



Challenges of Electoral Malpractices on Democratic Consolidation in Nigeria's Fourth Republic

Yusuf Isma'ila^{1*}, Zaheruddin Othman²

¹College of Law, Government and International Studies, Universiti Utara, 06010 Sintok, Kedah, Malaysia, ²College of Law, Government and International Studies, Universiti Utara, 06010 Sintok, Kedah, Malaysia. *Email: ismailayusuf36@yahoo.com

ABSTRACT

After a decade and half of democratic experiment yet, efforts towards democratic consolidation in Nigeria's fourth republic have been facing the challenges electoral malpractices. The crisis of democratic consolidation as a result of the challenges of electoral malpractices manifest in form of corruption, insecurity and weak democratic institutions. The significance of democratic consolidation in Nigeria like in other new democracies depends largely on the conduct of free, fair and credible election. The objective of this paper is to examine the threats of electoral malpractice as it undermines the aspiration for consolidating democracy in Nigeria's fourth republic and also use critical approach in recommending transformation of the system.

Keywords: Malpractice, Consolidation, Republic and Nigeria

JEL Classifications: D72, P10

1. INTRODUCTION

Elections have not only become an instrument for the demise of authoritarianism or a transition to democracy but the credibility of electoral process has equally become the instrument for determining the integrity and legitimacy of a democratic regime. Therefore credible election is the general acceptance of its conduct as free and fair by citizens and international community.

Acceptability of election results by stakeholders would thus increase the chances of consolidation of democracy. This paper is an investigation of electoral irregularities that challenges consolidating democracy in Nigeria's fourth republic.

It discusses questioning legitimacy of a government as a result of electoral fraud and subsequent violence which may even lead to "deconsolidation" of democracy. The challenges of electoral malpractice since 1999 to date in Nigeria's fourth republic democratic experiment has indeed become source of concern, thus questioning consolidating democracy in the country. This contribution is to recommend measures for combating the menace of electoral malpractice in the electoral processes.

2. METHODOLOGY

Mainly qualitative secondary data is used in this content to describe the challenges of electoral malpractices in Nigeria's fourth republic and the critical ways of overcoming the challenges. It focuses on the complex and nuanced process of the creation and maintenance of meanings that cannot be easily provided by other methods (Creswell, 2007). It is considered suitable for understanding experiences such as conduct of elections in Nigeria. It is how people make sense of their lives, experiences, and their structures of the world (Ateno, 2009).

3. ELECTORAL MALPRACTICES

Two basic approaches have been designed by scholars seeking to define and categorize practices that undermine electoral process, these are inclusive and restrictive (Vickery and Shein, 2012). They espoused inclusive (fraud, malpractice and manipulation) to be as broad as possible, no matter the imprecision. Some writers in this category situate their definitions normatively, finding that electoral wrongdoing violates domestic norms or internationally accepted standards for free and fair elections. Restrictive approach

focus only or mostly on the provisions of the law (i.e. fraud can be identified by whether it violates existing domestic legal provisions). This enables a context-specific approach to combating various kinds of electoral wrongdoing, and it makes obvious sense for the election management body to use a country's domestic laws as benchmarks in its fraud or malpractice control activities.

There are three types of electoral malpractices, pre-election, election period and post-election period (Birch, 2009; Norris, 2012; Olawole et al., 2013; Ugwuja, 2015). The manipulation of rules, the manipulation of voters and the manipulation of voting. By manipulation of rules, electoral laws are distorted so as to favor one party or contestant in an election. For example, when the rules administering candidacy prevent certain political forces from contesting elections, or when large sectors of the adult population are excluded from voting. The manipulation of voters is either to distort voters preferences or to sway preference expression. The first one involves illicit forms of campaign tactics that are deceptive and that violate campaign finance laws or severe bias in media coverage of the election. The second form consist of alteration of how preferences are expressed at the polling station, through vote-buying or intimidation in the aim of increasing the vote of a specific political force. Voting manipulation consist of electoral maladministration, such as ballot-box stuffing, mis-reporting, under-provision of voting facilities in opposition strongholds, lack of transparency in the organization of the election, bias in the way electoral disputes are adjudicated in the courts, and so on (Birch, 2009).

The right to vote is a civic responsibility or public function conferred upon the citizen for reason of social expediency (Olawole et al., 2013). There is strong relationship in Africa's electoral malpractices with the type and forms of historical system practiced by each society, coupled with the class structure, social stratification, aestheticism and religious differences. Thus conclude that until elections become completely competitive and the electorates are free to make a choice between alternatives and that a liberal political system is put in place, there will always be electoral malpractice (Birch, 2009). In Africa, the scenario is a curse to the electorate and a gimmick played by politicians who seek to legitimize the illegitimate practice of coercing citizens into voting for them on the backdrop of rampant electoral rigging (Mapuva, 2013).

3.1. Democratic Consolidation

The concern of democratic consolidation is about strengthening or otherwise of political institutions such as political parties, legislature and electoral umpires. It deals with governmental administration in relation with accountability, transparency, constitutionalism, rule of law and bureaucracy. It encompasses the understanding of the acceptance and obedience of formal and informal institutions of democracy (Khorram-Manesh, 2013). However, the most reviewed notions regarding democratic consolidation is that when is democracy "consolidated", when it is likely to endure and expected to "last well into the future" (Schedler, 1997; O'Donnell, 1996; Valenzuela, 1990). The most significant issue associated with democratic consolidation is transition from authoritarian regimes to democratic regimes

(O'Donnell, 1996). The main focus is centered on how really democratic the post-transition political institutions are and on their long-term prospects, i.e. whether they are prone to succumb to a new round of authoritarian rule or whether they will prove to be stable or consolidated (Valenzuela, 1990). Therefore the process of achieving democratic consolidation involves scrapping the institutions, procedures, and expectations that are ambiguous with the minimal workings of a democratic regime, so that the new ones that are "created or recreated with the transition to a democratic government to develop further."

Democratic consolidation consists narrowing of democratic uncertainties through normalization of behavioral and institutional changes. The normalization requires the expansion of citizen access, development of democratic citizenship and culture, broadening of leadership recruitment and training, and other functions that civil society performs. But, most of all, and most urgently, it requires political institutionalization (Matlosa, 2008). Thus democracy is consolidated whenever political and economic situations of a particular system of institutions become the only game in town, when no one can imagine acting outside the democratic institutions, when all losers (of political contest) want to try again within the same institution under which they have just lost (O'Donnell, 1996). It is argued that a democracy is consolidated when power is alternated between rival parties, support for system is continued during time of economic hardship, rebels are defeated and punished, the regime remain stable in the face of restructuring of the party system, and there exists no significant anti-system (Okoye et al., 2012).

4. IMPLICATIONS OF ELECTORAL MALPRACTICES ON DEMOCRATIC CONSOLIDATION IN NIGERIA'S FOURTH REPUBLIC

Following the survey of democratic consolidation literature it is clear that it is characterized with longevity of a civilian regime as well as recognition and respect of democratic institutions, thus fairness, freest and credible elections must not therefore be an exception to these characteristics. Although there is significant breakthrough regarding the fourth republic experiment in Nigeria such as being the first time civilian government stayed for 16 years without military intervention. Five general elections were conducted within the time frame as well as alternation of power by incumbent to the opposition in 2015. Yet there is so much to be desired in the conduct of democratic practices of the fourth republic in general and the conduct of the electoral process in particular. Perhaps, the predicaments of practice of democracy in the fourth republic have threatened its consolidation, hence it is characterized with bane of democratic governance. The implications of these therefore manifest in issues such as disrespect and outright violations of electoral act with impunity due to weak democratic institutions, electoral violence, ethno-religious politics, rampant corruption and mismanagement, poverty and lack of internal democracy which is visible in incumbency factor, godfatherism and excessive monetization in politics (Ebegbulem, 2011).

The moral foundation of the state in its capability to meet its obligation to the citizens, and citizen's ability to obey the laws of the state has been questioned. As instructively observed, these issues which have triggered electoral crises are mostly technical and logistical problems (Osabiya, 2014), however for many politicians, winning election is more important than deaths that occurs due to application of violence as part of their overall campaign strategy. For Nigerian politicians it's either to gain an unfair advantage over their opponents, or to disrupt the process outright when it is clear that they are not of the winning side of the divide. This makes our democracy to remain nascent and unconsolidated thereby leading to minimal benefit emanating from it. It is therefore visible how democracy and not election is the problem in the Nigerian System (Osabiya, 2014). Some of the problems includes:

4.1. Corruption

The challenges of corruption as it affects democratic consolidation in Nigeria's fourth republic elections manifests in manipulations of elections either by hook or by crook to buy political offices, in which corruption is part and parcel of those manipulations. Therefore public office holders disregard often with impunity, government accountability, transparency and service delivery as a result of corrupt practices. One major dimension of corruption that has crippled consolidation of democracy in Nigeria is political corruption which consists the abuse of trusted power by political leaders for personal gain. It has assumed a scandalous proportion in Nigeria since the restoration of democracy in 1999. Nigeria reportedly lost an average of \$4 billion - \$8 billion annually to corruption between 1999 and 2007 (Aliu, 2013). The consistent ranking of Nigeria among the highly corrupt nations by the global anti-corruption agency, Transparency International during the period, and the startling revelations by the Economic and Financial Crimes Commission, Nigeria's anti-corruption watchdog of billions of dollars of state fund allegedly stolen by politicians and political leaders underscore the pervasiveness of corruption in the polity since the beginning of the fourth republic.

It has been aptly captured that, corruption in this democratic dispensation has been pervasive, open and shameless. The implications of such act manifest in infrastructural decay and persistence of abject poverty among the Nigerian masses (Ojo, 2009). In fact, the power sector crisis, fingered for stunning the economy, owed largely to the misappropriation and embezzlement of government investments in the sector. It was revealed that "Nigeria generates less than a pitiable 1000 MW compared to South Africa, a country of 42 million people, which generates over 42,000 MW (Arolowo and Aluko, 2012).

4.2. Violence

The major forms of violence that obstructs democratic consolidation in Nigeria are the political and electoral violence. Political violence disrupts free competition and undermines political participation but promotes mediocrity. By doing so, it creates potential disaffection, rancour and acrimony that heat up the political system. The general elections of 1999, 2003 and 2007 were characterized by thuggery and violence. This trend suggests that democracy in Nigeria is not only growing at a very slow trend

but also oscillates between stagnancy and backwardness, thus degenerating into a crisis level where democratic ideals become threatened and governance becomes privatized, if not personalized, by the powerful (Oni, 2014).

As a major source of democratic instability, electoral violence manifest palpable threats of deconsolidation. On one hand democracy and peace are, ideally, mutually reinforcing, with elections serving as the connecting cord between them. On the other hand elections do not only allow for political competition, participation and legitimacy, but also permit peaceful change of power, thereby making it possible to assign accountability to those who govern (Omotola, 2010).

5. WEAK DEMOCRATIC INSTITUTIONS

Weak institutions of democracy like legislature, political parties and electoral management body in Nigeria have been unable to protect and promote consolidation of democracy.

5.1. Legislature

The legislature of the fourth republic has been described as weak and a premature institution, largely inexperienced at its inauguration in 1999 compared to the executive (Ojo, 2009; Ebegbulem, 2011) because legislative functions have been scrapped since the military comeback of December 1983. Sadly too, it only lasted for 2 years (1991-1993) before it was again suspended by the Abacha military junta after overthrowing the Shonekan Interim National Government. Again the nation waited for 6 years to witness another legislative business. But in contrast, the executive always retains its status whenever the military strikes and on many occasions combined the legislative duties. The point to make here is that legislative and executive responsibilities are usually fused and discharged by the executive branch of government whenever the military takes over power. This act has undoubtedly institutionalized a system and culture of government that is extremely executive-centered. The unequal development of the two branches of government has given birth to an overdeveloped executive in terms of powers and responsibilities (Ebegbulem, 2011).

5.2. Political Parties

The weaknesses of the fourth republic political parties manifests in lack of credible ideologies as well as lack of internal democracy which therefore produces undemocratic, thus challenges democratic consolidation. The features of internal elections in political parties were pervasive and a negation of all known democratic tenets, ranging from imposition candidates, godfatherism to excessive monetization of the election processes and intra-party conflict. The implications of intra-party conflicts on Nigeria's democratisation includes: Decamping of aggrieved members to other political parties, distrust, animosity and indiscipline among party members, lack of credibility and bad image for political parties. It thus factionalize the party in conflict, waste of time and resources, divided loyalty among party members, discontent among party members, breakdown of party activities, instability in the party and over-heating the polity (Momodu and Gambo, 2013).

The godfathers phenomenon demeaned the development and consolidation of democracy in Nigeria. Godfatherism negates all tenets of democracy. It blocks the democratic process by obstructing selection of good and qualified candidates for elective posts (Osabiya, 2014). Incumbency on the other hand is the manipulation of democratic process by those in power. They adopt and monopolise state machinery to maintain their hold on power. The Obasanjo's impunity, for instance, was noted for its selective judgement and flagrant disrespect for and disobedience to the rule of law; this is also a function of ineffective rules and weak institution. It is only natural and expected, therefore, that in a situation where political opponents are clamped down upon, the political space becomes heated and tension-soaked as the opponents strive to 'balance the terror' (Oni, 2014).

It is also unfortunate that the political parties are very weak to the extent they resort to incumbency and impunity which is characterized by unhealthy competitions and struggle for political power. The widespread occurrences of political thuggery in the fourth republic threaten democratic consolidation in Nigeria. It is widely ascertained that thugs were usually hired, maintained and equipped by some politicians to subvert the electoral process to their utmost political advantage (Adeosun, 2014). The implication from 1999 to date has led to series of electoral crisis and violence for example aftermath of the 2003 general elections claimed the lives of over one hundred innocent lives while leaving several injured. The aftermath of the 2007 elections left about three hundred people dead, and following the April 2011 presidential voting more than 200 people dead (Yusuf, 2015).

The poor outcome of electoral process led to often wide gap between the number of people that register to vote and the actual number of people that comes out to cast their votes. For instance, the Kogi State 2011 gubernatorial election where out of the 1,325,272 registered voters only 518,949 electorate voted (Omodia, 2012).

5.3. Independent National Electoral Commission (INEC)

Observers acknowledged considerable improvement in the electoral administration of 2011 and 2015 elections, however lacunas exists, thus capable of threatening democratic consolidation. For example the questions surrounding the independency of INEC, which includes the appointment of chairman and electoral commissioners, financial autonomy and its reliance on ad hoc staff in conducting elections. Since its creation in 1999, INEC has been characterized by a lack of independence, professionalism and administrative efficiency (Kerr, 2011). The appointment process for INEC commissioners at both the federal and state level gives the first indication of the deficiency in INEC's institutional autonomy. The constitution gives the president authority to appoint all 12 commissioners (and the 36 Resident Electoral Commissioners) with the approval of the Senate. The presidents' monopoly over the appointment process has direct implications for INEC's popular legitimacy and its ability to impartially organize elections. This implication is disturbing to the process of consolidating democracy. For instance the non-partisanship of INEC which is supposed to be an independent and credible

body was doubted more than ever, especially in 2003 and 2007 elections (Aliu, 2013).

Moreover the INEC is so weak that it is unable to educate effectively the illiterate majority about the importance of voting and how to vote, inability to prosecute electoral offenders (Okoye, 2013; Ismailaa and Zaheruddin, 2016; Oyekanmi, 2015), thus by implications these spell deconsolidation of democracy. Despite the need for a total systemic overhaul at the political, economic and social levels, there is crucial need for honest people with integrity like the immediate past INEC chairman, to handle electoral administration with sincerity (Oyekanmi, 2015).

6. CONCLUSION

While fourth republic refers to practice of democracy for the fourth time in Nigeria which began in 1999, the first, second and third republic were practiced and aborted from 1960-1993. This contribution investigates the challenges of electoral malpractices on democratic consolidation in the fourth republic. It emphasizes the vital importance of election to democratic consolidation. It shows the need for resuscitating the decaying democratic institutions, attitudes, resources and infrastructure at all levels of society as it affects electoral process for effective quest for democratic governance (Ismail and Othman, 2015).

7. SUGGESTIONS AND RECOMMENDATION

This paper suggests and recommends the need to combat godfatherism and incumbency, violence, corruption and impunity so as to enhance the electoral process. Unless the political leaders strictly adhered to the application of rule of law, constitutionalism and democratic values, the legitimacy of government and consolidation of democracy may not be sustained. It is suggested that further studies be carried out to focus on weak democratic institutions as they challenges democratic consolidation in Nigeria's fourth republic.

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