

Analyzing the Impact of the Electoral Reform of 2008 on the Outcome of the General Election of 2011

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Abstract

The study examined the impact of the electoral reform of 2008 on the general election of 2011, with the main objective to assess the effect of the reform on the 2011 general election. The study is anchored on structural functionalism or the structural functionalist theory propounded by Varma (1975). The study adopted documentary design as a methodology for the study, is concerned with the analysis of documents that contain information about a given phenomenon under investigation. The data used in this study is the number of election petition filled at the tribunals for 2007 and 2011, to analyze the data percentages and bar chart was used. The study found that, the 2008 electoral reform didn't decrease the irregularities in the electoral system as shown in the increased in the number of litigations before the tribunal. The study concluded that, the implementation of the 2008 electoral reform has no positive effect on the outcome of the 2011 general election. The study recommended amongst others that, electoral reforms that are electorates incline should be thoughtful, such reform that can educate the electorate and rehabilitates our political ideology from the old ways of manipulations and illegalities through political sanitization and acceptable awareness.

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Background to the Study

A flawed electoral system, is a big threat to democracy, peace and unity in any country. It may result in breakdown of law and order and can further lead to anarchy, civil unrest and eventually degrade to war. A sound electoral system will not only result in a free and fair electoral process it also encourages popular participation in governance, promotes respects for rule of law, due process, civil liberties and human rights and makes government accountable. Countries with transparent electoral process, often have very stable economies therefore sound electoral process is desired.

Our experience as a nation during the 1999, 2005 and 2007 elections revealed that Nigeria is in dire need for an electoral reform. The 2007 elections were characterized by violence, ballot snatching and elections candidates contesting the election results as declared by INEC. The outcry was deafening and heated the polity causing the then late president Shehu Musa Yar'adua's administration to set an Electoral Reform Committee overhaul its electoral system.

The 22-man Electoral Reform Committee headed by retired Justice Mohammed Lawal Uwais was activated to lead the electoral reform process in the country. The committee was given the mandate to make constitutional and legislative provisions and or amendments, review Nigeria's history with general elections and identify factors, which affect the quality and credibility of the electoral and their impact on the democratic process; and examine relevant provision if the constitution, the Electoral Act, and other legislation that have bearing on the electoral process and assess their impact on the quality and credibility of general elections (Chesa & Ebhuomhan, 2007) in line with international best practice.

The Uwais committee recommendations were received by both the Federal Executive Council and the National Council of States while the President sent seven Bills to the National Assembly. Not all the Bills enjoyed the support of the National Assembly. However, a few did scale through one of which relates to party primaries and internal party democracy. Other important changes made to the Constitution and the Act related to the funding of and qualification for membership of INEC, the announcement of election results at polling units, the 180-day deadline set for decisions by a tribunal on an electoral petition, a demand for party primaries to determine party nominees and provision for the continuous registration of voters.

In the light of the aforementioned this study seeks to examine if the electoral reform of 2008 was adhered to in conducting the 2011 general elections in Nigeria. Therefore, the objective of the study is to examine the effect of the implementation of 2008 election reform on the conduct of 2011 general election.

Hypothesis

H₀: Implementation of 2008 electoral reform has no significant relationship on the conduct of 2011 general election in Nigeria

Conceptual Framework

Electoral Reform

Electoral reform is a broad term that covers, among other things, improving the responsiveness of electoral processes to public desires and expectations. However, not all electoral change can be considered as electoral reform. Electoral change can only be referred to as reform if its primary goal is to improve electoral processes, for example, through fostering enhanced impartiality, inclusiveness, transparency, integrity or accuracy. Random and/or frequent electoral change, while it may be reformist, can also be confusing to voters, and thus defeat its purpose (Wall 2012, Bolaji, 2015).

All over the world, governmental systems have been undergoing political transformation geared towards improving the effectiveness of the system. Reforming the political system suggests a systematic overhaul of the existing institution, political and policies and operating mechanism of government, that hitherto are antithetical to development. It includes evolving ways of making the political system work better, enhancing the relationship between the government, citizen and civil society, improving the electoral processes, restructuring the party system to enable maximum participation and healthy competition, reforming the political structure for healthy inter-governmental relations as well as enthroning a better system of government, all of which are geared towards better governance, political stability and development in general (Simbine, 2008).

The need for electoral reforms has been a recurring staple or element of the Nigeria's democratic process. The importance of an efficient electoral system cannot be overemphasized in any democratic political system. A good electoral system delicately balances the politics of participation with the politics of representation and ultimately contributes to the building of a viable and sustainable political culture. The act of participation in the electoral process in a country not only vests legitimacy on the decision makers, it also makes the voters conscious that they are active and effective participants, though in an indirect sense, in the decision-making process of their country. In a country where a good electoral system is in place, voting becomes much more than a ritual or a mechanical function but an important instrument of citizen-participation in the selection of their leaders (Udeala and Macogonor, 2013). One of the closely monitored promises of late President Umaru Musa Yar-Adua in his seven-point agenda is electoral reform. Having admitted that the process by which he emerged as president in April 2007 election was flawed, set a 22-man panel headed by former Chief Justice Mohammed Lawal Uwais to make proposal for electoral reform. The sustained interest in the choice of electoral reform is better appreciated when juxtaposed with the fact that no election in Nigeria since 1959 has gone undisputed. An overwhelming desire for electoral reforms among Nigerians heralded the inauguration in office of a new electoral Commission under Professor Jega in June 2010.

The Uwais, Committee made far-reaching recommendations on measures necessary to ensure the credibility of the electoral process in Nigeria. Government adopted some of those recommendations, although a few were not. These recommendations assisted INEC

to carry out electoral reforms for 2011 general elections adjudged locally and internationally as credible and far better than 2007 general elections (Egwu, 2008). In its final report of December 2008, the Election Reform Committee (ERC) commented on several shortcomings impacting on the quality and credibility of elections, such as, the weaknesses of the constitutional and legal framework, the lack of financial autonomy and administrative independence of the Electoral Management Bodies, the need for revising the provision for independent candidature and establishing intra-party democracy, and the necessity to address the prevailing atmosphere of impunity with regard to electoral offences. The ERC also made additional proposals to improve the performance of the government (Babatunde, 2009).

Some of the Uwais Panel Recommendations are

The Electoral Reform Committee (ERC), led by Justice Muhammed Uwais and drew membership from the CSOs and other critical stakeholders. The ERC was mandated to suggest ways to comprehensively reform and overhaul the country's electoral process. In its recommendations. In its report, the ERC's recommendations include amongst others:

1. INEC should be re-organized and re-positioned to ensure its independence and professional in the conduct of election in the country.
2. The 1999 constitution should be amended to ensure that INEC becomes truly independent, non-partisan, impartial, professional, transparent, and reliable as institution and in the performance of it constitutional functions.
3. The power to recruits and appoints INEC officers and management should be vested in the hand of the judiciary to avoid biasness and favoritism in the conduct of the elections.
4. INEC should consist of;
 - a. Board that formulates broad electoral policy and directions for the commission.
 - b. A professional technical election management team to handle the conduct of the actual election.
 - c. Political party registration and regulatory commission.
 - d. Electoral offences commission
 - e. Constituency delimitation commission.
5. Curb the delay in the distribution of the election material to the appropriate channel.
6. Adequate and enough election materials should be provided to meet up with the demand of each and every elections.
7. Security officers should be made available both at the polling units and collation Centre's as protection to electorates, officers, materials as well as voters during elections to prevent criminal's gangs from hijacking or tempering with the process. (Electoral Reform Committee, 2008).

The Uwais report notes that the failure to conduct credible and acceptable elections in a polity, often generates outcomes that stunt the growth of democracy, on the one hand, and the development of the nation, on the other hand. Regrettably, “the aspirations of

Nigerians for a stable democracy have been constantly frustrated by, among other things, poor administration and the conduct of elections," having regard to the fact that "election administration has been profoundly inefficient, characterized by muddled processes, and lacking in the desirable attributes of free and fair elections, a situation which often induces acrimony and even violence." (Uwais Report, 2008).

A closer look at the Uwais Committee's Report will reveal that it is a summary of the major problems confronting electoral administration in Nigeria which, include lack of capacity and shoddy preparation by the electoral commission, inadequate logistics and irregular electoral outcomes that have severally been confirmed by the courts. While most of the election results have been upheld on grounds of substantial compliance, this has not removed the odious stigma or lack of credibility or legitimacy on the beneficiaries of such controversial judicial decisions. INEC's involvement in legal and electoral reform processes has been structured across the electoral cycle. In the immediate post-election phase, the Commission undertakes post-election review consultations and it commissions independent postelection audits through which it draws lessons for reforms. It also draws lessons from the different complaints and appeals brought by stakeholders in the electoral process over the years. Complaints and appeals have informed some proposals for reform. For instance, the appeal brought by unregistered political parties in relation to the passing of the 2002 Act necessitated a revision of the relevant provisions in the Act.

Concept of Election and Electoral Process

Elections can be defined as a formal act of collective decision that occurs in a stream of connected antecedent and subsequent behavior. It involves the participation of the people in the act of electing their leaders and their own participation in governance. Elections are not only about the Election Day activities although it forms an important component. It encompasses activities before, during and after election and includes among other things, the legal and constitutional framework of elections, the registration of political parties, party campaigns and financing, activities of the electoral agencies, media, security agencies, and the government in power, voter's registration, independence of the adjudicating bodies (Iyayi,2004, Songi,2008).

Elections are part and parcel of the democratic process, and as the right to democratic governance has become established as a human right, so too has the right to regular, free and fair elections. Thus by resolution 45/50 of 1991, entitled "Enhancing the Effectiveness of the Principle of Periodic and Genuine Elections" the U.N. General Assembly stressed the conviction of member states that: "periodic and genuine elections are a necessary and indispensable element of sustained efforts to protect the rights and interests of the governed and that as a matter of practical experience, the right of everyone to take part in the government of his or her own country is a crucial factor in the effective enforcement by all in a wide range of other human rights and fundamental freedoms, embracing political, economic, social and cultural rights. (Sagay, 2008) These principles were re-iterated by the Assembly at its 48th session (1993-4) during which it declared that "periodic and genuine

elections" are necessary and indispensable elements and a crucial factor in the effective enforcement of a wide range of rights" Article 21 of the Universal Declaration of Human Rights, 1948, enshrines the right of everyone to "take part in the government of his country, directly or through freely chosen representatives" and the "right of equal access to public service in his country.

More specifically, Article 21(3) is to the effect that "the will of the people shall be the basis of the authority of government." The will of the people, the Article further provides, "shall be expressed in periodic and genuine elections...". Furthermore, Article 25 of the International Covenant on Civil and Political Rights, 1966, avails "every citizen" the "right and the opportunity" ,without distinction and without "unreasonable restrictions", to (a) take part in the conduct of public affairs, directly or through freely chosen representatives; (b) vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; and (c) have access, on general terms of equality, to public service in his/her country (Azinge, 2010).

Elections provide essential validation for democracy by increasing the confidence of individual citizens in their ability to meaningfully participate in public life. When people feel that their personal interest in politics, and their engagement in elections, makes a difference, they are much more likely to value the democratic system (Lewis, 2005, Buhari, 2005). Elections in Nigeria have never gone without serious doubt over its credibility. Beginning from 1979 to 2015, elections have been conducted to some extent without recourse to democratic requirements. It is clear that elections in Nigeria share common features of fraud and irregularities masterminded by overzealous political charlatans and hatched by an unreliable electoral umpire. The history of election management bodies in Nigeria dates back to the colonial era, with the establishment of the then Electoral Commission of Nigeria (ECN) to the present Independent National Electoral Commission (INEC). There had been twelve (12) appointed Chairmen of Nigerian electoral management bodies from 1958-2010. Table 2 outlines the names of the various Federal Electoral Bodies, their chairmen and their chairmen's tenure since 1958.

Recommendation of the 2008 Electoral Reform

This was in the wake of far-reaching recommendations made by the Uwais Committee on measures necessary to ensure the credibility of the electoral process in Nigeria. Against this background, the following recommendations were made

- a) A Re-Modified Open Ballot System (REMOBS).
- b) Improved security features on sensitive electoral materials, such as serial numbering and color-coding of ballot papers and results sheets, as well as security coding of ballot boxes.
- c) A more transparent framework for results collation and making returns.
- d) Revised framework for engagement of Ad-hoc staff.
- e) More transparent procedures on Election Day, including pasting of results at polling units and collation centers.

- f) Closer collaboration and partnerships with a range of critical stakeholders such as political parties, security agencies, civil society organizations, media professionals, etc.
- g) Enhanced voter education and citizen's engagement.
- h) Intensified training and retraining of INEC staff.
- i) Creation of Inter-Agency Committee on Election Security (ICCES) ensure coordinated engagements of all the security agencies during election period (Jega, 2013).

Since the end of the 2011 elections, the Commission spent much time reflecting on the conduct and outcome of those elections. Many reviews were conducted involving INEC staff, security agencies, political parties, development partners and the media. Also, an independent committee of experts was appointed to review the 2011 voter registration and the General Election. The objective was to critically evaluate both processes, and learn necessary lessons to guide the Commission on how future elections could be improved upon beyond the modest achievements of 2011.

Appraisal of the conduct of the 2011 general elections in Nigeria

In order to appraise the free and fair status of the 2011 general elections conducted by the Independent National Electoral Commission, it is important to analyze certain election activities that are important for the success of any election. They include: preparations for the elections, conduct of the elections and results of the election. In the course of analyzing these variables, we shall also try to find out whether INEC was efficient in conducting the elections and in declaring the results of the elections. It is also important to look at whether INEC was partisan or not, and the level of trust the people had on INEC as a result of its transparency or otherwise. This is because there is a relationship between INEC's performance in the 2011 general elections and the achievement of the three imperatives of electoral governance, namely, administrative efficiency, political neutrality and public accountability as against the recommendations of the 2008 electoral reform.

Conduct of the elections

On the conduct of the elections, Omotola (2011) remarks: From available reports, the 2011 general elections seem the most flawed in the electoral history of Nigeria. The general administration of the election was very poor. Not only was INEC not independent, reflecting the appointment of its key officers by the president, and its funding not from the consolidated account, but it was also partial and ineffective. The playing field was heavily weighted against opposition candidates and parties. The PDP exploited and took advantage of state apparatus such as the government owned media houses, particularly the NTA and Radio Nigeria, security forces, including the military and police. A vast number of the electorates were disenfranchised through a potent combination of electoral violence and a disordered voter's register. In short, the maladministration and manipulation of the 2011 general elections to serve the interests of the ruling PDP was unprecedented (Aiyede 2011; Ojo 2012; Suberu 2012a:), Omotola (2012). Some of the irregularities that undercut the elections include, late commencement of voting in many

parts of the country, inadequate voting materials, lack of secrecy in the voting process, omission of names and/ or pictures of some candidates from the ballot papers, prevalence of under-age voting and rampant cases of ballot bag snatching at gun point by party thugs and militias, Omotola (2012). Others include the stuffing of ballot bags with already thumb-printed ballot papers, reported cases of collaboration between security officials and party agents, lack of transparency in the collation, counting, and tabulation of votes and outright falsification of result (Adejumobi, 2011). As to whether the elections were free and fair, Ibrahim and Garuba (2011) note as follows: Election is a process and a process is free only to the extent to which its stages are devoid of all forms of inhibitions and contradictions.

It is only fair if the process shows no favour to any person, party or side. Fairness means acting in an honest and honorable manner, that is, in accordance with what is desirable according to rules. A fair election therefore entails the following operational modalities; voter's registration; party registration; a careful acceptance of candidates; electioneering campaigns without any intimidations; the voting process and declaration of results; a properly enacted electoral law that is consistent with the constitution, clearly stating the conditions which any Nigerian has to fulfill to be able to vote and be voted for. Ibrahim and Garuba (2012) also noted that for an election to be free and fair, eligible voters must be given the opportunity to register, by the creation of registration centers not too far from their residence, and publicity must be given as to how, when and where to register.

Where the Constitution allows for party registration as well as spells out the conditions, political associations which meet the conditions must be registered early enough for them to prepare for the next elections. Party campaigns must also be conducted freely, fairly and openly without any inhibition. All political party candidates must be given equal access to publicly owned electronic and print media. Thuggery and violence are to be prevented; voting must be secret to avoid victimization; there must be no rigging and voting centers must not be too far apart. All forms of voting malpractices must be avoided and checked by the electoral authority, security agents, and party agents. The counting and collation of votes must be done in the open, in the presence of party agents, security agents, and electoral officials to avoid any form of manipulation. Results must be announced only by authorized officials designated to do so. When these conditional ties are achieved, in the pre-elections, during elections and post-election, we can say that such an election is free and fair. To find out whether the 2011 elections conducted by INEC followed all the conditions mentioned above, it is necessary to make inference to observations of different observer missions about the elections.

The European Union Election Observation Mission (EUEOM: 2011) in its final report remarks as follows: The 2011 State and Federal elections fell short of basic international and regional standards for democratic elections. They were marred by very poor organization, lack of essential transparency, widespread procedural irregularities, and substantial evidence of fraud, widespread voter disenfranchisement on different stages of the process, lack of equal conditions for contestants and numerous incidents for violence.

As a result, the elections have not lived up to the hopes and expectations of the Nigerian people and the process cannot be considered to have been credible

The Result of the Elections

Even though there are many processes involved in the conduct of election, each of which is of no mean importance in the overall assessment of any election being described as credible, it has to be noted that the major motivation for every action in the electoral process is the results declared. This being the case, it is important that an appraisal of the results declared in the 2011 election be undertaken. In analyzing the results of the 2011 elections, the European Union Election Observation Mission in its final report (2012) remarks: The result transfer and announcement process was marred by serious procedural shortcomings, extensive delays and the absence of basic transparency safeguards. As a result, there can be no confidence in the results announced by INEC. The violence surrounding the elections, including the burning and destruction of at least nine INEC offices, was, in part, symptomatic of the lack of trust in INEC to deliver credible election results. INEC in conducting the 2011 elections took certain actions that cast doubt on the integrity of the results it announced. For instance, during a press conference in Abuja, the INEC chairman announced the gubernatorial results of Delta and Ondo States even though the Resident Electoral Commissioners in both States had not yet announced the results at the state level. Equally, the INEC chairman as returning officer for the presidential election officially announced the results of the presidential elections before all the state results were collated in the collation centre.

The European Union Election observation Mission, EUEOM (2011) final report remarks that at the time of the official INEC announcement, presidential results from Kano and Bauchi States had not been compiled or transferred to INEC Headquarters in Abuja, and indeed, the presidential election results in Bauchi were not available before the announcement. Reports received by EUEOM indicated that only 11 or 12 state presidential results had been collated by the time the INEC chairman announced the official winner. In addition, INEC announced the PDP as the winner of the Ondo South senatorial election even though the PDP had expelled its candidate from the party before the elections and had no candidate in the race. Further, the high turnout rates for the Niger Delta region-Akwa Ibom State, 83 percent, Bayelsa 96 percent, Delta State 76 percent, Rivers State 80 percent – are highly implausible, particularly given the credible reports of low voter turnout from those states. Similarly, voter turn-out figures of 60 percent for Anambra State and 78 percent for Gombe State are highly questionable bearing in mind that no voting took place in large parts of these states, the report notes. The implication of the above report is that INEC probably did not base most of the declared results of the 2011 elections on the votes cast but on prefabricated results it already prepared before the elections. To further buttress this point, Mahmud Jega cited in Mato (2012) observed the case of those who fabricated the presidential election results as “the fellow(s) who fall in passionate love with the figure “6”, rather than it being a coincidence; the winner (Jonathan) scored 24.6 million votes; the first runner-up (Buhari) scored 6.6 million votes; the second runner-up (Atiku) scored 2.6 million votes and the third runner-up (Ojukwu)

had 0.6 million votes". This shows simply the antics of an overzealous and unintelligent electoral crook that was out to favour a particular party and a particular kind of people. Going by this, INEC could not have been more biased, inefficient and partial in the conduct of the 2011 elections.

To further underscore the incompetence of INEC in the conduct of the 2011 election, the European Union Election Observation Mission, (2011) final report further notes that by December, 2011 when INEC was legally obliged to publish the declared winners and votes received per candidate in all of the elections on its web page as indicated in Electoral Act 2008, Article 72, INEC had only done so for the presidential election and 10 of the gubernatorial elections. The end of 2011, INEC had not issued any comprehensive results, meaning that an in-depth analysis of the results was impossible. The official results only took the form of the names of candidates elected and the votes they received. No detailed breakdown of polling station results was published to enable an independent audit to be undertaken from the polling station level to the national level. No figures were published for basic matters such as votes cast or rejected ballot papers.

INEC did not conduct the 2011 elections properly, efficiently and adequately in some areas as a result of irregularities and organizational shortcomings, including the failure to print and provide the correct ballot papers for several elections. It therefore had to re-run 111 out of 1,496 elections in 28 states. These elections included the gubernatorial election in the whole of Imo State and in four LGAS of Enugu State, 11 senatorial elections, 23 House of Representatives elections and 43 House of Assembly elections. This re-run election is an indication that INEC did not do its job well. We can therefore say that in conducting the 2011 elections, INEC did not minimally achieve the three imperatives of electoral governance. To buttress this, it is worthy to note that the results of the 2011 general elections were highly contested in the election petition tribunals. Several official results declared by INEC had been reversed by the election petition tribunals and courts.

Empirical Literature

Okechukwu (2008) studied the various electoral reform in Nigeria the study observed that the electoral system and process are technologically, legally and administratively inadequate and unfair to the majority of the electors. Over the last few years, INEC, politicians, organized civil society and international community have all sought to learn from 1999- 2007 election by launching projects that aim to improve the Nigerian electoral system. Given the above antecedents, one would posit that there are possible scenarios in our electoral process that needs to be reformed. And this is why electoral reform agenda is a welcome development in the Nigeria's electoral history. This paper seeks to contribute to this debate. It starts by examining the problematizing the need for electoral reform by defining the concept in a theoretical perspective. The paper goes on to identify the areas that needs to be reformed; the challenges and opportunities in the current electoral reform in Nigeria and suggest ways of correcting the negative impact of our electoral process. The paper concludes by positing that if INEC still remains under the presidency that controls its budget and appointments, there may be a crash of democracy in Nigeria before 2011.

Ebenezer, Nicholas and Azeez (2017) studied the electoral administration and the challenge of democratic consolidation in Nigeria's fourth republic. The place of election as a signpost of democracy is not in contention since democracy means first and foremost the process through which citizens freely choose their representatives. However, democratic practice in many developing countries is still regarded as electoral democracy because attentions are shifted away from the substance of democracy to focusing on conducting elections only as means of power transition and/or legitimation. The major challenge of democratic consolidation in developing democracies can therefore be linked to election administration which is a compass for any democratic process. Though, Nigeria has been able to maintain a viable set of periodic and regular elections since the return of party politics in 1999, the political values of that attainment is questionable. Against this backdrop, this paper examines the different contours Nigeria's electoral democracy has experienced since the enthronement of the present fourth republic and findings situate them within the contradictions of electoral administration. While studies on the challenges of electoral administration in Nigeria have focused on regime analysis, this study attempts a holistic view of Nigeria's contemporary democratic practice since 1999. The methodology of research is both descriptive and analytical.

Severus (2015) examined INEC and the conduct of elections in Nigeria: an appraisal of the 2007 general elections. Elections are very central to the principle and practice of democracy anywhere in the world and the management of elections by any election management body is significant to the electoral process and by implication, the consolidation of democracy in any country. This paper appraises the conduct of the 2007 general elections in Nigeria conducted by the Independent National Electoral Commission (INEC). Using structural functionalism as a theoretical framework and the secondary method of data collection, the paper appraises who did what, when and how in the 2007 general elections in Nigeria, with the aim of finding out whether the election was free and fair. The finding of the research is that in conducting the 2007 general elections in Nigeria, INEC did not achieve the three imperatives of electoral governance, namely, administrative efficiency, political neutrality and public accountability and therefore, the election was not free and fair.

Theoretical Framework

This study is anchored on structural functionalism or the structural functionalist theory as the framework for analysis. According to Varma (1975), structural functional analysis revolves around certain concepts more important of which are concepts like functions and structures. In using structural functional analysis, three basic questions are usually asked, namely:

- (a) What basic functions are fulfilled in any given system?
- (b) By what structures and
- (c) Under what conditions?

In the words of Merton (1949), functions are those observed consequences which make for the adaptation or adjustment of a given system; and dysfunction, those observed

consequences which lessen the adaptation or adjustment of the system'. A system on its own part has been variously defined as "a set of elements standing in interaction, Bertalanffy (1956) a set of objects together with relationships between the objects and between their attributes", Hall and Fagan (1956); and "a whole which is compounded of many parts- an ensemble of attributes, Cherry (1961).

The implication of all these definitions is that a system implies the idea of a group of objects or elements standing in some characteristic structural relationship to one another and interacting on the basis of certain characteristic processes, Varma (1975). When action takes place in a given system, functional and/or dysfunctional consequences are usually produced. Varma (1975) further notes that beside the concept of function, another very important concept in structural functional analysis is that of structure. While function deals with the consequences, involving objectives as well as processes of pattern of actions, structure refers to those arrangements within the system which perform the functions. A single function may be fulfilled by a complex combination of structures, just as any given structural arrangement may perform functions which might have different kinds of consequences for the structure. Structural functionalism is employed as a theoretical framework so that possible ways of survival of a system can be discovered. The analysis is primarily directed towards the amount of change at the structural level that a system can accommodate without seriously hindering the fulfillment of its basic functional requisites. In applying this theory in the analysis of a political system, it is important to note that a political system comprises of many structures, all working or performing certain functions to make the system work. For any political system to work, several activities need to be performed and certain institutions are created to perform some of these roles or functions for the society to keep the system going. Nigeria operates a political system and for the society to maintain itself, certain institutions also known as structures are created to perform certain roles or functions for the maintenance of the Nigerian society.

Now, for the society to function well there is need to have a government; and for the government to operate there is need to have the leadership, that is, the elected officers of the state, the President, Governors and the Legislators. There is need for them to have legitimacy also. All these are structures. There is also need to have the structure or institution charged with the role of organizing elections for the leadership of the nation to emerge. That institution in the case of Nigeria is the Independent National Electoral Commission and the function it performs is that of conducting elections into the various elective offices. There are also other structures or institutions of the society through which political leadership are put in place for the society. The political parties and the people, called the electorates, the political elites, security agencies, civil society organizations, etc. They also have different roles to play in the political system. How each of these structures performed their different functions for the political leadership to emerge in 2011 was studied in the research using structural functionalism.

In this study, the researcher appraised the 2011 general elections administered by the Independent National Electoral Commission, INEC, and a creation of the government as an institution (structure) that is charged with the responsibility of organizing elections into various elective offices in the Nigerian political system. In the course of performing its function, INEC had to collaborate with other institutions or structures, which also had roles to play in the electoral process. In the course of performing their different roles, some intended or unintended, recognized or unrecognized consequences manifested which enhanced or lessened the adaptation or adjustment of the system thereby bringing about dysfunction in the system. These intended and unintended consequences as well as the dysfunctions are analyzed in this research to find out whether INEC conducted free, fair and credible general elections in 2011.

Methodology

This study is a qualitative research. It relied basically on the documentary method of data collection. The documentary method is concerned with the analysis of documents that contain information about a given phenomenon under investigation. According to Payne & Payne (Mogalakwe, 2006), "documentary method is the technique used to categorize, investigate, interpret and identify the limitations of physical sources, most commonly written documents whether in the private or public domain". The method is often considered a monopoly of professional historians, librarians and information science specialists. The data used in this study is the number of election petition filed at the tribunals for 2007 and 2011. It is expected that if the reforms were successfully implemented the number of aggrieved parties would be an indicator. To analyze the data percentages and bar chart was used.

Table 1: Statistics of Cases Filled in Various Election Petition Tribunals in 2007

SN	State	Number of Cases	Percentage
1	Anambra	78	7.96
2	Borno	05	0.51
3	Edo	43	4.39
4	Ebonyi	25	2.55
5	Imo	30	3.06
6	Gombe	10	1.02
7	Kaduna	18	1.84
8	Kano	51	5.20
9	Katsina	40	4.08
10	Kogi	60	6.12
11	Ogun	90	9.18
12	Oyo	38	3.88
13	Kwara	41	4.18
14	Plateau	20	2.04
15	Rivers	71	7.24
16	Yobe	12	1.22
17	Abia	37	3.78
18	Adamawa	04	0.41
19	Enugu	22	2.24
20	Akwa Ibom	19	1.94
21	Lagos	31	3.16
22	Nasarawa	14	1.43
23	Benue	10	1.02
24	Jigawa	08	0.82
25	Taraba	16	1.63
26	Bayelsa	09	0.92
27	Niger	07	0.71
28	Kebbi	11	1.12
29	Sokoto	03	0.31
30	Osun	32	3.27
31	Delta	17	1.73
32	Bauchi	10	1.02
33	Ondo	20	2.04
34	Ekiti	48	4.90
35	Zamfara	13	1.33
36	Taraba	09	0.92
37	F.C.T	08	0.82
Total		980	100

Source: IDASA, Conflict Tracking Dossier: A Quarterly Review Issue 18 may 2008, P.22.

Table 2: Statistics of Cases Filled in Various Election Petition Tribunals in 2011

SN	State	Number of Cases	Percentage
1	Anambra	99	10.00
2	Borno	08	0.81
3	Edo	32	3.23
4	Ebonyi	17	1.72
5	Imo	13	1.31
6	Gombe	12	1.21
7	Kaduna	21	2.12
8	Kano	43	4.34
9	Katsina	44	4.44
10	Kogi	46	4.65
11	Ogun	80	8.08
12	Oyo	19	1.92
13	Kwara	81	8.18
14	Plateau	28	2.83
15	Rivers	68	6.87
16	Yobe	06	0.61
17	Abia	19	1.92
18	Adamawa	00	0.00
19	Enugu	13	1.31
20	Akwa Ibom	17	1.72
21	Lagos	10	1.01
22	Nasarawa	02	0.20
23	Benue	74	7.47
24	Jigawa	00	0.00
25	Taraba	22	2.22
26	Bayelsa	00	0.00
27	Niger	06	0.61
28	Kebbi	08	0.81
29	Sokoto	05	0.51
30	Osun	76	7.68
31	Delta	44	4.44
32	Bauchi	11	1.11
33	Ondo	30	3.03
34	Ekiti	19	1.92
35	Zamfara	08	0.81
36	Taraba	09	0.91
37	F.C.T	00	0.00
Total		1021	100

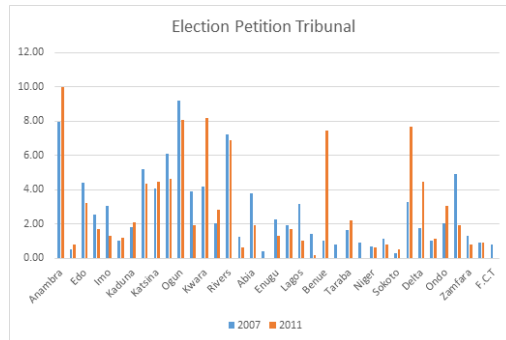
Source: IDASA, Conflict Tracking Dossier: A Quarterly Review Issue 7 June 2012, P.22

Table 3: Percentage change of election petition between 2007 and 2011

SN	State	2007	2011	% Change
1	Anambra	7.96	10.00	2.04
2	Borno	0.51	0.81	0.30
3	Edo	4.39	3.23	-1.16
4	Ebonyi	2.55	1.72	-0.83
5	Imo	3.06	1.31	-1.75
6	Gombe	1.02	1.21	0.19
7	Kaduna	1.84	2.12	0.28
8	Kano	5.20	4.34	-0.86
9	Katsina	4.08	4.44	0.36
10	Kogi	6.12	4.65	-1.48
11	Ogun	9.18	8.08	-1.10
12	Oyo	3.88	1.92	-1.96
13	Kwara	4.18	8.18	4.00
14	Plateau	2.04	2.83	0.79
15	Rivers	7.24	6.87	-0.38
16	Yobe	1.22	0.61	-0.62
17	Abia	3.78	1.92	-1.86
18	Adamawa	0.41	0.00	-0.41
19	Enugu	2.24	1.31	-0.93
20	Akwa Ibom	1.94	1.72	-0.22
21	Lagos	3.16	1.01	-2.15
22	Nasarawa	1.43	0.20	-1.23
23	Benue	1.02	7.47	6.45
24	Jigawa	0.82	0.00	-0.82
25	Taraba	1.63	2.22	0.59
26	Bayelsa	0.92	0.00	-0.92
27	Niger	0.71	0.61	-0.11
28	Kebbi	1.12	0.81	-0.31
29	Sokoto	0.31	0.51	0.20
30	Osun	3.27	7.68	4.41
31	Delta	1.73	4.44	2.71
32	Bauchi	1.02	1.11	0.09
33	Ondo	2.04	3.03	0.99
34	Ekiti	4.90	1.92	-2.98
35	Zamfara	1.33	0.81	-0.52
36	Taraba	0.92	0.91	-0.01
37	F.C.T	0.82	0.00	-0.82
Total		100.00	100.00	-0.82

Source: Authors Computation 2020

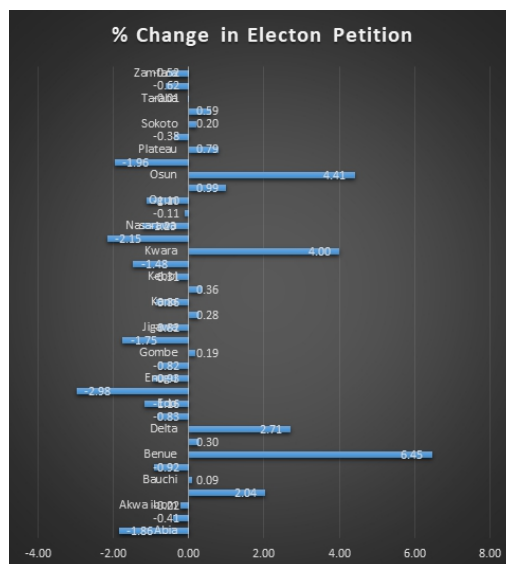
Fig 1: Cluster Colum showing the election petition for 2007 and 2011



Source: Authors Computation 2020

Figure 1 illustrates the percentage difference between election petition filled in 2007 and election petition filled in 2011. For instance, Anambra state filled 7.96% of election petition in 2007 while in 2011 it filled 10% of election petition that is an increase of 2.04 from the last general election. Delta State also witnessed a surge in election petition filled in 2011 (4.44% of election petition as against 1.7% of election petition in 2007. Benue state also experienced an increase of 6.45% of all election petition filled in 2011 from 2007. However, Lagos state filled 3.16% of election petitions in 2007 while in 2011 it filled 1.01% showing a decrease in election petition from the last election. Ekiti state and Imo state also had fewer election petitions in 2011 when compared to 2007, 4.90%, 3.06% in 2007 while 1.92%, 1.31% in 2011 respectively. A few states Adamawa, Jigawa, Bayelsa and the FCT did not have any election petition in 2011.

Fig 2: Clustered Bar Depicting % Change in Election Petition



Source: Authors Computation 2020

From Figure 2 it is observed that only 14 states had an increase in election petition in 2011 when compared to 2007 out of which 3 states were above 4% while 9 states were less than 1%. However 23 states filled less election petition in 2011 when compared to 2007.

Discussion of Findings

From the analysis it is observed that the implementation of the 2008 electoral reform partial. Even though fewer states had an increase in election petition the number of election petitions filled by these states made the total number of election petition filled in 2011 more than the number filled in 2007. Never the less, the reforms were adhered in more states as some states didn't have election petition in 2011.

Conclusion

The study concludes that, the 2008 electoral reform was implemented in the course of 2011 general election but its implementation has no positive effect on the outcome of the election. As shown from the percentage changes of the number of cases before the tribunal, some states recorded even more cases before the tribunal after 2011 exercise, this is a clear indication that more hand needed to be on desk in other to checkmate the activities of election malpractices in Nigeria. The reform was done to at least curb the irregularities in the process and practices of Nigeria electoral system to able to reduce the post legal unrest in the system, but with the analysis and result shown in the study the problem is still lingering in the system.

Recommendations

The study recommends that electoral reforms that are electorates incline should be thoughtful, such reform that is capable of educating the electorate and rehabilitates our political ideology from the old ways of manipulations and illegalities through political sanitization and acceptable awareness.

Secondly, reforms that is targeting only electoral officers and security agents is not enough to give us the best election, until the political actors and the electoral are well captured and properly utilized that the system can witness fair election that we are clamoring for. Politicians and the electorates are the problem of electoral system in Nigeria, for any reform to gather momentum in the system it must include vis-à-vis how to successfully deal with dual.

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