, 2015 Governorship & State House of Assembly – 28 th February, 2015	Section 25 of the Electoral Act, 2010 (as amended), provides that Commission to appoint date not earlier than 150 days but not later than 30 days before the expiration of the term of office of the last holder of that office.

Source: INEC National Headquarters, Abuja

It is a common knowledge that several elections have been conducted in the past in this country by one electoral body or another, INEC inclusive, regulated by certain electoral processes to ensure free, fair and credible election. Unfortunately none of these elections were devoid of complains or alterations of irregularities, malpractices, riggings, votes buying, intimidation, snatching of ballot boxes falsification of election results, etc. what usually follows the declaration of the result of those elections by the electoral body is outright rejection by the losers and the institution of court action to set aside the election result. The question that will naturally come to one's mind is whether there has never been an electoral process in this country that could ensure a free, fair and credible election? Or has there never been an electoral body in Nigeria that was independent and unbiased enough to conduct free, fair and credible election? The answers to these and many other questions do not lie with the electoral body and the electoral process put in place by it, but with the massively monetized presidential system of government being practiced in Nigeria and 'political ignorance' in matters of governance and good governance on the part of the citizenry.

The presidential system of government being practiced in Nigeria so massively monetized that it has turned many indigents fellows and paupers into billionaires overnight. Consequently,

politicians and their political parties have been engaging in the politics of do or die in order to wrest political power from the people and have access to the unlimited supply of trillions of Naira oozing out daily from the country's vast natural resources. No matter the democratic electoral process put in place by an electoral body to ensure free, fair and credible election will be truncated and the dream of recruiting men and women who are credible, transparent, accountable and God-fearing via electoral process for good governance cannot be realized.

The 'average Nigerian' so called is being battered left and right by poverty and is grappling daily with the issues and challenges of survival. It is a common knowledge that the citizens of this great country Nigeria are living by the grace of God. A typical Nigerian has to provide food for himself and family, build his own house, provide his own electricity, water by dragging well or borehole, contract road for his vehicle, provide his own hospital, pay all kinds of taxes and levies to the government, etc. So he is massively impoverished.

Given the condition of life of the 'average Nigerian', men that lack integrity, transparency, accountability and credibility have hijacked and monetized the electoral process through buying of votes, intimidation, manipulations, false and empty promises with all forms of pretence to represent the electorate when elected into office. Political ignorance in matters of governance and good governance is a hindrance to the Nigerian electorate for the exercise of his will freely and voluntarily to election those with the requisite credentials of credibility, integrity, transparency and accountability into government for the purpose of good governance.

Given the two sceneries inherent in the Nigerian polity, INEC, as an electoral body charged with conducting the forthcoming 2015 general elections in Nigeria, has an uphill task of ensuring that the electoral process for the social elections is democratic with the necessary ingredients of being free, fair and credible towards good governance in Nigeria in 2015 and beyond. The possible solution to these problems is the total overhauling of the Nigerian polity coupled with functional political education of the citizenry.

Conclusion

Elections in essence are institutionalized processes by which the electorate or members of a nation who are qualified to vote choose those to represent them in government and exercise the authority and power of governance for their benefits. The electoral process in Nigeria has suffered and is still suffering from the malaise of a monetized polity which constitutes a great obstacle to a democratic electoral process that is free, fair and credible, thus making the dream of electing men and women with the requisite credentials of integrity, transparency, accountability, credibility and equity for the purpose of good governance a mirage. The INEC, charged with the task of conducting the 2015 general elections in Nigeria does not have the wherewithal to confront and overthrow the monster of a monetized polity. The remedy to this problem lies elsewhere.

Recommendation

The electoral process remains the soul of good governance in any democratic system of government as adopted by Nigeria for many years now. However, the electoral processes in Nigeria for past elections have been bedeviled by all forms of malpractice and irregularities

among others. This is due to the fact that the presidential system of government being practice in Nigeria is massively monetized making politics and governance sure short-cuts to becoming billionaire overnight.

It is hereby recommended that the Nigerian Polity be demonetized by placing all members of the legislature, the executive and political office holder on the civil service salary scales, to earn wages based on qualification as applicable to those in the civil service of Nigeria. This will make political offices less attractive so that only those who are willingly to be genuine servants of the people will seek political authority via the electoral process unto good governance.

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