# THE IMPACT OF ELECTION ADMINISTRATION ON NIGERIAN DEMOCRACY:A STUDY OF THE STRUCTURE AND PROCESS OF NIGERIA'S PRESIDENTIAL ELECTIONS (1999-2011)

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**DEPARTMENT OF POLITICAL SCIENCE, FACULTY OF SOCIAL SCIENCES, AHMADU BELLO UNIVERSITY, ZARIA**

**JUNE, 2012**

## DECLARATION

I declare that this dissertation entitled: "Election Administration and Sustainable Democracy: A Study of the Structure and Process of Nigeria's Presidential Elections (1999-2011)" was conducted by me in the Department of Political Science, Ahmadu Bello University, Zaria under the supervision of Prof R. Ayo Dunmoye, Dr. K. A Omojuwa and Dr. M. Faal. All information derived from the literature has been duly acknowledged in form of references. No part of this dissertation was previously presented for the award of another degree or diploma at any university.

_____ _____

**MOVEH, David Omeiza** **Date**

## CERTIFICATION

This dissertation entitled: "Election Administration and Sustainable Democracy: A Study of the Structure and Process of Nigeria's Presidential Elections (1999-2011)" by MOVEH, David Omeiza meets the regulations governing the award of the degree of Doctor of Philosophy of Ahmadu Bello University, Zaria and is approved for its contribution to knowledge and literary presentation.

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## ABSTRACT

This study evaluates INEC's conduct of Presidential elections in Nigeria from 1999-2011; with a view to determining the implications of the institutional context of INEC for the sustainability of democracy in the country. The study is conducted against the backdrop of the fact that all general elections conducted in Nigeria have generated controversy; supposedly arising from structural dependence and institutional inadequacies and deficiencies in the electoral administration system. The liberal theory of democracy is adopted as the theoretical framework of the study; specifically due to the fact that of all theories of democracy only the liberal version emphasizes a direct linkage between the quality of the election administration process and the qualification of a regime as democratic. The study identified four potential outcomes as assumptions of the study. First, is that a progressive increase in the quality of the 1999, 2003, 2007 and 2011 Presidential elections would imply that INEC has sustained (stabilized) Nigeria's democracy. Secondly, a continuous retrogression in the quality of the 1999, 2003, 2007 and 2011 Presidential elections would imply that Nigeria's democracy is diminishing. Thirdly, constancy in the quality of the of the four Presidential elections will imply that Nigeria's democracy is static, and fourthly, a lack of any general trend as in assumption 1-3 will imply that Nigeria democracy is unstable. Questionnaires; were utilized as the main primary source of data. Focused Group Discussion and interviews of a sample of the major stakeholders in the election administration process as well as Documentary evidence were however used to supplement the data from the questionnaires. The data gathered were analyzed based on Elklit and Reynolds's model for the analysis of electoral management bodies and election administration; which builds on a close scrutiny of the election administration system's performance through clearly defined stages of the electoral process. Findings indicate that while from 1999, through 2003 to the 2007 Presidential elections, there was a progressive decline in the quality of the Presidential elections conducted by INEC with a total rating of 57.6%, 54.25% and 50.16% respectively; the 2011 Presidential elections had a much higher quality with an unprecedented rating of 69.65%. This lack of any general trend in the quality the Presidential elections conducted by INEC within the time frame of the study indicated that only the fourth assumption of the study is valid. Furthermore, a regression analysis of the four Presidential elections indicates that of all the functions performed by INEC, a total of seven functions significantly influenced the outcome of the elections. These are sufficiency of resources, complimentarity of voter education efforts by various groups, functionality of voter registration complaints procedures, acceptability

of ballot paper design to parties and candidates, security of polling stations, promptness of vote count and promptness in the handling of election related disputes.

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# LIST OF ACRONYMS

| | | |
|---|---|---|
| AAEA | - | Association of African Electoral Authorities |
| ACN | - | Action Congress of Nigeria |
| ADB | - | Access to and Design of Ballot |
| ANPP | - | All Nigeria Peoples Party |
| CAN | - | Christian Association of Nigeria |
| CDD | - | Centre for Democratic Development |
| CPC | - | Congress for Progressive Change |
| CR | - | Campaign Regulation |
| CSO's | - | Civil Society Organizations |
| CTV | - | Counting and Tabulating the Vote |
| DDC Machines | - | Direct Data Capture Machines |
| EMBs | - | Election Management Bodies |
| EM | - | Election Management |
| ERC | - | Electoral Reform Committee |
| ERI | - | Election Results Implementation |
| EU EOM | - | European Union Election Observation Mission |
| IDEA | - | International Institute for Democracy and Electoral Assistance |
| IFES | - | International Foundation for Electoral System |
| INEC | - | Independent National Electoral Commission |
| IRI | - | International Republican Institute |
| JNI | - | Jama'tu Nasir Islam |
| LEMT | - | Labour Election Monitoring Team |
| LF | - | Legal Framework |
| NDI | - | National Democratic Institute |
| NOA | - | National Orientation Agency |
| NURTW | - | National Union of Road Transport Workers |
| NYSC | - | National Youth Service Corps |
| OMR | - | Optical Mark Recognition |
| P | - | Polling |
| PDP | - | Peoples Democratic Party |
| PEP | - | Post Election Procedures |
| REC | - | Resident Electoral Commissioners |
| RERD | - | Resolving Election Related Disputes |
| SAP | - | Structural Adjustment Programmes |
| TMG | - | Transition Monitoring Group |
| VE | - | Voter Education |
| VR | - | Voter Registration |

**CHAPTER ONE**

## INTRODUCTION

"…Nigeria's dilemma is not unique, but it is compounded by the interaction between political suspicion and administrative incapacity. The weakness of institutions like INEC may collide with political suspicion to become a tragic political accident".

***Robert A. Pastor (2005)***

### 1.1 GENERAL BACKGROUND TO THE STUDY

The last quarter of the 20th century was characterized by an unprecedented increase in the number of electoral democracies across the globe. According to Diamond: "In 1974, there were only 39 democracies in the world" (2000, p. 16). By 2009, not less than 148 countries were meeting at least the requirements of electoral democracy (International Institute for Democracy and Electoral Assistance- International IDEA: 2009). Accordingly, the conditions for the sustainability of democracy have attracted the interest of scholars in recent years. Indeed, if democratization involves the construction of "participatory and competitive institutions" as a number of analysts of new democracies have concluded (Bratton and Van De Walle, 1997, p. 194, Dahl, 1996 and Lipset, 1959), then election administration is crucial especially as it remains the most viable means for representation and democratic sustainability.

The management of elections also occupies a significant and strategic position in the sustainability of democracy; especially as the centrality of elections to liberal democratic politics presupposes the existence of impartial election administration. "The indeterminacy of elections, that is, the possibility of erstwhile winners becoming losers and erstwhile losers becoming winners- which is an inherent and necessary prerequisite of liberal democratic politics is to a large extent a function of an impartial administration of elections" (Jinadu; 1997:11). However,

the process of election administration in many new democracies has generated a lot of controversy - arising from the level of independence of Election Management Bodies (EMB's), their professionalism and the acceptability of the elections they conduct.

In Nigeria, the election administration process since independence has always resulted in controversy and crisis arising mostly in part from the perceived collaboration of EMB's with the respective ruling military or civilian regimes. The implication as noted by Ajayi is that the history of electoral administration in Nigeria has been a "history of controversy engendered by electoral malpractices" (2007:142). A total of six different EMB's were established at various times to conduct the successive elections that have taken place in Nigeria's post independence history. Indeed, as Agbaje and Adejumobi (2006:2) notes: "over the years, the autonomy and capacity of EMBs in Nigeria have been suspect as reflected in its endless renaming and restructuring by successive governments". In 1959 the Electoral Commission of Nigeria (ECN) conducted the first nationwide elections which ushered in Nigeria's first republic. The ECN which was composed of largely expatriate British administrators was replaced in 1964 with the Federal Electoral Commission (FEC). Following a highly contested general elections conducted by the FEC in 1964/65, and other political problems inherent in the first republic, the first republic was toppled in a military coup in 1966 and the FEC was dissolved. By 1978 another Federal Electoral Commission (FEDECO) was established by the outgoing military regime of General Olusegun Obasanjo. FEDECO conducted the 1979 elections that ushered in Nigeria's second republic. However, FEDECO was also dissolved in 1983 by the military administration of General Muhammadu Buhari following a highly controversial election conducted in 1983. By 1987, the Babangida administration also dissolved FEDECO and established the NEC. In what was described as a "transition without end" NEC conducted the 1992/93 elections but was also dissolved in 1993 following the annulment of the 1993 Presidential election results and the exit

of the Babangida administration. In 1994 the Abacha administration established the National Electoral Commission of Nigeria (NECON). NECON conducted elections from the local governments up to the national assembly level; but was also abolished following the death of General Abacha and the emergence of the General Abubakar administration in 1998. The General Abdulsalami regime established the current Independent National Electoral Commission (INEC) which conducted the 1999, 2003, 2007 and 2011 general elections. While INEC is the longest serving EMB in Nigeria, the elections it has conducted has not been without controversy. Indeed, it is in realization of the controversial and problematic nature of election administration in Nigeria; that the Umar Musa Yar' Adua administration set up an Electoral Reform Committee (ERC) as soon as it came to power in 2007 to: "examine the entire electoral process with a view to ensuring that we raise the quality and standard of our general elections and thereby deepen our democracy" (The report of the Electoral Reform Committee- ERC: 2008).

Thus, in its report, submitted in December 2008, the ERC noted:

> A review of the history of elections in Nigeria shows that a strong relationship exists between EMB's, security agencies and legal provisions that guide the conduct of elections. These institutional arrangements have over the years become the focal points at which elections are compromised (ERC, 2008: 20).

While the sustainability of democracy in Nigeria has in the past been complicated by several reports of malfeasance by the country's EMB's, the implication of the institutional and empirical contexts of INEC for the sustainability of democracy in Nigeria; particularly from 1999-2011 is yet to be exhaustively explored.

## 1.2 STATEMENT OF THE RESEARCH PROBLEM

This study evaluates INEC's conduct of Presidential elections in Nigeria from 1999-2011; with a view to determining the implications of the institutional context of INEC for the sustainability of democracy in the country. The research is conducted against the backdrop of the fact that all general elections conducted in Nigeria have generated controversy; supposedly arising from structural dependence and institutional inadequacies and deficiencies in the electoral administration system. Indeed, as Ibrahim (2010: 15) noted, the view that "the problem of Nigeria's electoral system lies with the people and institutions charged with the conduct and management of elections" is widespread. EMB'S in Nigeria have severally been accused of partisanship and complicity in the electoral administration process. Yet, arguments advocating the establishment of independent EMB's in the wake of global Democratization highlight the importance of the independence of EMB's in the promotion of democratic sustainability (Pintor, 2000: 16). To what extent has INEC been able to effectively administer Nigeria's Presidential elections? What are the implications of the institutional context of INEC's conduct of Presidential elections in Nigeria for the sustainability of democracy in the country?

## 1.3 RESEARCH QUESTIONS

As shall become apparent in the course of this study the particular issues to be addressed include:

1. To what extent did the steps in each of the Presidential elections of 1999-2011 achieve their objectives or goals?
2. In what way(s) is INEC structurally dependent; and how did such structural dependence actually impact on the electoral process?
3. What do the realities of the Presidential elections conducted from 1999-2011 portend for the sustainability of democracy in Nigeria?

## 1.4 OBJECTIVES OF THE STUDY

There are three specific objectives for this study. Viz:

1. To evaluate and compare INEC's conduct of the 1999-2011 Presidential election in Nigeria.
2. To explore in what way(s) INEC is structurally dependent and how such dependence impacted on the conduct of the 1999- 2011 Presidential elections.
3. To establish empirical categories of the implications of INEC's institutional and empirical contexts for the sustainability of democracy in Nigeria.

## 1. 6 RESEARCH ASSUMPTIONS

Following directly from the forgoing theoretical premise, the general assumption of this study is that the quality of the Presidential election administration overtime will generally determine the sustainability of democracy. This may be represented by the equation: QEA = SD.

By implication it is assumed that:

a. A progressive increase in the quality of the 1999, 2003, 2007 and 2011 Presidential election administration by INEC implies that Nigeria's democracy has been sustained (Stabilized).

b. Constancy in the quality of the 1999, 2003, 2007 and 2011 Presidential election administration by INEC implies that Nigeria's democracy is static.

c. A continuous retrogression in the quality of the 1999, 2003, 2007 and 2011 Presidential election administration by INEC implies that Nigeria's democracy is diminishing.

d. A lack of any general pattern (as in assumption a- c) in the quality of the 1999, 2003, 2007 and 2011 Presidential election administration implies that Nigerian's democracy is unstable.

While the conceptualization of the divergent trajectories of democratic development implied in the foregoing assumptions may be contested, such conceptualizations are unavoidable for analytical purposes. Indeed, "consolidation studies" (Collier and Levitsky 1997, Haynes 2000,) have developed on the basis of "democratic" conceptualizations as implied in the foregoing assumptions.

## 1.7 SCOPE AND LIMITATIONS OF THE STUDY

There are four general elections conducted by INEC within the time frame of this study. These are the 1999, 2003, 2007 and 2011 general elections. These general elections comprised elections for state governors, 990 legislators in the 36 state houses of assembly and elections for the President, 109 members of the senate and 360 members of the House of Representatives. However, the particular elections of interest in this research are the four Presidential elections conducted within this period. The choice of these particular elections stems from the fact that

apart from being the most contested aspect of the general elections, it is the controversy surrounding the conduct of Presidential elections in Nigeria that has in the past aborted democratic experiments in the country.

On the other hand, this research encountered three major limitations. The first limitation has to do with the requirement of at least five instances of any particular phenomenon for a trend analysis. Only four Presidential elections were conducted within the time frame of this study; yet these four elections were considered adequate for a trend analysis given the fact that no other EMB has conducted more than two Presidential elections in Nigeria. Furthermore, as at the time of planning this research; there was no evidence to suggest that INEC will conduct another election given the contestations and crisis that trailed the 2007 and 2011 Presidential elections. The second limitation encountered in this study derives from the somewhat embryonic nature of the field of elections management and democratic sustainability. Identifying a suitable framework for the evaluation of electoral administration; and a theory for explaining democratic sustainability was challenging. In any case the Elklit and Reynolds framework for the analysis of EMB's (explained in the third chapter) has been adapted for our purposes. A review of liberal democratic theory has also been done for the purposes of this research. Thirdly, the extensive nature of this study makes it quite an expensive one; for which there has been a paucity of research funds. Nevertheless, great care was taken to develop an appropriate methodology capable of achieving the objectives of the study within the available budget.

### 1.8 ORGANIZATION OF THE STUDY

This work is organized into ten chapters. Chapter one is a general background of the study which comprises of the introduction, statement of the research problem, research

questions, objectives of the study, the theoretical framework of the study, assumptions, scope and limitations and the organization of the study. Chapter Two presents a literature review on the problem giving rise to the study. The chapter begins by examining the concepts of election administration and sustainable democracy as well as how the quality of an election may be determined. Other issues examined in the second chapter include how the election administration process emerges as an index for measuring democratic sustainability in Nigeria and the global context of democratic sustainability as a background for understanding the preoccupation with democratic sustainability in Nigeria. Chapter Three is a detailed presentation of the method of data collection and analysis. Chapter four presents the structure of INEC and the 1999, 2003, 2007 and 2011 Presidential election administration process. Chapter Five is a presentation of the major stakeholders (INEC, political parties, CSO and the electorate) assessment of the 1999-2011 presidential elections. Chapter six is a presentation of the aggregate assessment of the entire stakeholders' evaluation of the 1999-2011 presidential elections. Chapter seven is a comparative analysis of the steps in the 1999-2011 presidential elections. Chapter eight establishes empirical categories of the implications of INEC's institutional and empirical contexts for democratic sustainability in Nigeria. It consists of the verification of the assumptions of the study and a regression analysis of the 1999-2011 presidential elections. Chapter nine juxtaposes the findings of the study with internationally accepted codes of conduct on election administration and Chapter ten is the summary of findings, conclusion and recommendations.

# CHAPTER TWO

# LITERATURE REVIEW

## 2.1 ELECTION ADMINISTRATION AND SUSTAINABLE DEMOCRACY: A CONCEPTUAL AND THEORETICAL EXPLICATION

There is a general consensus amongst observers and in the literature that the problems associated with the sustainability of democracy in Nigeria stems largely from the nature of the country's electoral administration system with the EMB at the centre. Yet, the nature of these problems is scarcely documented in a comprehensive and systematic manner. Essentially, most of the works examining the implications of the electoral administration process for democratic sustainability in Nigeria are either based on a poor conceptualization of the terms involved, or they fail to systematically and empirically establish how the institutional inadequacies of the electoral administration system dovetails into the sustainability of democracy in the country. Indeed, this gap in research on election administration and democratic sustainability results from a theoretical impasse and the failure of establishing conceptual and empirical contexts of the terms involved. For example in his study titled: "electoral commissions and the construction of democratic rule in Nigeria", Aderemi (2005) identifies the key issues compromising the institutional basis of Nigeria's election administration system. He notes:

> The issues in electoral regulation and democratization that have been contentious in Nigeria include the spirit of the electoral act-whether or not it is designed to enhance democratization or otherwise, impartiality-whether or not its provisions bestows advantages on, or maximizes the advantages of a particular interest to the detriment of others, and autonomy; especially from the ruling party and the executive arm of government (Aderemi, 2005: 331)

While the foregoing issues identified by Aderemi are not unconnected to the problems of electoral administration in Nigeria, he fails to empirically and systematically establish how these institutional lapses complicate the sustainability of democracy in Nigeria. Similarly, the documentation of problems encountered in the election administration process as an index of democratic sustainability have centered largely on isolated aspects of the electoral administrative process like appointment of commissioners, registration of candidates, polling e.t.c rather than on a comprehensive and systematic explication of the entire steps involved in the electoral administration process. In their study of the 2007 general elections for example, the Domestic Election Observer Group (DEOG) - a coalition of several civil society organizations noted:

> Our monitors (about 50,000 of them) throughout the country noted and documented numerous lapses, massive irregularities and electoral malpractices that characterized the elections in many states. Based on the widespread and far reaching nature of these lapses, irregularities and electoral malpractices, we have come to the conclusion that on the whole, the election was a charade and did not meet the minimum standard required for democratic elections. (Domestic Election Observation Group-DEOG, 2007:2).

In a similar manner, the European Union election observation mission notes:

> The 2007 state and federal elections in Nigeria fell short of basic international and regional standard for democratic elections. The elections were marred by very poor organization, lack of essential transparency, widespread procedural irregularities, substantial evidence of fraud, widespread voter disenfranchisement at different stages of the process, lack of equal conditions for political parties and candidates and numerous incidents of violence. As a result the process cannot be considered to have been credible (EU, 2007:1).

The foregoing problems in Nigeria's election administration process may have been real; yet, they are presented in an ambiguous, unsystematic and incomprehensive manner; due to the emphasis on events that transpired largely on polling day alone. Such studies are not based on a comprehensive conceptualization of the concept of election administration. Indeed, "the election day itself is only part of the electoral process; thus, observation missions consisting of short stays around election day are fundamentally flawed" (Elklit, 1997:36). In any case, an evaluation of the electoral administration process as an index of democratic sustainability must necessarily begin from a proper conceptualization of the terms: election administration and sustainable democracy.

### 2.1.1 THE CONCEPT OF ELECTION ADMINSTRATION

The term election administration appears to be a nebulous concept due to the complex set of activities inherent in the concept. In fact, some (Abbass: 2010) have faulted the empirical validity of the term as a category. Yet, an examination of its meaning firmly establishes it as an empirical category. Election administration as Jinadu notes entails "the organization and conduct of elections to elective (political) public office by an electoral body" (Jinadu 1997:21). This definition Jinadu aptly notes subsumes both structure and processes. By structure is meant the bureaucracy that is set up or established to organize and conduct elections which is usually an electoral body like INEC. It should be noted however, that apart from this specific bureaucracy whose primary function is the administration of elections, there are agencies or institutions like the police, security agencies and civil society organizations (CSO's) whose support and cooperation through the provision of logistical support is vital to the operation of the electoral body. By process however, is meant the rules, procedure and activities relating to among others: the establishment of electoral bodies, the appointment of their members,

selection and training of electoral officials, constituency delimitation, voter education, registration of political parties, registration of voters, the nomination of candidates, balloting, counting of the ballots, declaration of results, and in some cases supervision of party nomination congresses (Jinadu, 1997:22).

In another submission, electoral administration is defined as the management; and process of organization of all stages of an electoral cycle (i.e. the pre-election, election and the post- election stages,) by an electoral body (Ajayi, 2007:12).

In spite of the fact that the foregoing definitions of electoral administration suggest the existence of an independent electoral body upon which the administration of elections is incumbent, it should be noted that experience in some countries across the globe indicate that election administration is not necessarily incumbent on an "independent body". Indeed, despite the popularity of independent EMB's across the globe, in some countries; particularly amongst the advanced democracies of the west, election administration is the responsibility of government agencies which have developed a tradition of independence in the administration of elections (See table 4.1). However, the import of the two definitions of election administration outlined above lies in the exposition of the electoral administrative process as a structure, as well as a complex set of highly inter-related activities; and not just an activity- polling- as is sometimes misconstrued.

In his submission, Kurfi (2005) identified nine key elements of electoral administration. Table 2.1 below is indicative.

**TABLE 2.1: KURFI's STEPS IN THE ELECTORAL ADMINISTRATION PROCESS**

| Steps In The Electoral Administration Process |
|---|
| **1.** Delimitation or the carving out of electoral districts |
| **2.** Compilation of voters register or electoral roll |
| **3**. Establishment and equipment of polling stations and polling booths |
| **4.** Recruitment, training and deployment of electoral officials |
| **5.** Logistics: involving the procurement, distribution and retrieval of a host of Electoral materials and equipment |
| **6.** Canvassing for votes |
| **7.** Registration of nominations and appointment of polling agents |
| **8.** Casting the ballot |
| **9.** Counting of votes and declaration of election results |

***Source:*** ***Adapted From Kurfi (2005) Nigerian General Elections: My Roles And Reminiscences, Spectrum Books, Ibadan. P.34-36***

Table 2.1 captures some important steps in the electoral administration process yet, it is not comprehensive; as the structural dimension of electoral administration and other post-election related issues which have significant implications for the sustainability of democracy have been ignored. In a more comprehensive submission, Elklit and Reynolds (2000) subdivide electoral administration into twelve basic steps as in table 2.2.

**TABLE 2.2: ELKLIT AND REYNOLDS STEPS IN THE ELECTORAL ADMINISTRATION PROCESS**

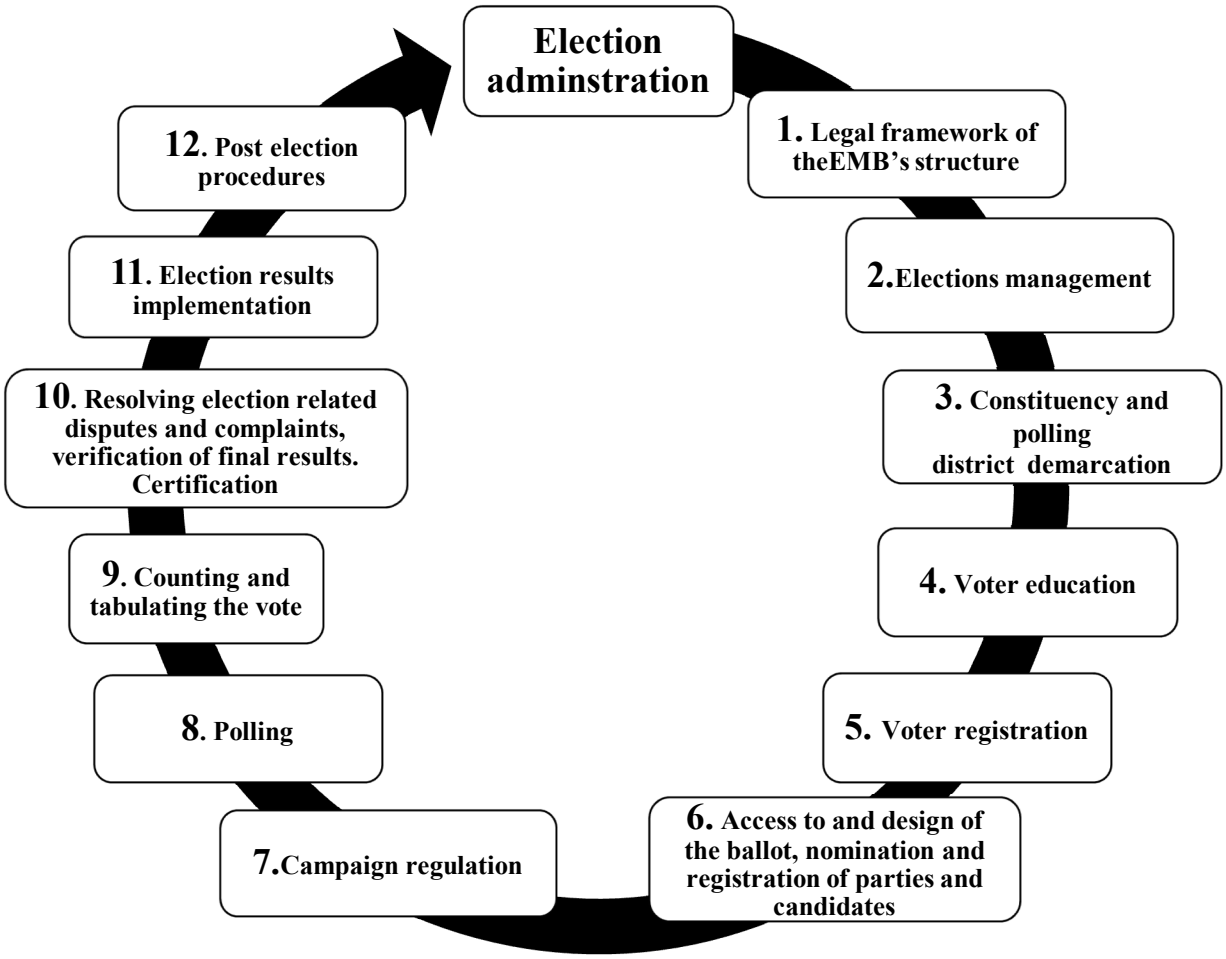
| STEPS IN THE ELECTORAL PROCESS | IMPORTANT ELEMENT IN STEP |
|---|---|
| 1. Legal framework of the EMB's structure | ➢ Constitutional /legal basis<br>➢ Rules and regulation<br>➢ Seat allocation system (i.e. method of composition of electoral commissioners) |
| 2. Elections management | ➢ Electoral commissions appointment and independence, including terms of tenure<br>➢ Commission/administration relationship<br>➢ Method of allocation of resources |
| 3. Constituency and polling district demarcation | ➢ Relevant body identified and active (i.e which body is responsible for constituency and polling district demarcation)<br>➢ Principles for delimitation identified<br>➢ Rules about automatic periodical revision<br>➢ Adequate resources available<br>➢ Rules for handling complaints in place |
| 4. Voter education | ➢ Timing<br>➢ Quality<br>➢ Outreach<br>➢ Adequate resources available<br>➢ Relationship between electoral commissions efforts and efforts by parties and NGO's |
| 5. Voter registration | ➢ Automatic or voluntary registration<br>➢ Appointment and training of registration personnel<br>➢ Adequate time for registration and access to registration stations<br>➢ Rules for public scrutiny of voters register<br>➢ Complaints procedure |
| 6. Access to and design of the ballot, nomination and registration of parties and candidates | ➢ Registration of parties/ candidates<br>➢ Rules about independent candidates<br>➢ Mechanism for ballot paper access<br>➢ Ballot paper design |
| 7. Campaign regulation | ➢ Spending rules<br>➢ Public funding of party expenditure/ campaign costs<br>➢ Access to public media<br>➢ Rules for meetings and rallies<br>➢ Codes of conduct<br>➢ Rules for handling of violations of codes of conduct and |

| | |
|---|---|
| | campaign regulations |
| 8. Polling | ➢ Plan for distribution and location of polling places<br>➢ Appointment and training of polling station personnel<br>➢ Procurement of polling materials<br>➢ Polling observation by representative of political parties and candidates as well as by local and international observations<br>➢ Security and integrity of polling<br>➢ Clear rules for assistance to incapacitated voters |
| 9. Counting and tabulating the vote | ➢ Counting procedures established ( including whether to count at polling station level or at counting centers)<br>➢ Availability of counting results to party agents and others at the lowest level of counting immediately after completing the count<br>➢ Access for interested parties to observe the count and request a recount |
| 10. Resolving election related disputes and complaints, verification of final results. Certification | ➢ Provisions for special electoral courts and/ or adjudication system<br>➢ Time limits for handling election disputes and complaints<br>➢ Verification of the final results verified<br>➢ Certification of the election |
| 11. Election results implementation | ➢ Procedures for taking office |
| 12. Post election procedures | ➢ Provisions for publication of election results at all levels of electoral administration<br>➢ EMB subject to ordinary accounting |

***Source:*** ***Adapted from Elklit .J and Reynolds A. (2000), The impact of electoral administration on the legitimacy of emerging democracies: A New Research Agenda, in Commonwealth and Comparative Politics, Vol. 11No 1, Pg86-119***

The twelve steps identified in table 2.2 constitute the most basic steps of any electoral cycle; and the high degree of interconnectedness as well as the sequential nature of the steps may graphically be illustrated as in figure 2.1

**FIGURE 2.1: A GRAPHIC ILLUSTRATION OF THE STEPS IN THE ELECTION ADMINSTRATION PROCESS (AN ELECTORAL CYCLE)**




*Source: Developed by author with data from, Elklit .J and Reynolds A. (2000), The impact of electoral administration on the legitimacy of emerging democracies: A New Research Agenda, In Commonwealth and Comparative Politic. Vol. 11, No. 1Pg 86-119.*

While steps one and two in figure 2.1 has to do largely with the structure of election administration, steps three to twelve comprises the steps involved in the actual process of conducting election and other post polling procedures. Due to the emphasis on not just activities related to polling; but also on the structure of election administration and other post – polling procedures; the electoral process depicted in figure 2.1 is more comprehensive. Indeed, the practicality of this model in coming to grips with the electoral administrative process was

demonstrated by Elklit and Reynolds (2000), in their pilot study of eight sub-Saharan countries (Botswana, Burkina-Faso, Ghana, Mozambique, Sierra-Leone, South Africa, Tanzania and Zambia).

In the Nigerian situation, the manner in which the first two steps in figure 2.1 were compromised in the electoral administration system in the period under study is well documented. Kwaja for example notes that "section 156 (1) (a) of the 1999 constitution of the federal republic of Nigeria provides that those to be appointed as electoral commissioners must be qualified to be members of the house of representatives, implying that the person must be a member of a political party" (Kwaja 2008:12). Another short coming in the constitution is section 14 (2) a; in the third schedule, part one relating to the federal executive bodies. It empowers the President of the federal republic of Nigeria to appoint Resident Electoral Commissioners (REC's) for all thirty six (36) states of the federation and the federal capital territory; Abuja without recourse to the National Assembly for approval. This provision was alleged to have made it possible for President Obasanjo to appoint members of his party (PDP) as REC's across the country in the run up to the 2003 and 2007 Presidential elections (Kwaja, 2008:11). While these provisions as Adejumobi notes "do not insulate INEC from being an institution that is partisan in its dealings (Adejumobi; 2007: 3)," the provisions also have serious implications for INEC's functions as an impartial umpire and the sustainability of democracy. However, the extent of compromise of steps 3-12 of the electoral administration process in figure 2.1 in the Presidential elections conducted by INEC from 1999-2011 is yet to be systematically documented. In essence, while the structural problems associated with the administration of elections have been exposed, problems in the actual conduct of the elections within the period covered by this study are yet to be systematically and comparatively studied and documented. This is not to imply that the structural and administrative aspects of electoral

administration are isolated; rather, they are inter-related. Indeed, it is commonly held for example; that because INEC as an institution is financially dependent on the Minister of Finance who is an appointee of the President, its mode of operations and activities are determined indirectly by the executive (Momoh 1999, Kwaja 2007). However, such dependence of the EMB from 1999-2011 is in most cases usually inferred and yet to be critically and exhaustively substantiated and documented; especially as being undertaken in this study. Hence, the research questions identified for the study. How did the structural dependence of INEC actually impact on its administrative responsibilities? What was the situation around the conduct of voter education, voter registration, access to and design of the ballot, campaign regulation, polling, counting and tabulation the vote, resolving election related disputes and complaints, election results implementation and other post election procedures in the 1999, 2003, 2007 and 2011 presidential elections? To what extent did these steps in each of the Presidential elections achieve their objectives or goals? Furthermore, what do the realities surrounding each of the presidential elections portend for the sustainability of democracy in Nigeria? These are questions that this research shall attempt to answer. While studying the entire steps involved in the election administration process may appear too complicated, it is only by taking these steps as a category that arguments about the sustainability of democracy can safely be made.

### 2.1.2 EVALUATING ELECTION ADMINSTRATION

In addition to problems of conceptualization, an equally important issue in scholarship on electoral administration is that of evaluation. Evaluative works on electoral administration have revolved around the concepts of “free and fair elections” and the “credibility of the electoral process”. Yet; establishing empirical categories of what constitutes a free and fair or credible election is very often taken for granted. Dahl (1989) for example identified a number of institutional prerequisites of democracy; one of which is free and fair elections. Yet, he does not

indicate what he means by free and fair elections; other than that "elected officials are chosen in frequent and fairly conducted elections in which coercion is comparatively uncommon" (Dahl 1989).

Originally, the concept: free and fair elections can be traced to the United Nations (UN) role in referendums on independence which began in the 1950s. Before the UN could recognize former colonies and trust territories as independent states, it had to know whether those votes had been free and fair. The concept supposedly made its first appearance in a report on Togoland's 1956 Independence Referendum (Elklit and Svensson, 1997:33). Since then, the increasing activity of election observers dispatched across the globe in the wake of the global democratization process has been accompanied by an intensified demand for standardized assessment criteria (Elklit and Svensson, 1997:32). Thus: as Elklit and Svensson note:

> Free and fair has become the catch phrase of UN officials, journalists, politicians and political scientists alike. It exemplifies what Giovanni Sartori once called conceptual stretching: the wider the world under investigation, the more we need conceptual tools that can travel (Elklit and Svensson, 1997:32).

Indeed, the historical lack of a comprehensive framework of analysis has compelled election observers and scholars to make pronouncements on the basis of incomplete evidence, usually gathered on the day of the vote and count. It has allowed international observation missions to call the results of elections on the basis of political expediency rather than the facts of the case (Elklit and Reynolds, 2005: 147).

In the light of the foregoing, on what basis can the quality of an election be determined? One approach proposed by Bako is based on the assumption that: the democratic quality of an election is measured by the extent to which it complies with its electoral law (Bako, 2007). In a

similar submission Elklit and Svensson suggest that although the election law of a country may not be ideal in the eyes of the researcher, the researcher's duty is to determine whether or not the electoral process conforms to that law (Elklit and Svensson, 1997:38). While the objectivity in this approach seems clear, in situations where the object is to ensure improvement in democratic quality, the tendency of the electoral law being flawed cannot be ruled out. Indeed, parts of the electoral law as earlier noted in the Nigerian situation can undermine or subvert the democratic quality of the electoral administration process. Another approach towards determining the quality of election administration is to study various aspects of the process (e.g. the constituency demarcation, voter registration system, media access e.t.c) and then assess whether conditions within each area promote or hamper the freedom or fairness of the election (Elklit and Svensson, 1997:32). Freedom in this context according to Dahl contrasts with coercion in that it entails the right and opportunity to choose one thing over another. While fairness means impartiality: that is, there should be no question of any particular group or political party having a greater chance of winning the election than any other group. However, the practicality of this approach is challenged by the relativity of issues of freedom and fairness. Indeed, can elections be free and fair if parts of the adult population have no right to vote? What if not all adult population has the opportunity to run for office? A more practicable approach in the evaluation of electoral administration is to identify the immediate object or goal of each element in the entire steps in the electoral administration process and then set out to empirically determine the extent to which the goal was achieved. This approach which was recently developed by Elklit and Reynolds (2005) has the advantage of being pragmatic and essentially reform oriented.

### 2.1.3 THE CONCEPT OF SUSTAINABLE DEMOCRACY

Scholarship on democratic sustainability has developed rather implicitly under the rubric of democratic consolidation and within the parameters of liberal democratic theory. Democratic consolidation remains a highly contested term; yet, the field has developed rapidly in contemporary political science (particularly in the field of comparative politics) with the "third wave of global democratization". Indeed, as once formidable authoritarian regimes in the former Soviet Union, Latin America, Asia and Africa were dismantled, two major concerns that preoccupied social scientist were: will these young democracies fall back to their authoritarian past? And what conditions might foster their struggle for democratic survival (sustainability)? Hence, the term democratic consolidation. (But for the purposes of this research- sustainable democracy). Sustainable democracy may therefore simply be defined as comprising all efforts towards the preservation and viability of new democracies; simply put: regime stabilization. It should be noted however, that to this original mission of regime stabilization, countless other tasks (which are not the concern of this study) have been added - popular legitimation, the diffusion of democratic values, civilian supremacy over the military, the elimination of authoritarian enclaves, the stabilization of electoral rules etc (Schedler, 1998 ).

Research on the sustainability of democracy is confronted with challenges deriving from the abstract nature of the concept. Classical concept theory discusses the epistemological complexities that arise from concepts whose empirical referents are tangible things in the objective world; such as, chairs, tables, trees e.t.c. Democratic sustainability does not fit this scheme. Indeed, given the cause and effect nature of this research, democratic sustainability represents the effect (i.e. the dependent variable). Thus, it is subsequent in occurrence and consequent or resultant in effect. The survival prospects of political regimes are not material

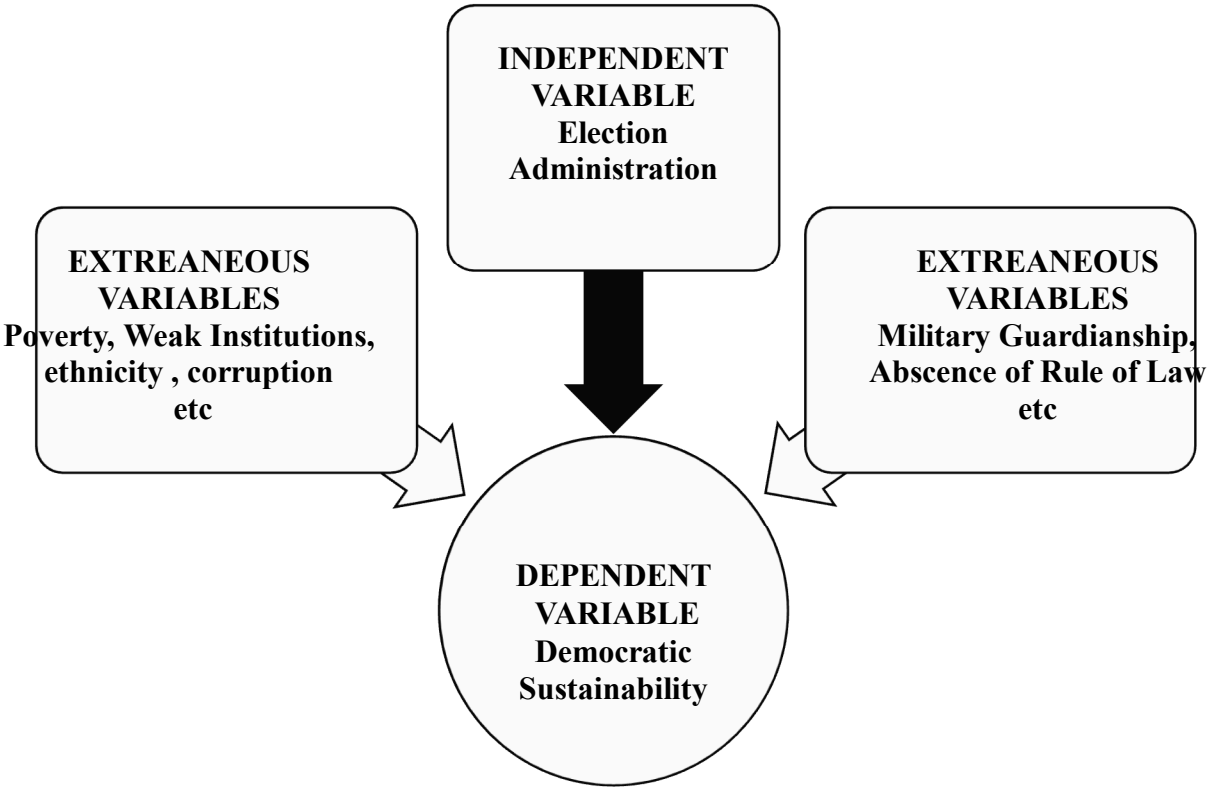
objects sitting out there before mental and linguistic apprehension (Satori: 1984). They do not represent empirical facts that can be seen and touched here and now. Rather, they represent inter-subjective judgments on future developments which can be formed drawing on certain factual evidence: past as well as present. Democratic sustainability in the context of this study is thus, not a thing, but an argument, not an object, but an inference. Accordingly, establishing empirical degrees of sustainable democracy is not just a matter of observation, but of prospective reasoning (Schedler: 2001). Any judgment on democratic sustainability in a given country must thus, rest on both factual evidence and causal arguments.

In the light of the foregoing, another major problem that arises in research on democratic sustainability is the lack of explicit universal theories to explain conditions for democratic sustainability. At the very minimum, democracy requires the existence of free, fair and recurring elections; allowing the citizenry of a particular country to choose representative leaders. While elections are a fundamental prerequisite of democratic sustainability, the presence of a functioning electoral system does not automatically ensure the existence of true democracy or rule out the possibility of authoritarian structures and practices. To clarify the minimal requirements for democratic sustainability, O'Donnell uses Dahl's conception of polyarchy which outlines a useful set of guidelines for democratic sustainability. Polyarchy has six requirements in addition to free and fair elections: universal suffrage, the right to run for office, freedom of expression, alternative sources of information and freedom of association (O'Donnell, 1996). These prerequisites O'Donnell observes should ensure that democracy functions at a minimal level. While Dahl's minimal prerequisites of democracy are generally agreed upon, it is the unique political and social realities inherent in every fledgling democracy that makes generalizations nearly impossible. Indeed, the combinations of variables affecting most emerging democracies are varied and can include; but are not limited to: poverty, military

guardianship, geographical problems, anti-democratic cultural and religious norms, absence of the rule of law, weak institutions and civil war. Therefore, as ODonnell rightly cautioned, approaches which seek to measure regime sustainability by "unwarranted generalizations casually drawn, and empirically untraceable measurement categories" (ODonnell, 1996), need to be avoided. By the same token "any meaningful appraisal must be steeply nuanced and set within the prism of the prevailing political environment and culture of the system in discourse" (O Donnell, 1996). In essence, fledgling democracies have different cultural, political, historical and socio-economic antecedents that complicate generalization. Therefore, to control the possible effects of extraneous variables, it becomes imperative to approach the study of democratic sustainability with nuance and sensitivity. By implication, how does electoral administration become the basis for determining the sustainability of democracy in Nigeria?

## 2.2 NIGERIA'S ELECTORAL HISTORY AND SUSTAINABLE DEMOCRACY IN PERSPECTIVE

**FIGURE 2.2: EMPIRICAL CONTEXT OF DEMOCRATIC SUSTAINABILITY IN NIGERIA**




***Soured: Developed by author***

As depicted in figure 2.2, amongst all potential variables that could determine the sustainability of democracy in Nigeria, election administration is yet; the most important. Indeed, there has been a linear relationship in Nigeria's history of election administration and the sustainability of democracy in the country. The inability to sustain democracy in previous

attempts in Nigeria is directly linked to the nature of past electoral administrative process. The following historiography of election administration in Nigeria is indicative.

### 2.2.1 ELECTIONS DURING COLONIAL RULE

#### A. THE 1922- 46 ELECTIONS

The first election in Nigeria took place in September 1923 in Lagos and Calabar, following the introduction of the Sir Hugh Clifford Constitution in 1922. The Nigerian National Democratic Party (NNDP) led by Herbert Macaulay won the three seats for the Lagos Legislative Council while the Calabar Improvement League, won the only seat for Calabar. Although voting was by direct election, the election was based on limited franchise; as those who could vote or be voted for were only British citizens residing in the cities and British Protected Persons with a minimum gross income of 100 Pounds a year. Similarly, following the establishment of a central legislature for the country by the Richards constitution in 1946, four (4) of the twenty four (24) members were to be elected into the central legislature – three (3) from Lagos and one (1) from Calabar.

Although the elective principle during this period quickened the formation of political parties and electrified the political process, the elections remained highly restricted and many Nigerians were disenfranchised.

#### B. THE 1951- 54 ELECTIONS

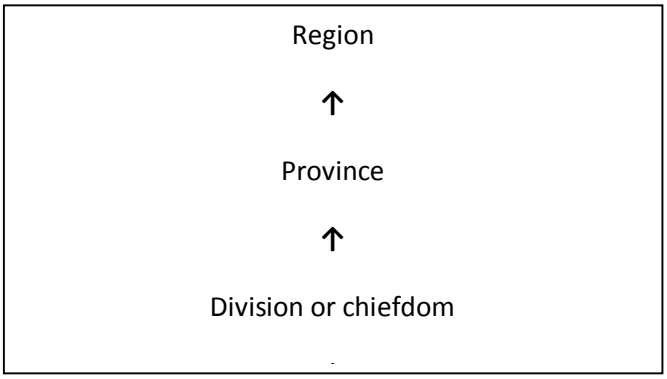
Between 1951 and 1954 Nigeria's governmental structure as a federation of three regions became established. Consequently, the 1951-54 federal elections which were held under the McPherson and Lyttleton constitutions of 1951 and 1954 respectively were conducted under different arrangements prescribed in electoral regulations made separately for each

region by the Governor – General of Nigeria. In the north, elections were conducted indirectly; while in the eastern region, they were direct based on universal adult suffrage. In the western region, all men aged twenty one and above could vote if they were natives of the administrative division in which they sought to vote or residents and tax payers for a period of twelve months at the qualifying date. Women could also qualify on the same basis provided that they had paid a tax of over one pound.

Under the 1951-54 electoral system, representation in the House of Representatives was composed of nominations from the regional assemblies and was based on a 50-50 formula between the north and the south (east and west) with a few seats allocated the Lagos federal territory and the southern Cameroons. Thus, the elections had been run on behalf of the Federation by the three regional governments under separate sets of electoral regulations (Kurfi, 2005).

It should be noted that during the colonial period (i.e. from the 1922 to the 1954 election), the process of election administration in Nigeria was in its formative years. Thus, the most important issue in election administration; particularly in light of the on- going nationalist activities at the time was the attainment of political independence and the expansion of the franchise. Indeed, prior to the eve of political independence no single form of election administration existed for the entire country. Thus, there was almost no basis for a consistent assessment of the quality of elections across the entire country.

**FIGURE 2.3 A GRAPHIC REPRESENTATION OF THE INDIRECT ELECTORAL SYSTEM IN NORTHERN REGION (1951-1954)**




***Source: Compiled by Author***

### 2.2.2 ELECTIONS IN POST INDEPENDENCE NIGERIA

#### A. THE ELECTORAL COMMISSION OF NIGERIA (ECN) AND THE 1959 GENERAL ELECTIONS

While the 1951/54 federal elections was administered by the regional governments on behalf of the federation under separate sets of electoral regulations, this arrangement was considered unsatisfactory by those who attended the Nigerian constitutional conference of 1957-1958 where it was decided that federal elections in the future should be conducted in accordance with uniform principles and methods, under supervision of an impartial body free from suspicion and political bias (Kurfi: 2005:5). The conference decision was given legal effect by the Nigerian electoral provisions order-in-council, 1958 which provided for the appointment

of an electoral commission by the Governor General "from amongst persons of neutral views" and by the elections (house of representative) regulations of 1958 which defined the task of the commission as being "the general supervision of the preparation of a register of voters and the conduct of an election" (kurfi, 2005:5).

Against the foregoing, the 1959 federal elections became the first nationwide direct election to be conducted in Nigeria. The election which ushered the country into independence was supervised by the first electoral authority in Nigeria- the electoral commission of Nigeria (ECN) headed by a chief commissioner: Mr. R.E wraith, who prior to his appointment was a senior lecturer in public administration at the university college, Ibadan. Another British, Mr. J.J Warren was appointed executive secretary. Four Nigerians: Alhaji Mohammed Bello (north), Mr. Anthony Aniagolu (east), Prof. Oritsejolomi Thomas (west) and Mr. M.A Shosilva (Lagos) were to join the expatriates later as commissioners. The representative of the southern Cameroon was Mr. K.A de Bohn.

Twenty six political parties were registered by the ECN to contest the elections. Yet, a tri-regional party system had begun to emerge by common consent among the parties albeit reflecting the dominant ethnic group in each region.

**TABLE 2.3: THE MAJOR PARTIES IN THE 1959 GENERAL ELECTIONS**

| POLITICAL PARTY | REGION |
|---|---|
| Northern People's Congress (NPC) | Northern Nigeria |
| Action Group (AG) | Western Nigeria |
| National Council of Nigeria and the Cameroons (NCNC) | Eastern Nigeria |

Other political parties included:

Democratic Party of Nigeria and the Cameroon (DPNC)

Northern Elements Progressive Union (NEPU)

United Middle Belt Congress (UMBC)

Borno Youth Movement (BYM)

United National Independence Party (UNIP)

One major problem encountered in the administration of the 1959 federal election- the phenomenon of "women pregnant with ballot papers" -was recorded on polling day. As Kurfi notes:

> As the ballot paper were not marked but merely dropped into a candidates individual ballot box in a screened booth, there was the possibility of party supporters smuggling in extra ballot papers and putting them into a candidates box…voting in a screened compartment made it possible for some voters to refuse to insert the ballot paper in any ballot box but pocket it and bring it out for sale to the highest bidder outside the polling station. These ballot papers eventually found their way into the polling both to be dropped into the appropriate ballot box by party faithfuls. This gave rise to the phenomenon of women pregnant with ballot papers which were safely delivered in the right ballot box and the women disappearing after the delivery (Kurfi, 2005: 11-12)

In addition to the foregoing, another problem associated with the 1959 elections was that women in the north were not allowed to vote; albeit at the time this was not considered a problem due to the patriarchal socio- cultural and religious beliefs of the north. In spite of the foregoing problems, the 1959 federal election was generally regarded as free and fair partly because the colonial government of the day was preparing to hand over power to Nigerians on

the 1st of October 1960 and had no desire to perpetuate itself (kurfi, 2005: 14). Furthermore, the senior cadres of electoral officers of the ECN were mostly administrative officers, majority of whom were British with a few Nigerians and this cadre of public servants were highly regarded by the generality of the people as an embodiment of fairness, justice and equity (Kurfi 2005).

**B. THE FEDERAL ELECTORAL COMMISSION (FEC) AND 1964 GENERAL ELECTION**

By 1964, the ECN had been replaced by the Federal Electoral Commission (FEC). The mandate of the FEC included: the delimitation of federal constituencies, compilation of the voters register, construction of polling booths, printing of ballot papers, recruitment of staff, registration of political parties and their candidates, and the actual conduct of the elections (Mackintosh, 1966: 575-576). Each of Nigeria's regions (east, west and north) and the capital Lagos nominated members to the commission.

From a multi- party structure which marked the 1959 pre-independence elections, Nigeria was to witness the semblance of a two- party system in the 1964 general elections: the Nigerian National Alliance (NNA) and the United Progressive Grand Alliance (UPGA). Indeed, the desire of the government to succeed itself and the split between the coalition partners (.i.e. Northern People's Congress and the National Council of Nigerian Citizens), the split in the AG and the controversy engendered by the publication of the 1963 census figures, made re-alignment of political forces inevitable (Kurfi, 2005).

**TABLE 2.4: THE COMPOSITION OF THE TWO ALLIANCES IN THE 1964 GENERAL ELECTIONS**

| NIGERIAN NATIONAL ALLIANCE (NNA) | UNITED PROGRESSIVE GRAND ALLIANCE (UPGA) |
|---|---|
| **NPC**- Northern People's Congress | **NCNC**- Now known as the national convention of Nigerian citizens led by Dr. Michael Okpara |

| | |
|---|---|
| **NNDP**-Nigerian National Democratic Party; led by Western Region Premier Samuel Ladoke Akintola who had earlier formed the United Peoples Party (UPP)in protest against perceived injustices in the AG | **AG**- now led by Alhaji Dauda Adegbenro since Awolowo and his lieutenants were serving various jail terms |
| **MDF**- Mid west Democratic Front, which was an offshoot of the Mid- West People's Congress and elements of the AG and UPP in the new Mid West region. | **NEPU**- led by Aminu Kano |
| **DP**- Dynamic Party led by famed mathematician Chike obi | **UMBC**- United Middle-belt Middle Congress led by Joseph Tarka |
| **RP**- Republican Party; led by Dr. J.O.J Okezie | **NPF**- Northern Progressive Front |
| **NDC**- Niger Delta Congress | |
| **LSUF**- Lagos State United Front | |

The 1964 General election administration by FEC was characterized with a lot of problems which contributed to the collapse of the first republic. As Kurfi (2005) notes:

> Agencies of regional government sometimes connived with the electoral officers of FEC to prevent opposition candidates from complying with the nomination process. Permits for party meetings or processions were often denied opposition parties on flimsy excuses, a more ominous obstacle was the assassination of opposition candidates or their nominations to ensure that there was no contested election in the constituency (Kurfi, 2005:).

As a result of the entire crisis leading to the election, the election was boycotted in a lot of places on polling day. In the Eastern region, the boycott of the election was total and nearly so in Lagos. Voting was done in some parts of the West and the Mid- west. In the North, voting went ahead, the only evidence of boycott being in two northern progressive fronts strongholds:

the Kano and Jos Sabon – Gari's (Kurfi, 2005). Indeed, it is yet to be substantiated if subsequent elections in Nigeria have recorded a higher incidence of electoral boycott than the 1964 general elections.

In the end, the 1964 General elections conducted by the FEC returned the government of Tafawa Balewa and the Northern People's Congress (NPC) to a second term in office but were characterized by widespread complaints of fraud, violence and intimidation (Osaghae, 1998:31-54). Protest in the wake of the elections, particularly in the western region degenerated into a violent exercise. As a result, In January 1966 a group of five army majors planned and executed Nigeria's first coup d e'tat, citing the lingering post election crisis and other alleged government failings as their justification.

### C. THE FEDERAL ELECTORAL COMMISSION (FEDECO) AND THE 1979 GENERAL ELECTIONS

In November 1976, the Murtala/Obasanjo regime established the federal electoral commission (FEDECO) to conduct the 1979 general elections which was to usher in the second republic. Unlike the 1964 General election where the incumbent civilian government (a contestant in the election) supervised the organization of the elections, the preparation, conduct and supervision of the 1979 federal elections by FEDECO was done under the auspices of departing military rulers in the same way that the 1959 election was carried out under the departing British colonial rulers. FEDECO's conduct of the 1979 general elections was significantly different from FEC and the conduct of the 1964 elections in the sense that while FEC was constitutionally incapacitated from exercising discretion at decisive moments, section 4 of decree 41, made FEDECO an autonomous body subject to the directives of nobody in the discharge of its statutory duties. However, controversies arising from this provision led to the interpretation that not FEDECO decisions but the act establishing it was immune in its entirety.

At the close of registration of political parties FEDECO came to the conclusion that five associations satisfied the prescribed condition and accordingly decided to register them as the political parties that would contest the 1979 general elections.

**TABLE 2.5: POLITICAL PARTIES AND PRESIDENTIAL CANDIDATES IN THE 1979 ELECTIONS**

| Political party | Presidential candidates |
|---|---|
| National Party of Nigeria (NPN) | Shehu Shagari |
| Great Nigeria Peoples Party (GNPP) | Waziri Ibrahim |
| United Party of Nigeria (UPN) | Obafemi Awolowo |
| Nigeria Peoples Party (NPP) | Nnamdi Azikiwe |
| Peoples Redemption Party (PRP) | Aminu Kano |

One of the most controversial issues in the run up to the 1979 elections centered on the criteria for the qualification and disqualification of prospective contestants for the elections. According to FEDECO:

a. A candidate must have paid fully, as and when due, in respect of each of the three financial years preceding the date of elections income tax anywhere in the country
b. That a person sentenced to a term of imprisonment for an offence involving dishonesty within the last 15 years (since January 1966) was disqualified from standing as a candidate.
c. That any person who has been removed from public office on any ground involving dishonesty (or dismissed from such office on any ground) was disqualified.

The first provision relating to tax payments was responsible for the disqualification of many candidates from all the parties including gubernatorial and two presidential candidates.

The other two provisions as Kurfi (2005) noted resulted in the compilation by FEDECO of a dossier of discredited Nigerians and listed their misdeeds for the purposes of screening candidates who wished to contest any of the elections. The fact that such dossier was in existence made many prospective high office holders feel insecure rightly or wrongly about their positions especially as the contents of the dossier was not made public. In sum, although the Shagari administration which came to power in 1979 was alleged to be the product of a conspiracy by the Murtala / Obasanjo regime, FEDECO, and the judiciary in favor of the NPN, the 1979 election was not as violent as the election of 1964, possibly because the incumbent military government had no apparent vested interest at stake.

## D. FEDECO AND THE 1983 GENERAL ELECTIONS

The 1983 General Election was the second general election to be conducted by FEDECO; albeit the election unlike in 1979 was conducted under an incumbent civilian regime. As noted by Aderemi:

> During the 1983 general elections FEDECO was sorely tested for competence, impartiality and integrity. Sadly, FEDECO very early on faltered and is probably the most scandalized of Nigeria's EMB's (Aderemi, 2005:328)
>
> .

Similarly, Jibrin noted:

> The apparent allegiance of justice Ovie-Whiskey (the chairman of FEDECO during the 1983 general elections), to the federal government and the largely fraudulent elections of 1983 made the commission one of the most scandalous of all Nigeria's electoral commissions (Jibrin, 2010:16).

The 1983 general election was contested by six political parties and all sorts of strategies including: manipulations of the ballot or rigging were employed in order to win the elections (Kurfi, 2005). Each of the opposition parties used its local power of incumbency to retain power and /or to improve its position vis-à-vis other contenders. The elections were characterized by violence, thuggery, arson, bribery and corruption, intimidation and other unwholesome acts in almost all states of the federation in order to win elections by hook or crook and at all cost. As Kurfi notes with regards to the conduct of the presidential election in Kurfi area:

> Local bosses of the dominant party –NPN had connived with the electoral officials of FEDECO to share votes amongst the three contending parties of Kurfi area. The NPN candidate got the lion's share of the votes whilst the other two political parties PRP and GNPP were doled out just a few votes. What happened in Kurfi was no exception. The same pattern probably occurred throughout the then north central state and in the remaining eighteen states of the federation (Kurfi, 2005: 23).

Indeed, the height of the electoral rigging and the resultant violence in the 1983 elections was epitomized in Ondo state where the offices of FEDECO and the Nigerian police were burnt following the announcement of the NPN's gubernatorial candidate as the winner of the election. Ondo state had been a UPN stronghold and the NPN had only one member in the outgoing state assembly. Hence, the apprehension of the electorate with the election results. At the end the NPN had to concede Ondo governorship slot to the UPN.

FEDECO and the security forces were widely accused of actively colluding to rig the 1983 general elections in favor of former President Shagari and his National Party of Nigeria (NPN). As a result a nationwide brouhaha greeted the election results and the government proved unable

to quell the political chaos that ensued (Joseph, 1987: 151-184). Four months after the 1983 elections conducted by FEDECO, the military struck again, overthrowing Shagari's government and retaking control under the leadership of General Muhammadu Buhari. As in 1966, the coup plotters defended their actions by pointing to the 1983 elections along with massive corruption and government failure to meet its basic responsibilities toward ordinary Nigerians.

## E. THE NATIONAL ELECTORAL COMMISSION (NEC) AND THE 1991/1993 GENERAL ELECTIONS

The National Electoral Commission (NEC) which succeeded FEDECO was established by Decree 23 of 1987; and it had similar functions to those of FEDECO, except that the Babangida administration that established it further saddled the commission with implementing its blanket ban on erstwhile political and public service holders from partisan politics. The task of NEC, as noted by Aderemi (2005:328) was complex and the commission had been doomed from inception due to a number of reasons which include:

1. The whole process of civil rule under Babangida was a charade ab inito; the Commission was not expected to succeed by its architects, Babangida et al proved to be the agents' provocateurs of the commission.
2. NEC was rather too ambitious; aside from the extra electoral functions of implementing a controversial decision, it was also charged with the mandate to actively collaborate with MAMSER, the political bureau and transition committee at revamping the political culture.
3. The deliberate structural ambiguity inherent in NEC's configuration, for instance the confusion as to whether the chairman was in charge as provided by sections 2 (2), 9 (1) and 9 (2) of decree 23, or the secretary as directed by the chief of general staff for most of the Babangida regime, rear admiral Augustus Aikhomu

4. The inevitable tenuous relationship between an obedient, public spirited and forthright NEC chairman and a perfidious, undemocratic and corrupt supervisory military establishment.
5. The existence of a parallel and at times competitive organ, the Alfa led transition committee.

Prior to the 1993 presidential elections, the Babangida regime set up a Political Bureau to collect and collate public opinion and advise the government on actions to be taken regarding the political programme to be put in place. A programme was accordingly mapped out including the promulgation of a new constitution in 1989 which never came into existence.

The Babangida transition programme created two political parties and foisted them on the political elites –referring to the political elites as "equal founders" and "equal joiners" of the political parties which were a little to the left and a little to the right.

**TABLE 2.6: POLITICAL PARTIES AND PRESIDENTIAL CANDIDATES IN THE 1993 PRESIDENTIAL ELECTIONS**

| PARTIES | PRESIDENTIAL CANDIDATE |
|---|---|
| Social Democratic Party (SDP) | Moshood Abiola |
| National Republican Convention (NRC) | Bashir Tofa |

The influence of the Federal Military Government was obvious in the 1991-93 electoral administration process. The government determined the design, membership, structures and infrastructure of the two parties. Government provided the funds; influenced the appointment of their leadership, provided buildings and logistics for the parties.

Another innovation adopted by the NEC under the Babangida regime was the open ballot system. The open ballot system did away with the ballot box and the ballot papers and secrecy in casting the vote. Electors were simply asked to queue behind the candidates of their choice or his photograph or party symbol to signify their support for him. However, the open ballot system was open to abuse as electors at the grass root level were sometimes subjected to intimidation and harassment for daring to openly support one candidate against another. Thus, it was eventually dropped in favor of the secret ballot system. In addition to the experimentation with the open ballot system, another innovation in the 1993 elections was the so-called option A4 which took elections to the grass root in that any presidential hopeful had to contest elections at ward, local government and state levels before having a go at the federal level.

Although the Babangida political transition program has been dismissed on account of being "interminable, designed to fail and bring back the military" (Ake, 2003:66), the NEC under Humphrey Nwosu conducted what has severally been described as the freest and fairest elections in Nigeria's history. According to Nwosu:

> Undoubtedly, the June 12 1993 presidential election was adjudged by both national and international observers as the freest, fairest and most peaceful election in Nigerian history…adequate organizational, logistical and security facilities were put in place to enhance the conduct of free and fair elections. No opportunities were allowed for stuffing of ballot boxes with fake ballot papers. Electoral results were not written before the election. Real human beings voted…electoral outcomes and results were collated with dispatch (Nwosu, in Nigerian election watch, 2008: 8).

Similarly, following a review of the conduct of the National Electoral Commission (NEC) in the 1993 presidential elections the National Democratic Institute (NDI) noted:

> Whether or not the political engineering that informed the Babangida transition is still relevant in today's Nigeria, as far as the electoral management body is concerned, there are important lessons to be learned and examples to be drawn about logistic competence in organizing elections (NDI, 2008)

The 1993 general election was supposedly organized based on the recommendations of prominent political scientist and technocrats. Yet, one major grey area concerned who was actually in charge of the electoral administration process. The annulment of the election results by the Babangida regime after two-thirds of the results from the states had been announced and the sudden replacement of the NEC chair left no one in doubt as to who was in control of the election administration process. Opposition arising from the annulment of the 1993 Presidential election results eventually led to the ejection of General Babangida from office.

With the exit of the Babangida regime, the Abacha administration proscribed NEC and created the National Electoral Commission of Nigeria (NECON). However, except for elections for the state and national assembly, NECON under Abacha never conducted presidential elections. Indeed, as Aderemi noted:

> if Babangida's NEC and entire transition was a travesty, General Abacha's NECON and transition programme were theatrical, and NECON's chairman chief Summer Dagogo-Jack an unabashed errand boy…whereas it was obvious that General Abacha required a national legislature to fulfill democratic righteousness, it was more obvious to the discerning that there was no vacancy in Aso rock(Aderemi, 2005: 329).

All five political parties registered by NECON unanimously adopted General Abacha as their Presidential candidate, in which case an election would become unnecessary and would leave NECON with no option but to declare the general civilian president unopposed. Abacha however, died in June 1998 to pave way for another transition programme and the establishment of INEC.

From the foregoing, it is evident that the inability to sustain democracy in the past has been directly related to the nature of the electoral administration process. Indeed, all previous civilian administrations in Nigeria were overthrown in the wake of controversies engendered by the election administration process. Hence, the emphasis on election administration for democratic sustainability in this research.

**TABLE 2.7: A CATEGORIZATION OF NIGERIA'S GENERAL ELECTIONS PRIOR TO 1999**

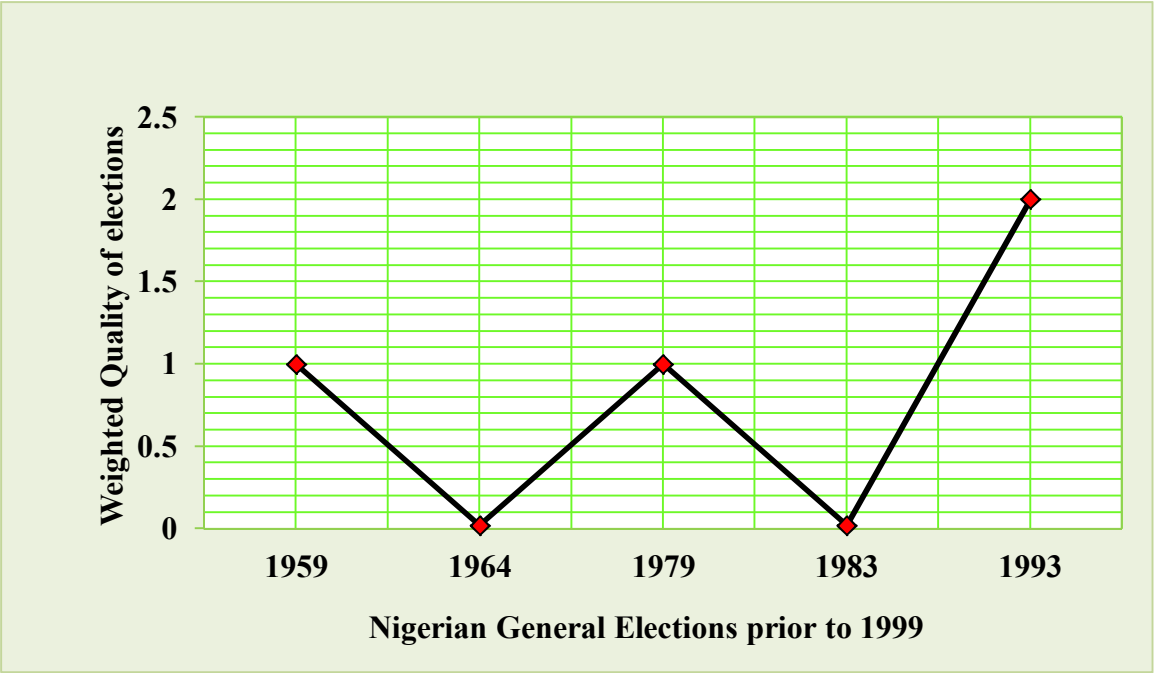
| ELECTION | INCUMBENT REGIME IN PLACE | TYPE OF ELECTION | OUTCOME OF ELECTION |
|---|---|---|---|
| 1959 General Election | Departing Colonialist | Transition | 1 |
| 1964 General Election | Incumbent Civilian Administration of Tafawa Balewa | Consolidation | 0 |
| 1979 General Elections | Outgoing Military Government of Murtala/Obasanjo | Transition | 1 |
| 1983 General Elections | Incumbent Civilian Administration of Shehu Shagari | Consolidation | 0 |
| 1991-1993 General Elections | Outgoing Military Regime of Ibrahim Badamasi Babangida | Transition | 2 |

***Notes:*** ***Elections which are adjudged to be free and fair is represented by 2, generally free and fair elections (i.e. elections with minimal lapses here and there) is represented by 1 and elections recording widespread procedural irregularities is represented by 0.***

***The assessment of election observation missions and key personalities in the electoral administrative process formed the basis of the above categorization.***

***Source: Compiled by Author***

**FIGURE 2.4: A GRAPHIC ILLUSTRATION OF THE QUALITY OF NIGERIAN GENERAL ELECTIONS PRIOR TO 1999**




***Notes: Same as in table 1.8***

***Source: Compiled by author***

## 2.3 THE GLOBAL CONTEXT OF DEMOCRATIC SUSTAINABILITY

The concern over democratic sustainability in Nigeria is neither a spontaneous nor an isolated phenomenon. Indeed, within the last quarter of the 20th century, democracy as Lee (2008:4) notes has become "the Post-Cold War new standard of civilization". From the mid - 1970s till date an unprecedented number of countries made the transition from autocratic to some form of "democratic rule". Accordingly, scholars have attempted to explain the factors accounting for these transitions as well as the conditions for the sustainability of these regimes. The democratization process has not only become a global phenomenon but has also become a major criterion for membership in the international society. This section contextualizes the concept of democracy; and then moves on to examine the debate on the global democratization process as a context for understanding the preoccupation with democratic sustainability.

### 2.3.1 A CONCEPTUALIZATION OF DEMOCRACY AS POLITICAL DEMOCRACY

An inquiry into the sustainability of democracy must of necessity rest on a conceptualization of the concept of democracy; especially as "democracy" has no settled meaning. Indeed, democracy has always been a value-laden and amorphous concept. It has meant many things to different people, from elections to accountability, to equity. Democracy has also become a measure by which various phenomena have come to be compared. In the contemporary period, democracy has also become one of the goals to which countries (supposedly) aspire. Therefore, as Khagram (1993:11) notes: "circumscribing the object, and subject, of democracy is extremely pertinent for practical, as well as analytic purposes".

In spite of the seemingly multi-dimensional nature the concept of democracy has acquired, a key distinction has been made in the comparative and theoretical literature between

political as opposed to “social” or “economic” democracy. For example, in their study of the so called “emerging democracies”, Diamond, Linz, and Lipset note:

> A distinctive aspect of our approach is to insist that issues of so called "economic and social democracy" be separated from the question of governmental structure. Otherwise, the definitional criteria of democracy will be so broadened and the empirical reality narrowed to a degree that makes the study of the phenomena very difficult (Diamond etal. 199:23).

Delimiting the specification of democracy is therefore analytically appropriate. By conceiving of democracy too inclusively, finding examples of empirical, real world cases to study becomes difficult, if not impossible. The utilization of overly broad specifications for democracy complicates the identification and study of factors crucial to the democratization process. More importantly, the current democratic transitions particularly in African countries are towards “political democracy”. Indeed, given the problems surrounding the emergence and dynamics of most new civilian regimes in Africa, scholars (Diamond 1991, Herbst 2001, Bratton and Van de wall 2000) contend that “social” or “economic” democracy is just not possible in the current period. Hence, the emphasis on “political” as opposed to “social” or “economic” democracy.

Contemporary definitions of political democracy tend to be based on Dahl’s (1970) concept of Polyarchy. According to Dahl (1970:54) "a key characteristic of a democracy is the continuing responsiveness of the government to the preferences of its citizens, considered as political equals." Similarly, Karl and Schmitter propose that political democracy "is a regime or system of governance in which rulers are held accountable for their actions in the public realm by citizens (Karl and Schmitter, 1991)." Hence accountability, or responsiveness of rulers to citizens, is fundamental to political democracy. Dahl (1970) further suggests that accountability cannot exist without a modicum of participation, competition, and contestation in the political

process. In order to guarantee that these core characteristics are met, he further formulates a set of "procedural minima" generic to political democracy. These include freedom to form and join organizations, freedom of expression, alternative sources of information, the right to vote, eligibility for public office, the right of political leaders to compete for support, free and fair elections, and institutions for making government policies depend on the expressions of citizen preference. Thus, political democracy has been defined as:

> Meaningful and extensive competition among individuals and organized groups...for all effective positions of government power at regular intervals and excluding the use of force; a highly inclusive level of political participation in the selection of leaders...and a level of civil and political liberties, freedom of expression, freedom of press, freedom to form and join organizations... (Bollen 1990:53). "

In another submission political democracy has been defined as:

> A set of institutions that permits the entire adult population to act as citizens by choosing their leading decision makers in competitive, fair, and regularly scheduled elections which are held in the context of the rule of law, guarantees for political freedoms, and limited military prerogatives... (Remmer, 1995:12).

Contestation over policy and political competition for office, participation of the citizenry, and accountability of rulers to the ruled are characteristic of any political democracy. Indeed, it is apparent that elections are a crucial part of the notion of political democracy. It should however be noted as O'Donnell and Schmitter (1986:32) observe, that "no single set of institutions or rules by itself defines political democracy. Many different institutional mixes can meet the

procedural minima requirements or, in other words, various types of political democracy can exist.

### 2.3.2 A REVIEW OF THE DEBATE ON THE GLOBAL DEMOCRATIZATION PROCESS

Democracy is an old ideology dating back to the middle of the 5th-4th century BC. Yet; it is only in the last quarter of the 20th century that it became a global phenomenon; particularly in its liberal form. Indeed, except for the Middle East all major regions of the world have experienced a significant number of transitions to some sort of liberal democratic regimes. Given that the concern over democratic sustainability is not unconnected to this global democratization process, an examination of the debate on the global democratization process is considered appropriate.

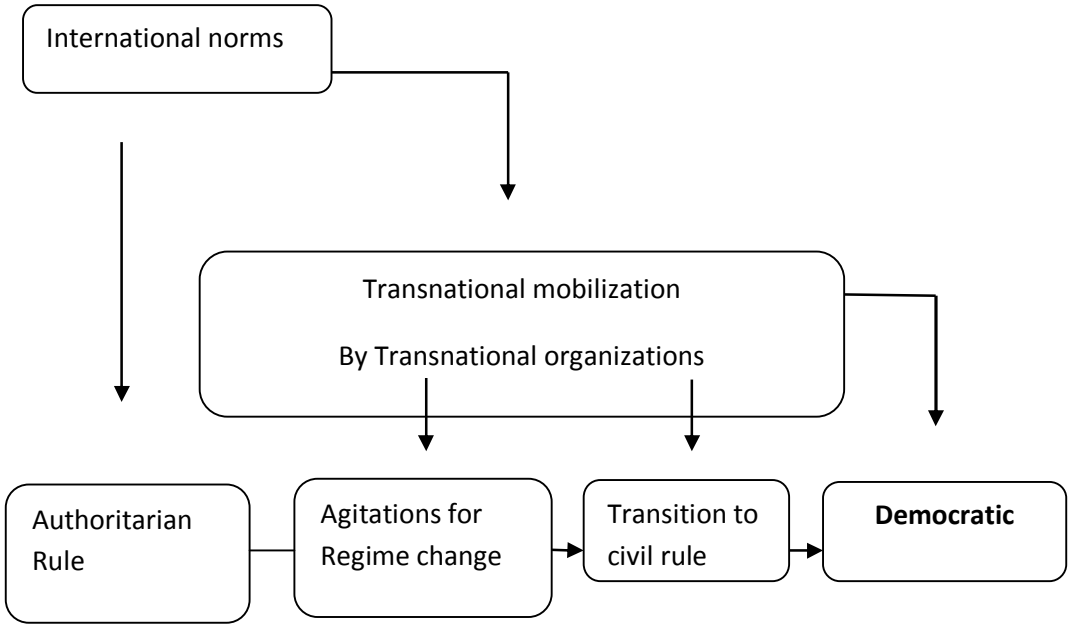
The debate on the global democratization process has generally centered on what factors are more influential in the collapse of authoritarian regimes and the transitions to democracy. While some have emphasized external or international factors, others emphasize internal influences for the transitions to democracy. In his popular treatise on the globalization of democracy, Huntington (1991), for example identified a number of international factors accounting for the spread of democracy. According to Huntington (1991) democracy develops in successive waves; with the third wave beginning with Portugal's "Carnation Revolution" in 1974. Huntington (1991) emphasizes the significance of a third wave of democratization to describe the global trend that saw more than 60 countries throughout Europe, Latin America, Asia, and Africa undergo some form of democratic transitions between 1974-1990.

A wave of democratization according to Huntington (1991) is a group of democratic transitions within a certain time frame that significantly outnumbers autocratic transitions during the same time period. Huntington's major contention is that the third and "largest"

wave, running from 1974-90, was caused by five factors. First, growing legitimacy problems experienced by several authoritarian regimes during the 1960s and 1970s were exasperated by military defeats and economic failures. Second, rapid economic growth helped destabilize authoritarian regimes in power in many countries, while simultaneously opening developing countries to international trade and the prevailing Western embracement of democracy. Huntington (1991) also attributed much of the democratization in the third wave to drastic changes in the Catholic Church. Catholic doctrine according to Huntington underwent a fundamental shift in its principles when it began to tolerate, embrace, and eventually strive for democracy in developing nations. The Vatican Huntington (1991) also notes, was not the only external actor to aid in ushering in the third wave. The expanding European Community in the 1960s, the U.S. promotion of human rights and democracy, and Gorbachev's dramatic change in Soviet policy toward maintaining the Soviet empire in the 1980s all played roles in either spreading or promoting existing democratic initiatives (Huntington, 1991). Underlying all these influences was Huntington's fifth and most significant factor behind the third wave- the 'snowballing' effect. This effect suggests that once a nation democratizes, that trend will encourage other nations to follow suit by spreading democratic values to other countries. Advances in communications technology substantially aided in this diffusion of democracy across borders, allowing for activist and leaders in different nations to communicate and share ideas more easily (Huntington, 1991). Further, one democratic transition provides a template for subsequent transitioning nations to abide by. In short, waves of democratization, once begun, transmit into non-democratic countries. Based on this argument, Huntington (1991) suggests that the expected relationship between the proportion of democracies in the world and the chance of democratic transition taking place would be positive. In essence, the higher the number of democracies in the world, the higher the prospects for a democratic transition.

Jaggers and Gurr (1995) have attempted to test Huntington's hypothesis. The authors separate the globe into regions and find that international influences are essential in democratic transitions. Linz and Stepan (1996) conducted a study in a similar fashion. They assessed the impact of international factors in post-communist Eastern Europe. In line with Huntington's findings, the authors found that international factors were more influential than domestic influences in bringing about democratic transitions. The most significant of these international effects according to Linz and Stepan (1996) was the sudden disappearance of Soviet influence and the corresponding openness to Western European democracy. The authors contend that in Europe, transitioning nations often looked to states that had previously democratized to "learn" how to conduct their own transition. Lessons gained from observing transitions before initiating their own are said to have benefited the democratization process in several subsequent European transitions (Rose, Mishler, and Haerpfer 1998). Such a finding lends further credence to Huntington's (1991) snowballing effect. Kristian Gleditsch (2002) have also emphasized international factors in the spread of democracy within the past three decades. Approaching international politics as a set of linkages between interdependent states, Gleditsch (2002) contends that this interdependence is not only economic in nature, but social and political as well. These social and political linkages transcend state boundaries and spread from country to country. Gleditsch (2002) assumes that international factors matter, but they matter most at the regional level, where strong influences can be felt by neighboring nations. Doorenspleet (2004) found similar results in a study of democratic transitions since the end of the Cold War, claiming that states in regions with high proportions of democracies were more likely to democratize themselves.

**FIGURE 2.5 A TRANSNATIONAL VIEW OF DEMOCRATIZATION**




***Source: Compiled by author with insights from the present review of the literature on democratization.***

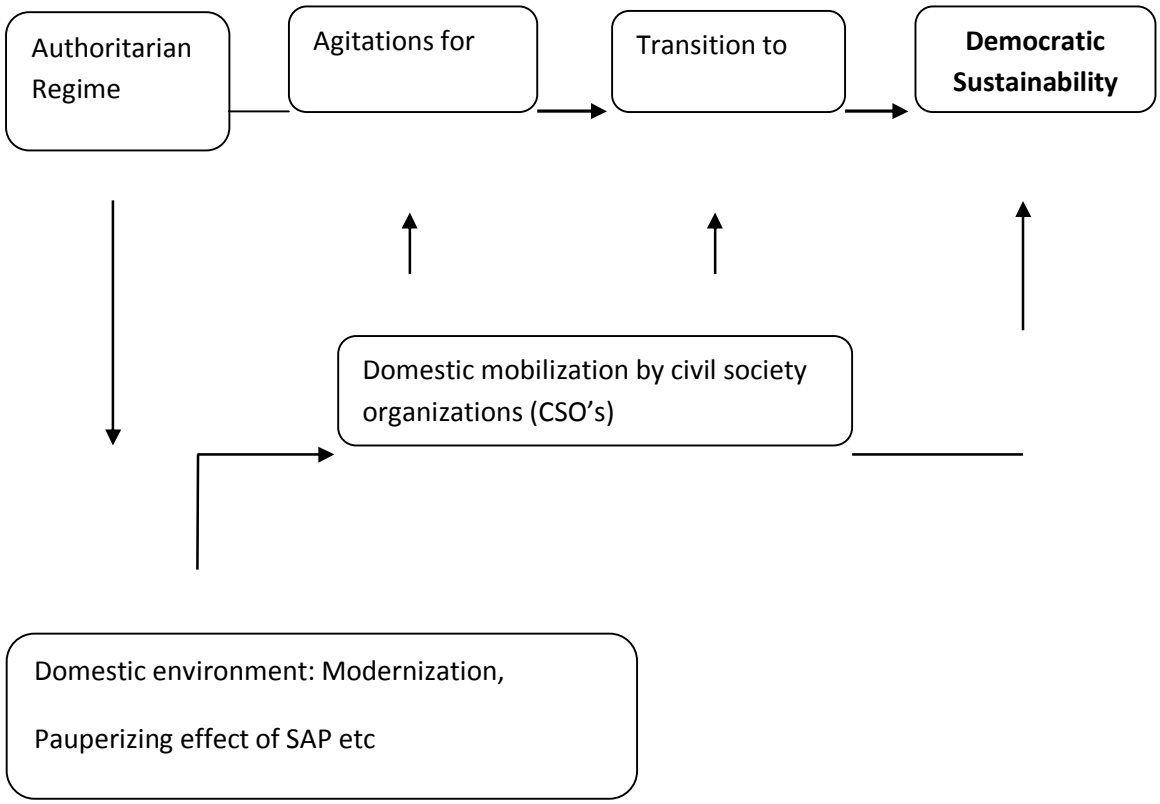
As depicted in figure 2.5, the transnational view of the democratization process does not incorporate the internal influences which play a significant role in the democratization process. Instead, emphasis is laid on the prevailing international norms and mobilization by international organizations like the Breton woods institutions. Thus, a general critique of Huntington and other scholars of the international factors school is that the third wave theory is too broad and many Intervening variables are omitted from this framework. Indeed, a general theory of democratization caused by external factors is not plausible due to the many factors at work in a democratizing state (Moore 1966; O'Donnell and Schmitter 1986; Boix and Stokes 2003).

In order to account for the "global democratization process", a second category of scholars emphasized the need for the researcher's focus to be shifted to domestic, internal

influences as opposed to international, external influences. Through a simple correlation test between the annual number of democratic and autocratic transitions, Przeworski et al. (2000) find that the notion of waves of democratization is not supported by the historical record. If there is no discernable pattern of democratic transitions taking place within the same specific timeframe (there is no wave), it then becomes extremely unlikely that the same international factors are in fact the source of the (nonexistent) wave of democratization. Przeworski et al. (2000) again refute the wave hypothesis with the results of their statistical analyses, arguing that international factors do not play a role in democratization. The impact of the international political climate, measured as the proportion of democracies in the world, is nonexistent. Further, Przeworski et al. (2000) found that, contrary to Huntington's (1991) hypothesis, neither Islam nor Confucianism is negatively correlated with the democratic transitions. Bratton and van de Walle (1997) add to this argument and suggest that domestic, internal factors are more significant in countries transitioning to democracy than are external factors. Their study of transitions in Sub-Saharan Africa from 1990-94 begins with the critique that Huntington's third wave theory is too "blunt" to discriminate the particular domestic factors crucial to the process of democratization. The authors claim that internal political factors are most important when studying regime transitions, while international factors play a secondary role (Bratton and van de Walle 1997). Further, Bratton and van de Walle argue that democratic transitions unfold in a sequential pattern and require a homegrown demand for political reform in order to begin. Where do these demands for democratic reform come from? Inglehart and Welzel (2005) argue the modernization of society plays a large role in the origin and success of democratic transitions. Modernization theory posits that as societies become industrialized, dramatic shifts take place in the economy as well as in social life in general. This conception of democracy and demands for transition depends on domestic influences, with democracy being posed as a

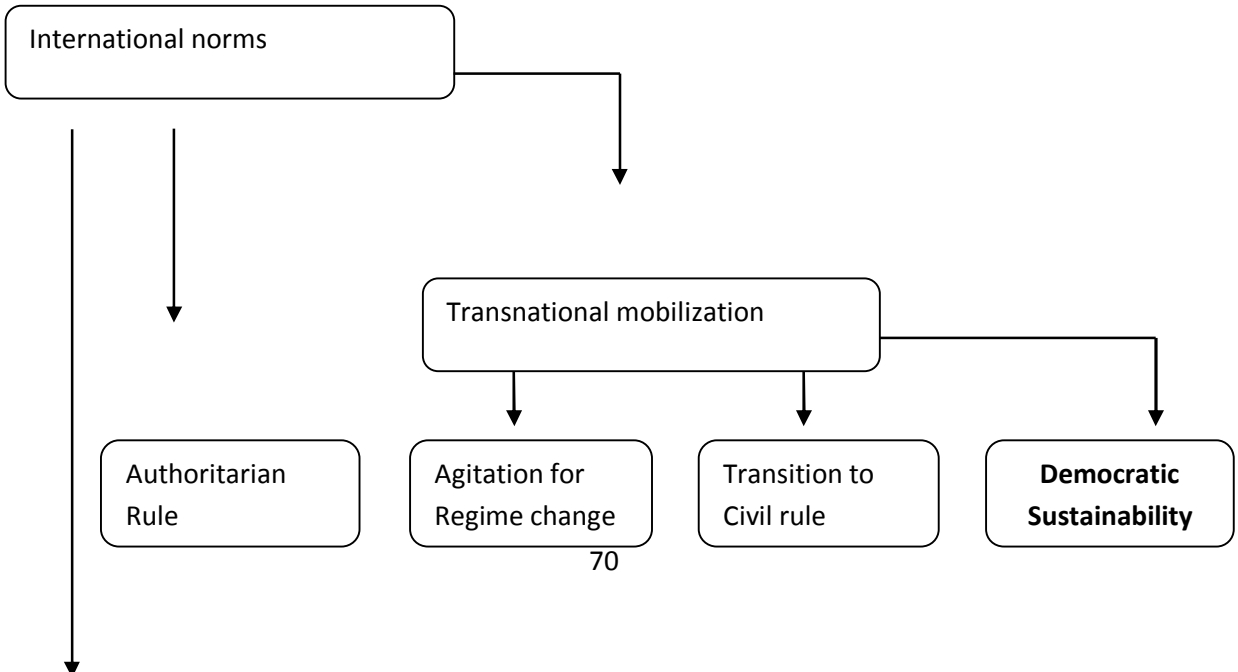
natural outcome of human development. Such an innate process of human progress can only be influenced by international factors at the margins (Inglehart and Welzel, 2005). Inglehart and Welzel's (2005) argument contradicts those of Huntington (1991) and Gleditsch, who see international factors as catalysts that can instigate democracy in one nation after another. To Huntington (1991) and Gleditsch, democracy is a virus that can spread like wildfire, while theorists such as Inglehart and Welzel (2005) see democracy more as a non-contagious syndrome specific to each polity acquiring it. Vanhanen has also conducted research (1990; 1997) which strove to identify the common factors that led to democratization all over the world. He finds a common theme: resources; which he argues must be distributed relatively evenly amongst the population in order for democracy to emerge. Vanhanen (1990) sees increases in wealth, education, and political equality as key prerequisites for democratization. In sum, the arguments of scholars' emphasizing domestic factors for the democratization process can be summarized as in figure 2.6

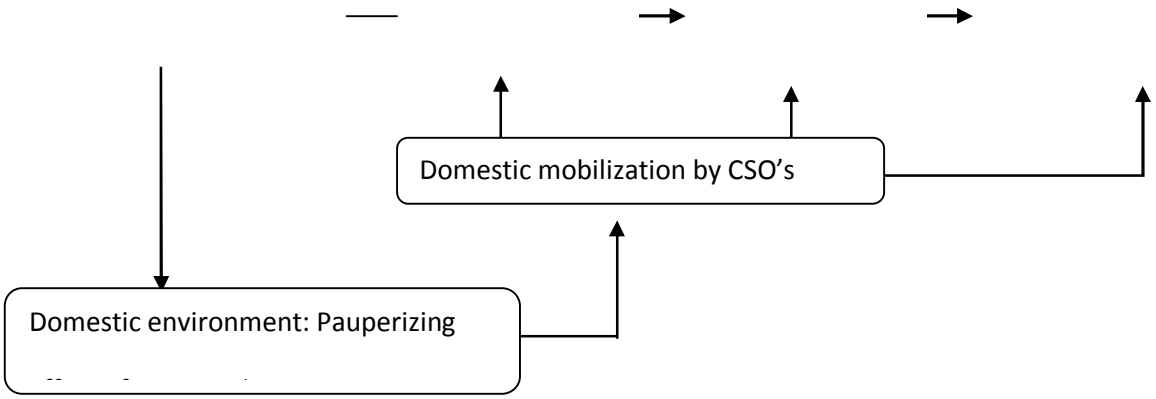
**FIGURE 2.6 A DOMESTIC VIEW OF DEMOCRATIZATION**




***Source: Compiled by author with insights from the present review of the literature on democratization.***

**FIGURE 2.7 TRANSNATIONAL AND DOMESTIC VIEW OF DEMOCRATIZATION**






***Source: Compiled by author with insights from the present review of the literature on democratization.***

While much of the extant literature tends to dichotomize international and domestic factors of democratization the potential interactions between internal and external influences could produce significant insights underlying the process of democratization (see figure 2.7). In an important theoretical exercise, Schmitz (2004) for example, discusses domestic and transnational perspectives on democratization. According to Schmitz (2004) different theoretical frameworks may benefit from a sort of cross-pollination, with each camp borrowing insight from the other. Schmitz (2004) laments the dearth of research designs incorporating domestic and international influences. Schmitz calls for theoretical models that not only account for both sets of effects, but also for those that can account for interactions between domestic and international factors. Similarly, Doorenspleet (2004) suggests that both internal and external factors have interacted with one another to play important roles in democratization since the end of the third wave. Indeed while international factors may have significantly influenced Nigeria's transition to a civilian regime in 1999, the effect of domestic influences as shall be seen in the following section cannot be disregarded.

### 2.3.3 STRUCTURAL ADJUSTMENT PROGRAMMES (SAP): THE UNITY OF EXTERNAL AND INTERNAL FACTORS OF DEMOCRATIZATION IN AFRICA

Theories which independently emphasize internal or external factors of democratization as in the foregoing section do not sufficiently account for the democratization process in Africa in general; and Nigeria in particular. Indeed, as Schmitz (2004) advocated; a plausible explanation of the democratization process in Africa can only be made from a cross-pollination of external and internal factors. In this context, the period of structural adjustment (SAP) serves as a uniting factor between external and internal explanations for Africa's democratization process.

In the 1960s when most African countries gained political independence from the colonialists, the nature of the states on the continent quickly degenerated to either one party or authoritarian military regimes. According to Anyang Nyong'o (1987:23):

> The ruling elites who inherited state power insisted that Africa could not afford the luxury of democracy because of its potential for exacerbating ethnic pluralism and political conflict, which would be detrimental to the more pertinent projects of development, integration and nation building. The ideology of development and national integration in postcolonial Africa thus became the justification for one-party rule, autocracy, and military dictatorship.

However, by the 1970s and 1980s, it became obvious that African states were enmeshed in deep socioeconomic crises. The UNDP (1990) notes with regards to Africa that by 1989 Social infrastructures in health, education, and transportation sectors were in shambles; basic social amenities such as potable water and electricity became scarce; rural-urban drift increased, and with it came crime and insecurity. In the Nigerian situation, the glut in the world oil market and the resultant fall in oil exports and its prices were reflected in the corresponding fall in revenue.

Crude oil prices which rose rapidly from $20.94 U.S.D per barrel in 1979 to $36.94 U.S.D. in 1980, and $40 U.S.D in 1981 fell to $29 U.S.D in 1983 and to a low level of $5.2 U.S.D in 1986. Consequently, the country's external reserves fell sharply and its foreign debts mounted (Musa 1998). In addition to this, the prevailing structure of policy incentives and control encouraged an import oriented consumption pattern (Musa 1998).

By 1990 several African countries had already become heavily indebted. According to the World Bank (1992), the total debt stock of sub-Saharan Africa reached $55.6 billion in 1980, $98.1 billion in 1985, and $171.4 billion in 1990. By 1991 it reached $177 billion. As the debt burden continued to pile up, inflation also increased while the currencies of most African countries were crushed under the regime of SAP inspired by the Breton Wood institutions. In its prototype, SAP enjoined the governments of indebted countries to pursue economic policies which include the liberalization of foreign trade, currency devaluation, cut backs in social expenditures (particularly education, health and housing), removal of food and agricultural subsidies, tight control of the money supply, reduction in public employment, and privatization of state owned enterprises- in short allowing market forces to regulate not just not just supply and demand, but all matters relating to prices, income and productivity (Adekanye, 2007:20). However, despite the introduction of SAP Africa's debt burden continued to grow and the economy continued to deteriorate. The pauperizing effect of SAP spawned opposition to the state and gave rise to movement for transition to democracy. As Ake notes during the peak of the economic crisis in the era of SAP:

> Africa's economic stagnation and the fiscal crisis of the state have not only intensified the collapse of social and physical infrastructures, but they have also created a great deal of stress, as well as the proliferation of violent conflicts leading to what Zartman aptly described as "collapsed states (Ake,1993:239)."

Accordingly, the 1990s saw widespread political turbulence across the African continent, which can be summarized with reference to a few key political trends. Transition away from one party and military regimes started with political protest, evolved through liberalization reforms, often culminated in competitive elections, and usually ended with the installation of a new form of regime. While not unfolding uniformly and to some extent everywhere, these movements and institutional rearrangements were evident to some degree in almost all African countries. Together, they amounted to the most far –reaching shifts in African political life since the time of political independence thirty years earlier (Bratton 1997). Indeed, the onset of domestic economic crises in most African states in the 1980s ignited revolts against the leadership, thereby galvanizing civil society into a movement for democratization and the search for a second liberation from the clutches of neocolonialism. While the official view of SAP in Africa as a whole especially after the addition of a new political conditionality was that SAP was seen as the cause of Africa's "democratization wave" in the 1990's; especially given the assumption that the economic principle of "market forces" translates into the political idea of limited government, such an explanation has been proven to be facile. Adekanye (2007:23) for example notes:

> In the majority of cases, SAP had a destabilizing effect on the governments concerned that the immediate reaction of most political leaders was to try to bolster their position through recourse to increased rather than reduced authoritarianism and militarization. The democratization process on the African continent that began in the 1990's can therefore be more accurately conceptualized as a continuation of the long standing democratic struggle against the authoritarian state which goes back to anti –colonial times or as a resistance to the new pauperizing conditions and problems generated by structural adjustments or most likely of all the result of both.

Similarly, Ake notes:

> One of the greatest drawbacks of SAP is its politics, which is typically authoritarian. Perhaps that was inevitable in Africa. There the SAP regimes started before the wave of democratization; a basis hardly existed for subjecting SAP to a democratic mandate. The African leaders whose performance had contributed to the need for adjustment were neither in the habit of subjecting public policy to democratic determination nor willing to expose their governance record to public debate. In any case, by the time SAP became an issue, they had invariably run out of options. The international supporters of SAP were scarcely more inclined to the democratic legitimation of public policy. For one thing, they had near-absolute faith in the validity of their policy prescription; for another, they assumed that the austerity of SAP would not survive a public debate. As a result, the internal and external promoters of SAP were disposed to its authoritarian imposition. (Ake, 2003: 93)

In effect, the structural adjustment programs that African countries were obliged to adopt was not essentially configured to engender democracy on the continent. SAP compounded the weakness of the state in Africa; owing to their one-sided emphasis on privatization, de-nationalization, and reliance on market forces (Ake, 2003: 94). These problems were so drastic and so severe in their impact that they engendered hostility to the state and undermined its limited legitimacy (Jega, 2000), thereby giving rise to opposition and movement for democratization. In the wake of the problems engendered by SAP, by the 1990s at least 45 countries in Africa as in table 4.1 had made efforts towards democratization.

**TABLE 2.8: CATEGORIES OF DEMOCRATIC TRANSITIONS IN AFRICA AS AT THE END OF 2003**

| Old Democracies | Consolidators | Setbacks | Stillbirths | Others |
|---|---|---|---|---|
| Botswana | Benin | CAR | Angola | Kenya |
| Mauritius | Cape Verde | Comoros | Burkina-Faso | Lesotho |
| Senegal | Ghana | Rep of Congo | Burundi | Sierra Leone |
| | Madagascar | Gabon | Cameroon | |
| | Malawi | Gambia | Chad | |
| | Mali | Guinea-Bissau | Cote d Ivoire | |
| | Mozambique | Niger | Djibouti | |
| | Namibia | Zambia | Eq. Guinea | |
| | Sao-Tome | | Eritrea | |
| | Seychelles | | Ethiopia | |
| | South Africa | | Guinea | |
| | | | Liberia | |
| | | | Mauritania | |
| | | | Nigeria | |
| | | | Rwanda | |
| | | | Somalia | |
| | | | Sudan | |
| | | | Swaziland | |
| | | | Tanzania | |
| | | | Togo | |
| | | | Uganda | |
| | | | Zimbabwe | |

***Note: old democracies are countries which were democratic before 1990. Consolidators are formerly non-democratic countries with an increase of at least two points in the 1990s and a subsequent sustained performance above a score of 4 on the political rights index of freedom house. Setbacks are formerly non-democratic countries with an increase of at least two points in the 1990s in the political rights index; but subsequent return to values below 4. Stillbirths are countries that never sustainably reached past a score of 4. Others are countries difficult to categories because of high volatility in the data (Lesotho, sierra), or recent dramatic change over previous pattern***

***Source: Englebert and Boduszynski (2005), Poverty and Democracy in Africa, Oldenburg working paper series no. 205/01, Pomona College.***

## CHAPTER THREE

## METHOD OF DATA COLLECTION AND ANALYSIS

The methodology of this research is as follows:

**3.1 OBJECT OF THE STUDY:** The object of this research is the sustainability of democracy in Nigeria; which as earlier noted, is seen as regime stabilization. The research is particularly concerned with the extent to which the administration of Presidential elections (that is the 1999, 2003, 2007 and 2011 Presidential election) by INEC may have contributed to the sustainability (stabilization) of democracy in Nigeria.

**3.2 A SAMPLE FOR THE STUDY:** In order to have an objective and balanced appraisal of the election administration process, four key stakeholders in the electoral administration process were identified as the sources of data for this research. These are INEC, political parties, Civil Society Organizations (CSO's) and the electorate. However, due to the technical complexities inherent in accessing the entire population of all these stakeholders, the determination of a sample from each of these stakeholders became imperative. The Transition Monitoring Group (TMG) which has been actively involved in the electoral process in Nigeria was selected to represent the CSO's. The TMG is a coalition of over 50 CSO's that has been at the forefront of campaign for electoral reforms in Nigeria. The TMG was specifically chosen due to its presence in the Nigerian electoral scene throughout the entire period covered by this study.

The three major political parties in each of the Presidential elections (except in the 1999 Presidential elections where there were only two parties) under consideration were also selected as sources of data for this research. From INEC as an institution, the plan was initially to select a simple random sample of six, that is, one out of the two national commissioners from

each of the six geo –political zones of the country for interview. In addition, as a plan B; in the event that the national commissioners were not accessible, recourse to a simple random sample of three RECs from each of the six geo-political zones of the country was to be made and interviewed. This alternative strategy became quite useful as it was discovered in the course of the research that most of the national commissioners of INEC during the period under study were replaced and therefore inaccessible. Eventually, as shall be seen in the following section not all of the commissioners selected were available for interview; as a result the study had to rely essentially on questionnaires. A second category of respondents drawn from the permanent staff of INEC comprised of a sample of five respondents from each of the ten departments of INEC headquarters. Two hundred and forty voters were also selected from the six geo-political zones of the country. Table 3.1 presents a summary of the sampling technique and size of the respondents identified for the study.

| Categories of Respondents | Sample of Respondents | Sampling Technique Adopted | Number of Questionnaires Administered | Number of Questionnaires Returned |
|---|---|---|---|---|
| **A.** INEC | 3 administrative secretaries from three states in each of the 6 geo-political zones of Nigeria. | Simple random (to select the states)/ Purposive sampling (in selecting the administrative secretary) | 18 | 68 |
| | 5 questionnaires for each of the 10 Departments of INEC headquarters | Purposive sampling | 50 | |
| **B.** Political parties (P) | 5 questionnaires for each of the 3 most dominant parties in each of the Presidential elections | Purposive sampling | 15 | 12 |
| **C.** Civil society organizations (CSOs) | 5 questionnaires for the Transition Monitoring Group (TMG) | Purposive sampling | 5 | 5 |
| **D.** Voters (V) | 20 voters each from two states in each of the 6 geo-political zones of Nigeria. | Simple random (to select the states)/convenience Sample (to administer the questionnaire in the states selected) | 240 | 114 |
| **TOTAL** | | | 328 | 199 |

**TABLE 3.1: CATEGORIES AND SAMPLE OF RESPONDENTS**

***no commissioner was given the questionnaire to fill because none was present during the entire period covered by this study.**

Two key issues underpin the sample size adopted for this study. Firstly, given that the information required from each of these stakeholders; particularly the political parties and the TMG was their official appraisal of each of the elections under study, there was the need to limit the responses to only the executive of the political parties and the TMG. Indeed, soliciting the personal opinions of all members of the political parties, the TMG and even the electorate; though analytically appropriate; is practically impossible. Secondly, the sample size of all the categories of respondents has also been significantly influenced by the available resources for this study.

### 3.3 SOURCES OF DATA COLLECTION:

**a.** **Primary data:** The primary data for this research was initially to be derived from structured interviews of the sampled respondents of INEC Commissioners and staff, and the Chairmen of the political parties selected. As leaders of the Electoral Commission; and political parties, the research envisaged that the commissioners and chairmen would be in a position to offer valuable insights on the electoral administration process. However, in the course of the research only two Resident electoral commissioners agreed to an interview session. The remaining commissioners who had been slated for interview insisted that their head of operations and administrative secretaries furnished the researcher with all the information required. While this development initially appeared to be a setback, with the benefit of hindsight; it turned out to be more fruitful as the administrative secretaries and head of operations interviewed proved to have more insight on the electoral administration process. Indeed, all the Administrative Secretaries, Head of operations and Permanent staff of INEC interviewed were of the opinion that the commissioners were not in a position to provide first hand information on the electoral administration process; as they were not on the field during the entire process of the elections. The national secretaries of the major opposition political parties (the APP and the CPC) in each of the Presidential election and a former national coordinator of the TMG were also interviewed. In addition to the interviews conducted, a questionnaire (as in table 3.4) was carefully drafted and administered to the respondents as identified in table 3.1.

Focused Group Discussion was also held amongst some of the permanent staff of INEC drawn from across the country that were incidentally on a course on election

administration in the researcher's institution. Questions raised in the discussions and interview/questionnaire schedule were structured as to capture the extent to which the goals of each of the steps in the electoral administrative process was achieved. In essence, after determining the immediate object or goal of each step in the electoral administration process as prescribed in the model for data analysis, the researcher probed the extent to which the object of each step in the electoral administration process was achieved in each of the Presidential elections under consideration. Table 3.4: the data collection instrument for this study is indicative.

Other sources of primary data used include survey reports of research conducted by the international IDEA and IFES in the period leading to and after the 1999, 2003, 2007 and 2011 general elections as well as the documentary reports of election observation missions of the European Union (EU), Association of African Electoral Authorities (AAEA), IFES, the National Democratic Institute (NDI), Carter Center, the International Republican Institute (IRI) etc.

**b. Secondary data:** The secondary data used in this research was derived from the internet, newspapers and magazines, the archives of the international foundation of electoral systems (IFES), the international institute for democracy and electoral assistance (international IDEA), the library of INEC etc.

## 3.4 A MODEL FOR DATA GENERATION AND ANALYSIS

The data gathered in the course of this study is based on a model for the analysis of EMB'S and election administration developed by Elklit and Reynolds (2000). This model as shall be seen in the following section builds on a close scrutiny of the electoral management systems performance through clearly defined stages of the electoral process. The rationale in the

adoption of this particular model stems from the fact that apart from its systematic interrogation of the structure and entire process of election administration, to the best of the researcher's knowledge no other comprehensive and practicable framework for the concomitant evaluation of the structure and entire process of election administration has been developed.

### 3.4.1 ELKLIT AND REYNOLDS FRAMEWORK FOR THE SYSTEMATIC EVALUATION OF ELECTORAL ADMINISTRATION PROCESS

According to Elklit and Reynolds (2000: 7) one should be particularly concerned about the inclusion of the following five factors in the analysis of electoral administration.

1. EMB'S organizational structure: How is the relationship between the commission and head of staff regulated? What is the day to day reality? Are commissioners on good terms among themselves so that they can work as a group or do internal tensions surface from time to time? Such questions are particularly pertinent if the commission is composed of representatives of the political parties running for office and also in situations where commissioners may feel some kind of commitment towards some of the political actors or are seen by others as having such commitment. A similar problem exists when commissioners are appointed as representative of ethnic groups.
2. The EMB's level of independence from the political forces: A perceived lack of independence, often times raised by losing electoral contestants is sometimes so serious that it taints the legitimacy of the entire electoral process
3. Internal EMB motivations: Narrow organizational interest can also play a role. For example the interest among commissioners and staff at all levels in seeing their

organization prosper and grow- even at the cost of other organizations may lead to an organizational interest in taking over functions that could just as well be handled by state agencies.

4. EMB staff motivations: Fights over salaries, per diems, various allowances, working hours etc are in abundance and the pursuit of such interests can compromise the organizations ability to perform its management and delivery functions within restricted budgets and narrow time lines.

5. EMB's transparency: The level of transparency in the work of the EMB's is another important factor. When parties and voters are given some insights into what goes on and the basis of decision making they tend to accept EMB'S decisions more willingly.

Against the foregoing and following Kimberly (1991), Elklit and Reynolds sub-divide the electoral process into twelve basic steps, which are at the same time systematic and largely chronological. In their model, each step consists of between two to six constituent elements; and to systematically analyze an electoral process each element is precisely operationalized and the electoral management systems performance is measured. Table 3.2 presents the framework of such a model.

**TABLE 3.2 ELKLIT AND REYNOLDS (2000) FRAMEWORK FOR SYSTEMATIC EVALUATION OF ELECTORAL PROCESS AND ADMINISTRATION**

| Steps in Electoral Process | Important Element in Step | Provisions in Case Country | Output of Process | Indicators of Performance | Elements to look at to Gauge Effectiveness/ Success of Step |
|---|---|---|---|---|---|
| **1. legal framework** | ➢ Constitutional/legal basis<br>➢ Rules and regulations<br>➢ Seat allocation system | ➢ | ➢ Written rules in constitution, statutory law and regulatory law | ➢ Elections held and on time<br>➢ Wasted votes<br>➢ LSQ ids<br>➢ ENEP/ENPP | ➢ Is legislation easily available and understandable?<br>➢ Perceived legitimacy of electoral system |
| **2. Elections management** | ➢ EC appointment and independence, including terms of tenure<br>➢ Commission/ administration relationship<br>➢ Allocation of resources | ➢ | ➢ Functioning of EC | ➢ EC activities<br>➢ Consumption of resources | ➢ Perceived legitimacy/ acceptance of EC by parties and voters<br>➢ Adequacy of resources allocated<br>➢ Accessibility/ transparency |
| **3. Constituency and polling district demarcation** | ➢ Relevant body identified and active<br>➢ Principles for delimitation identified<br>➢ Rules about automatic periodical revision<br>➢ Adequate resources available<br>➢ Rules for handling complaints in place | ➢ | ➢ Identifiable constituencies (in accordance with the electoral system chosen) and registration and polling districts | ➢ Accessibility of information about constituencies and lower level districts<br>➢ Mal-apportionment<br>➢ Compactness<br>➢ Geographical sensitivity<br>➢ Communities of interest | ➢ Are the boundaries accepted?<br>➢ Are they temporarily sensitive? |
| **4. Voter education** | ➢ Timing<br>➢ Quality<br>➢ Outreach<br>➢ Adequate resources available<br>➢ Relationship between EC efforts and efforts by parties and NGOs | ➢ | ➢ Voter education sessions conducted<br>➢ % of voters exposed to voter education (related to literacy rates and previous voting experience) | ➢ % of ballots spoiled or invalid<br>➢ Resources per capita spent (related to literacy rates and previous voting experience) | ➢ Scope/ extent /penetration into marginalized communities<br>➢ Adequacy of resources allocated<br>➢ Are vote education efforts by various groups complementary or overlapping? |
| **5.** | ➢ Automatic or voluntary | ➢ | ➢ Registered voters | ➢ Registration /VAP | ➢ Level of registration |

| | | | | | |
|---|---|---|---|---|---|
| **Voter registration** | registration<br>➢ Appointment and training of registration personnel<br>➢ Adequate time for registration and access to registration stations<br>➢ Rules for public scrutiny of voters register<br>➢ Complaint procedures | | ➢ Co-ordination of voters register with polling districts | ➢ Pattern of registration/VAP across regions, ethnicity, gender age, etc<br>➢ No of complaints filed<br>➢ % of complaints processed prior to issuance of final voters register | ➢ Equality of registration across the country<br>➢ Complaints procedures |
| **6. Access to and design of the ballot, nomination and registration of parties and candidates** | ➢ Registration of parties/ candidates<br>➢ Rules about independent candidates<br>➢ Mechanism for ballot paper access<br>➢ Ballot paper design | ➢ | ➢ Parties and candidates registered and nominated for participation in the election | ➢ % of parties of parties registered of those who in good faith sought registration<br>➢ % of candidates nominated of those who in good faith sought nomination<br>➢ Disputes over ballot paper design/ spoilt ballots | ➢ Is access to the ballot inclusive of the diversity of political opinions?<br>➢ Were parties and candidates rejected for no obvious legal reason?<br>➢ Acceptance of ballot paper design |
| **7. Campaign regulation** | ➢ Spending rules<br>➢ Public funding of party expenditure/ campaign costs<br>➢ Access to public media<br>➢ Rules for meetings and rallies<br>➢ Codes of conduct<br>➢ Rules for handling of violations of codes of conduct and campaign regulations | ➢ | ➢ Political parties and candidates having media access to the electorate | ➢ Air time allocated to and used by the political parties and the independent candidates<br>➢ No of substantiated complaints about violation of campaign regulations, spending rules e.t.c | ➢ Acceptable distribution of public campaign funding, if any<br>➢ Do funding laws facilitate a level playing field?<br>➢ Reasonable equal access to public media? |
| **8. Polling** | ➢ Plan for distribution and location of polling places<br>➢ Appointment and training of polling station personnel | ➢ | ➢ Unhindered and reasonable access to voting for all voters | ➢ Turnout as votes /registration<br>➢ Turnout as votes/VAP | ➢ Are polling places in place?<br>➢ Do they function in accordance with their |

| | | | | | |
|---|---|---|---|---|---|
| | ➢ Procurement of polling materials<br>➢ Polling observation by representative of political parties and candidates as well as by local and international observations<br>➢ Security and integrity of polling<br>➢ Clear rules for assistance to incapacitated voters | | | ➢ % of polling stations operating<br>➢ % of polling stations that lack integrity<br>➢ % of constituencies (wards/polling stations) where polling was invalidated<br>➢ %of return elections<br>➢ % of first time voters who turned out to vote | expected roles?<br>➢ Do they function adequately?<br>➢ Are polling stations personnel able to fulfill their role?<br>➢ Are polling places secure?<br>➢ Are procedures for observation functioning? |
| **9. Counting and tabulating the vote** | ➢ Counting procedures established ( including whether to count at polling station level or at counting centers)<br>➢ Availability of counting results to party agents and others at the lowest level of counting immediately after completing the count<br>➢ Access for interested parties to observe the count and request a recount | ➢ | ➢ A complete count of the vote, aggregated according to relevant rules and needs<br>➢ A complete list of persons elected | ➢ No of complaints<br>➢ Number of individual recounts undertaken<br>➢ Time elapsed before the conclusion of the count and announcement of results<br>➢ Incidence of incorrectly allocated seats | ➢ Are papers counted in accordance with the law (including regulations about what constitute an invalid ballot)?<br>➢ Are special ballots accesses on their merits?<br>➢ Is the count conducted without undue delay?<br>➢ Are observation rules followed?<br>➢ Are interested parties provided with a copy of the counting tallies? |
| **10. Resolving election related disputes and complaints, verification of final results. Certification** | ➢ Provisions for special electoral courts and/ or adjudication system<br>➢ Time limits for handling election disputes and complaints<br>➢ Verification of the final results verified<br>➢ Certification of the election | ➢ | ➢ Settling of all election related complaints and disputes not handled by the EC and electoral the administration<br>➢ Verification of the election | ➢ Number and nature of complaint<br>➢ % accepted<br>➢ Time elapsed before the last complaint or electoral court case is settled<br>➢ Elected body | ➢ Is an adjudication system available?<br>➢ Are electoral court cases and complaints handled efficiently and without undue delay?<br>➢ Does verification follow the guiding law? |

| | | | | | |
|---|---|---|---|---|---|
| | | | ➢ A certification decision | having its first meeting at the time foreseen in legislation (if any) | |
| **11. Election results implementation** | ➢ Procedures for taking office | ➢ | ➢ Seats filled in accordance with results | ➢ % of seats not taken by those properly elected | ➢ Why do elected candidates not take office? |
| **12. Post election procedures** | ➢ Provisions for publication of election results at all levels of electoral administration<br>➢ EMB subject to ordinary accounting | ➢ | ➢ Easily accessible and well documented election statistics<br>➢ Accounting reports | ➢ Time before electoral statistics are publicly available<br>➢ Statement by accountants | ➢ Are election results (at all levels) made available to all interested parties and persons without delay? |

Source: Jorgen Elklit and Andrew Reynolds (2000), The impact of electoral administration on the legitimacy of emerging democracies: A new research agenda

The first two columns of table one represents the twelve basic steps in the electoral administrative process as well as the forty seven elements into which Elklit and Reynolds (2000) sub-divide these steps. The fourth column identifies the specific output of each step, that is, it identifies the immediate identifiable objective of the particular activity. The next column, list the various indicators of performance Elklit and Reynolds propose for study, while the sixth column identifies indicators to gauge the effectiveness or the successes. It should be noted that the framework is intended to be general, so it can be used as a basis for scrutinizing the work of EMB's in all kinds of elections; and the formulations and terminology of the table, as well as its specific content will continue to be a matter of discussion and challenge.

For the purposes of this study, the foregoing model has been adapted as in Table 3.3.

**TABLE 3.3 DATA COLLECTION INSTRUMENT (QUESTIONNAIRE/ INTERVIEW SCHEDULE)**

| Steps in Electoral Process | Important Element in Step | Object/Goals of Steps in the Electoral Process | Elements to look at to Gauge Effectiveness/ Success of Step | Categories and Ratings of Responses on a nominal scale of 1-5 | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | INEC | | | | | Political Parties (PP) | | | | | CSO'S | | | | | Voters (V) | | | | |
| | | | | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 |
| **1. Legal Framework** | ➢ Constitutional/ legal basis<br>➢ Rules and regulations<br>➢ Seat allocation system | ➢ Written rules in the constitution and other legal documents should be adhered to. | 1. To what extent was the legal framework of each of the Presidential elections conducted by INEC adhered to and perceived as legitimate | | | | | | | | | | | | | | | | | | | | | |
| **2. Elections Management** | ➢ EC appointment and independence, including terms of tenure<br>➢ Commission/ administration relationship<br>➢ Allocation of resources | ➢ Election management team should be seen as legitimate.<br>➢ Resources should be available for election administration.<br>➢ Commission should be accessible and seen as transparent | 2. To what extent was the election management team (commissioners) of each of the Presidential elections perceived by parties and voters as legitimate?<br>3. *To what extent were the resources available to INEC for each of the Presidential elections administration adequate?<br>4. To what extent was INEC transparent in the activities leading to each of the Presidential elections? | | | | | | | | | | | | | | | | | | | | | |
| **3. Constituency and Polling district Demarcation** | **NOT APPLICABLE** | | | | | | | | | | | | | | | | | | | | | | | |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **4.Voter education** | ➢ Timing<br>➢ Quality<br>➢ Outreach<br>➢ Adequate resources available<br>➢ Relationship between EC efforts and efforts by parties and NGOs | ➢ Vote education should be extensive with at least 75% coverage of entire country.<br>➢ Voter education efforts should be complementary to avoid waste of resources. | 5. What was the extent of voter education across the entire country before each of the Presidential elections?<br>6. *To what extent were voter education efforts by various groups before each of the Presidential elections complimentary? | | | | | | | | | | | | | | | | | | | | | | | |
| **5. Voter registration** | ➢ Automatic or voluntary registration<br>➢ Appointment and training of registration personnel<br>➢ Adequate time for registration and access to registration stations<br>➢ Rules for public scrutiny of voters register<br>➢ Complaint procedures | ➢ At least 50% of registerable voters should be registered.<br>➢ Level of multiple registrations should be at barest minimum.<br>➢ Functional procedures for attending to voter registration complaints across the entire country | 7. What was the level of voter registration before each of the Presidential elections?<br>8. *What was the level of multiple registrations before each of the Presidential elections?<br>9. *To what extent were voter registration complaints procedures functional across the country before each of the Presidential elections? | | | | | | | | | | | | | | | | | | | | | | | |
| **6. Access to and design of the ballot,** | ➢ Registration of parties/ candidates | ➢ Ballot papers should reflect diversity of political opinions by being acceptable to | 10. *To what extent was the ballot paper design acceptable to parties and candidates during each of | | | | | | | | | | | | | | | | | | | | | | | |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **nomination and registration of parties and candidates** | ➢ Rules about independent candidates<br>➢ Mechanism for ballot paper access<br>➢ Ballot paper design | parties and candidates.<br>➢ All qualified parties and candidates should be captured in the ballot paper. | the Presidential elections? | | | | | | | | | | | | | | | | | | | | | | | |
| **7. Campaign regulation** | ➢ Spending rules<br>➢ Public funding of party expenditure/ campaign costs<br>➢ Access to public media<br>➢ Rules for meetings and rallies<br>➢ Codes of conduct<br>➢ Rules for handling of violations of codes of conduct and campaign regulations | ➢ Formula for the distribution of funding to parties should be acceptable<br>➢ Reasonably equal access to public media should be guaranteed. | 11. *To what extent was the formula for the distribution of public funding to parries acceptable before each of the Presidential elections?<br>12. *To what extent was there reasonably equal access to public media before each of the Presidential elections? | | | | | | | | | | | | | | | | | | | | | | | |
| **8. Polling** | ➢ Plan for distribution and location of polling places<br>➢ Appointment and | ➢ At least 75% of polling stations should be functional across the country.<br>➢ Polling personnel | 13. To what extent were polling personnel functioning in accordance with their expected roles during each of the Presidential elections? | | | | | | | | | | | | | | | | | | | | | | | |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | training of polling station personnel<br>➢ Procurement of polling materials<br>➢ Polling observation by representative of political parties and candidates as well as by local and international observations<br>➢ Security and integrity of polling<br>➢ Clear rules for assistance to incapacitated voters | should not be seen as partisan and biased.<br>➢ Relative security of polling stations.<br>➢ Functional procedures for observation by party agents | 14. To what extent were polling stations across the country secure during each of the Presidential elections?<br>15. To what extent were procedures for observation functioning during each of the Presidential elections? | | | | | | | | | | | | | | | | | | | | | | |
| **9. Counting and tabulating the vote** | ➢ Counting procedures established<br>➢ (including whether to count at polling station level or at counting centers)<br>➢ Availability of counting results to party agents and others at the lowest level of | ➢ Ballot papers should be counted in accordance with the law.<br>➢ Counting should be done without undue delay.<br>➢ Functional procedures for observation of counting<br>➢ Interested parties | 16. *To what extent was counting conducted without undue delay after each of the Presidential elections?<br>17. *To what extent was observation procedure functional during counting in each of the Presidential elections? | | | | | | | | | | | | | | | | | | | | | | |

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| | counting immediately after completing the count<br><br>➢ Access for interested parties to observe the count and request a recount | should be provided with copies of counting tallies | | | | | | | | | | | | | | | | | | | | | | | | |
| **10. Resolving election related disputes and complaints, verification of final results. Certification** | ➢ Provisions for special electoral courts and/ or adjudication system<br><br>➢ Time limits for handling election disputes and complaints<br><br>➢ Verification of the final results.<br><br>➢ Certification of the election | ➢ Functional procedures for the adjudication of election complaints.<br><br>➢ Election disputes handled without undue delay. | 18. *To what extent was election related disputes handled without undue delay after each of the Presidential elections? | | | | | | | | | | | | | | | | | | | | | | | |
| **11. Election results implementation** | ➢ Procedures for taking office | ➢ Elected candidates to take office as and when due. | 19. *To what extent did elected candidates take office as and when due after each of the | | | | | | | | | | | | | | | | | | | | | | | |

| | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Presidential elections? | | | | | | | | | | | | | | | | | | | | | | |
| **12. Post election procedures** | ➢ Provisions for publication of election results at all levels of electoral administration<br>➢ EMB subject to ordinary accounting | ➢ Election results should be made available to all interested parties. | 20. *To what extent was election results made available to all interested parties without undue delay after each of the Presidential elections? | | | | | | | | | | | | | | | | | | | | | | |
| **TOTAL PERCENTAGE OF AVERAGE RATINGS** | | | | | | | | | | | | | | | | | | | | | | | | | |

**KEY:**

5 = Very good **OR** Very high

4 = Good **OR** High

3 = Fair **OR** Moderate

2 = Poor **OR** Low

1 = Very poor **OR** Very low

The first two columns of the data collection instrument as contained in table: 3.3 (questionnaire/ interview schedule) represent the steps in the electoral administration process; and the important elements of each step in the electoral process respectively. The third column represents the immediate identifiable objective of steps in the electoral process and the fourth column represents the elements to gauge the effectiveness and success of the steps in the electoral administration process. Thus, the 20 questions in the fourth column represent the interview and questionnaire schedule for the study. Lastly, the sixth column is where the respondents indicate their ratings of the electoral administration process. The questions in the questionnaire have been structured so as to elicit responses that determine the degree to which the goals of each step in the election administration process was achieved. Four sets (one for each of the presidential elections understudy) of the questionnaires were administered. It should also be noted that the questionnaires administered were exclusive to each category of respondents and not as indicated in table 3.3. The questions marked * were also not contained in the set of questionnaires administered to voters; as not all voters are in a position to answer such questions.

### 3.5 LEVEL OF MEASUREMENT AND METHOD OF DATA PRESENTATION

As depicted in table 3.3, the level of measurement adopted for this study is the nominal scale. The nominal scale; also called dummy coding simply places people, events, perception etc into categories based on some common traits. While some data such as males vs. females, Africans vs. Europeans etc are naturally suited to the nominal scale, others; as in the perception of the key stakeholders identified for data collection in this study are not. Hence, the nominal scale of 1-5 used for the quantification and categorization of the responses of respondents.

Following the administration of the questionnaires, the percentage of the average ratings of all the categories of responses for each of the Presidential elections understudy was

calculated and compared so as to facilitate the analysis of the assumptions of the study. Quantities of data gathered were presented in tables. Line graphs were also used in the presentation of quantities in order to properly illustrate the trend of the electoral administration process overtime.

## CHAPTER FOUR

## THE STRUCTURE OF INEC AND THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

EMB's are classified according to different criteria; and they are differently placed in different state structures. They are said to follow a "governmental approach" when elections are run by regular civil servants; a "judicial approach" when judges are selected to administer elections; a "multi party approach" when party representatives compose the electoral body or an "expert approach" when political parties designate by consensus a group of experienced individuals renowned for their independence (Garber 1994; Harris, 1997). A more complex three fold classification of EMB's has been formulated on the basis of structural characteristics that combine recruitment methods with functions performed: permanent; independent national electoral commissions, the centralized electoral system or the government ministry (Klein 1995).

In addition, the institutional shape of EMB's varies with a country's political and cultural traditions and its experience of democratic development (Pinto, 2000: 20). Table 4.1 presents a threefold categorization of the structure of EMB's across the globe.

**TABLE 4.1: A GLOBAL CATEGORIZATION OF THE STRUCTURE OF ELECTION ADMINSTRATION**

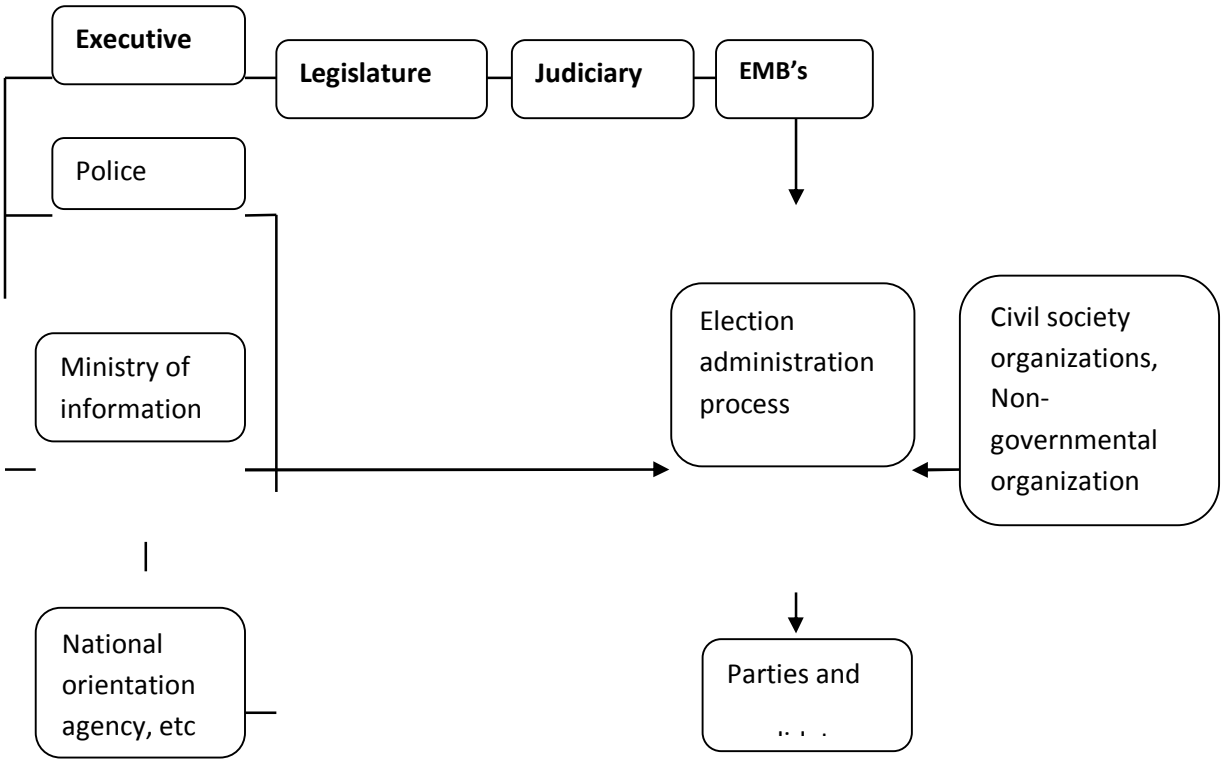
| Institutional models | North America western Europe (%) | Latin America Caribbean (%) | Asia and the pacific (%) | Middle East and the Maghreb (%) | East and Central Europe (%) | Sub-Saharan Africa (%) | TOTAL (%) | Number of cases per institutional model (%) |
|---|---|---|---|---|---|---|---|---|
| **Government runs the elections** | 43 | 12 | 30 | 45 | ___ | 8 | 20 | 29 |
| **Government under supervisory authority (Mixed model)** | 43 | 18 | 7 | 33 | 33 | 39 | 27 | 40 |
| **Independent electoral commissions** | 14 | 70 | 63 | 22 | 67 | 53 | 53 | 79 |
| **TOTAL** | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 148 |
| **Number of cases per region** | 21 | 34 | 30 | 9 | 18 | 36 | 148 | |

***Source:*** ***Pintor .R.L (2000), Electoral Management Bodies as Institutions of Governance, Bureau For Development Policy, United Nations Development Programme. Pp25***

As can be seen in table 4.1, while some patterns notably elections run by the executive branch alone remained tied to history, the more general trend worldwide, particularly in the new democracies of Latin America, Asia, East and Central Europe and Africa is movement towards an independent electoral commission. Thus, most EMB's are enshrined in constitutions as mechanisms to limit sudden change by executive action or ordinary legislative process. This is

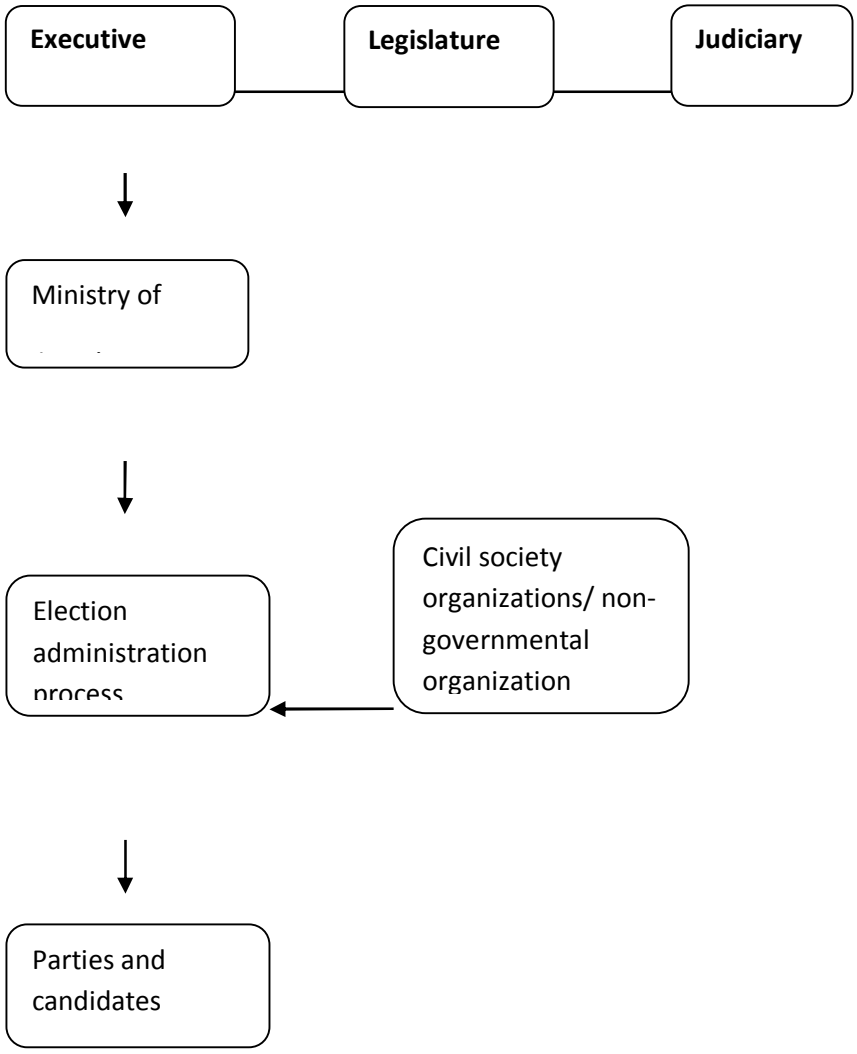
the case in some Latin American countries like Costa Rica and Venezuela; where the constitution establishes the electoral authority as a fourth branch of government with the status of the executive, legislature and the judiciary. While many of the new democratizing states of Africa have given their EMB's constitutional status, very few of the EMB's in Africa have actually been established as the "fourth arm of government". The Nigerian case which is examined in the following section is illustrative.

**FIGURE 4.1: A GRAPHIC ILLUSTRATION OF EMB's AS THE FOURTH INSTITUTTION OF GOVERNMENT (THE INDEPENDENT MODEL)**



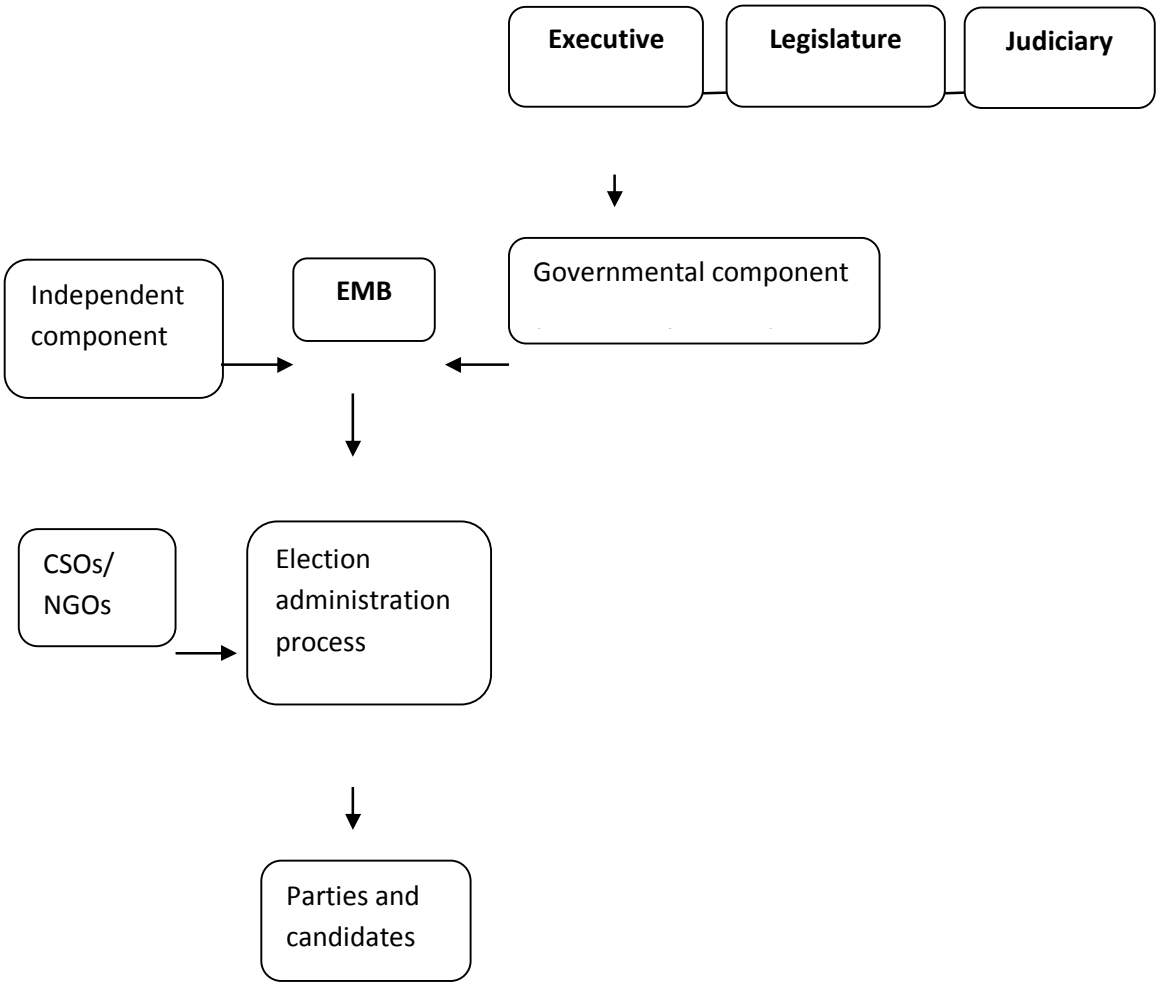

***Source: Developed by author with insights from Pintor .R.L (2000), Electoral Management Bodies as Institutions of Governance, Bureau for Development Policy, United Nations Development Programme.***

**FIGURE 4.2: A GRAPHIC ILLUSTRATION OF ELECTION ADMINSTRATION AS AN AGENCY OF THE GOVERNMENT**




***Source: Developed by author with insights from Pintor .R.L (2000), Electoral Management Bodies as Institutions of Governance, Bureau for Development Policy, United Nations Development Programme.***

**FIGURE 4.3: A GRAPHIC ILLUSTRATION OF A MIXED MODEL OF ELECTION ADMINSTRATION**




***Source: Developed by author with insights from: International IDEA (2006),***

***Election Management Design Handbook, International IDEA, South Africa. PP 10***

**TABLE 4.2 CHARACTERISTICS OF THE THREE MODELS OF EMB's**

| Aspect of the model and the components of EMB | Independent model | Governmental model | Mixed model | |
|---|---|---|---|---|
| | | | Independent component | Governmental component |
| **Institutional arrangement** | Is institutionally independent from the executive branch of government | Is located within or under the direction of a department of state and or local government | Is institutionally independent from the executive branch of government | Is located within or under the direction of a department of state and or local government |
| **Implementation** | Exercises full responsibility for implementation | Implementation is subject to executive branch of government direction | Has autonomy to monitor or supervise; and in some cases set policy for implementation | Implementation is subject to executive branch of government direction, and monitoring or supervision and fin some cases policy setting by independent component |
| **Formal accountability** | Does not report to executive branch of government, but with very few exceptions is formally accountable to the legislature, judiciary or head of state | Fully accountable to executive branch of government | Does not report to executive branch of government, and is formally accountable to the legislature, judiciary or head of state | Fully accountable to the executive branch of government |
| **Powers** | Has powers to develop the electoral regulatory framework independently under the law* | Powers are limited to implementation | Often has power to develop electoral regulatory framework independently under the law, monitor or supervises those who implement elections | Powers are limited to implementation |
| **Composition** | Is composed of members who are outside the executive branch while in EMB office | Is led by a minister or a public servant; with few exceptions has no members only a secretariat | Is composed of members who are outside the executive branch while in EMB office | Is led by a minister or a public servant; has no members only a secretariat |
| **Term of office** | Offers security of tenure, but not necessarily fixed term of office | Usually no members. Secretariat staff are civil servants whose tenure is not secured | Offers security of tenure, but not necessarily fixed term of office | Term of office is not secured |

| | | | | |
|---|---|---|---|---|
| **Budget** | Has and manage its own budget independent of day-to-day government control | Budget is component of government ministry's budget or local authority's budget | Has a separately allocated budget | Budget is component of government ministry's budget or local authority's budget |

***Source:*** ***International IDEA (2008), Election Management Design Handbook, International IDEA, South Africa. Pp 11***

## 4.1 THE STRUCTURE AND FUNCTIONS OF INEC

INEC was established by Section 153 of the 1999 Constitution of the federal republic of Nigeria as a corporate body with perpetual succession and may sue and be sued in its corporate name. According to part one (1) of the third schedule of the 1999 constitution of Nigeria, sub section 15, INEC has the power to:

a. Organize, undertake and supervise all elections to the offices of the President and Vice President, the Governor and Deputy Governor of a state and to the membership of the Senate, the House of Representatives and the House of Assembly of each state of the federation.

b. Register political parties in accordance with the provisions of the constitution and act of the National Assembly.

c. Monitor the organization and operation of the political parties, including their finances.

d. Arrange for the annual examination and auditing of the funds and account of political parties and publish a report on such examination and audit for public information.

e. Arrange and conduct the registration of persons qualified to note and prepare, maintain and revise the register of voters for the purpose of any election under the constitution.

f. Monitor political campaigns and provide rules and regulations which shall govern the political parties.

g. Ensure that all electoral commissioners, electoral and returning officers take the oath of office prescribed by law.

h. Delegate any of its powers to any resident electoral commissioners

i. Carryout such other functions as may be conferred upon it by an act of the National Assembly (1999 Constitution of Nigeria).

In addition to the functions assigned by the 1999 Constitution, the INEC establishment acts of 1998 gives the commission the power to:

a. Conduct voter and civic education

b. Promote knowledge of sound democratic electoral processes; and

c. Conduct any referendum required to be conducted pursuant to the provision of the 1999 constitution or any other law or act of the National Assembly.

Sections 197 – 205 of the Constitution also provide for the establishment of State Independent Electoral Commission (SIEC) for each state of the federation. INEC has its Headquarters in Abuja, with offices in the capital cities of the thirty-six (36) States, including the Federal Capital Territory (FCT) as well as in the 774 Local Government Areas in the country.

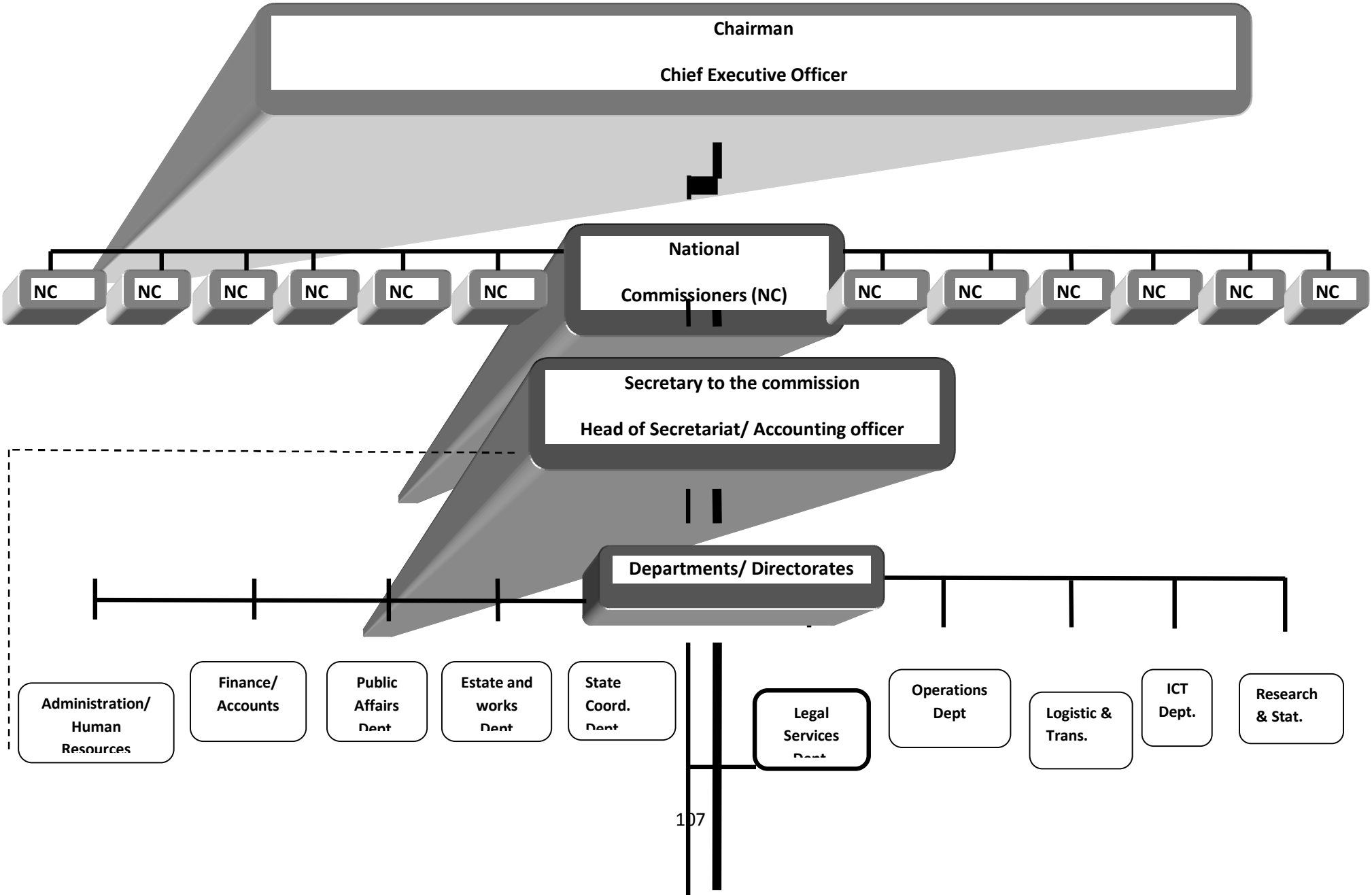
According to section 14, Part 1 of the Third Schedule of the 1999 Constitution, INEC shall comprise the following members:- A Chairman, who shall be the Chief Executive officer; and - Twelve other members to be known as National Electoral Commissioners. Section 14 also stipulates that the Chairman and the National Electoral Commissioner shall be persons of unquestionable integrity; and shall not be less than 50 years and 40 years old respectively. The Constitution also provides for the appointment of a Resident Electoral Commissioner for each State of the Federation and the Federal Capital Territory Abuja.

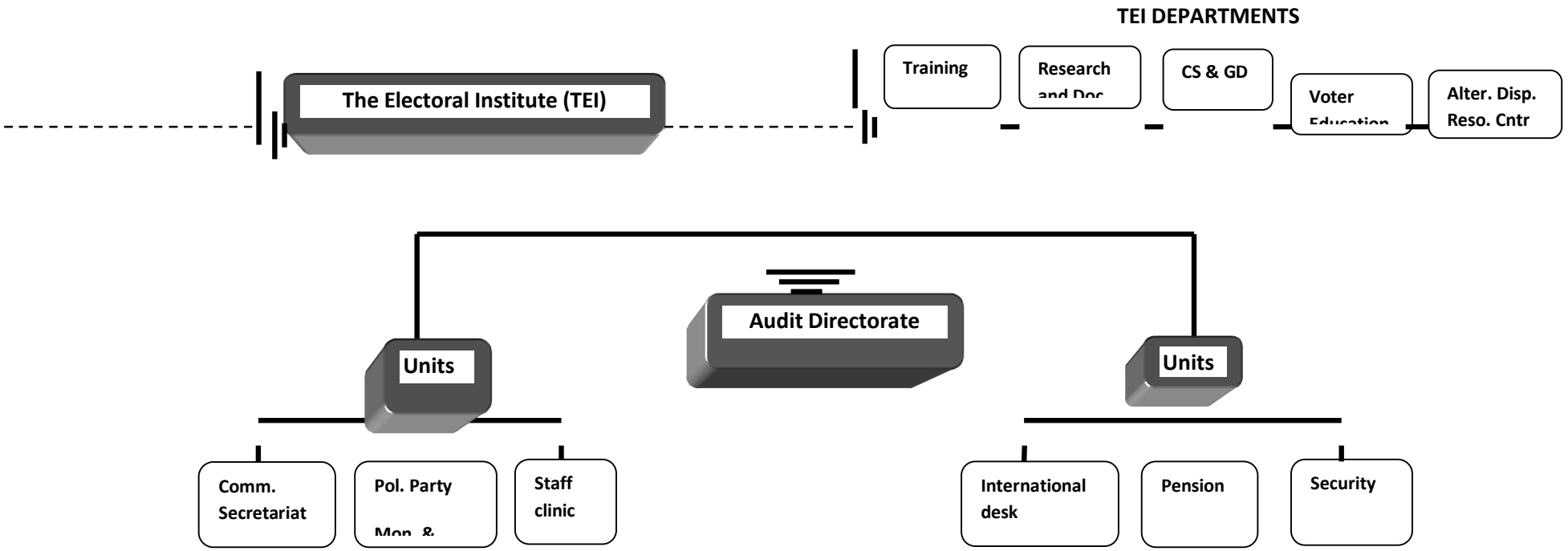
At the apex of the organizational structure of INEC is the Chairman who serves as the Chief Executive Officer of the Commission; who together with the 12 National Electoral Commissioners constitutes the policy-making organ. Until the introduction of the 2006 electoral

act, the Nigerian President had the power to appoint someone from the ranks of Federal Permanent Secretaries to serve as the Secretary to the Commission. Such an individual is also usually the Accounting Officer and Head of the Secretariat. The Commission, at the National Headquarters, functions through Departments and Directorates as shown in figure. 4.4. In June 2005 the electoral institute was established within INEC for the purpose of the following objectives:

1. Facilitate capacity building and professionalism in the commission through training and manpower development of the commission's staff.
2. Engage in vigorous voter education activities with a view to achieving an increased and effective participation of the electorate in the electoral process.
3. Carry out electoral research and documentation (Igbani 2006: 56).

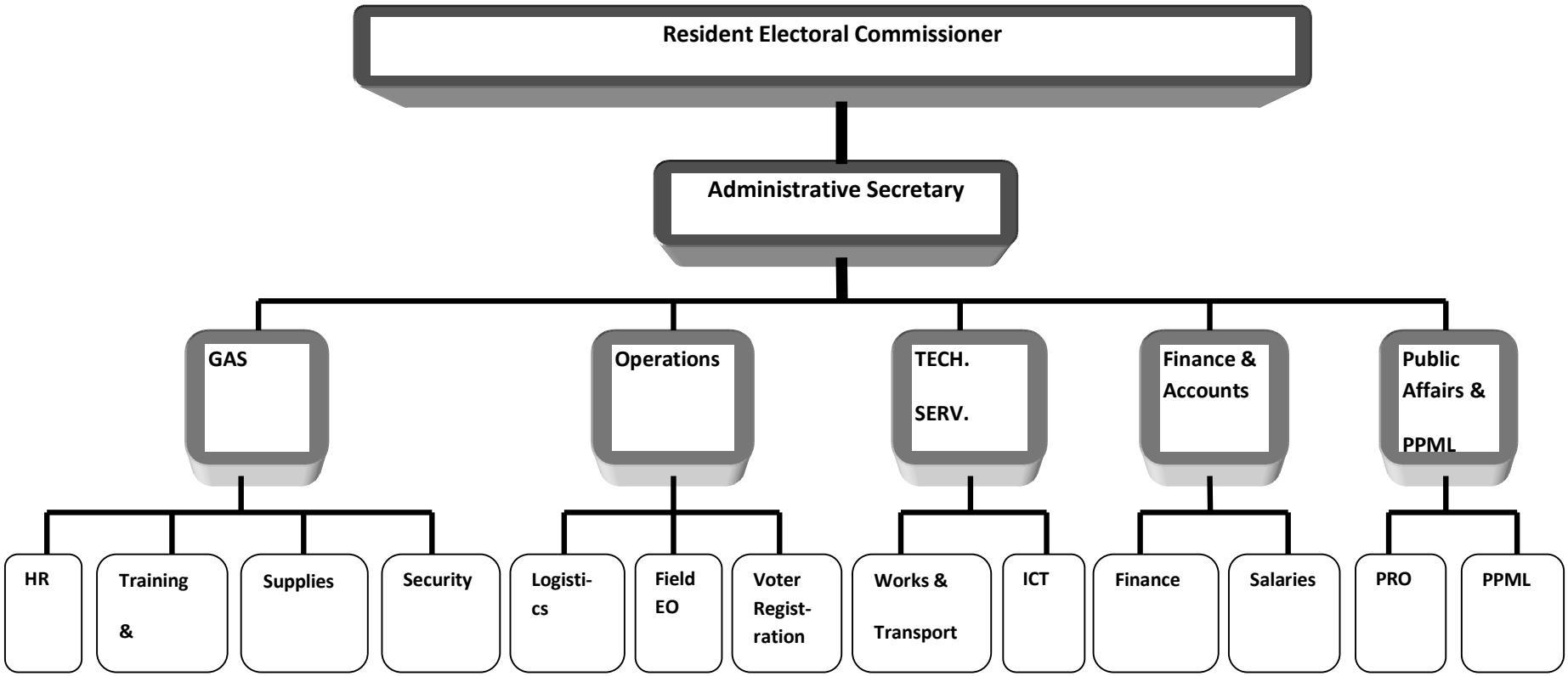
**FIGURE: 4.4 AN ORGANIZATIONAL STRUCTURE OF INEC HEADQUATERS**





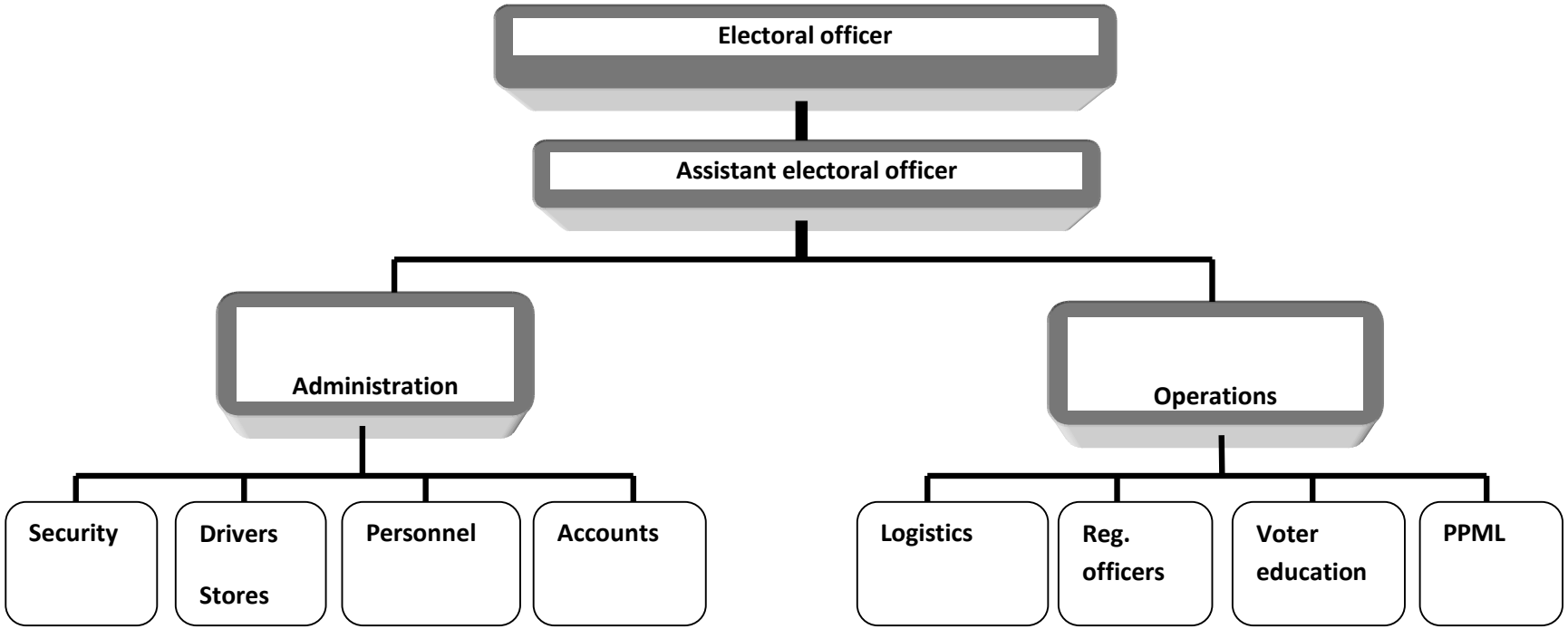

***Source: Research and Statistics Department INEC Headquarters, 2011***

**FIGURE 4.5: AN ORGANIZATIONAL STRUCTURE OF INEC STATE OFFICES**




*Source: Research and Statistics Department INEC Headquarters, 2011*

**FIGURE: 4.6 ORGANIZATIONAL STRUCTURE OF INEC LOCAL GOVERNMENT OFFICES**




***Source: Research and Statistics Department INEC Headquarters, 2011***

## 4.2 STRUCTURAL DEPENDENCE OF INEC AND THE ADMINSTRATION OF ELECTIONS IN NIGERIA

There are two crucial areas in the structure of INEC which compromises its independence; with implications for the electoral administrative process and the sustainability of democracy in Nigeria. These are: the method of constituting the electoral management team (commissioners) and the funding of INEC.

### 4.2.1 THE CONSTITUTION OF THE ELECTORAL MANAGEMENT TEAM (COMMISSIONERS)

There are two methods of determining the profile of members of electoral commissions. The first option involves appointing only members who are not partisan or politically inclined, while the second option involves the appointment of people on the basis of their political affiliation. In essence, the neutrality expected of the electoral commission may take two forms:

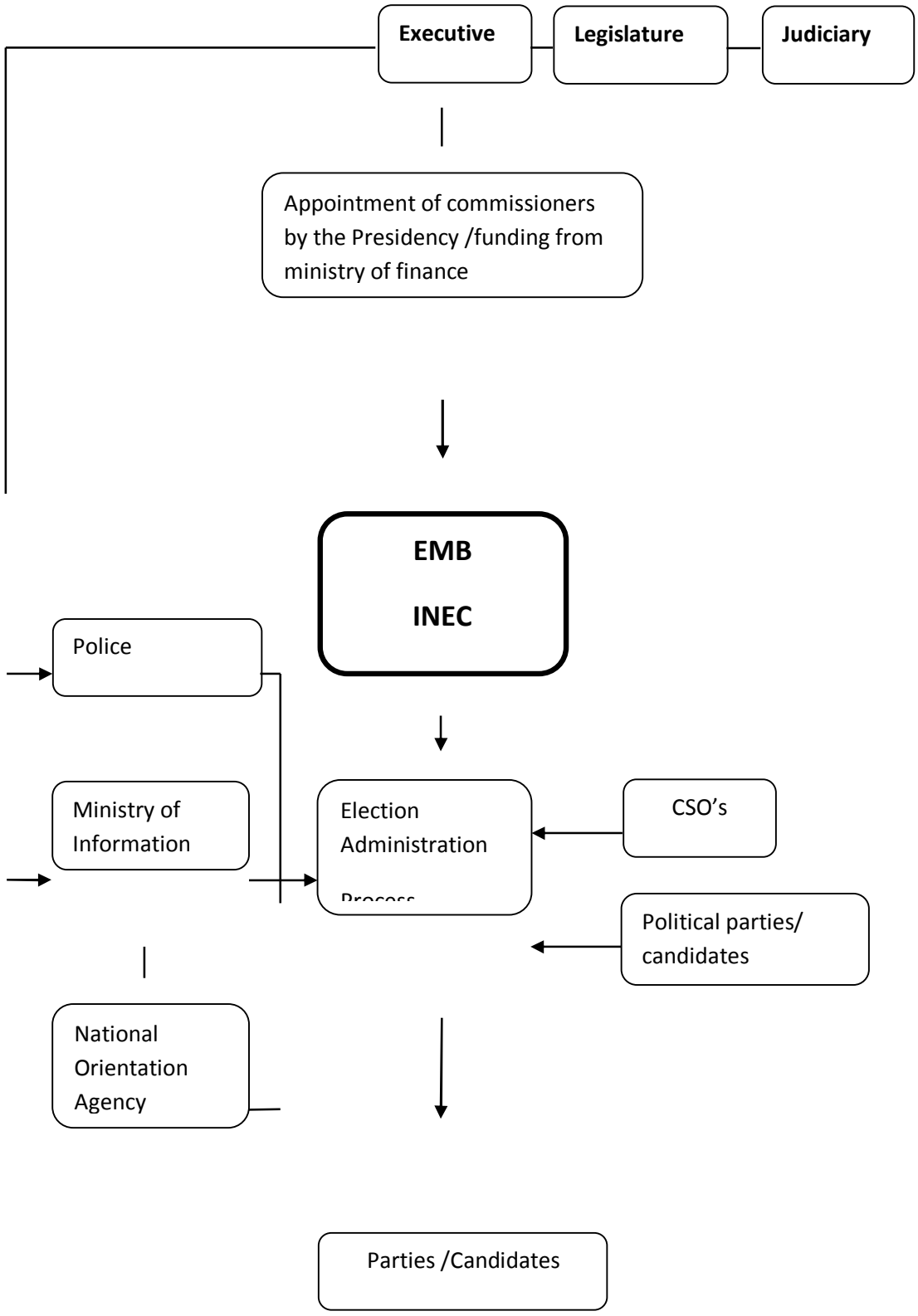
I. Either a deliberate consideration of the political dimension; with the risk of partiality which is expected to be averted through a balanced representation of political forces; or

II. An exclusion, in principle of any political consideration, which is manifested not only in the exclusion of political parties in the selection of the members of the commission, but also in the demand for non-partisan affiliation of members to be appointed into the commission (Hounkpe and Fall, 2011:11). This has supposedly, been the case in the constitution of members of all Nigeria's electoral commissions including INEC.

In the appointment of electoral commissioners Section 154 (1) of the 1999 constitution of Nigeria empowers the President to appoint the chairman and commissioners of INEC subject to the confirmation by the senate. Although this provision was not operational in the 1999

elections, the TMG (2010) maintained that it ensured that former President Olusegun Obasanjo appointed members of his political party -the PDP as commissioners; who served in the electoral commission during the conduct of the 2003, 2007 and even to the 2011 Presidential elections. The civil society organization (TMG) maintained that most of the national commissioners and particularly, the resident electoral commissioners (REC's) were nominated by PDP governors from their respective states. Indeed, this problem is compounded by section 156 (1) of the 1999 constitution of Nigeria which states that no person shall be qualified to be a member of INEC if he is not qualified or if he is disqualified for election as a member of the house of representatives.

**FIGURE 4.7: A GRAPHIC ILLUSTRATION OF NIGERIA'S ELECTION ADMINSTRATION SYSTEM**



***Source: Developed by author with insights from fieldwork***

As can be seen in Fig 4.7 Nigeria's election administration system does not conform to the independent model (as in fig 4.1), the governmental model (as in fig 4.2) or the mixed model (as in fig. 4.3). In fact, there is either, an apparent confusion as to which model of election administration to operate in Nigeria or a deliberate complication of the structure of the election administration system in the country. While INEC is presented and labeled as an "independent body" it has in reality been constituted as an extension of the executive (fig 4.7 is indicative). The personal observation of the researcher corroborates this fact. For example it was observed in all the INEC offices visited across Nigeria that the official vehicles of INEC; including the Toyota land cruiser jeeps of the commissioners were tagged "Presidency". Thus, to what extent can INEC be independent when even its logistics is tied to the executive? Furthermore, it will be noticed in fig 4.7 that there are other institutions controlled directly by the executive which play important roles in the electoral administration process. The police for example provide security; while the ministry of information and the national orientation agency play important roles particularly in the area of voter education. Civil society organizations also play important roles in the area of voter education in Nigerians election administration process. However, more worrisome is the role played by political parties (through state governors and local government chairmen) in the electoral administration process. Political parties in Nigeria are not members of the management team of INEC; yet, apart from being subordinated to the electoral administration process, political parties and candidates also play a part in the administration of elections in Nigeria. Information gathered from focused group discussions amongst INEC permanent staff indicated that political parties and candidates provided part of the logistics for the administration of elections; with a view to influencing the outcome of the process in their

favour. For example in the voter registration exercise of 2002 an 2006 generators for powering the computers used for registration and accommodation for electoral officers was provided by parties through the state governors and local government chairmen. When asked if the commission (INEC), had not made any arrangements for the logistics of the elections the respondents noted that except for the activities leading to the 2011 general election, in the 1999, 2003 and 2007 elections, the commission told electoral officers to liaise with their governors and local government chairman for logistics! This reality is corroborated by the chairman of INEC who noted with regards to the logistics of the 2011 general elections:

> …we met a budget on ground and you are aware that the 2010 appropriations were reduced. That budget cut also affected us because while we were requesting for 74 billion Naira for the direct data capture machines and other logistics our capital budget was reduced by 8 billion. That money was meant to address some of the infrastructural decay in our state and local government offices which are in a state of disrepair…we will be making a representation to the government on this so that we will reduce to the barest minimum the dependence of our staff on governors and local government chairmen for some logistics because we found out that some of them (INEC Staff) make themselves available to be used by going to the governors and local government chairmen to request one favour or the other (Daily trust 31st August, 2010).

While the foregoing statement by the INEC chair in the run up to the 2011 elections suggest attempts towards reducing the dependence of INEC on the state and local governments for logistics, it also accentuates another structural problem of the commission- funding.

### 4.2.2 THE FUNDING OF INEC

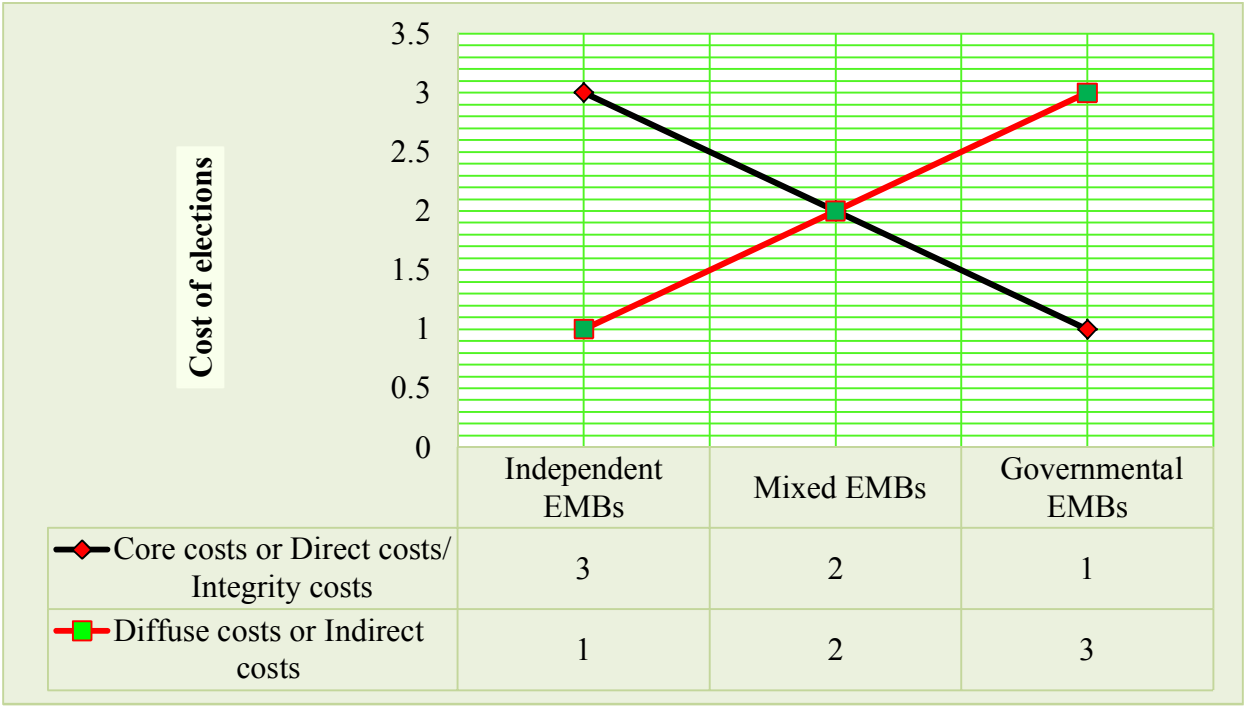
Electoral finance, seen as the cost that a country incurs as a result of the various activities undertaken by an EMB and other agencies in the conduct of an electoral process has been an object of controversy in many emerging democracies including Nigeria. Indeed, while the funding of elections may appear to be costly, the controversy surrounding electoral finance arises more from who finances the EMB and how, than from the actual cost of conducting the elections. This notwithstanding, a categorization of electoral finance for the three main models of EMB's can be made.

According to the United Nations Development Programme (UNDP) and IFES cost of registration and elections (CORE) project, electoral finance may be divided into three categories namely:

a. **CORE COST (or indirect cost):** This refers to those costs that are routinely associated with implementing an electoral process in a stable electoral environment.
b. **DIFFUSE COST (or indirect cost):** This refers to those cost for electoral related services that cannot be disentangled from the general budget of agencies that assist with the implementation of an electoral process; and
c. **INTEGRITY COST:** This refers to those cost over and above the core costs that are necessary to provide safety, integrity, political neutrality and a level playing field for an electoral process. Integrity costs are often largely sponsored by the donor community; and may not be included in EMB budgets, even though they cover functions within the EMB's mandate (international IDEA, 2008).

According to the CORE project of IFES, core costs are proportionally highest in stable democracies (or what may be referred to in the context of this research as sustained democracies); as progress towards democratic sustainability tends to lead to a decrease in integrity cost and an increase in core costs. Furthermore, the CORE project of IFES further suggests that diffuse cost tend to be higher in stable (sustained) democracies; especially in Western Europe and North America, where electoral processes are more likely to be implemented by governmental EMBs under the governmental or mixed model of election administration. EMBs under the independent model are however more likely to have sole responsibility for electoral functions; and thus higher levels of readily identifiable direct cost and a lower level of diffuse cost than EMBs under the governmental or mixed model; Figure 4.8 is indicative.

**FIGURE 4.8: ELECTORAL FINANCE IN DIFFERENT EMB MODELS**




***SOURCE:*** ***Developed by author with insights from International IDEA (2008), Election Management Design Handbook, International IDEA, South Africa.***

In line with figure 4.8, INEC alone bears the core costs of election administration in Nigeria. According to section 3 (1) of the 2006 electoral act; there is to be established for the commission a fund to be known as the independent national electoral commission fund. Section 3(2) of the electoral act 2006 identifies other sources of the commissions funds to include: monies allocated by the Federal Government of Nigeria to enable it exercise its constitutional functions, monies accruing to it by way of interests from investments made on the fund, and aids and grants made by development partners to facilitate its ability to carry out its functions. Furthermore, the commission subject to section 5 of the 2006 electoral act is to be funded under six budgetary heads, namely:

1. Consolidated revenue fund charges (including personal emoluments of national commissioners and resident electoral commissioners).
2. Cost comprising salaries and allowances of staff of the commission.
3. Overheads comprising office running costs, travels and transportation, the maintenance of equipment, utilities, bank charges etc.
4. Special electoral capital comprising the cost of balloting instruments (i.e. ballot papers, result sheet, ballot boxes etc).
5. Special electoral capital (including ad-hoc staff training cost, allowances of ad-hoc registration and poll officials, etc) and other structural capital (comprising the construction of buildings, purchase and installation of equipments like generators etc)
6. Purchase of vehicles etc (Ibrahim 2010: 35)

Over the years, two key issues relating to the funding of INEC have generated controversy. These are: the approval of election expenditure and the method of disbursement of approved funds on a timely basis. As can be seen in the foregoing six budgetary categories of INEC; while the salaries and allowances of commissioners are charged directly on the consolidated revenue reserves, election

expenses in Nigeria are not. This creates serious problems for the election administration process in Nigeria; as INEC has to join the queue at the ministry of finance for its funds. Indeed, given the huge capital outlay required for INECs activities, the performance of its responsibilities has largely been dependent on the government which makes decisions about funding. While for many independent EMBs, funding is a separate line item in the national budget; released directly to the EMB by the treasury, this is not the case in the Nigerian situation. As a result, the disbursement of funds to INEC has not always been timely. For example, in the run up to the 2003 elections, INEC cried out three times for funds enable it carry out its statutory responsibilities (LEMT 2003). The delay in the release of the funds affected the commissions operations to the extent that it severely constrained the over half a million ad-hoc staff of various categories (polling assistants, polling clerks, presiding officers, supervisory presiding officers, collation officers and returning officers) recruited to run the over 120,000 polling stations and collation centers in the country (Ibrahim, 2010:35-36). As was gathered from focused group discussions with INEC staff; it also manifested in the delay in embarking on voter registration, the holding of stake holders' dialogues and procurement and acquisition processes. In the run up to the 2007 elections the situation was not different. The late preparation and training of ad-hoc staff and the delay in the distribution of INEC guidelines on the elections to local and foreign observers also resulted from the delay in the release of funds to the commission. Similarly, in the run up to the 2011 general elections the chairman of INEC raised alarm about the negative implications the delay in the release of funds will have for the electoral process. In fact, in the case of the 2011 general elections an observer noted:

> The legislative exercise of reviewing and approving a budget for INEC was a sad display of an inherent lack of professionalism, transparency and commitment to the fundamental elements of democracy and governance. Despite adequate knowledge of the need to address INECs budgetary crisis, both houses of the legislature opted to remain on holiday. INEC chair had informed the legislature that he would need 74

> billion naira by 11th August to have any chance of conducting credible elections. The distinguished members of the senate did not convene until 10th August in what was referred to as an emergency session…such a lackadaisical attitude to the duty to promptly and adequately address the issue of funding INEC undermines the capacity of INEC and posses a direct challenge to democracy in Nigeria (Okoye, 2011).

## 4.3 THE HUMAN CAPACITY OF INEC AND THE ELECTION ADMINSTRATION PROCESS

Given the country's large voting population and extensive geography, the conduct of elections in Nigeria require an army of personnel. Between the 1999 and the 2011 general elections an average of 500,000 to 1,000,000 staff was required for the conduct of the elections in Nigeria. Since INEC has only a total of about 7,000 staff spread across its offices at the National and state levels, the reliance on ad-hoc staff for the election administration process has become inevitable.

Beyond its acknowledged constraints on electoral matters, the 1999 constitution of Nigeria actually establishes the administrative independence of INEC in the area of human capacity. Section 158 gives the commission the power to appoint and exercise disciplinary control over its staff without interference from anybody or authority. Thus, apart from the position of the chairman, the twelve national commissioners, the secretary to the commission and the resident electoral commission, INEC is bound by the public service statutory regulation to advertise all vacant positions for employment. The process also provides for the short listing of candidates who meet the stipulated requirements, and conduct of interviews for shortlisted candidates before letters of appointment is issued. All those employed through this rigorous process constitute the core staff of INEC. Indeed; "it is not clear if the core staffers of INEC are adequate in number or not" (Ibrahim 2010).

One major problem with the core staffing of INEC that impacts on the quality of the election administration is the manner in which posting on electoral assignments is done. Usually, during an

election; a core staff of INEC on grade level 11 -12 is deployed to head the election administration process at the local government level as the electoral officer (see figure 4.6). However, it was gathered in the course of this study that established criteria for posting is not always followed. Some of the staff of INEC interviewed argued that there have been instances where staffs on a lower grade level have been posted to head the electoral administration process at the local government level; even when another staff of a much higher level exists in such a local government. In fact, from the focused group discussion held with the staff of INEC it was gathered that postings on electoral assignment have in some cases been used by some management staff to reward loyal protégées; notwithstanding their qualifications. The implication of this is that the morale of staff who feels short-changed is dampened.

Besides the core staff, INEC as mentioned earlier maintains ad-hoc staff that are engaged or contracted for specific assignments prior to; or during elections. Largely unemployed, INEC's ad-hoc staff have over the years fallen cheap to the money and immediate material gains advanced by desperate politicians who view politics from the angle of investment on which profit should accrue (Ibrahim, 2010). In the run up to the 2007 elections for example, a presiding officer in Nassarawa state absconded with electoral materials meant for a polling booth where the former American secretary of state Madeline Albright was scheduled to visit as the head of the national democratic institute election observation mission (Ibrahim 2010). Indeed, except for the 2011 general elections in which Youth Corpers and some undergraduates were used as ad-hoc staff, INEC had no absolute control on the people that eventually got recruited as ad-hoc staff in the 1999, 2003 and the 2007 general elections. As a result, most of the people that eventually get recruited were either card carrying members of political parties or cronies of politicians. In the 2007 Presidential elections for example, a large number of trained ad-hoc staff were removed and replaced by unknown and untrained polling staff on the eve of the election day in Orionmwhon local government area of Edo state (EU EOM, 2007: 51). The

implication of the activities of INEC's ad-hoc staff on the election administration process is succinctly captured by Ibrahim (2010: 43):

> The consequences of having people of ulterior motives serving as ad-hoc staff in INEC has often foundered promises of free and fair elections; with the commission being the biggest culprit; lacking the capacity to manage the electoral process. This if anything casts aspersions on the professionalism, non-partisanship, non sectarianism and the expected independent credentials of the commission, *thus, impeding the sustainability of democracy.*

# CHAPTER FIVE

# DATA PRESENTATION:

## STAKE HOLDERS ASSESSMENT OF THE STRUCTURE AND PROCESS OF THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

As was noted in chapter three, four key stakeholders in the election administration process were identified as the sources of data for this study. These are INEC, political parties, CSO's and the electorate. The rationale in the identification of these categories of respondents lies in the fact that it is only by harmonizing the views of these categories of respondents that an objective appraisal of the election administrative process can be possible. Indeed, as shall become apparent in the course of the following analysis; focusing on any of the categories of respondents alone in evaluating the electoral process; particularly INEC runs the risk of an unrealistic depiction of events in the election administration process.

This chapter presents the data gathered for the verification of the assumptions of this study. The timelines of each of the Presidential elections understudy is presented; and is followed by a summary of the frequency distribution of the ratings of each of the categories of respondents for each of the elections under consideration.

### 5.1: STAKEHOLDERS ASSESSMENT OF THE 1999 PRESIDENTIAL ELECTIONS

The activities leading to the 1999 Presidential election began with the application for political party registration from 27th August to 9th of September 1998. Following the registration of political parties, local government elections held on the 5th of December, 1998, while House of Assembly

elections and gubernatorial elections held on the 9th January 1999. Elections to the National Assembly took place on the 20th February 1999, and lastly, the Presidential elections held on the 27th February 1999. The timetable of activities for the 1999 General elections is summarized in table 5.1 below.

**TABLE: 5.1 TIMETABLE OF ACTIVITIES FOR THE 1999 GENERAL ELECTIONS**

| DATE | ACTIVITY |
|---|---|
| 27th August-9th September 1998 | Application for party registration |
| 5th December, 1998 | Local Government Area elections |
| 9th January, 1999 | House of Assembly/ Gubernatorial elections |
| 20th February 1999 | National Assembly elections (Senate /House of Representatives) |
| 27th February, 1999 | Presidential elections |

***Source: Compiled by author***

As in table 5.1 above, the 1999 General election began with elections at the local level and culminated with elections at the Presidential level. The 1999 General elections timetable was subsequently promulgated as Decree no. 34 of 1998. Two political parties contested the Presidential elections as in table 5.2.

**TABLE 5.2 PARTIES AND CANDIDATES FOR THE 1999 PRESIDENTIAL ELECTIONS**

| PARTIES | CANDIDATES |
|---|---|
| All Peoples Party (APP)/ Alliance for Democracy (AD) Alliance | Chief Olu Falae |
| Peoples Democratic Party (PDP) | General Olusegun Obasanjo (rtd) |

***Source: Compiled by author***

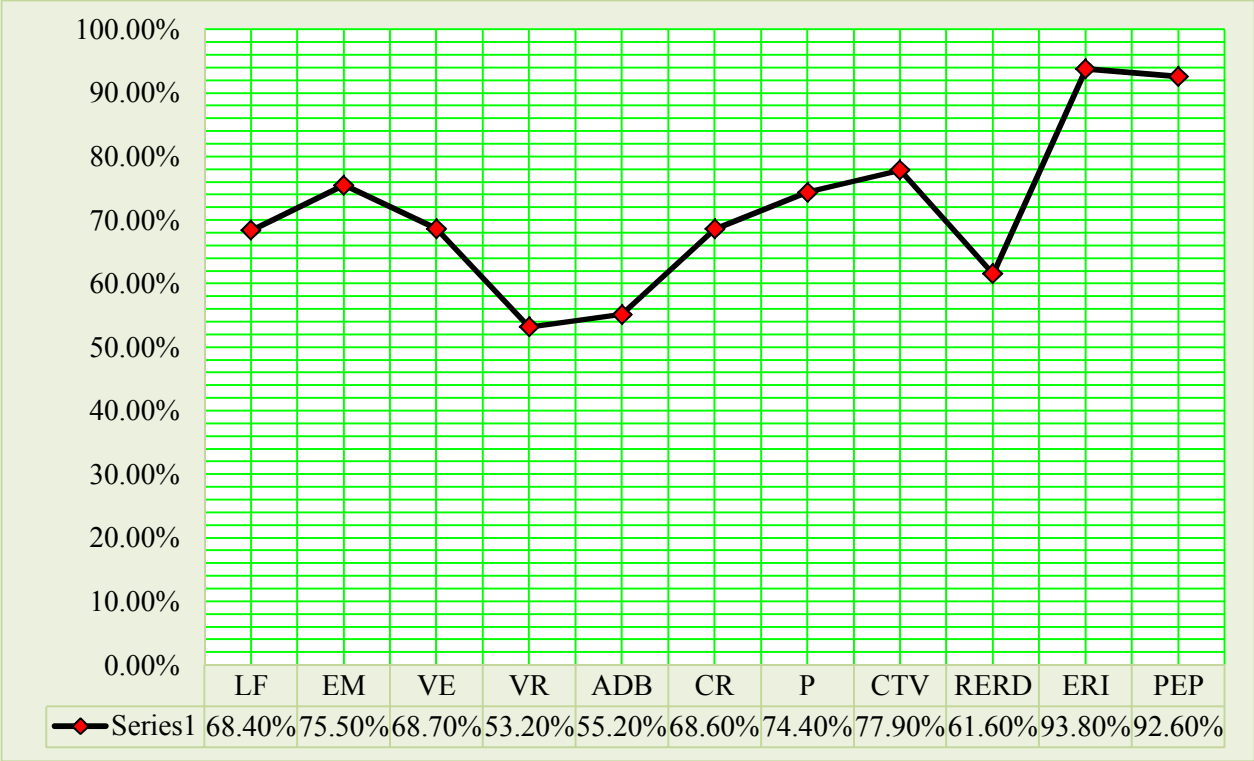
**TABLE 5.3: INEC RESPONDENT'S ASSESSMENT OF THE 1999 PRESIDENTIAL ELECTION**

| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of INEC respondents | | Percentage of average ratings |
|---|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $4^{41} + 3^{23} + NR^4$ | | 3.42 | 68.4% |
| 2. EM | 2. Neutrality of the election management team | $5^{21} + 4^{47}$ | 4.3 | | |
| | 3. Sufficiency of resources | $3^{54} + 4^9 + 2^2 + NR^3$ | 2.97 | | |
| | 4. Transparency of INEC | $5^{12} + 4^{54} + NR^2$ | 4.058 | 3.77 | 75.5% |
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $4^{27} + 3^{41}$ | 3.39 | | |
| | 6. Complimentarity of voter education efforts | $4^{33} + 3^{35}$ | 3.48 | 3.43 | 68.7% |
| 5. VR | 7. Extent of voter registration | $4^{28} + 3^{40}$ | 3.41 | | |
| | 8. Extent of multiple registrations | $3^4 + 2^{33} + 1^{31}$ | 1.6 | | |
| | 9. Functionality of voter registration complaints | $4^6 + 3^{54} + 2^8$ | 2.97 | 2.66 | 53.2% |
| 6. ADB | 10. Acceptability of ballot paper design | $5^{42} + 4^{19} + NR^7$ | | 2.76 | 55.2% |
| 7. CR | 11. Acceptability of funding formula to parties | $4^{44} + 3^{20} + NR^4$ | 3.47 | | |
| | 12. Equality of access to public media | $4^{27} + 3^{41}$ | 3.39 | 3.43 | 68.6% |
| 8. P | 13. Functionality of polling station personnel | $4^{44} + 3^{24}$ | 3.64 | | |
| | 14. Security of polling station | $4^{46} + 3^{22}$ | 3.67 | | |
| | 15. Functionality of observation during polling | $5^{19} + 4^{26} + 3^{21} + NR^2$ | 3.85 | 3.72 | 74.4% |
| 9. CTV | 16. Promptness of counting | $5^{30} + 4^{25} + 3^{13}$ | 4.25 | | |
| | 17. Functionality of observation during counting | $5^{19} + 4^{35} + 3^2 + NR^{12}$ | 3.54 | 3.89 | 77.9% |
| 10. RERD | 18. Promptness in handling of election related disputes | $4^{33} + 3^{26} + NR^9$ | | 3.08 | 61.6% |
| 11. ERI | 19. Promptness of assumption of office | $5^{47} + 4^{21}$ | | 4.69 | 93.8% |
| 12. PEP | 20. Availability of election results to parties | $5^{43} + 4^{25}$ | | 4.63 | 92.6% |
| **Average total and Percentage ratings** | | | **3.58** | | **71.78%** |

**ADMINSTRATION PROCESS**

***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

**FIGURE 5.1: INEC RESPONDENTS ASSESSMENT OF THE 1999 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

Table 5.3 and figure 5.1 indicates that the step with the highest ratings in INEC's assessment of the 1999 Presidential election administration process is election result implementation and post election procedures with ratings of 93.8% and 92.6% respectively, while the steps with the lowest ratings is voter registration and access to and design of the ballot with 53.2% and 55.2% respectively.

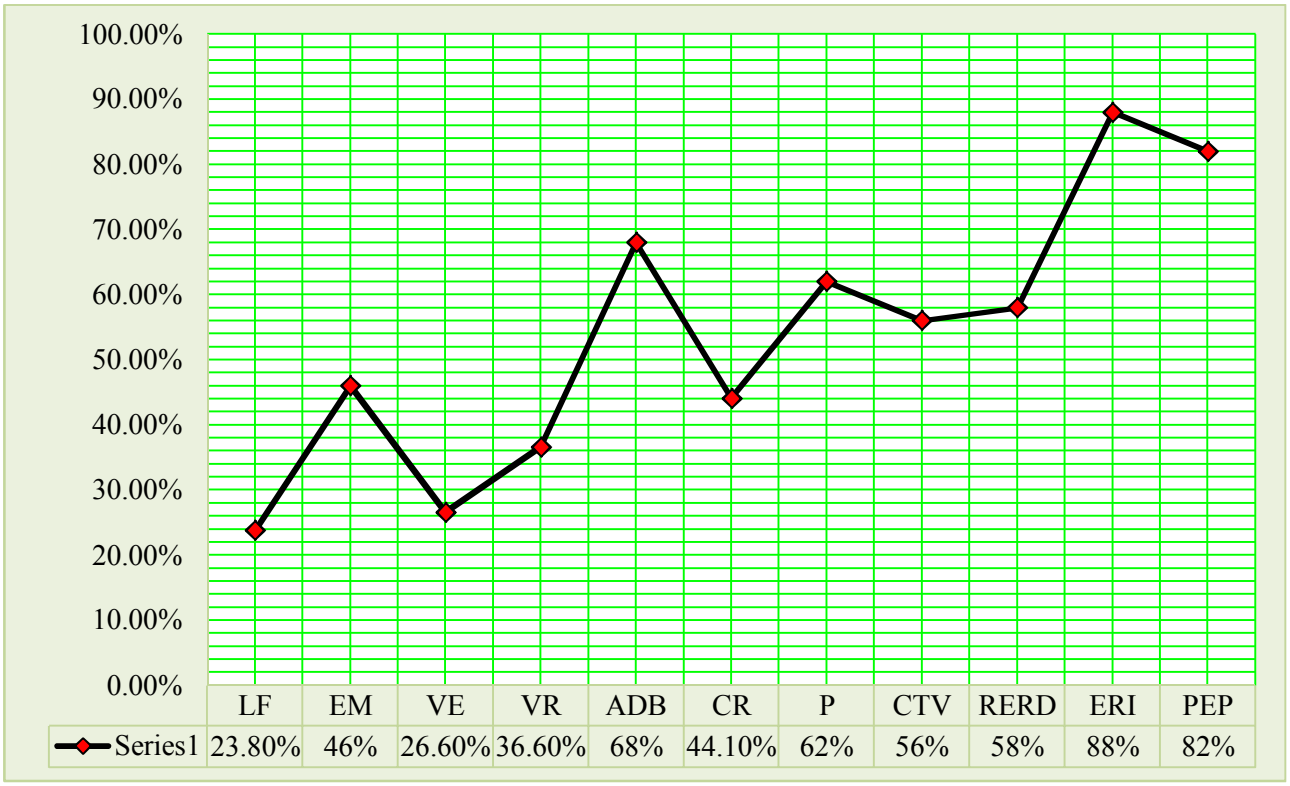
**TABLE 5.4: POLITICAL PARTY RESPONDENT'S ASSESSMENT OF THE 1999 PRESIDENTIAL ELECTION**

**ADMINSTRATION PROCESS**

| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of Political party respondents | | Percentage of average ratings |
|---|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $3^2 + 2^7 + 1^3$ | | 1.19 | 23.8% |
| 2. EM | 2. Neutrality of the election management team | $3^3 + 2^6 + NR^1$ | 2.1 | | |
| | 3. Sufficiency of resources | $3^7 + 2^4 + NR^1$ | 2.5 | | |
| | 4. Transparency of INEC | $3^3 + 2^7$ | 2.3 | 2.3 | 46% |
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $3^3 + 1^8 + NR^1$ | 1.41 | | |
| | 6. Complimentarity of voter education efforts | $3^1 + 2^1 + 1^{10}$ | 1.25 | 1.33 | 26.6% |
| 5. VR | 7. Extent of voter registration | $3^2 + 2^4 + 1^4$ | 1.8 | | |
| | 8. Extent of multiple registrations | $2^4 + 1^6$ | 1.4 | | |
| | 9. Functionality of voter registration complaints | $3^4 + 2^5 + 1^1$ | 2.3 | 1.83 | 36.6% |
| 6. ADB | 10. Acceptability of ballot paper design | $3^6 + 4^4$ | | 3.4 | 68% |
| 7. CR | 11. Acceptability of funding formula to parties | $3^3 + 2^9$ | 2.25 | 2.20 | 44.1% |
| | 12. Equality of access to public media | $3^4 + 2^7 + NR^1$ | 2.16 | | |
| 8. P | 13. Functionality of polling station personnel | $3^8 + 2^2$ | 2.8 | | |
| | 14. Security of polling station | $4^2 + 3^8$ | 3.2 | | |
| | 15. Functionality of observation during polling | $4^4 + 3^5 + 2$ | 3.3 | 3.1 | 62% |
| 9. CTV | 16. Promptness of counting | $4^2 + 3^7 + 2^3$ | 2.9 | | |
| | 17. Functionality of observation during counting | $4^2 + 3^5 + 2^2 + NR^1$ | 2.7 | 2.8 | 56% |
| 10. RERD | 18. Promptness in handling of election related disputes | $4^3 + 3^4 + 2^2 + 1$ | | 2.9 | 58% |
| 11. ERI | 19. Promptness of assumption of office | $5^7 + 3^3$ | | 4.4 | 88% |
| 12. PEP | 20. Availability of election results to parties | $4^2 + 5^2 + 3$ | | 4.1 | 82% |
| **Average total and Percentage ratings** | | | **2.68** | | **53.7%** |

***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures..*

**FIGURE 5.2: POLITICAL PARTY RESPONDENT'S ASSESSMENT OF THE 1999 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

Table 5.4 and figure 5.2, indicates that the steps in the 1999 Presidential elections with the highest ratings in the assessment of political parties is election result implementation with a total rating of 88%. On the other hand the steps with lowest ratings are the legal framework and voter education with 23.8% and 26.6% respectively.

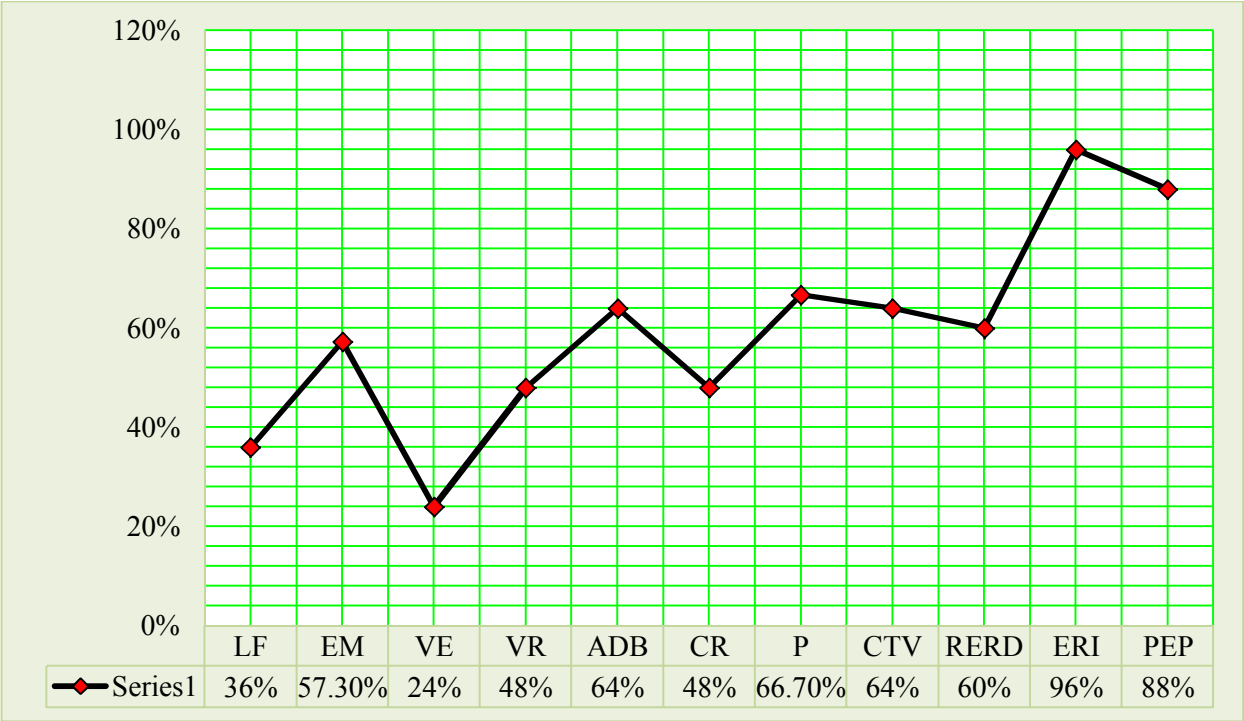
**TABEL 5.5: CSO RESPONDENTS ASSESSMENT OF THE 1999 PRESIDENTIAL ELECTION ADMINSTRATION**

**PROCESS**

| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of CSO respondents | | Percentage of average ratings |
|---|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $3^1 + 2^2 + 1^2$ | | 1.8 | 36% |
| 2. EM | 2. Neutrality of the election management team | $3^5$ | 3 | | |
| | 3. Sufficiency of resources | $3^3 + 2^2$ | 2.6 | | |
| | 4. Transparency of INEC | $3^5$ | 3 | 2.86 | 57.3% |
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $2^1 + 1^4$ | 1.2 | | |
| | 6. Complimentarity of voter education efforts | $2^1 + 1^4$ | 1.2 | 1.2 | 24% |
| 5. VR | 7. Extent of voter registration | $3^4 + 2^1$ | 2.8 | | |
| | 8. Extent of multiple registrations | $2^5$ | 2 | | |
| | 9. Functionality of voter registration complaints | $3^3 + 2^1 + 1^1$ | 2.4 | 2.4 | 48% |
| 6. ADB | 10. Acceptability of ballot paper design | $3^4 + 4^1$ | | 3.2 | 64% |
| 7. CR | 11. Acceptability of funding formula to parties | $3^2 + 2^3$ | 2.4 | | |
| | 12. Equality of access to public media | $3^2 + 2^3$ | 2.4 | 2.4 | 48% |
| 8. P | 13. Functionality of polling station personnel | $3^4 + 2$ | 2.8 | | |
| | 14. Security of polling station | $4^3 + 3^2$ | 3.6 | | |
| | 15. Functionality of observation during polling | $4^3 + 3^2$ | 3.6 | 3.33 | 66.7% |
| 9. CTV | 16. Promptness of Counting | $4^1 + 3^3 + 2^1$ | 3 | | |
| | 17. Functionality of observation during counting | $4^3 + 3 + 2$ | 3.4 | 3.2 | 64% |
| 10. RERD | 18. Promptness in handling of election related disputes | $3^5$ | | 3 | 60% |
| 11. ERI | 19. Promptness of assumption of office | $5^4 + 4$ | | 4.8 | 96% |
| 12. PEP | 20. Availability of election results to parties | $5^2 + 4^3$ | | 4.4 | 88% |
| **Average total and Percentage ratings** | | | **2.96** | | **59.25%** |

***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures..*

**FIGURE 5.3: CSO RESPONDENTS ASSESSMENT OF THE 1999 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

For the CSO's the step with the highest rating in the 1999 Presidential election is also the election results implementation with a total rating of 96%, while the step with the lowest ratings are voter education and the legal framework with ratings of 24% and 36% respectively. Table 5.5 and figure 5.3 are indicative.

**TABLE 5.6: THE ELECTORATE'S ASSESSMENT OF THE 1999 PRESIDENTIAL ELECTION ADMINSTRATION**

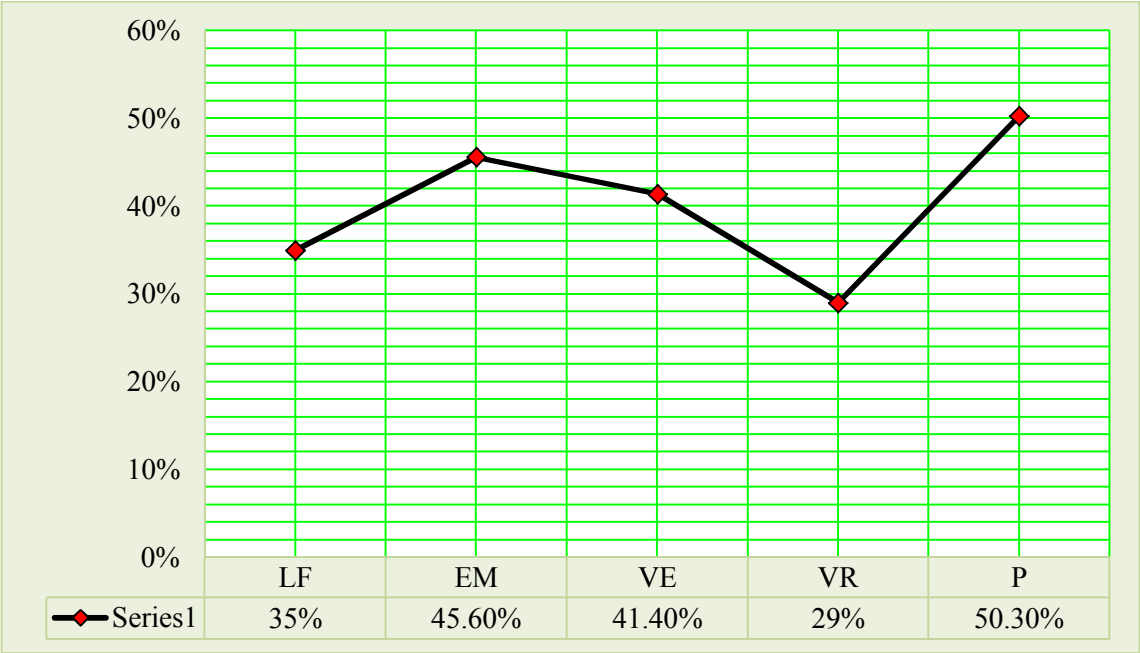
| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of the Electorate | | Percentage of average ratings |
|---|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $3^{53} + 2^{17} + 1^{7}$ NR$^{37}$ | | 1.75 | 35% |
| 2. EM | 2. Neutrality of the election management team | $3^{53} + 2^{17} + 1^{7}$ NR$^{37}$ | 1.75 | | |
| | 3. Sufficiency of resources | *Not applicable | | | |
| | 4. Transparency of INEC | $4^{30} + 3^{65} + 2^{3}$ + NR$^{16}$ | 2.81 | 2.28 | 45.6% |

**PROCESS**

| | | | | | |
|---|---|---|---|---|---|
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $3^{53} + 2^{22} + 1^{33} + NR^{6}$ | 2.07 | | |
| | 6. Complimentarity of voter education efforts | *Not applicable | | 2.07 | 41.4% |
| 5. VR | 7. Extent of voter registration | $3^{72} + 2^{19} + NR^{23}$ | 2.22 | | |
| | 8. Extent of multiple registrations | *Not applicable | | 1.45 | 29% |
| | 9. Functionality of voter registration complaints | $2^{30} + 1^{18} + NR^{66}$ | 0.68 | | |
| 6. ADB | 10. Acceptability of ballot paper design | *Not applicable | | | |
| 7. CR | 11. Acceptability of funding formula to parties | *Not applicable | | | |
| | 12. Equality of access to public media | *Not applicable | | | |
| 8. P | 13. Functionality of polling station personnel | $3^{83} + 2^{20} + 1^{11}$ | 2.63 | | |
| | 14. Security of polling station | $4^{31} + 3^{49} + 2^{13} + 1^{4} + NR^{17}$ | 2.64 | 2.51 | 50.3% |
| | 15. Functionality of observation during polling | $3^{54} + 2^{46} + 1^{7} + NR^{7}$ | 2.28 | | |
| 9. CTV | 16. Promptness of counting | *Not applicable | | | |
| | 17. Functionality of observation during counting | *Not applicable | | | |
| 10. RERD | 18. Promptness in handling of election related disputes | *Not applicable | | | |
| 11. ERI | 19. Promptness of assumption of office | *Not applicable | | | |
| 12. PEP | 20. Availability of election results to parties | *Not applicable | | | |
| **Average total and Percentage ratings** | | | **2.01** | | **40.24%** |

***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures..*

**FIGURE 5.4: THE ELECTORATE'S ASSESSMENT OF THE 1999 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***P****- Polling*

The electorate's assessment of the 1999 Presidential elections indicates that the step with highest ratings is polling with a total rating of 50.3%, while the step with the lowest rating is voter registration and the legal framework with ratings of 29% and 35% respectively.

**FIGURE 5.5: STAKE HOLDERS TOTAL PERCENTAGE RATINGS OF THE 1999 PRESIDENTIAL ELECTION ADMINISTRATION PROCESS**

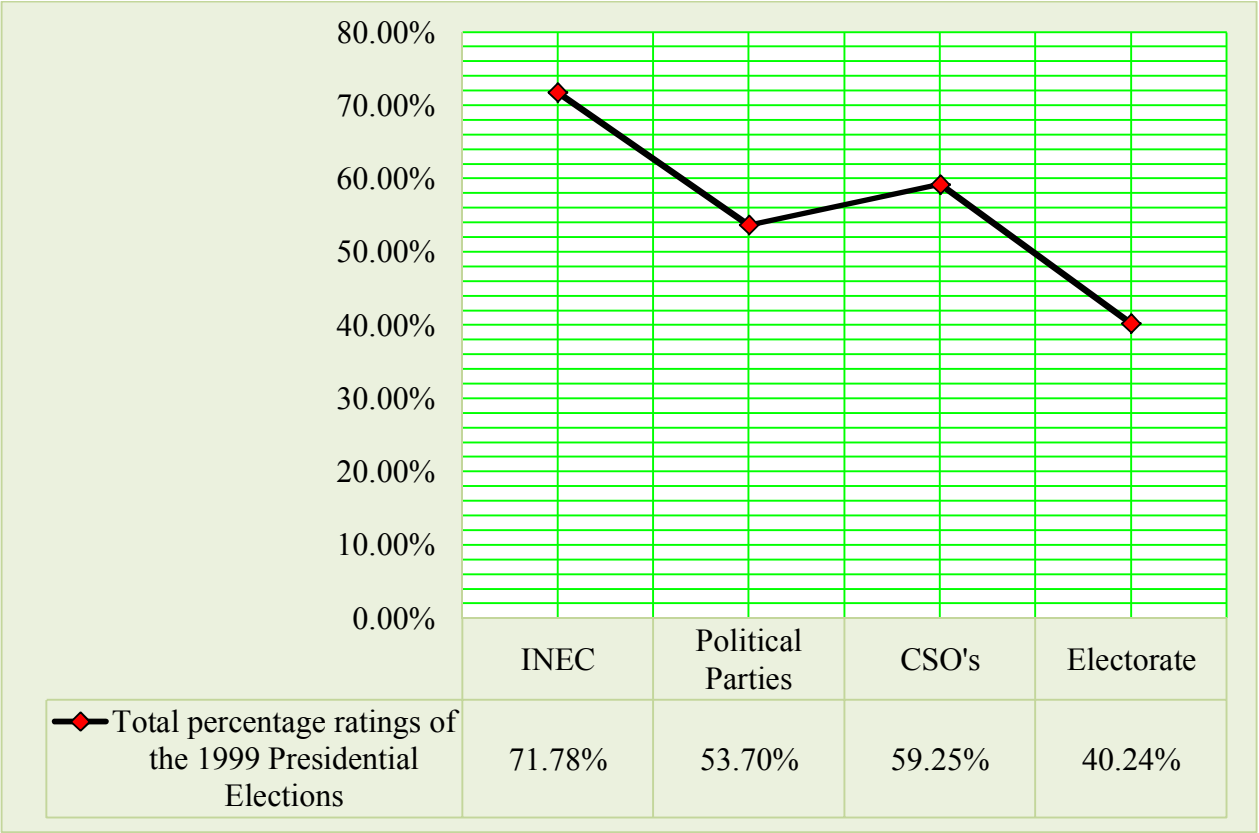



Figure 5.5 indicates that the highest ratings for the 1999 Presidential election was by INEC, with a total percentage rating of 71.78%, followed by CSO's with 59.25%. Political parties and the electorate followed with a total of 53.70% and 40.24% respectively.

## 5.2: STAKEHOLDERS ASSESSMENT OF THE 2003 PRESIDENTIAL ELECTIONS

The 2003 general elections began with the registration of voters in September 2002 and make up registration was held in January 2003. Elections to the National Assembly held on the 12$^{th}$ of April 2003. This was followed by the Presidential and Governorship elections which held on the 19$^{th}$ April 2003; and lastly, State Assembly elections held on the 3$^{rd}$ of May 2003. The time table for the 2003 general elections is summarized in table 5.7

**TABLE 5.7: TIME TABLE OF ACTIVITIES FOR THE 2003 GENERAL ELECTIONS**

| DATE | ACTIVITY |
|---|---|
| September 2002/January 2003 | Registration of voters/make up registration |
| 12th April, 2003 | National Assembly elections |
| 19th April, 2003 | Presidential and Governorship elections |
| 3rd May 2003 | State Assembly elections |

Unlike in the 1999 elections, the 2003 general elections began from the national level and terminated with elections to the lower levels of government. Furthermore, while only two candidates contested the Presidential elections in the 1999 general elections, a total of twenty candidates as in table 5.8 contested the 2003 Presidential elections.

**TABLE 5.8: PARTIES AND CANDIDATES FOR THE 2003 PRESIDENTIAL ELECTIONS**

| S/N | PRESIDENTIAL CANDIDATES/ | VICE PRESIDENTIAL CANDIDATES | PARTY |
|---|---|---|---|
| 1 | Buhari Muhammadu | Okadigbo Chuba William Malachy | ANPP |
| 2 | Ojukwu Chukwu Emeka Odumegwu | Bayero Sani Ibrahim | APGA |
| 3 | Okereke Osita Emmanuel | Abdullahi Tukuru Alhaji | APLP |
| 4 | Yahaya G.K Ezemue Ndu | Hajiya Asmau Aliyu Mohammed | ARP |
| 5 | Nnaji Ifeanyichukwu Goodwill | Suleiman Mohammed Awwal | BNPP |
| 6 | Ferreira A. Abayomi Jorge | Eboigbe Ehi | DA |
| 7 | Christopher Ogenebrorie Okotie | Habib Mairo Butariya (Mrs) | JP |
| 8 | Chief Christopher Pere Ajuwa | Mohammed Nasir | LDPN |
| 9 | Yusuf Muhamadu Dikko | Chief Melford Obiene Okilo | MDJ |
| 10 | Major Mojisola Adekunle | Mohhamed Ibrahim | MMN |
| 11 | Agoro (Dr) Olapade Roland | Aminu Garbati Abubakar | NAC |
| 12 | Tunji Braithwaite | Hajiya Maimunatu Lata Tombai (MON) | NAP |
| 13 | Ganiyu Fawehinmi | Jerome Tala Gopye | NCP |
| 14 | Sen. Ike Omar Sanda Nwachukwu | Habu Fari Aliyu | NDP |
| 15 | Dr Kalu Idika Kalu | Jawi Abdulrhman Paga | NNPP |
| 16 | Mrs Sara Jibril | Chief Elemosho Babatunde | PAC |
| 17 | Chief Olusegun Obasanjo | Alh. Atiku Abubakar | PDP |
| 18 | Nwankwo Agwucha Arthur | Batubo Benett Raymond | PMP |
| 19 | Musa Abdulkadir Balarabe | Okafor Ernest Ngozi | PRP |
| 20 | Sen. Nwobodo Jim Ifeanyichukwu | Goni Mohammed | UNPP |

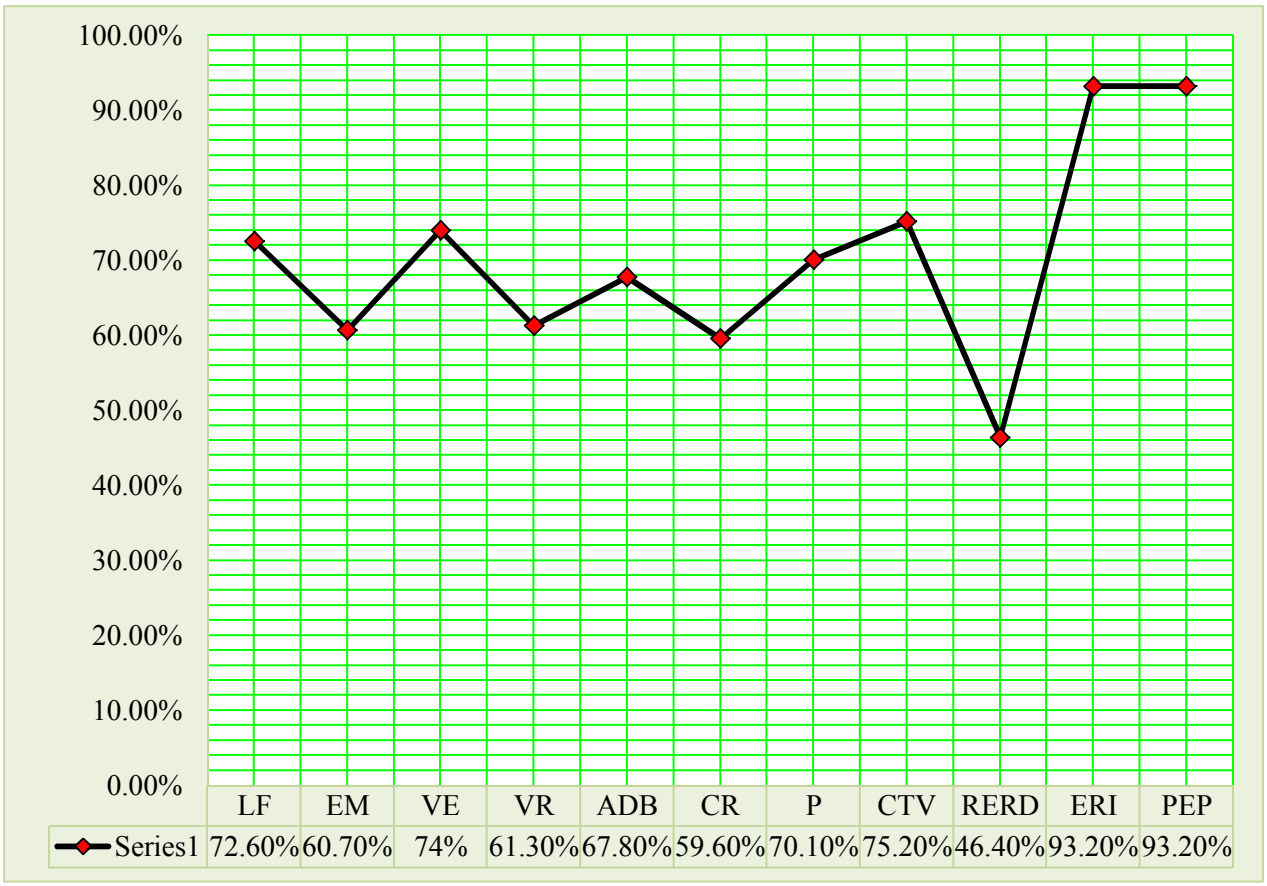
**TABLE 5.9: INEC RESPONDENTS ASSESMENT OF THE 2003 PRESIDENTIAL ELECTION**

| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of INEC respondents | | Percentage of average ratings |
|---|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $4^{47} + 3^{17} + 2^{4}$ | | 3.63 | 72.6% |
| 2. EM | 2. Neutrality of the election management team | $4^{29} + 3^{36} + NR^{3}$ | 3.29 | | |
| | 3. Sufficiency of resources | $4^{17} + 3^{44} + NR^{7}$ | 2.94 | | |
| | 4. Transparency of INEC | $4^{22} + 3^{36} + NR^{10}$ | 2.88 | 3.04 | 60.7% |
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $4^{19} + 3^{49}$ | 3.27 | | |
| | 6. Complimentarity of voter education efforts | $5^{37} + 4^{24} + NR^{7}$ | 4.13 | 3.7 | 74% |
| 5. VR | 7. Extent of voter registration | $4^{24} + 3^{44}$ | 3.35 | | |
| | 8. Extent of multiple registrations | $3^{55} + 2^{13}$ | 2.80 | | |
| | 9. Functionality of voter registration complaints | $4^{4} + 3^{64}$ | 3.05 | 3.06 | 61.3% |
| 6. ADB | 10. Acceptability of ballot paper design | $4^{27} + 3^{41}$ | | 3.39 | 67.8% |
| 7. CR | 11. Acceptability of funding formula to parties | $4^{49} + 3^{7} + NR^{12}$ | 3.19 | | |
| | 12. Equality of access to public media | $4^{27} + 3^{31} + NR^{10}$ | 2.77 | 2.98 | 59.6% |
| 8. P | 13. Functionality of polling station personnel | $4^{32} + 3^{36}$ | 3.47 | | |
| | 14. Security of polling station | $4^{29} + 3^{23} + 2^{15} + NR^{1}$ | 3.16 | | |
| | 15. Functionality of observation during polling | $5^{23} + 4^{27} + 3^{14} + NR^{4}$ | 3.89 | 3.50 | 70.1% |
| 9. CTV | 16. Promptness of counting | $5^{38} + 4^{16} + 3^{2} + NR^{12}$ | 3.52 | | |
| | 17. Functionality of observation during counting | $5^{24} + 4^{35} + 3^{4} + NR^{5}$ | 4 | 3.76 | 75.2% |
| 10. RERD | 18. Promptness in handling of election related disputes | $3^{44} + 2^{13} + NR^{11}$ | | 2.32 | 46.4% |
| 11. ERI | 19. Promptness of assumption of office | $5^{45} + 4^{23}$ | | 4.66 | 93.2% |
| 12. PEP | 20. Availability of election results to parties | $5^{45} + 4^{23}$ | | 4.66 | 93.2% |
| **Average total and Percentage ratings** | | | | **3.51** | **70.2%** |

**ADMINSTRATION PROCESS**

***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures..*

**FIGURE 5.6: INEC RESPONDENTS ASSESMENT OF THE 2003 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

INEC' s assessment of the 2003 Presidential election administration process show that the steps with the highest rating are election result implementation and post election procedures each with a total percentage rating of 93.2%. On the other hand the step with the lowest ratings is resolving election related disputes with a total rating of 46.4%. Table 5.9 and figure 5.6 are indicative.

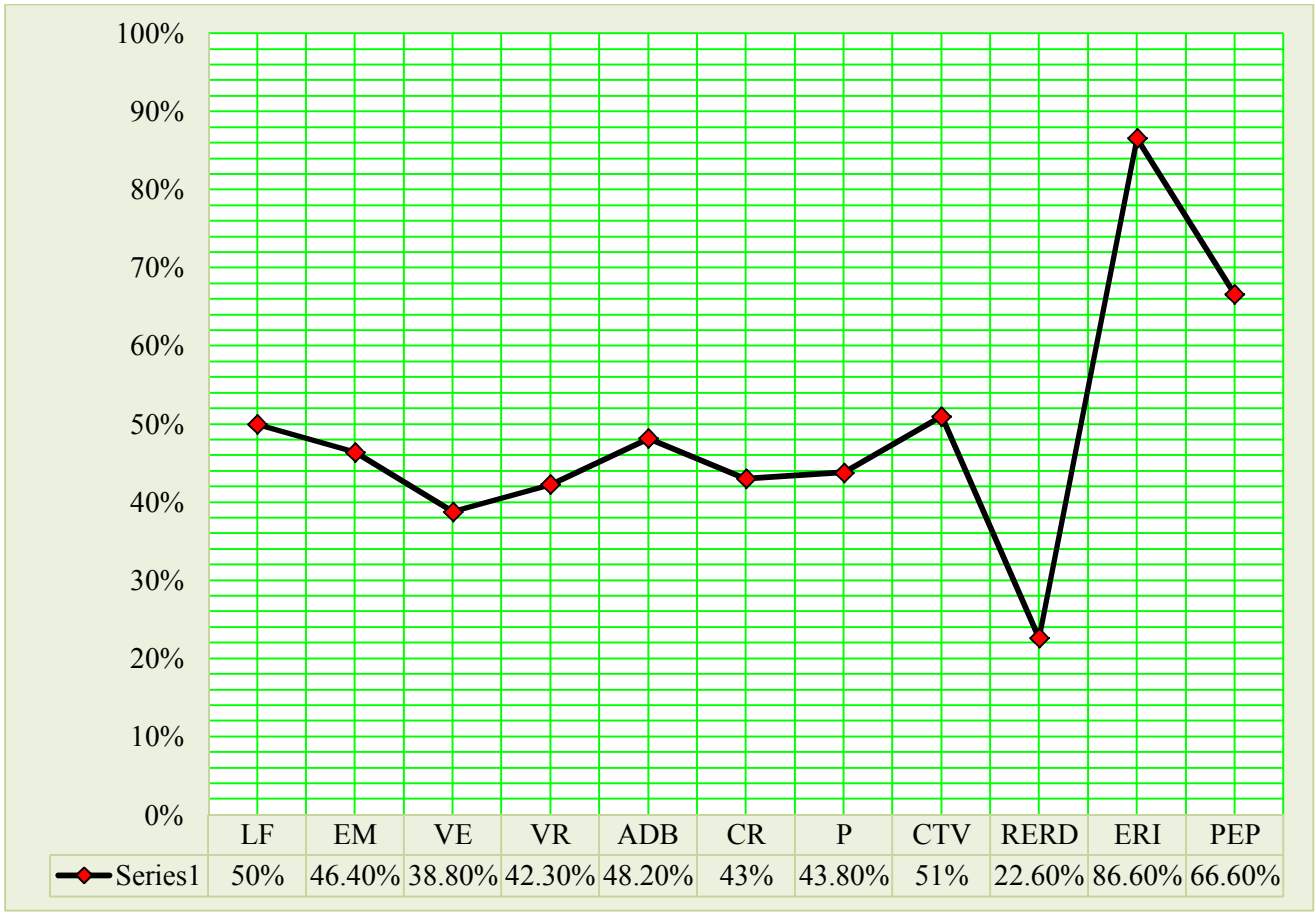
**TABLE 5.10: POLITICAL PARTY RESPONDENTS ASSESSMENT OF THE 2003 PRESIDENTIAL**

| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of Political Party respondents | | Percentage of average ratings |
|---|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $3^6 + 2^6$ | | 2.5 | 50% |
| 2. EM | 2. Neutrality of the election management team | $3^4 + 2^6 + 1^2$ | 2.08 | | |
| | 3. Sufficiency of resources | $4^2 + 3^4 + NR^4$ | 2.8 | | |
| | 4. Transparency of INEC | $3^4 + 2^5 + 1^3$ | 2.08 | 2.32 | 46.4% |
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $3^3 + 2^7 + 1^2$ | 2.08 | | |
| | 6. Complimentarity of voter education efforts | $3^6 + NR^4$ | 1.8 | 1.94 | 38.8% |
| 5. VR | 7. Extent of voter registration | $3^1 + 2^{10} + NR^1$ | 1.19 | | |
| | 8. Extent of multiple registrations | $4^4 + 3^6 + 2^1 + NR^1$ | 3 | | |
| | 9. Functionality of voter registration complaints | $3^2 + 2^{10}$ | 2.16 | 2.11 | 42.3% |
| 6. ADB | 10. Acceptability of ballot paper design | $3^5 + 2^7$ | | 2.41 | 48.2% |
| 7. CR | 11. Acceptability of funding formula to parties | $3^3 + 2^7$ | 2.3 | 2.15 | 43% |
| | 12. Equality of access to public media | $3^2 + 2^6 + 1^2$ | 2 | | |
| 8. P | 13. Functionality of polling station personnel | $3^2 + 2^6 + 1^4$ | 1.83 | | |
| | 14. Security of polling station | $3^2 + 2^{10}$ | 2.16 | 2.19 | 43.8% |
| | 15. Functionality of observation during polling | $3^7 + 2^5$ | 2.58 | | |
| 9. CTV | 16. Promptness of counting | $4^4 + 3^3 + 2^3$ | 3.1 | | |
| | 17. Functionality of observation during counting | $3^3 + 2^6 + 1^3$ | 2 | 2.55 | 51% |
| 10.RERD | 18. Promptness in handling of election related disputes | $3^2 + 1^{10}$ | | 1.13 | 22.6% |
| 10. ERI | 19. Promptness of assumption of office | $5^4 + 4^8$ | | 4.33 | 86.6% |
| 11. PEP | 20. Availability of election results to parties | $4^4 + 3^8$ | | 3.33 | 66.6% |
| **Average total and Percentage ratings** | | | **2.45** | | **49.01%** |

**ELECTION ADMINSTRATION PROCESS**

***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

**FIGURE 5.7: POLITICAL PARTY RESPONDENTS ASSESSMENT OF THE 2003 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

In the assessment of political parties, the step in the 2003 Presidential election with the highest rating is also election result implementation and post election procedures with ratings of 86.6% and 66.6% respectively. On the other hand the steps with the lowest ratings are resolving election related disputes and voter education with 22.6% and 38.8% respectively.

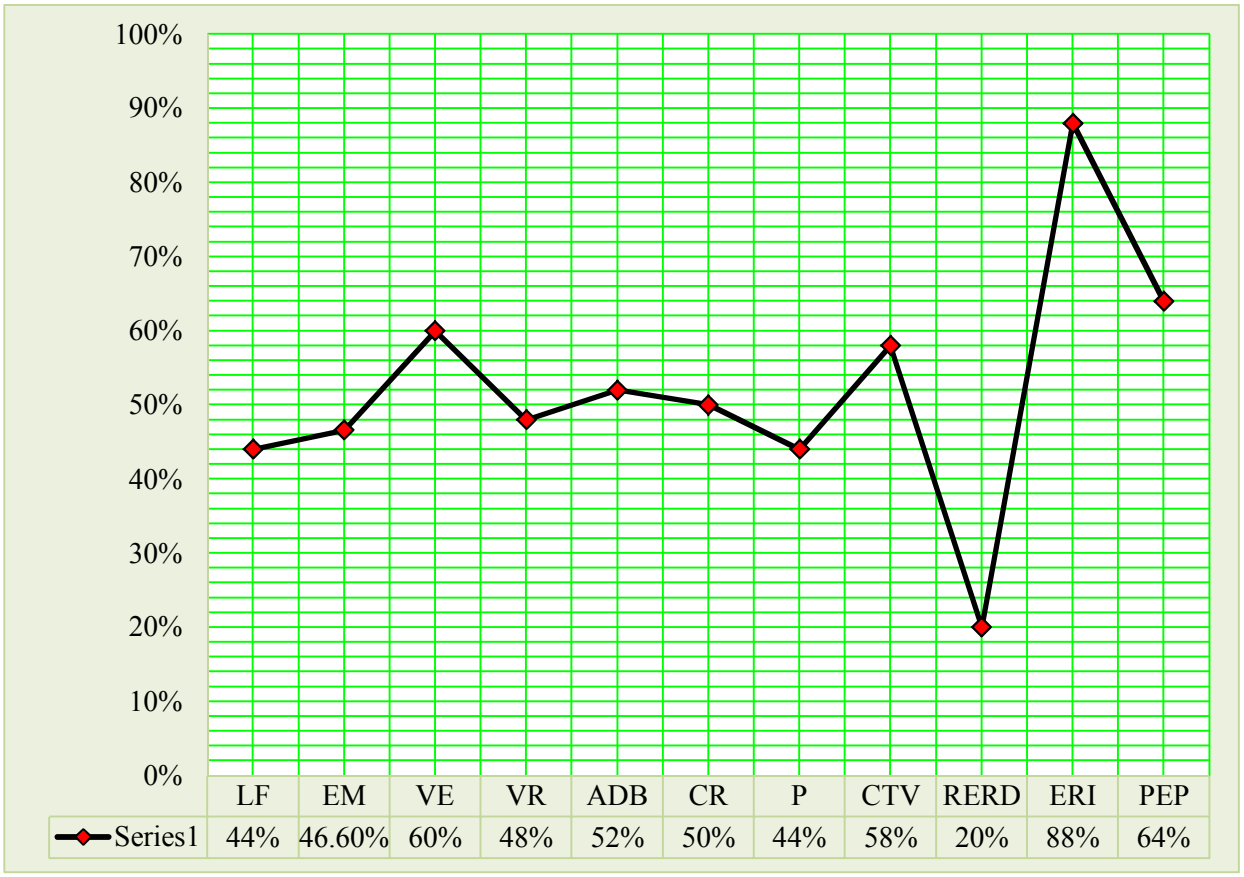
| Steps in electoral | Elements for gauging effectiveness of step in election administration process | Frequency distribution of | Average ratings of INEC | Percentage of average |
|---|---|---|---|---|

**TABLE 5.11: CSO RESPONDENTS ASSESSMENT OF THE 2003 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**

| process | | ratings on a scale of 1-5 | respondents | | ratings |
|---|---|---|---|---|---|
| 1. LF | 1.Legitimacy of the legal framework of INEC | $3^2 + 2^2 + 1$ | | 2.2 | 44% |
| 2. EM | 2.Neutrality of the election management team | $3^1 + 2^3 + 1^1$ | 2 | | |
| | 3.Sufficiency of resources | $4^1 + 3^3 + NR^1$ | 2.6 | | |
| | 4.Transparency of INEC | $3^2 + 2^3$ | 2.4 | 2.33 | 46.6% |
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5.Extent of voter education | $2^2 + 3^3$ | 2.6 | | |
| | 6.Complimentarity of voter education efforts | $4^2 + 3^3$ | 3.4 | 3 | 60% |
| 5. VR | 7.Extent of voter registration | $3^2 + 2^1 + 1^2$ | 2.2 | | |
| | 8.Extent of multiple registrations | $4^2 + 3^2 + 1$ | 3 | | |
| | 9.Functionality of voter registration complaints | $2^5$ | 2 | 2.4 | 48% |
| 6. ADB | 10.Acceptability of ballot paper design | $3^3 + 2^2$ | | 2.6 | 52% |
| 7. CR | 11. Acceptability of funding formula to parties | $3^3 + 2^2$ | 2.6 | | |
| | 12. Equality of access to public media | $3^2 + 2^3$ | 2.4 | 2.5 | 50% |
| 8. P | 13. Functionality of polling station personnel | $3^2 + 2^1 + 1^2$ | 2 | | |
| | 14. Security of polling station | $3^1 + 2^3 + 1^1$ | 2 | | |
| | 15. Functionality of observation during polling | $3^3 + 2^2$ | 2.6 | 2.2 | 44% |
| 9.CTV | 16. Promptness of counting | $4^2 + 3^3$ | 3.4 | | |
| | 17. Functionality of observation during counting | $3^2 + 2^3$ | 2.4 | 2.9 | 58% |
| 10. RERD | 18. Promptness in handling of election related disputes | $1^5$ | | 1 | 20% |
| 11. ERI | 19. Promptness of assumption of office | $5^2 + 4^3$ | | 4.4 | 88% |
| 12. PEP | 20.Availability of election results to parties | $3^4 + 4$ | | 3.2 | 64% |
| **Average total and Percentage ratings** | | | **2.61** | | **52.2%** |

***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

**FIGURE 5.8: CSO RESPONDENTS ASSESSMENT OF THE 2003 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

Figure 5.8 and table 5.11 shows that for the CSO's election results implementation and post election procedures also had the highest ratings of 88% and 64% respectively; while resolving election related disputes had the lowest rating of 20%.

**TABLE 5.12: THE ELECTORATE'S ASSESSMENT OF THE 2003 PRESIDENTIAL ELECTION ADMINSTRATION**

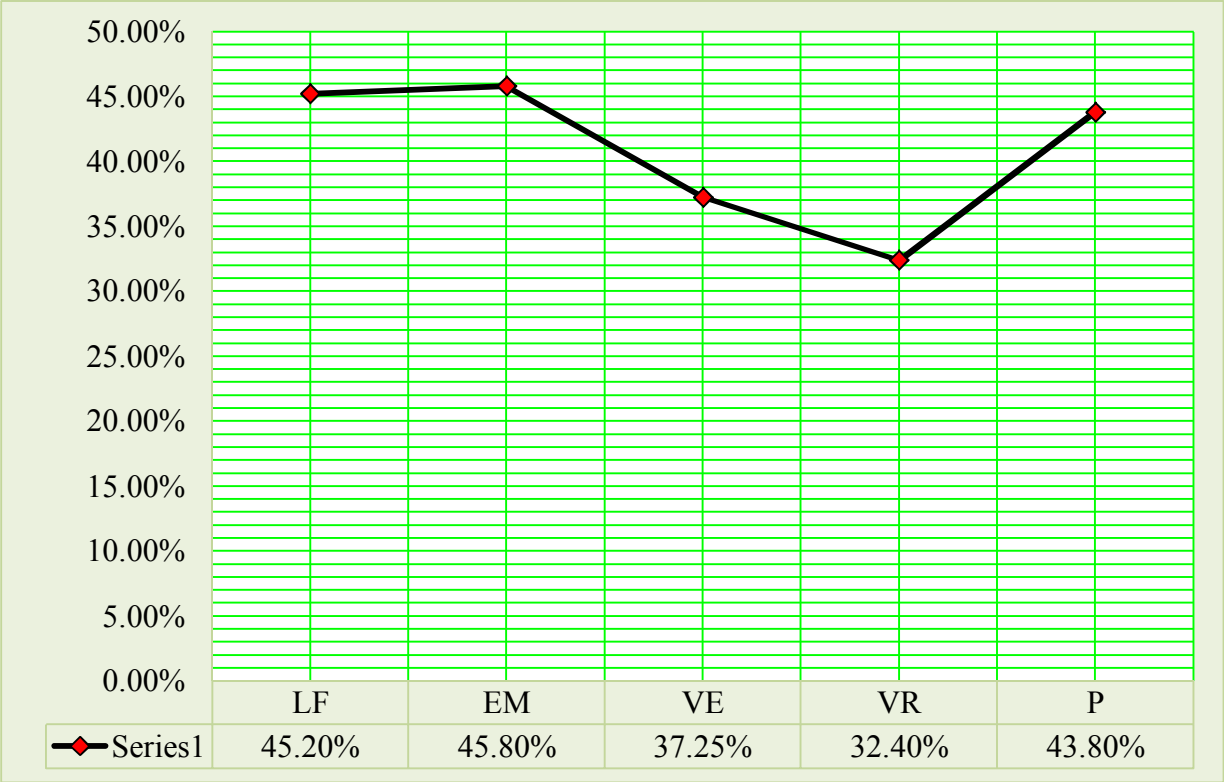
| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of the Electorate | | Percentage of average ratings |
|---|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $3^{55} + 2^{36} + 1^{21} + NR^{2}$ | | 2.26 | 45.2% |
| 2. EM | 2. Neutrality of the election management team | $4^{4} + 3^{45} + 2^{53} + 1^{5} + NR^{7}$ | 2.29 | | |
| | 3. Sufficiency of resources | *Not applicable | | | |
| | 4. Transparency of INEC | $3^{53} + 2^{47} + 1^{8} + NR^{6}$ | 2.29 | 2.29 | 45.8% |

**PROCESS**

| | | | | | |
|---|---|---|---|---|---|
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $2^{105} + 1^{3} + NR^{6}$ | 1.86 | 1.86 | 37.25% |
| | 6. Complimentarity of voter education efforts | *Not applicable | | | |
| 5. VR | 7. Extent of voter registration | $3^{53} + 2^{13} + 1^{38} + NR^{10}$ | 1.95 | 1.62 | 32.4% |
| | 8. Extent of multiple registrations | *Not applicable | | | |
| | 9. Functionality of voter registration complaints | $2^{41} + 1^{66} + NR^{7}$ | 1.29 | | |
| 6. ADB | 10. Acceptability of ballot paper design | *Not applicable | | | |
| 7. CR | 11. Acceptability of funding formula to parties | *Not applicable | | | |
| | 12. Equality of access to public media | *Not applicable | | | |
| 8. P | 13. Functionality of polling station personnel | $3^{35} + 2^{28} + 1^{41} + NR^{10}$ | 1.77 | 2.19 | 43.8% |
| | 14. Security of polling station | $4^{26} + 3^{11} + 2^{73} + 1^{4}$ | 2.51 | | |
| | 15. Functionality of observation during polling | $3^{52} + 2^{53} + NR^{9}$ | 2.29 | | |
| 9. CTV | 16. Promptness of Counting | *Not applicable | | | |
| | 17. Functionality of observation during counting | *Not applicable | | | |
| 10. RERD | 18. Promptness in handling of election related disputes | *Not applicable | | | |
| 11. ERI | 19. Promptness of assumption of office | *Not applicable | | | |
| 12. PEP | 20. Availability of election results to parties | *Not applicable | | | |
| **Average total and Percentage ratings** | | | **2.04** | | **40.88%** |

***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE-*** *Voter Education,* ***VR****-Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

**FIGURE 5.9: THE ELECTORATE'S ASSESSMENT OF THE 2003 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***P****- Polling*

For the electorates, the process of voter registration had the lowest ratings of 32.4% while election management had the highest rating of 45.8% in the 2003 Presidential elections. Table 5.12 and figure 5.9 are indicative.

**FIGURE 5.10: STAKE HOLDERS TOTAL PERCENTAGE RATINGS OF THE 2003 PRESIDENTIAL ELECTIONS**

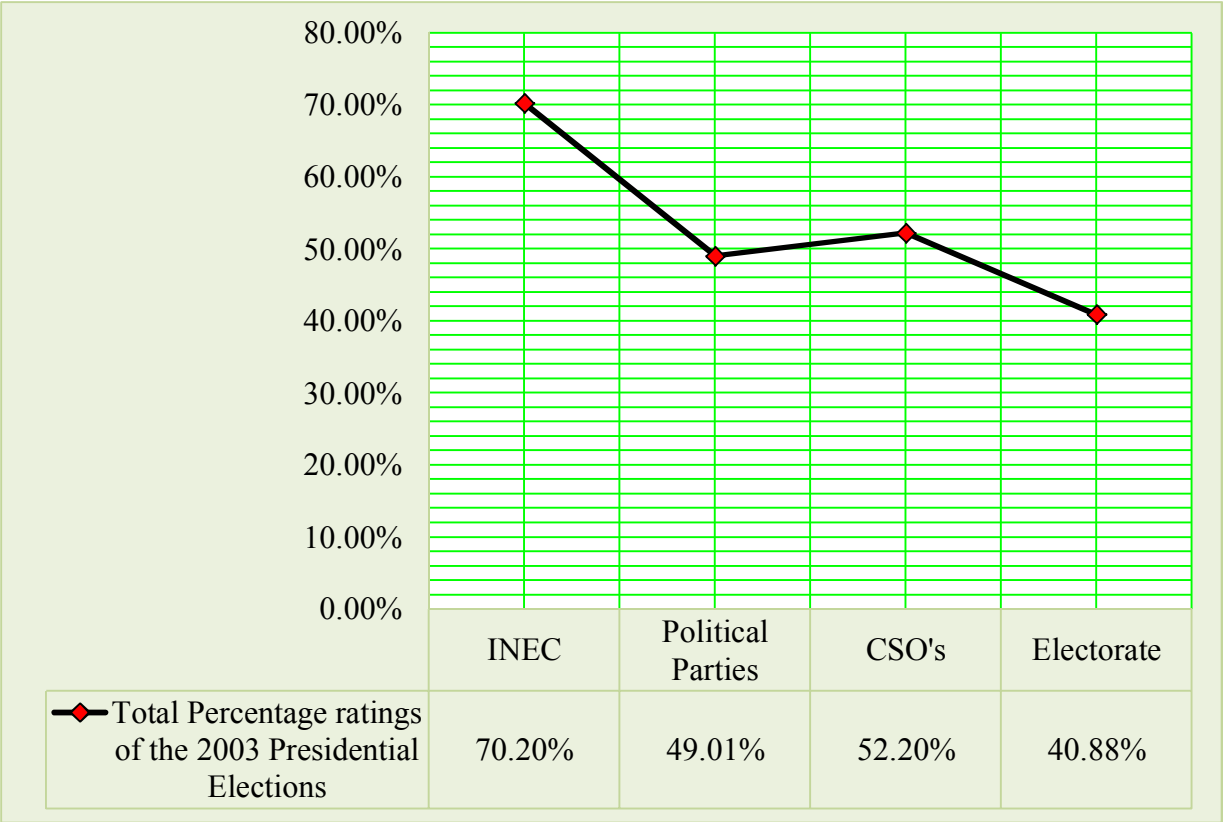



Figure 5.10 shows that the 2003 Presidential elections had the highest rating from INEC with a total percentage rating of 70.2% followed by CSO, political parties and the electorate with total ratings of 52.2%, 49.01% and 40.88% respectively.

## 5.3 STAKEHOLDERS ASSESSMENT OF THE 2007 PRESIDENTIAL ELECTIONS

The activities leading to the 2007 Presidential elections began with the registration of voters from the 25th of October 2006- February 2007. Governorship and state house of assembly elections held on the 14th of April 2007 and lastly the Presidential and National assembly election on the 21st of April 2007.

**TABLE 5.13 TIME TABLE OF ACTIVITES FOR THE 2007 GENERAL ELECTIONS**

| DATES | ACTIVITIES |
|---|---|
| 25TH October 2006- February 2007 | Registration of voters |
| 14th April 2007 | Governorship/ State House of Assembly |
| 21st April 2007 | Presidential/National Assembly elections |

Like in the 1999 General elections, the 2007 General election began with elections to the state government and was concluded with elections to the Presidency. A total number of twenty five candidates contested the Presidential election as in table 5.14

**TABLE 5.14: LIST OF PARTIES AND CANDIDATES FOR THE 2007 PRESIDENTIAL ELECTIONS**

| S/N | PRESIDENTIAL CANDIDATES/ | VICE PRESIDENTIAL CANDIDATES | PARTY |
|---|---|---|---|
| 1 | Atiku Abubakar | Sen. Ben Obi | AC |
| 2 | Prof Pat Utomi | Engr. Ibarhim Usman | ADC |
| 3 | Sir Lawrence Famakinde Adedoyin | Alhaji Ali Abacha | APS |
| 4 | Muhhammadu Buhari | Edwin Ume -Ezeoke | ANPP |
| 5 | Chief Emmanuel Osita Okereke | Hajiya Asabe Mauna | ALP |
| 6 | Dim Chukwu Emeka Ojukwu | Alhaji Habib Ibrahim Gajo | APGA |
| 7 | Chief Adebayo Adefarati | Alhaji Mahmud Danjuma Sani | AD |
| 8 | Dr. Iheanyinchukwu Godswill Nnaji | Dr. Adamu Musa | BNPP |
| 9 | Maxi Okwu | Hajiya Rabia Yasat Affah | CPP |
| 10 | Attahiru Dalhatu Bafarawa | Engr. Ebere Udeogwu | DPP |
| 11 | Rev. Chris Oktie | Fela Akinola Binutu | FRESH |
| 12 | Chief Ambrose Owuru | Alh. Ibrahim Danjuma | HDP |
| 13 | Dr. Mojisola Adekunle Obasanjo | Mohammed Mohammed Abdullahi | MMN |
| 14 | Dr. Olapade Agoro | Mrs. Eghenayheore Dele Ayi | NAC |
| 15 | Dr. Osagie O. Obayuwana | Mal. Yunsa S. Tanko | NCP |
| 16 | Alh. Aliyu Habu Fari | Prince Chudi Charles Chukwani | NDP |
| 17 | Dr. Akpome Solomon | Alh. Abdullahi S. Abdullahi | NMDP |
| 18 | Mal. Aminu Garbarti Abubakar | Prof. Kingsley Onye-Eze Ibe | NUP |
| 19 | Prof. Isa Odidi | Oluwafolajimi Akeem Bello | ND |
| 20 | Galtima Baboyi Liman | Abiti Onoyom Ndok | NNPP |
| 21 | Dr.Brimmy Asekharuagbam Olaghere | Mallama Zainab Goggo Bayero | NPC |
| 22 | Umaru Musa Yar Adua | Dr. Goodluck Ebele Jonathan | PDP |
| 23 | Arthur Nwanko | Mohammed Abdullahi | PMP |
| 24 | Orgi Uzor Kalu | Inuwa Abdulkadir | PPA |
| 25 | Chief Sunny Joseph Okogwu | Hajiya Larai Umaru | RPN |

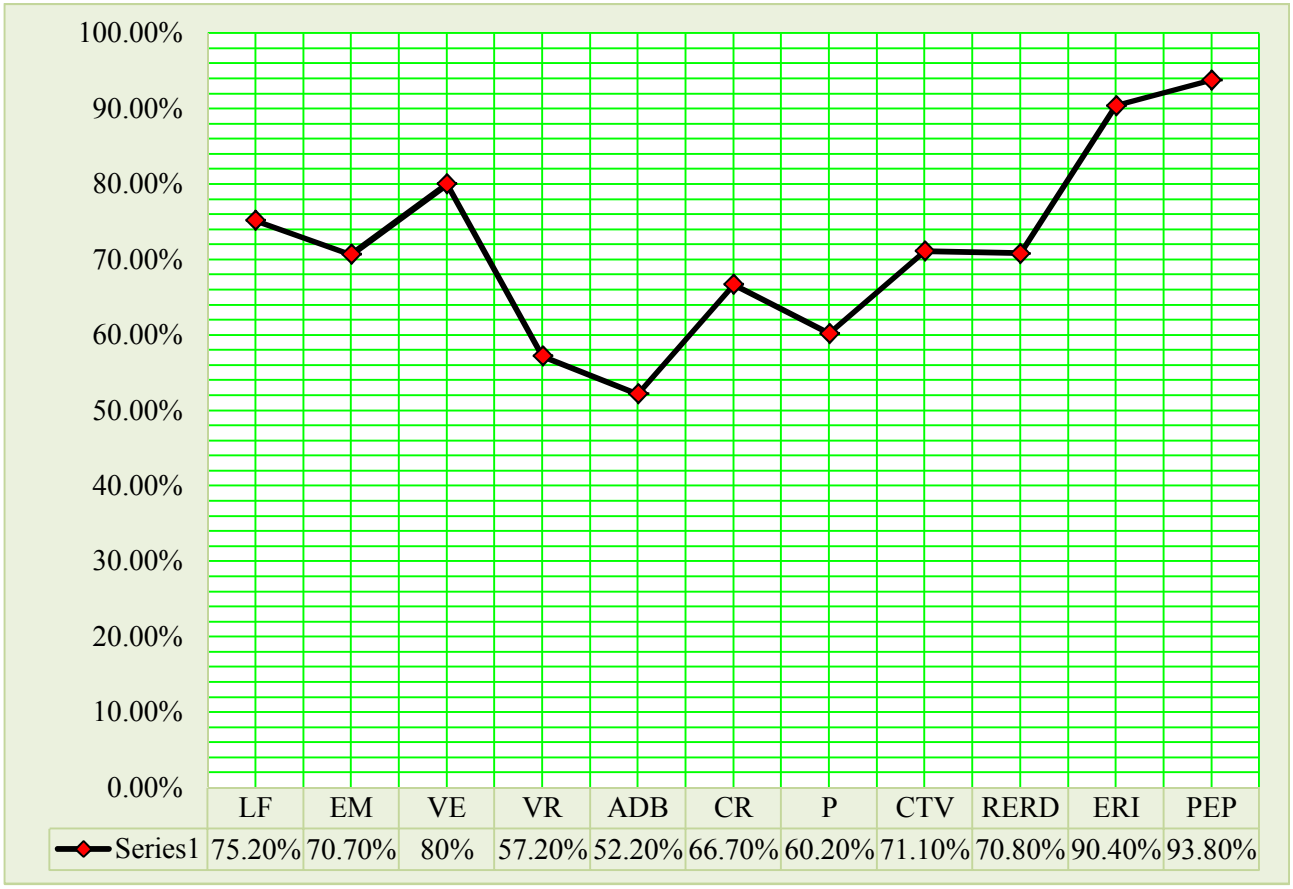
**TABLE 5.15: INEC RESPONDENTS ASSESMENT OF THE 2007 PRESIDENTIAL ELECTION ADMINSTRATION**

| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of INEC respondents | | Percentage of average ratings |
|---|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $5^{17}+4^{24}+3^{25}$ $NR^{2}$ | | 3.76 | 75.2% |
| 2. EM | 2. Neutrality of the election management team | $4^{31}+3^{30}+2^{4}+NR^{3}$ | 3.26 | | |
| | 3. Sufficiency of resources | $5^{10}+4^{49}+3^{8}$ $NR^{1}$ | 3.97 | | |
| | 4. Transparency of INEC | $4^{26}+3^{42}$ | 3.38 | 3.53 | 70.7% |
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $4^{24}+3^{44}$ | 3.35 | | |
| | 6. Complimentarity of voter education efforts | $5^{45}+4^{23}$ | 4.66 | 4 | 80% |
| 5. VR | 7. Extent of voter registration | $4^{10}+3^{41}+2^{13}+NR^{4}$ | 2.95 | | |
| | 8. Extent of multiple registrations | $3^{17}+2^{51}$ | 2.25 | | |
| | 9. Functionality of voter registration complaints | $3^{43}+4^{25}$ | 3.36 | 2.86 | 57.2% |
| 6. ADB | 10. Acceptability of ballot paper design | $3^{54}+2^{8}+NR^{6}$ | | 2.61 | 52.2% |
| 7. CR | 11. Acceptability of funding formula to parties | $5^{13}+4^{46}+NR^{9}$ | 3.66 | | |
| | 12. Equality of access to public media | $3^{53}+2^{3}+4^{10}+NR^{2}$ | 3.01 | 3.33 | 66.7% |
| 8. P | 13. Functionality of polling station personnel | $4^{12}+3^{38}+2^{9}+1^{2}+NR^{7}$ | 2.67 | | |
| | 14. Security of polling station | $3^{56}+2^{8}+NR^{4}$ | 2.7 | 3.01 | 60.2% |
| | 15. Functionality of observation during polling | $5^{6}+4^{34}+3^{28}$ | 3.67 | | |
| 9. CTV | 16. Promptness of Counting | $5^{22}+4^{29}+3^{8}+NR^{9}$ | 3.67 | | |
| | 17. Functionality of observation during counting | $5^{12}+4^{39}+3^{6}+NR^{11}$ | 3.44 | 3.55 | 71.1% |
| 10. RERD | 18. Promptness in handling of election related disputes | $4^{37}+3^{31}$ | | 3.54 | 70.8% |
| 11. ERI | 19. Promptness of assumption of office | $5^{36}+4^{32}$ | | 4.52 | 90.4% |
| 12. PEP | 20. Availability of election results to parties | $5^{47}+4^{21}$ | | 4.69 | 93.8% |
| **Average total and Percentage ratings** | | | **3.58** | | **71.6%** |

**PROCESS**

***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures..*

**FIGURE 5.11: INEC RESPONDENTS ASSESMENT OF THE 2007 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

The assessment of INEC for the 2007 Presidential election shows that access to and design of the ballot paper had the lowest rating of 52.2% while post polling procedures and election result implementation had the highest ratings of 93.8% and 90.4% respectively. Table 5.15 and figure 5.11 are indicative.

**TABLE 5.16: POLITICAL PARTY RESPONDENTS ASSESSMENT OF THE 2007**

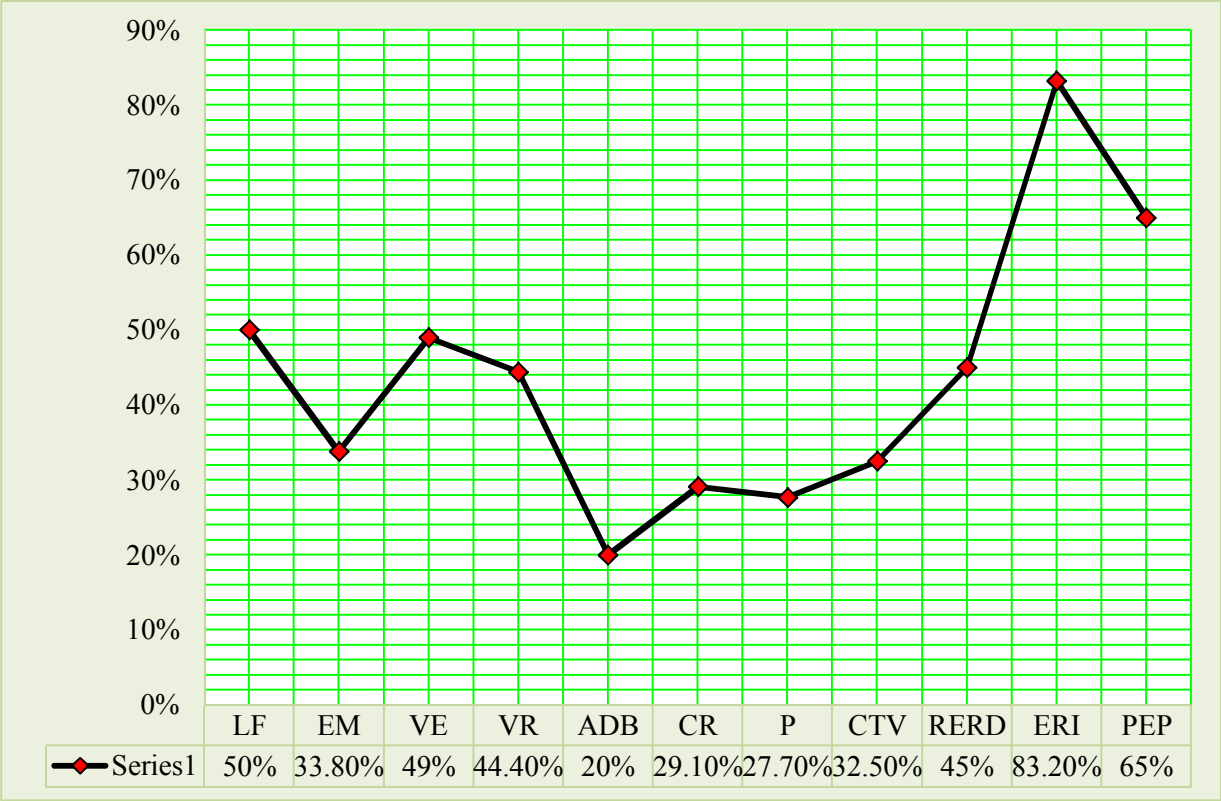
| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of Political party respondents | | Percentage of average ratings |
|---|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $3^5 + 2^5$ | | 2.5 | 50% |
| 2. EM | 2. Neutrality of the election management team | $3^2 + 2^5 + 1^5$ | 1.75 | | |
| | 3. Sufficiency of resources | $4^3 + 3^3 + 2^3 + NR^3$ | 2.25 | | |
| | 4. Transparency of INEC | $2 + 1^{11}$ | 1.08 | 1.69 | 33.8% |

**PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**

| | | | | | |
|---|---|---|---|---|---|
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $3^6 + 2^4$ | 2.6 | 2.45 | 49% |
| | 6. Complimentarity of voter education efforts | $3^6 + 2^5 + NR^1$ | 2.3 | | |
| 5. VR | 7. Extent of voter registration | $1^{12}$ | 1 | 2.22 | 44.4% |
| | 8. Extent of multiple registrations | $3^2 + 5^{10}$ | 4.66 | | |
| | 9. Functionality of voter registration complaints | $1^{12}$ | 1 | | |
| 6. ADB | 10. Acceptability of ballot paper design | $1^{12}$ | | 1 | 20% |
| 7. CR | 11. Acceptability of funding formula to parties | $3^3 + 2^2 + 1^7$ | 1.66 | 1.45 | 29.1% |
| | 12. Equality of access to public media | $3^1 + 2^1 + 1^{10}$ | 1.25 | | |
| 8. P | 13. Functionality of polling station personnel | $3^2 + 1^{10}$ | 1.33 | 1.38 | 27.7% |
| | 14. Security of polling station | $3^1 + 2^1 + 1^{10}$ | 1.25 | | |
| | 15. Functionality of observation during polling | $3^2 + 2^3 + 1^7$ | 1.58 | | |
| 9. CTV | 16. Promptness of counting | $3^2 + 2^2 + 1^8$ | 1.5 | 1.62 | 32.5% |
| | 17. Functionality of observation during counting | $3^2 + 2^5 + 1^5$ | 1.75 | | |
| 10. RERD | 18. Promptness in handling of election related disputes | $3^3 + 2^9$ | | 2.25 | 45% |
| 11. ERI | 19. Promptness of assumption of office | $3^4 + 4^2 + 5^6$ | | 4.16 | 83.2% |
| 12. PEP | 20. Availability of election results to parties | $4^3 + 3^9$ | | 3.25 | 65% |
| **Average total and Percentage ratings** | | | **2.18** | | **43.58%** |

***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures..*

**FIGURE 5.12: POLITICAL PARTY RESPONDENTS ASSESSMENT OF THE 2007 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

Table 5.16 and figure 5.12 shows that for political parties election results implementation and post polling procedures had the highest ratings of 83.2% and 65% respectively for the 2007 presidential elections; while access to and design of the ballot had the lowest ratings of 20%

**TABLE 5.17: CSO RESPONDENTS ASSESSMENT OF THE 2007 PRESIDENTIAL ELECTION**

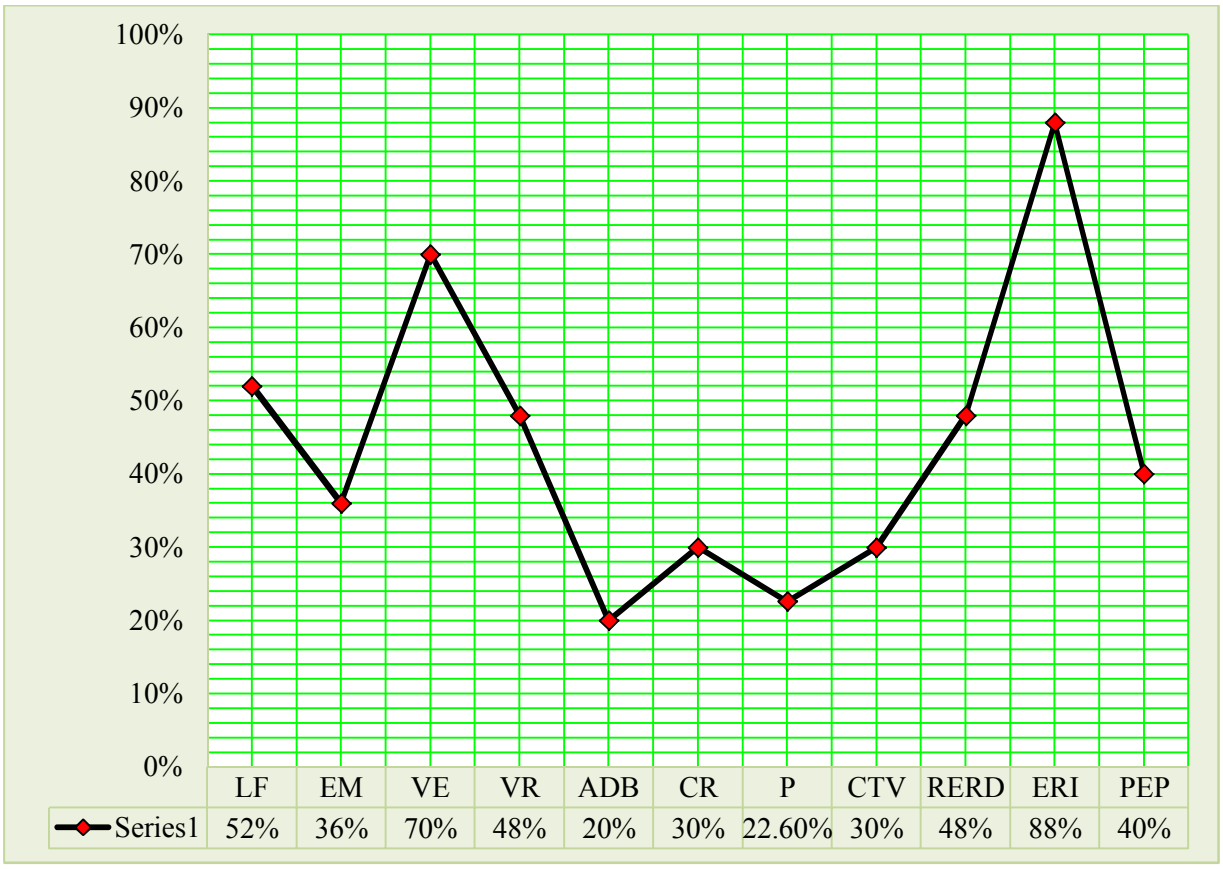
| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of INEC respondents | Percentage of average ratings |
|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $3^3 + 2^2$ | 2.6 | 52% |
| 2. EM | 2. Neutrality of the election | | | |

**ADMINSTRATION PROCESS**

| | | | | | |
|---|---|---|---|---|---|
| | management team | $3^1 + 1^4$ | 1.4 | | |
| | 3. Sufficiency of resources | $4^2 + 3^2 + NR^1$ | 2.8 | | |
| | 4. Transparency of INEC | $2^1 + 1^4$ | 1.2 | 1.8 | 36% |
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $3^2 + 2^3$ | 3 | | |
| | 6. Complimentarity of voter education efforts | $4^5$ | 4 | 3.5 | 70% |
| 5. VR | 7. Extent of voter registration | $2^1 + 1^4$ | 1.2 | | |
| | 8. Extent of multiple registrations | $5^5$ | 5 | | |
| | 9. Functionality of voter registration complaints | $1^5$ | 1 | 2.4 | 48% |
| 6. ADB | 10. Acceptability of ballot paper design | $1^5$ | | 1 | 20% |
| 7. CR | 11. Acceptability of funding formula to parties | $3^2 + 2^2 + NR^1$ | 2 | 1.5 | 30% |
| | 12. Equality of access to public media | $1^5$ | 1 | | |
| 8. P | 13. Functionality of polling station personnel | $1^5$ | 1 | | |
| | 14. Security of polling station | $1^5$ | 1 | 1.13 | 22.6% |
| | 15. Functionality of observation during polling | $2^2 + 1^3$ | 1.4 | | |
| 9. CTV | 16. Promptness of counting | $2^2 + 1^3$ | 1.4 | | |
| | 17. Functionality of observation during counting | $3^1 + 2^1 + 1^3$ | 1.6 | 1.5 | 30% |
| 10. RERD | 18. Promptness in handling of election related disputes | $3^2 + 2^3$ | | 2.4 | 48% |
| 11. ERI | 19. Promptness of assumption of office | $5^2 + 4^3$ | | 4.4 | 88% |
| 12. PEP | 20. Availability of election results to parties | $3^3 + 2^2$ | | 2 | 40% |
| **Average total and Percentage ratings** | | | **2.20** | | **44.05%** |

***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures..*

**FIGURE 5.13: CSO RESPONDENTS ASSESSMENT OF THE 2007 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

Table 5.17 and figure 5.13 indicates that in the case of the CSOs election results implementation and voter education had the highest ratings of 88% and 70% respectively in the 2007 presidential elections. On the other hand access to and design of the ballot and polling had the lowest ratings of 20% and 22.6% respectively.

| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of the Electorate | Percentage of average ratings |
|---|---|---|---|---|

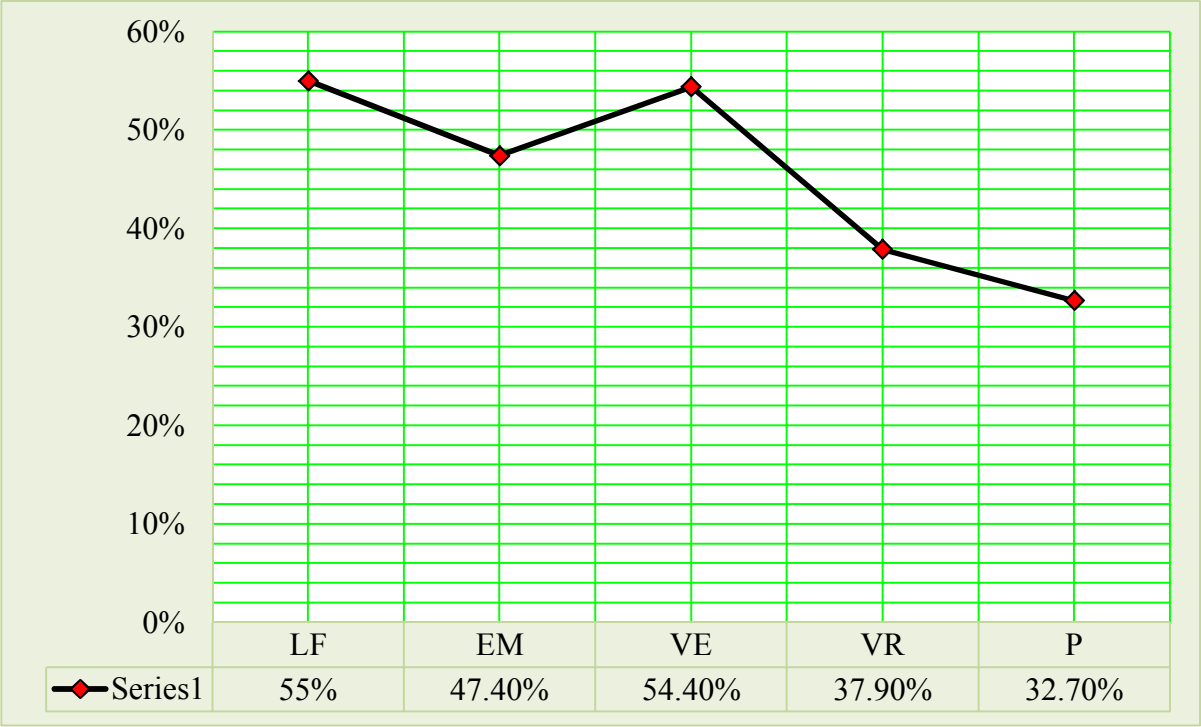
**TABLE 5.18: THE ELECTORATES ASSESSMENT OF THE 2007 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**

| | | | | | |
|---|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $4^{27} + 3^{46} + 2^{27} + 1^{14}$ | | 2.75 | 55% |
| 2. EM | 2. Neutrality of the election management team | $4^{16} + 3^{70} + 2^{8} + 1^{20}$ | 2.71 | 2.37 | 47.4% |
| | 3. Sufficiency of resources | *Not applicable | | | |
| | 4. Transparency of INEC | $3^{31} + 2^{56} + 1^{27}$ | 2.03 | | |
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $3^{83} + 2^{31}$ | 2.72 | 2.72 | 54.4% |
| | 6. Complimentarity of voter education efforts | *Not applicable | | | |
| 5. VR | 7. Extent of voter registration | $2^{52} + 5^{18} + 4^{5} + 1^{39}$ | 2.21 | 1.89 | 37.9% |
| | 8. Extent of multiple registrations | *Not applicable | | | |
| | 9. Functionality of voter registration complaints | $2^{69} + 1^{43} + NR^{2}$ | 1.58 | | |
| 6. ADB | 10. Acceptability of ballot paper design | *Not applicable | | | |
| 7. CR | 11. Acceptability of funding formula to parties | *Not applicable | | | |
| | 12. Equality of access to public media | *Not applicable | | | |
| 8. P | 13. Functionality of polling station personnel | $2^{54} + 1^{60}$ | 1.47 | 1.63 | 32.7% |
| | 14. Security of polling station | $4^{3} + 3^{31} + 2^{54} + 1^{26}$ | 2.09 | | |
| | 15. Functionality of observation during polling | $2^{54} + 1^{46} + NR^{14}$ | 1.35 | | |
| 9. CTV | 16. Promptness of counting | *Not applicable | | | |
| | 17. Functionality of observation during counting | *Not applicable | | | |
| 10. RERD | 18. Promptness in handling of election related disputes | *Not applicable | | | |
| 11. ERI | 19. Promptness of assumption of office | *Not applicable | | | |
| 12. PEP | 20. Availability of election results to parties | *Not applicable | | | |
| **Average total and Percentage ratings** | | | **2.27** | | **45.4%** |

***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures..*

**FIGURE 5.14: THE ELECTORATES ASSESSMENT OF THE 2007**

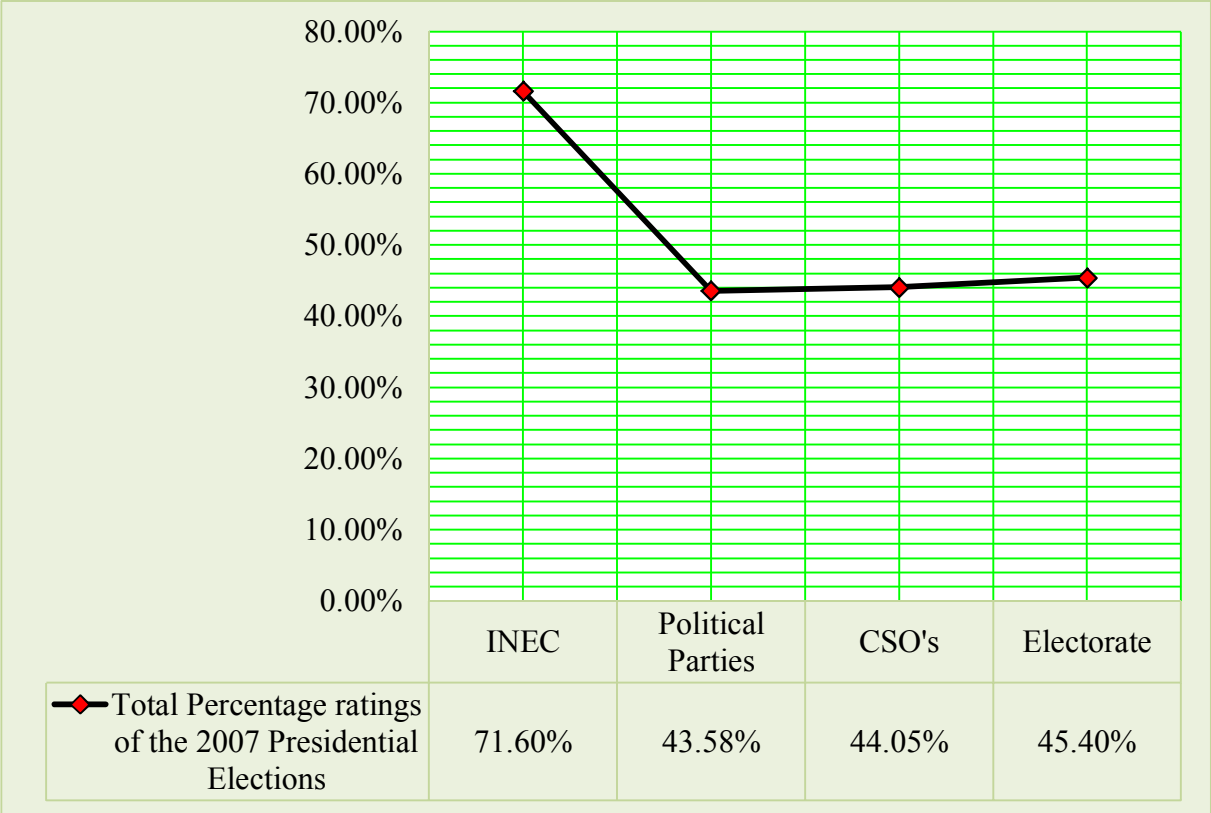
**PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***P****- Polling*

Table 5.18 and figure. 5.14 indicate that for the electorates, polling had the lowest rating of 32.7% in the 2007 presidential elections; while the legal framework had the highest rating of 55%.

**FIGURE 5.15: STAKE HOLDERS TOTAL PERCENTAGE RATINGS OF THE 2007 PRESIDENTIAL ELECTION ADMINISTRATION PROCESS**




| | INEC | Political Parties | CSO's | Electorate |
|---|---|---|---|---|
| Total Percentage ratings of the 2007 Presidential Elections | 71.60% | 43.58% | 44.05% | 45.40% |

Figure 5.15 indicates that the highest ratings for 2007 elections was made by INEC to the tune of 71.6% while the electorate, CSO's and political parties rated the election as between 43.58% and 45. 4%.

## 5.4 STAKEHOLDERS ASSESSMENT OF THE 2011 PRESIDENTIAL ELECTIONS

The 2011 General Elections of the Federal Republic of Nigeria were the fourth and latest elections conducted by INEC since the country's return to civil rule in 1999. The original calendar for the elections foresaw three consecutive Saturdays from 2nd to 16th April. However, these dates were subsequently modified for different reasons including the late arrival and dispatch of election materials. Table 5.10 presents the details of the activities leading to the elections

**TABLE 5.19: TIMETABLE OF ACTIVITIES FOR THE 2011 GENERAL ELECTIONS**

| DATES | ACTIVITIES |
|---|---|
| January 15th – January 29th 2011 | Registration of Voters |
| April 9th 2011 | National assembly Elections |
| April 16th 2011 | Presidential Elections |
| April 26 2011 | Governorship/ State House of Assembly |

As in the 2003 general elections, the 2011 general elections began with elections at the national level and terminated with elections at the state levels. A total of twenty (20) political parties contested the 2011 Presidential elections as in table 5.20

**TABLE 5.20 LIST OF PARTIES AND CANDIDATES FOR THE 2011 PRESIDENTIAL ELECTION**

| S/N | PRESIDENTIAL CANDIDATES/ | VICE PRESIDENTIAL CANDIDATES | PARTY |
|---|---|---|---|
| 1 | Nuhu Ribadu | Tajudeen Afolabi Adeola | ACN |
| 2 | Peter Uchenna Nwangwu | Mani Ibrahim Ahmad | ADC |
| 3 | Ibrahim Shekarau | John Odigieoyegun | ANPP |
| 4 | Lawarence Makinde Adedoyin | Alhaji Ibrahim Tanko Yakassai | APS |
| 5 | Yahaya G.K Ezemue Ndu | Hajiya Asmau Aliyu Mohammed | ARP |
| 6 | Nnaji Ifeanyichukwu Goodwill | Kadijat Abubakar | BNPP |
| 7 | Muhammadu Buhari | Tunde Bakare | CPC |
| 8 | Chistopher Okotie | Binutu Fela Akinola | FDP |
| 9 | Ambrose Awuru | Ibrahim Abdullahi | HDP |
| 10 | Chris Nwakobia | Alhaji Shetima Usman Abbas | LDPN |
| 11 | Rasheed Shitta Bey | Hon. Hamisu Santuraki | MPPP |
| 12 | Dele Momodu | Yunusa Tanko | NCP |
| 13 | John Omoniyi Dara | Gabriel Okechukwu Ogbonna | NTP |
| 14 | Akpona Solomon | Abdullahi Suleiman | NMDP |
| 15 | Mahmud Waziri | Clement Eze | PDC |
| 16 | DR. Goodluck Ebele Jonathan | Alhaji Namadi Sambo | PDP |
| 17 | Nwadike Chikezie | Alhaji Ali Abacha | PMP |
| 18 | Lawson Igbanugo Aroh | Barr. Samuel Abidan | PPP |
| 19 | Patrick Utomi | Lawal Funtua | SDMP |
| 20 | Ebiti Ndok | Galadima Samari | UNPD |

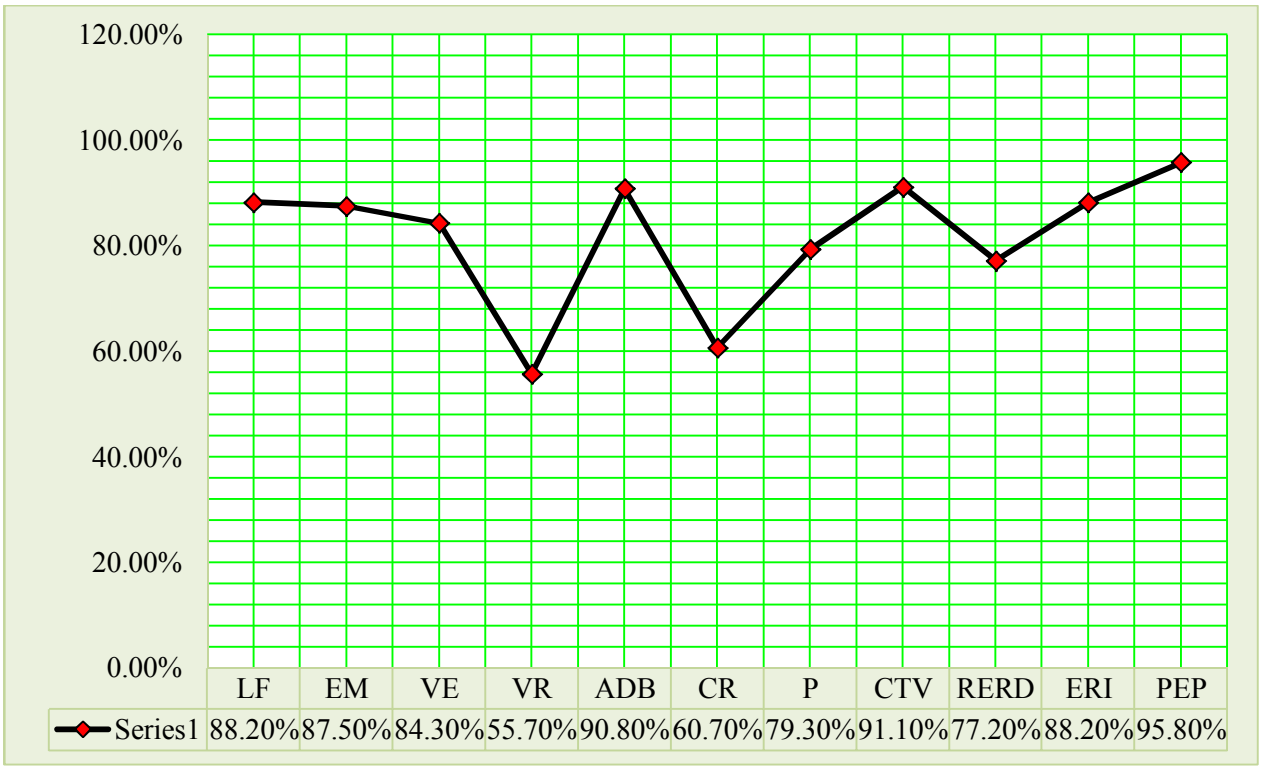
**TABLE 5.21: INEC RESPONDENTS ASSSESSMENT OF THE 2011 PRESIDENTIAL ELECTION**

**ADMINSTRATION PROCESS**

| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of INEC respondents | | Percentage of average ratings |
|---|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $5^{28} + 4^{40}$ | | 4.41 | 88.2% |
| 2. EM | 2. Neutrality of the election management team | $5^{31} + 4^{37}$ | 4.45 | | |
| | 3. Sufficiency of Resources | $5^{14} + 4^{53} + NR^{1}$ | 4.14 | | |
| | 4. Transparency of INEC | $5^{37} + 4^{31}$ | 4.54 | 4.37 | 87.5% |
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $5^{15} + 4^{51} + NR^{2}$ | 4.1 | | |
| | 6. Complimentarity of voter education efforts | $5^{31} + 4^{35} + NR^{2}$ | 4.33 | 4.21 | 84.3% |
| 5. VR | 7. Extent of voter registration | $5^{9} + 4^{24} + 3^{29} + 2^{6}$ | 3.52 | | |
| | 8. Extent of multiple registrations | $2^{46} + 1^{22}$ | 1.67 | | |
| | 9. Functionality of voter registration complaints | $4^{12} + 3^{56}$ | 3.17 | 2.78 | 55.7% |
| 6. ADB | 10. Acceptability of ballot paper design | $5^{37} + 4^{31}$ | | 4.54 | 90.8% |
| 7. CR | 11. Acceptability of funding formula to parties | $4^{32} + 3^{31} + NR^{5}$ | 3.25 | | |
| | 12. Equality of access to public media | $3^{48} + 4^{12} + NR^{8}$ | 2.82 | 3.03 | 60.7% |
| 8. P | 13. Functionality of polling station personnel | $5^{24} + 4^{25} + 3^{19}$ | 4.07 | | |
| | 14. Security of polling station | $4^{37} + 3^{29} + NR^{2}$ | 3.45 | | |
| | 15. Functionality of observation during polling | $5^{27} + 4^{41}$ | 4.38 | 3.96 | 79.3% |
| 9. CTV | 16. Promptness of counting | $5^{33} + 4^{35}$ | 4.48 | | |
| | 17. Functionality of observation during counting | $5^{43} + 4^{25}$ | 4.63 | 4.55 | 91.1% |
| 10. RERD | 18. Promptness in handling of election related disputes | $5^{28} + 4^{24} + 3^{9} + NR^{7}$ | | 3.86 | 77.2% |
| 11. ERI | 19. Promptness of assumption of office | $5^{28} + 4^{40}$ | | 4.41 | 88.12% |
| 12. PEP | 20. Availability of election results to parties | $5^{54} + 4^{14}$ | | 4.79 | 95.8% |
| **Average total and Percentage ratings** | | | **4.08** | | **81.6%** |

***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures..*

**FIGURE 5.16: INEC RESPONDENTS ASSESSMENT OF THE 2011 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

Table 5.21 and figure 5.16 indicates that post election procedures, had the highest rating of 95.8% while voter registration had the lowest rating of 55.7% in the assessment of INEC in the 2011 Presidential elections.

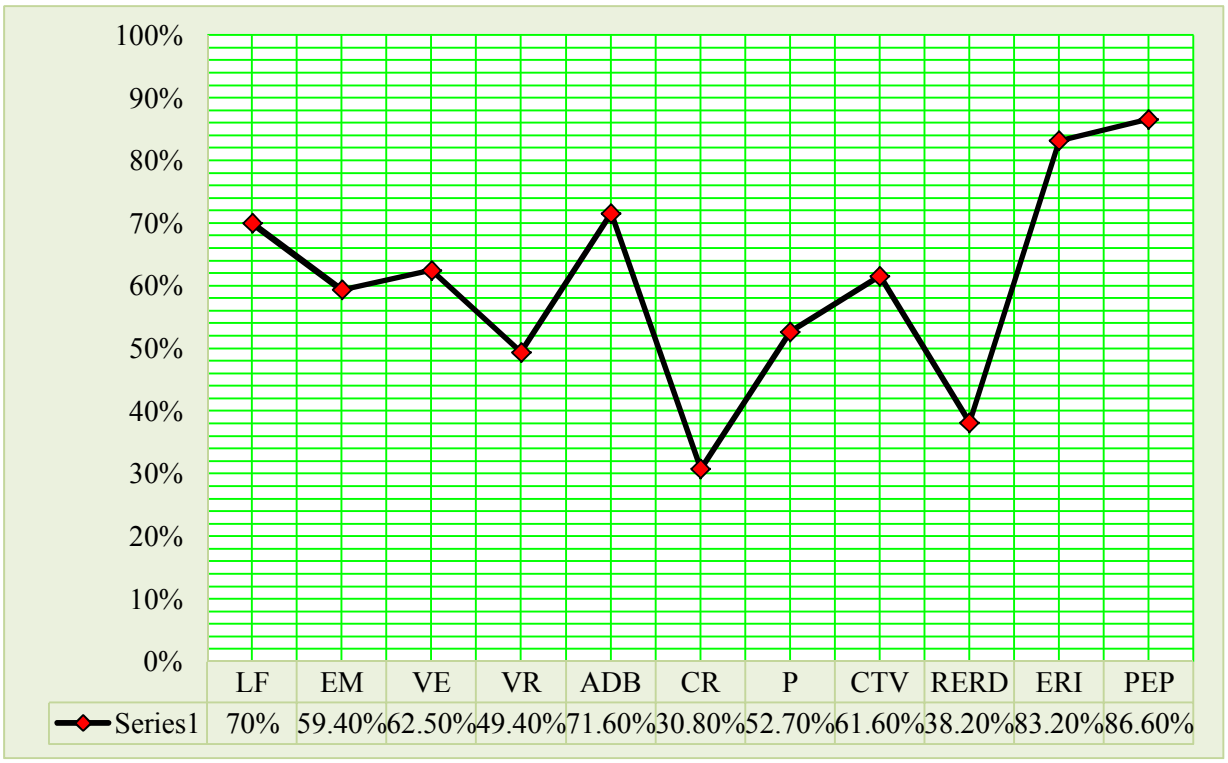
**TABLE 5.22: POLITICAL PARTY RESPONDENTS ASSESSMENT OF THE 2011 PRESIDENTIAL**

**ELECTIONADMINISTRATION PROCESS**

| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of INEC respondents | | Percentage of average ratings |
|---|---|---|---|---|---|
| 1 LF | 1 Legitimacy of the legal framework of INEC | $5^2 + 4^2 + 3^8$ | | 3.5 | 70% |
| 2 EM | 2 Neutrality of the election management team | $5^2 + 4^2 + 3^5 + 2^3$ | 3.25 | | |
| | 3 Sufficiency of resources | $4^2 + 3^7 + NR^3$ | 2.41 | | |
| | 4 Transparency of INEC | $4^3 + 3^9$ | 3.25 | 2.97 | 59.4% |
| 3 CPDD | **Not applicable** | | | | |
| 4 VE | 5. Extent of voter education | $4^3 + 3^9$ | 3.25 | | |
| | 6. Complimentarity of voter education efforts | $4^3 + 3^8 + NR^1$ | 3 | 3.12 | 62.5% |
| 5 VR | 7. Extent of voter registration | $4^3 + 3^6 + 2^3$ | 3 | | |
| | 8. Extent of multiple registrations | $3^1 + 2^2 + 1^9$ | 1.33 | | |
| | 9. Functionality of voter registration complaints | $4^1 + 3^{11}$ | 3.08 | 2.47 | 49.4% |
| 6 ADB | 10. Acceptability of ballot paper design | $5^2 + 4^3 + 3^7$ | | 3.58 | 71.6% |
| 7 CR | 11. Acceptability of funding formula to parties | $3^2 + 2^3 + 1^7$ | 1.58 | | |
| | 12. Equality of access to public media | $3^2 + 2^2 + 1^8$ | 1.5 | 1.54 | 30.8% |
| 8 P | 13. Functionality of polling station personnel | $3^3 + 2^9$ | 2.25 | | |
| | 14. Security of polling station | $3^5 + 2^7$ | 2.41 | | |
| | 15. Functionality of observation during polling | $4^3 + 3^9$ | 3.25 | 2.63 | 52.7% |
| 9 CTV | 16. Promptness of counting | $4^4 + 3^8$ | 3 | | |
| | 17. Functionality of observation during counting | $4^2 + 3^{10}$ | 3.16 | 3.08 | 61.6% |
| 10 RERD | 18. Promptness in handling of election related disputes | $3^3 + 2^5 + 1^4$ | | 1.91 | 38.2% |
| 11 ERI | 19. Promptness of assumption of office | $3^3 + 4^4 + 5^5$ | | 4.16 | 83.2% |
| 12 PEP | 20. Availability of election results to parties | $5^4 + 4^8$ | | 4.33 | 86.6% |
| **Average total and Percentage ratings** | | | **3.02** | | **60.5%** |

***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures..*

**FIGURE 5.17: POLITICAL PARTY RESPONDENTS ASSESSMENT OF THE 2011 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

Table 5.22 and figure 5.17 indicates that in the opinion of political parties, post election procedures had the highest rating in the 2011 Presidential elections to the tune of 86.6%; while campaign regulation had the lowest rating of 30.8%.

**TABLE 5.23: CSO RESPONDENTS ASSESSMENT OF THE 2011 PRESIDENTIAL ELECTION ADMINSTRATION**

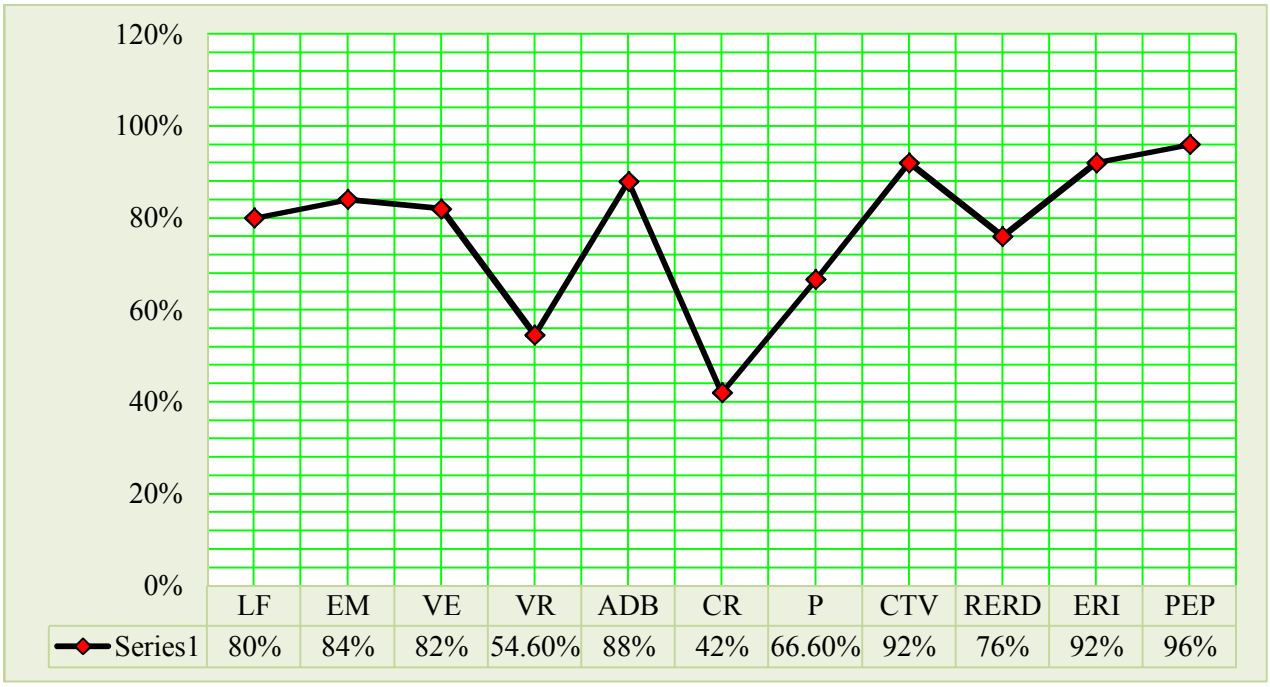
**PROCESS**

| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of INEC respondents | | Percentage of average ratings |
|---|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $4^3 + 5^1 + 3^1$ | | 4 | 80% |
| 2. EM | 2. Neutrality of the election management team | $5^3 + 4^2$ | 4.6 | | |
| | 3. Sufficiency of resources | $4^2 + 3^3$ | 3.4 | 4.2 | 84% |
| | 4. Transparency of INEC | $4^2 + 5^3$ | 4.6 | | |
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $4^4 + 3^1$ | 3.8 | | |
| | 6. Complimentarity of voter education efforts | $5^2 + 4^3$ | 4.4 | 4.1 | 82% |
| 5. VR | 7. Extent of voter egistration | $4^3 + 3^2$ | 3.6 | | |
| | 8. Extent of multiple registrations | $2^1 + 1^4$ | 1.4 | 2.7 | 54.6% |
| | 9. Functionality of voter registration complaints | $3^4 + 4^1$ | 3.2 | | |
| 6. ADB | 10. Acceptability of ballot paper design | $5^2 + 4^3$ | | 4.4 | 88% |
| 7. CR | 11. Acceptability of funding formula to parties | $3^2 + 2^3$ | 1.2 | | |
| | 12. Equality of access to public media | $4^1 + 3^3 + 2^1$ | 3 | 2.1 | 42% |
| 8. P | 13. Functionality of polling station personnel | $3^2 + 2^3$ | 2.4 | | |
| | 14. Security of polling station | $3^4 + 4^1$ | 3.2 | | |
| | 15. Functionality of observation during polling | $5^2 + 4^3$ | 4.4 | 3.33 | 66.6% |
| 9. CTV | 16. Promptness of Counting | $5^2 + 4^3$ | 4.4 | | |
| | 17. Functionality of observation during counting | $5^4 + 4^1$ | 4.8 | 4.6 | 92% |
| 10. RERD | 18. Promptness in handling of election related disputes | $5^1 + 4^2 + 3^2$ | | 3.8 | 76% |
| 11. ERI | 19. Promptness of assumption of office | $5^3 + 4^2$ | | 4.6 | 92% |
| 12. PEP | 20. Availability of election results to parties | $5^4 + 4^1$ | | 4.8 | 96% |
| **Average total and Percentage ratings** | | | **3.87** | | **77.5%** |

***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures..*

**FIGURE 5.18: CSO RESPONDENTS ASSESSMENT OF THE 2011**

**PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****-Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

For CSOs post election procedures and election results implementation and counting and tabulating the votes had the highest ratings of 96% and 92% respectively; while campaign regulation had the lowest rating of 42%. Table 5.23 and figure 5.18 are indicative.

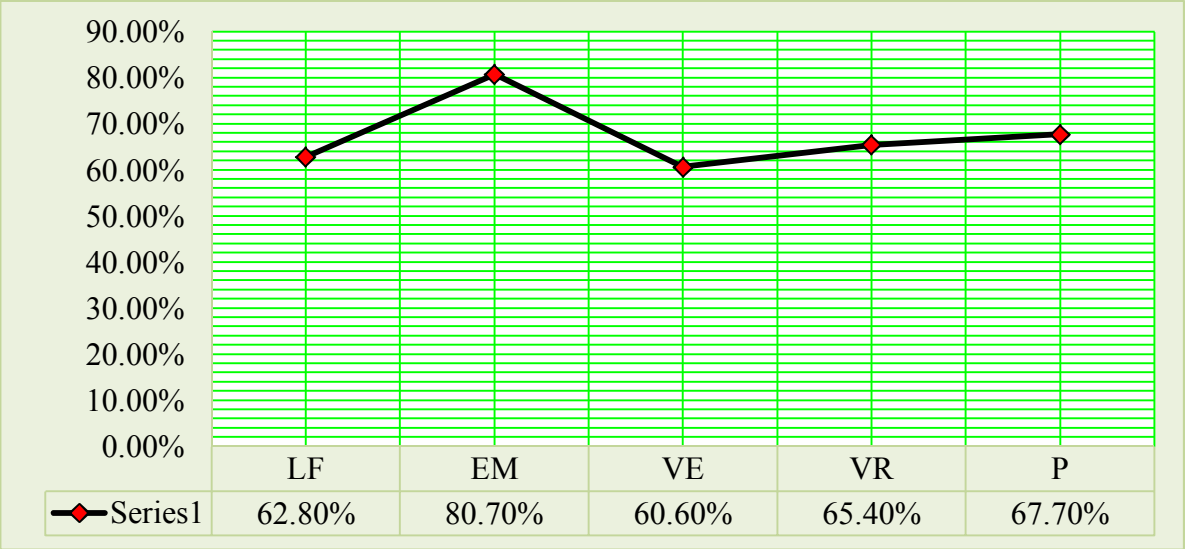
**TABLE 5.24: ELECTORATE'S ASSESSMENT OF THE 2011 PRESIDENTIAL ELECTION ADMINSTRATIONPROCESS**

| Steps in electoral process | Elements for gauging effectiveness of step in election administration process | Frequency distribution of ratings on a scale of 1-5 | Average ratings of the Electorate | | Percentage of average ratings of respondents |
|---|---|---|---|---|---|
| 1. LF | 1. Legitimacy of the legal framework of INEC | $4^{56} + 3^{33} + 2^{15} + 1^{5} + NR^{5}$ | | 3.14 | 62.8% |
| 2. EM | 2. Neutrality of the election management team | $5^{48} + 4^{42} + 3^{13} + 1^{9} + NR^{2}$ | 4 | 4.03 | 80.7% |
| | 3. Sufficiency of resources | *Not applicable | | | |
| | 4. Transparency of INEC | $5^{49} + 4^{42} + 3^{9} + 2^{11} + 1^{3}$ | 4.07 | | |
| 3. CPDD | **Not applicable** | | | | |
| 4. VE | 5. Extent of voter education | $4^{29} + 3^{72} + 2^{7} + NR^{6}$ | 3.03 | 3.03 | 60.6% |
| | 6. Complimentarity of voter education efforts | *Not applicable | | | |
| 5. VR | 7. Extent of voter registration | $4^{53} + 5^{12} + 3^{43} + NR^{6}$ | 3.51 | 3.27 | 65.4% |
| | 8. Extent of multiple registrations | *Not applicable | | | |
| | 9. Functionality of voter registration complaints | $3^{42} + 4^{45} + 2^{19} + 1^{2} + NR^{6}$ | 3.03 | | |
| 6. ADB | 10. Acceptability of ballot paper design | *Not applicable | | | |
| 7. CR | 11. Acceptability of funding formula to parties | *Not applicable | | | |
| | 12. Equality of access to public media | *Not applicable | | | |
| 8. P | 13. Functionality of polling station personnel | $4^{45} + 3^{34} + 2^{26} + 1^{8} + NR^{1}$ | 3 | 3.38 | 67.7% |
| | 14. Security of polling station | $4^{33} + 3^{77} + 2^{4}$ | 3.25 | | |
| | 15. Functionality of observation during polling | $5^{29} + 4^{64} + 3^{15} + NR^{6}$ | 3.91 | | |
| 9. CTV | 16. Promptness of Counting | *Not applicable | | | |
| | 17. Functionality of observation during counting | *Not applicable | | | |
| 10. RERD | 18. Promptness in handling of election related disputes | *Not applicable | | | |
| 11. ERI | 19. Promptness of assumption of office | *Not applicable | | | |
| 12. PEP | 20. Availability of election results to parties | *Not applicable | | | |
| **Average total and Percentage ratings** | | | **3.37** | | **67.4%** |

***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***CPDD****- Constituency and Polling District Demarcation,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures..*

**FIGURE 5.19: THE ELECTORATE'S ASSESSMENT OF THE 2011**

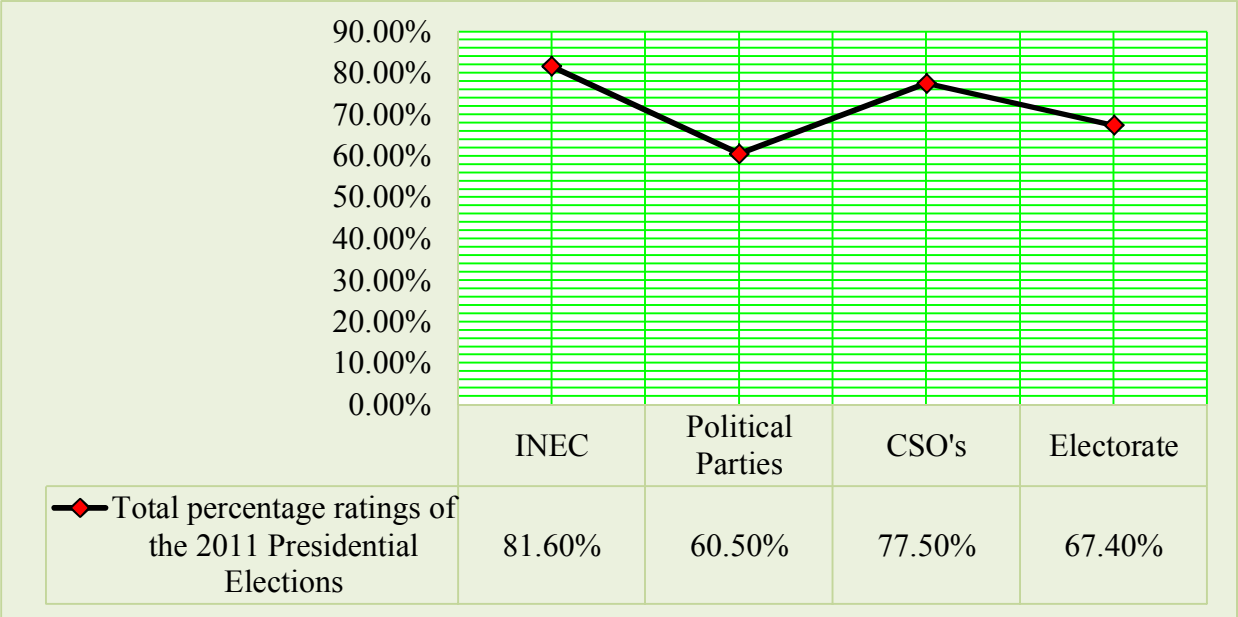
**PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***P****- Polling,*

In the assessment of the electorate, election management had the highest rating of 80.7% while voter education had the lowest rating of 60.5% in the 2011 presidential elections. Table 5.24 and figure 5.19 are indicative.

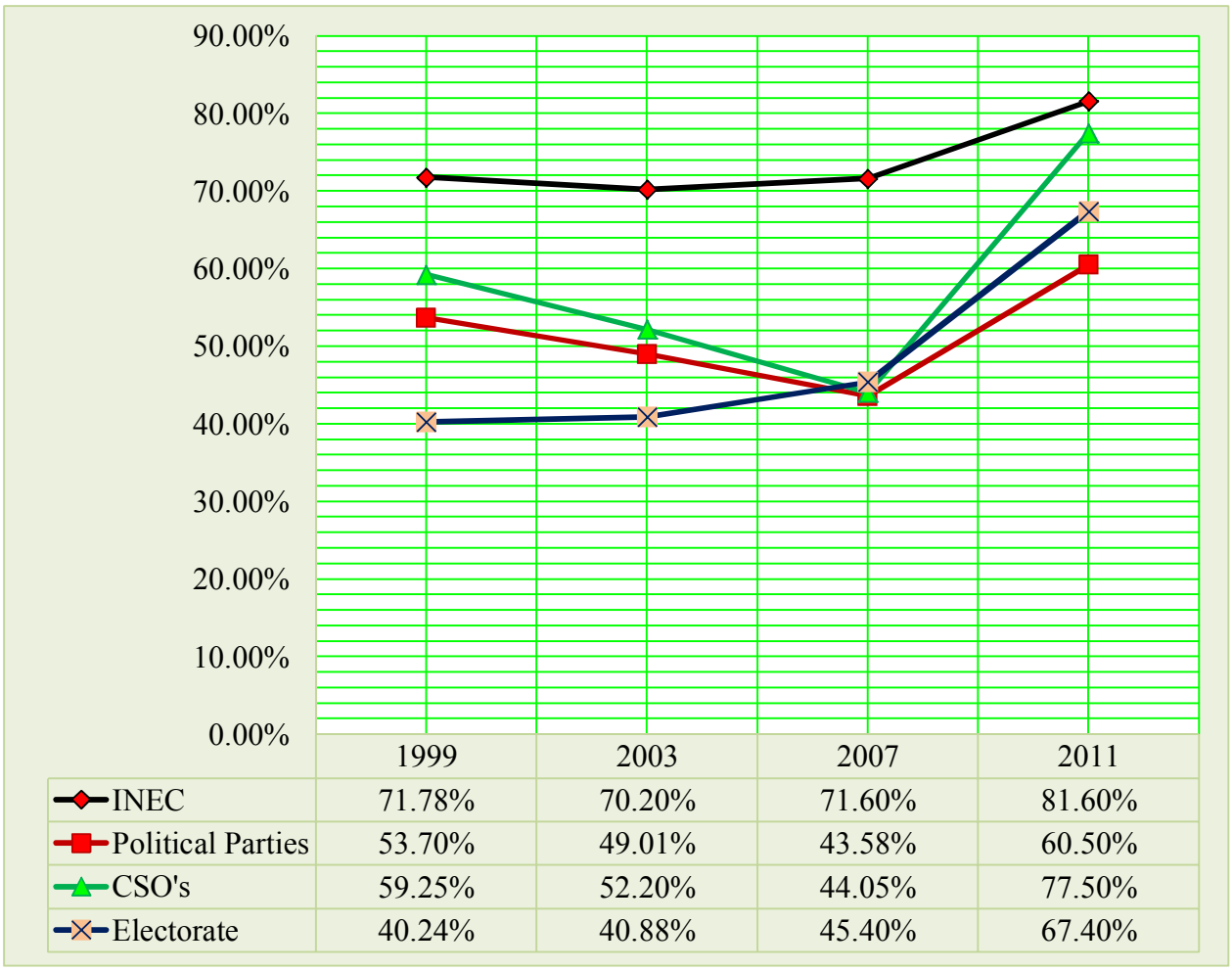
**FIGURE 5.20: STAKE HOLDERS TOTAL PERCENTAGE RATINGS OF THE 2011PRESIDENTIAL ELECTIONS**




| | INEC | Political Parties | CSO's | Electorate |
|---|---|---|---|---|
| Total percentage ratings of the 2011 Presidential Elections | 81.60% | 60.50% | 77.50% | 67.40% |

Figure 5.20 indicates that for the 2011 Presidential elections INEC again recorded the highest rating for the election administration process with a total percentage rating of 81.6%. This was followed by the ratings of CSO's, the electorate and political parties with total percentage rating of 77.5%, 67.4% and 60.5% respectively.

**FIGURE 5.21: KEY STAKEHOLDERS TOTAL PERCENTAGE RATINGS OF THE 1999-2011 PRESIDENTIAL ELECTIONS**




| | 1999 | 2003 | 2007 | 2011 |
|---|---|---|---|---|
| INEC | 71.78% | 70.20% | 71.60% | 81.60% |
| Political Parties | 53.70% | 49.01% | 43.58% | 60.50% |
| CSO's | 59.25% | 52.20% | 44.05% | 77.50% |
| Electorate | 40.24% | 40.88% | 45.40% | 67.40% |

It is evident as in figure 5.21 that INEC has consistently scored itself very high in the Presidential election administration processes of 1999- 2011. Indeed, given that the commission is directly responsible for the electoral process such a scenario was anticipated by this study; hence the identification and incorporation of the other key stakeholders in the study. In the following chapter a more realistic and objective appraisal of the election administrative process is presented by calculating the aggregate ratings of the stakeholders as a category.

# CHAPTER SIX

# DATA PRESENTATION:

## AGGREGATE OF STAKEHOLDERS ASSESSMENT OF THE STRUCTURE AND PROCESS OF THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

### 6.1: AGGREGATE ASSESSMENT OF THE 1999 PRESIDENTIAL ELECTIONS

Nigeria's 1999 general elections marked the beginning of the country's fourth republic in which the military sought to hand over power to a democratically elected government after over 15years in power. Given that of all the elections under consideration, only that of 1999 was transitory (conducted under a departing military regime) suggestions have been made that the election was generally more free and fair than the subsequent elections of 2003, 2007 and 2011. However, election observers noted that massive irregularities were recorded in the 1999 Presidential elections. Former President Jimmy Carter who observed the election for example noted that:

> There was a widespread disparity between the number of voters observed at the polling stations and the final results that was reported from several states. Regrettably therefore it is not possible to make an accurate judgment about the outcome of the presidential elections (AAEA/IFES, 1999:3).

Out of the twenty elements designed to gauge the effectiveness of the Presidential elections, INEC scored above 50% in 17 of the elements in the 1999 Presidential elections and less than 50% in the remaining 3 elements. Furthermore, the highest rating of 92.6% was scored in the promptness of assumption of office following the election. The functionality of voter registration complaints procedures scored 41.6%, equality of access to public media 53% and the extent of multiple

registrations was at 33.2%. Table 6.1 presents the frequency distribution of the ratings of the 1999 Presidential elections.

**TABLE 6.1: DATA COLLECTION REPORT SHEET NO. 1:**

**STRUCTURE AND PROCESS OF THE 1999 PRESIDENTIAL ELECTIONS**

| 1: THE LEGITIMACY OF THE LEGAL FRAMEWORK OF INEC | | |
|---|---|---|
| **Category of respondents** | **Frequency Distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{41} + 3^{23} + NR^{4}$ | 3.42 |
| **Political parties** | $3^{2} + 2^{7} + 1^{3}$ | 1.19 |
| **CSO's** | $3^{1} + 2^{2} + 1^{2}$ | 1.8 |
| **Voters** | $3^{57} + 2^{7} + 1^{50}$ | 2.06 |
| **Average total** | | 2.29 |
| **Total percentage** | | 45.8% |
| **2: NEUTRALITY OF THE ELECTION MANAGEMENT TEAM** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{21} + 4^{47}$ | 4.3 |
| **Political parties** | $3^{3} + 2^{6} + NR^{1}$ | 2.1 |
| **CSO's** | $3^{5}$ | 3 |
| **Voters** | $3^{53} + 2^{17} + 1^{7}\ NR^{37}$ | 1.75 |
| **Average total** | | 2.78 |
| **Total percentage** | | 55.6% |
| **3: SUFFICIENCY OF RESOURCES** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $3^{54} + 4^{9} + 2^{2} + NR^{3}$ | 2.97 |
| **Political parties** | $3^{7} + 2^{4} + NR^{1}$ | 2.5 |
| **CSO's** | $3^{3} + 2^{2}$ | 2.6 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.69 |
| **Total percentage** | | 53.8% |
| **4. TRANSPARENCY OF INEC** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{12} + 4^{54} + NR^{2}$ | 4.058 |
| **Political parties** | $3^{3} + 2^{7}$ | 2.3 |
| **CSO's** | $3^{5}$ | 3 |
| **Voters** | $4^{30} + 3^{65} + 2^{3} + NR^{16}$ | 2.81 |
| **Average total** | | 3.042 |
| **Total percentage** | | 60.84% |
| **5. EXTENT OF VOTER EDUCATION** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{27} + 3^{41}$ | 3.39 |
| **Political parties** | $3^{1} + 3^{2} + 1^{8} + NR^{1}$ | 1.41 |
| **CSO's** | $2^{1} + 1^{4}$ | 1.2 |
| **Voters** | $3^{53} + 2^{22} + 1^{33} + NR^{6}$ | 2.07 |
| **Average total** | | 2.01 |
| **Total percentage** | | 40.2% |

| 6. COMPLIMENTARITY OF VOTER EDUCATION EFFORTS | | |
|---|---|---|
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{33} + 3^{35}$ | 3.48 |
| **Political parties** | $3^{1} + 2^{1} + 1^{10}$ | 1.25 |
| **CSO's** | $2^{1} + 1^{4}$ | 1.2 |
| **Voters** | *Not applicable | |
| | **Average total** | 1.97 |
| | **Total percentage** | 39.4% |
| **7. EXTENT OF VOTER REGISTRATION** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{28} + 3^{40}$ | 3.41 |
| **Political parties** | $3^{2} + 2^{4} + 1^{4}$ | 1.8 |
| **CSO's** | $3^{4} + 2^{1}$ | 2.8 |
| **Voters** | $3^{72} + 2^{19} + NR^{23}$ | 2.22 |
| | **Average total** | 2.55 |
| | **Total percentage** | 51% |
| **8. EXTENT OF MULTIPLE REGISTRATIONS** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $3^{4} + 2^{33} + 1^{31}$ | 1.6 |
| **Political parties** | $2^{4} + 1^{6}$ | 1.4 |
| **CSO's** | $2^{5}$ | 2 |
| **Voters** | *Not applicable | |
| | **Average total** | 1.66 |
| | **Total percentage** | 33.2% |
| **9. FUNCTIONALITY OF VOTER REGISTRATION COMPLAINTS** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{6} + 3^{54} + 2^{8}$ | 2.97 |
| **Political parties** | $3^{4} + 2^{5} + 1^{1}$ | 2.3 |
| **CSO's** | $3^{3} + 2^{1} + 1^{1}$ | 2.4 |
| **Voters** | $2^{30} + 1^{18} + NR^{66}$ | 0.68 |
| | **Average total** | 2.08 |
| | **Total percentage** | 41.6% |
| **10. ACCEPTABILITY OF BALLOT PAPER DESIGN** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{42} + 4^{19} + NR^{7}$ | 2.76 |
| **Political parties** | $3^{6} + 4^{4}$ | 3.4 |
| **CSO's** | $3^{4} + 4^{1}$ | 3.2 |
| **Voters** | *Not applicable | |
| | **Average total** | 3.12 |
| | **Total percentage** | 62.4% |

| 11. ACCEPTABILITY OF FUNDING FORMULAR TO PARTIES | | |
|---|---|---|
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{44} + 3^{20} + NR^{4}$ | 3.47 |
| **Political parties** | $3^{3} + 2^{9}$ | 2.25 |
| **CSO's** | $3^{2} + 2^{3}$ | 2.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.7 |
| **Total percentage** | | 54% |

| 12. EQUALITY OF ACCESS TO PUBLIC MEDIA | | |
|---|---|---|
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{27} + 3^{41}$ | 3.39 |
| **Political parties** | $3^{4} + 2^{7} + NR^{1}$ | 2.16 |
| **CSO's** | $3^{2} + 2^{3}$ | 2.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.65 |
| **Total percentage** | | 53% |

| 13. FUNCTIONALITY OF POLLING STATION PERSONNEL | | |
|---|---|---|
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{44} + 3^{24}$ | 3.64 |
| **Political parties** | $3^{8} + 2^{2}$ | 2.8 |
| **CSO's** | $3^{4} + 2$ | 2.8 |
| **Voters** | $3^{83} + 2^{20} + 1^{11}$ | 2.63 |
| **Average total** | | 2.96 |
| **Total percentage** | | 59.2% |

| 14. SECURITY OF POLLING STATION | | |
|---|---|---|
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{46} + 3^{22}$ | 3.67 |
| **Political parties** | $4^{2} + 3^{8}$ | 3.2 |
| **CSO's** | $4^{3} + 3^{2}$ | 3.6 |
| **Voters** | $4^{31} + 3^{49} + 2^{13} + 1^{4} + NR^{17}$ | 2.64 |
| **Average total** | | 3.27 |
| **Total percentage** | | 65.4% |

| 15. FUNCTIONALITY OF OBSERVATION DURING POLLING | | |
|---|---|---|
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{19} + 4^{26} + 3^{21} + NR^{2}$ | 3.85 |
| **Political parties** | $4^{4} + 3^{5} + 2$ | 3.3 |
| **CSO's** | $4^{3} + 3^{2}$ | 3.6 |
| **Voters** | $3^{54} + 2^{46} + 1^{7} + NR^{7}$ | 2.28 |
| **Average total** | | 3.25 |

| | | |
|---|---|---|
| **Total percentage** | | 65% |
| **16. PROMPTNESS IN THE COUNTING OF VOTES** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{30} + 4^{25} + 3^{13}$ | 4.25 |
| **Political parties** | $4^{2} + 3^{7} + 2^{3}$ | 2.9 |
| **CSO's** | $4^{1} + 3^{3} + 2^{1}$ | 3 |
| **Voters** | *Not applicable | |
| **Average total** | | 3.38 |
| **Total percentage** | | 67.6% |
| **17. FUNCTIONALITY OF OBSERVATION DURING COUNTING** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{19} + 4^{35} + 3^{2} + NR^{12}$ | 3.54 |
| **Political parties** | $4^{2} + 3^{5} + 2^{2} + NR^{1}$ | 2.7 |
| **CSO's** | $4^{3} + 3 + 2$ | 3.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 3.21 |
| **Total percentage** | | 64.2% |
| **18. PROMPTNESS IN HANDLING OF ELECTION RELATED DISPUTES** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{33} + 3^{26} + NR^{9}$ | 3.08 |
| **Political parties** | $4^{3} + 3^{4} + 2^{2} + 1$ | 2.9 |
| **CSO's** | $3^{5}$ | 3 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.99 |
| **Total percentage** | | 59.8% |
| **19. PROMPTNESS OF ASSUMPTION OF OFFICE** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{47} + 4^{21}$ | 4.69 |
| **Political parties** | $5^{7} + 3^{3}$ | 4.4 |
| **CSO's** | $5^{4} + 4$ | 4.8 |
| **Voters** | *Not applicable | |
| **Average total** | | 4.63 |
| **Total percentage** | | 92.6% |
| **20. AVAILABILTY OF ELECTION RESULTS TO PARTIES** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{43} + 4^{25}$ | 4.63 |
| **Political parties** | $4^{2} + 5^{2} + 3$ | 4.1 |
| **CSO's** | $5^{2} + 4^{3}$ | 4.4 |
| **Voters** | *Not applicable | |

| | |
|---|---|
| **Average total** | 4.37 |
| **Total percentage** | 87.4% |

**Source: data from field work (2010/2011)**

## 6.2 AGGREGATE ASSESSMENT OF THE 2003 PRESIDENTIAL ELECTIONS

Prior to the 2003 elections the alternation of political power in Nigeria had occurred only between civilian and military regimes, and not between elected civilian administrations. As a result, the 2003 Presidential election was a crucial test of the country's democratic development. The election returned the PDP and the incumbent administration of Olusegun Obasanjo to power; amid widespread protest and contestations of the election result. Political parties and CSO'S in particular were of the opinion that the election was massively rigged; and therefore called for a cancellation of the election results and the hosting of a national conference (IRI, 2003).

In the 2003 Presidential elections INEC scored above 50% in 13 of the elements designed to gauge the effectiveness of the steps in the electoral process and less than 50% in the remaining 7 elements. Furthermore, promptness in the assumption of office also had the highest ratings of 89.2% while the promptness in handling of election related disputes had the lowest rating of 31%. Table 6.2 is indicative.

**TABLE 6.2: DATA COLLECTION REPORT SHEET NO. 2:**

**STRUCTURE AND PROCESS OF THE 2003 PRESIDENTIAL ELECTIONS**

| **1: RESPONDENTS VIEW ON THE LEGITIMACY OF THE LEGAL FRAMEWORK OF INEC** | | |
|---|---|---|
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{47} + 3^{17} + 2^{4}$ | 3.63 |
| **Political parties** | $3^{6} + 2^{6}$ | 2.5 |
| **CSO's** | $3^{2} + 2^{2} + 1$ | 2.2 |
| **Voters** | $3^{55} + 2^{36} + 1^{21} + NR^{2}$ | 2.26 |
| **Average total** | | 2.64 |
| **Total percentage** | | 52.8% |
| **2: NEUTRALITY OF THE ELECTION MANAGEMENT TEAM** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{29} + 3^{36} + NR^{3}$ | 3.29 |
| **Political parties** | $3^{4} + 2^{6} + 1^{2}$ | 2.08 |
| **CSO's** | $3^{1} + 2^{3} + 1^{1}$ | 2 |
| **Voters** | $4^{4} + 3^{45} + 2^{53} + 1^{5} + NR^{7}$ | 2.29 |
| **Average total** | | 2.41 |
| **Total percentage** | | 48.2% |
| **3: SUFFICIENCY OF RESOURCES** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{17} + 3^{44} + NR^{7}$ | 2.94 |
| **Political parties** | $4^{2} + 3^{4} + NR^{4}$ | 2.8 |
| **CSO's** | $4^{1} + 3^{3} + NR^{1}$ | 2.6 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.78 |
| **Total percentage** | | 55.6% |
| **4. TRANSPARENCY OF INEC** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{22} + 3^{36} + NR^{10}$ | 2.88 |
| **Political parties** | $3^{4} + 2^{5} + 1^{3}$ | 2.08 |
| **CSO's** | $3^{2} + 2^{3}$ | 2.4 |
| **Voters** | $3^{53} + 2^{47} + 1^{8} + NR^{6}$ | 2.29 |
| **Average total** | | 2.41 |
| **Total percentage** | | 48.2% |
| **5. EXTENT OF VOTER EDUCATION** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{19} + 3^{49}$ | 3.27 |
| **Political parties** | $3^{3} + 2^{7} + 1^{2}$ | 2.08 |
| **CSO's** | $2^{2} + 3^{3}$ | 2.6 |
| **Voters** | $2^{105} + 1^{3} + NR^{6}$ | 1.86 |

| | | |
|---|---|---|
| **Average total** | | 2.45 |
| **Total percentage** | | 49% |
| **6. COMPLIMENTARITY OF VOTER EDUCATION EFFORTS** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{37} + 4^{24} + NR^{7}$ | 4.13 |
| **Political parties** | $3^{6} + NR^{4}$ | 1.8 |
| **CSO's** | $4^{2} + 3^{3}$ | 3.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 3.11 |
| **Total percentage** | | 62.2% |
| **7. EXTENT OF VOTER REGISTRATION** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{24} + 3^{44}$ | 3.35 |
| **Political parties** | $3^{1} + 2^{10} + NR^{1}$ | 1.19 |
| **CSO's** | $3^{2} + 2^{1} + 1^{2}$ | 2.2 |
| **Voters** | $3^{53} + 2^{13} + 1^{38} + NR^{10}$ | 1.95 |
| **Average total** | | 2.17 |
| **Total percentage** | | 43.4% |
| **8. EXTENT OF MULTIPLE REGISTRATIONS** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $3^{55} + 2^{13}$ | 2.80 |
| **Political parties** | $4^{4} + 3^{6} + 2^{1} + NR^{1}$ | 3 |
| **CSO's** | $4^{2} + 3^{2} + 1$ | 3 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.93 |
| **Total percentage** | | 58.6% |
| **9. FUNCTIONALITY OF VOTER REGISTRATION COMPLAINTS** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{4} + 3^{64}$ | 3.05 |
| **Political parties** | $3^{2} + 2^{10}$ | 2.16 |
| **CSO's** | $2^{5}$ | 2 |
| **Voters** | $2^{41} + 1^{66} + NR^{7}$ | 1.29 |
| **Average total** | | 2.12 |
| **Total percentage** | | 42.4% |
| **10. ACCEPTABILITY OF BALLOT PAPER DESIGN** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{27} + 3^{41}$ | 3.39 |
| **Political parties** | $3^{5} + 2^{7}$ | 2.41 |
| **CSO's** | $3^{3} + 2^{2}$ | 2.6 |

| | | |
|---|---|---|
| **Voters** | *Not applicable | |
| **Average total** | | 2.8 |
| **Total percentage** | | 56% |
| **11. ACCEPTABILITY OF FUNDING FORMULAR TO PARTIES** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{49} + 3^{7} + NR^{12}$ | 3.19 |
| **Political parties** | $3^{3} + 2^{7}$ | 2.3 |
| **CSO's** | $3^{3} + 2^{2}$ | 2.6 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.69 |
| **Total percentage** | | 53.8% |
| **12. EQUALITY OF ACCESS TO PUBLIC MEDIA** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{27} + 3^{31} + NR^{10}$ | 2.77 |
| **Political parties** | $3^{2} + 2^{6} + 1^{2}$ | 2 |
| **CSO's** | $3^{2} + 2^{3}$ | 2.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.39 |
| **Total percentage** | | 47.8% |
| **13. FUNCTIONALITY OF POLLING STATION PERSONNEL** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{32} + 3^{36}$ | 3.47 |
| **Political parties** | $3^{2} + 2^{6} + 1^{4}$ | 1.83 |
| **CSO's** | $3^{2} + 2^{1} + 1^{2}$ | 2 |
| **Voters** | $3^{35} + 2^{28} + 1^{41} + NR^{10}$ | 1.77 |
| **Average total** | | 2.26 |
| **Total percentage** | | 45.2% |
| **14. SECURITY OF POLLING STATION** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{29} + 3^{23} + 2^{15} + NR^{1}$ | 3.16 |
| **Political parties** | $3^{2} + 2^{10}$ | 2.16 |
| **CSO's** | $3^{1} + 2^{3} + 1^{1}$ | 2 |
| **Voters** | $4^{26} + 3^{11} + 2^{73} + 1^{4}$ | 2.51 |
| **Average total** | | 2.45 |
| **Total percentage** | | 49% |
| **15. FUNCTIONALITY OF OBSERVATION DURING POLLING** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{23} + 4^{27} + 3^{14} + NR^{4}$ | 3.89 |
| **Political parties** | $3^{7} + 2^{5}$ | 2.58 |

| | | |
|---|---|---|
| **CSO's** | $3^{3} + 2^{2}$ | 2.6 |
| **Voters** | $3^{52} + 2^{53} + NR^{9}$ | 2.29 |
| **Average total** | | 2.84 |
| **Total percentage** | | 56.8% |

**16. PROMPTNESS OF COUNTING**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $5^{38} + 4^{16} + 3^{2} + NR^{12}$ | 3.52 |
| **Political parties** | $4^{4} + 3^{3} + 2^{3}$ | 3.1 |
| **CSO's** | $4^{2} + 3^{3}$ | 3.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 3.34 |
| **Total percentage** | | 66.8% |

**17. FUNCTIONALITY OF OBSERVATION DURING COUNTING**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $5^{24} + 4^{35} + 3^{4} + NR^{5}$ | 4 |
| **Political parties** | $3^{3} + 2^{6} + 1^{3}$ | 2 |
| **CSO's** | $3^{2} + 2^{3}$ | 2.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.8 |
| **Total percentage** | | 56% |

**18. PROMPTNESS IN HANDLING OF ELECTION RELATED DISPUTES**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $3^{44} + 2^{13} + NR^{11}$ | 2.32 |
| **Political parties** | $3^{2} + 1^{10}$ | 1.13 |
| **CSO's** | $1^{5}$ | 1 |
| **Voters** | *Not applicable | |
| **Average total** | | 1.55 |
| **Total percentage** | | 31% |

**19. PROMPTNESS OF ASSUMPTION OF OFFICE**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $5^{45} + 4^{23}$ | 4.66 |
| **Political parties** | $5^{4} + 4^{8}$ | 4.33 |
| **CSO's** | $5^{2} + 4^{3}$ | 4.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 4.46 |
| **Total percentage** | | 89.2% |

**20. AVAILABILTY OF ELECTIONRESULTS TO PARTIES**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $5^{29} + 4^{39}$ | 4.42 |

| | | |
|---|---|---|
| **Political parties** | $4^4 + 3^8$ | 3.33 |
| **CSO's** | $3^4 + 4$ | 3.2 |
| **Voters** | *Not applicable | |
| **Average total** | | 3.65 |
| **Total percentage** | | 73% |

**Source: data from field work (2010/2011)**

## 6.3: AGGREGATE ASSESSMENT OF THE 2007 PRESIDENTIAL ELECTIONS

The 2007 elections, marked the first time Nigeria conducted three consecutive polls (1999, 2003 and 2007) uninterrupted by military rule since independence in 1960. The election was however described as being marred by "such widespread irregularities that neither Nigerians nor the watching world consider the results credible" (international crisis group, 2007: 1). INEC declared that Umaru Musa Yar'Adua of the ruling People's Democratic Party (PDP) had won the election. The results were however denounced by opposition leaders and the election observation missions. The candidate of the major opposition party the ANPP (General Muhammadu Buhari Rtd) said he "completely and wholeheartedly" rejected the results. At its first meeting after the elections, the Coalition of Opposition Candidates (COC) said the election was "worse than a military coup".

In the 2007 Presidential elections, 8 elements scored ratings of above 50%, while the remaining 12 elements scored below 50%. In addition, the highest rating was also in the promptness of assumption of office with a rating of 87.2%, while the lowest point was in the acceptability of the ballot paper design with a rating of 30.6%. Table 6.3 is indicative.

**TABLE 6.3: DATA COLLECTION REPORT SHEET NO. 3:**

**STRUCTURE AND PROCESS OF THE 2007 PRESIDENTIAL ELECTIONS**

| **1: RESPONDENTS VIEW ON THE LEGITIMACY OF THE LEGAL FRAMEWORK OF INEC** | | |
|---|---|---|
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{17}+4^{24}+3^{25}$ $NR^{2}$ | 3.76 |
| **Political parties** | $3^{5}+2^{5}$ | 2.5 |
| **CSO's** | $3^{3}+2^{2}$ | 2.6 |
| **Voters** | $4^{27}+3^{46}+2^{27}+1^{14}$ | 2.75 |
| **Average total** | | 2.9 |
| **Total percentage** | | 58.05% |
| **2: NEUTRALITY OF THE ELECTION MANAGEMENT TEAM** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{31}+3^{30}+2^{4}+NR^{3}$ | 3.26 |
| **Political parties** | $3^{2}+2^{5}+1^{5}$ | 1.75 |
| **CSO's** | $3^{1}+1^{4}$ | 1.4 |
| **Voters** | $4^{16}+3^{70}+2^{8}+1^{20}$ | 2.71 |
| **Average total** | | 2.28 |
| **Total percentage** | | 45.6% |
| **3: SUFFICIENCY OF RESOURCES** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{10}+4^{49}+3^{8}$ $NR^{1}$ | 3.97 |
| **Political parties** | $4^{3}+3^{3}+2^{3}+NR^{3}$ | 2.25 |
| **CSO's** | $4^{2}+3^{2}+NR^{1}$ | 2.8 |
| **Voters** | *Not applicable | |
| **Average total** | | 3 |
| **Total percentage** | | 60% |
| **4. TRANSPARENCY OF INEC** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{26}+3^{42}$ | 3.38 |
| **Political parties** | $2+1^{11}$ | 1.08 |
| **CSO's** | $2^{1}+1^{4}$ | 1.2 |
| **Voters** | $3^{31}+2^{56}+1^{27}$ | 2.03 |
| **Average total** | | 1.92 |
| **Total percentage** | | 38.4% |
| **5. EXTENT OF VOTER EDUCATION** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{24}+3^{44}$ | 3.35 |
| **Political parties** | $3^{6}+2^{4}$ | 2.6 |
| **CSO's** | $3^{2}+2^{3}$ | 3 |

| | | |
|---|---|---|
| **Voters** | $3^{83} + 2^{31}$ | 2.72 |
| **Average total** | | 2.91 |
| **Total percentage** | | 58.2% |
| **6. COMPLIMENTARITY OF VOTER EDUCATION EFFORTS** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{45} + 4^{23}$ | 4.66 |
| **Political parties** | $3^{6} + 2^{5} + NR^{1}$ | 2.3 |
| **CSO's** | $4^{5}$ | 4 |
| **Voters** | *Not applicable | |
| **Average total** | | 3.65 |
| **Total percentage** | | 73% |
| **7. EXTENT OF VOTER REGISTRATION** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{10} + 3^{41} + 2^{13} + NR^{4}$ | 2.95 |
| **Political parties** | $1^{12}$ | 1 |
| **CSO's** | $2^{1} + 1^{4}$ | 1.2 |
| **Voters** | $2^{52} + 5^{18} + 4^{5} + 1^{39}$ | 2.21 |
| **Average total** | | 1.84 |
| **Total percentage** | | 36.8% |
| **8. EXTENT OF MULTIPLE REGISTRATIONS** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $3^{17} + 2^{51}$ | 2.25 |
| **Political parties** | $3^{2} + 5^{10}$ | 4.66 |
| **CSO's** | $5^{5}$ | 5 |
| **Voters** | *Not applicable | |
| **Average total** | | 3.97 |
| **Total percentage** | | 79.4% |
| **9. FUNCTIONALITY OF VOTER REGISTRATION COMPLAINTS** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $3^{43} + 4^{25}$ | 3.36 |
| **Political parties** | $1^{12}$ | 1 |
| **CSO's** | $1^{5}$ | 1 |
| **Voters** | $2^{69} + 1^{43} + NR^{2}$ | 1.58 |
| **Average total** | | 1.73 |
| **Total percentage** | | 34.6% |
| **10. ACCEPTABILITY OF BALLOT PAPER DESIGN** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $3^{54} + 2^{8} + NR^{6}$ | 2.61 |
| **Political parties** | $1^{12}$ | 1 |

| | | |
|---|---|---|
| **CSO's** | $1^{5}$ | 1 |
| **Voters** | *Not applicable | |
| **Average total** | | 1.53 |
| **Total percentage** | | 30.6% |

**11. ACCEPTABILITY OF FUNDING FORMULAR TO PARTIES**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $5^{13} + 4^{46} + NR^{9}$ | 3.66 |
| **Political parties** | $3^{3} + 2^{2} + 1^{7}$ | 1.66 |
| **CSO's** | $3^{2} + 2^{2} + NR^{1}$ | 2 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.44 |
| **Total percentage** | | 48.8% |

**12. EQUALITY OF ACCESS TO PUBLIC MEDIA**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $3^{53} + 2^{3} + 4^{10} + NR^{2}$ | 3.01 |
| **Political parties** | $3^{1} + 2^{1} + 1^{10}$ | 1.25 |
| **CSO's** | $1^{5}$ | 1 |
| **Voters** | *Not applicable | |
| **Average total** | | 1.75 |
| **Total percentage** | | 35% |

**13. FUNCTIONALITY OF POLLING STATION PERSONNEL**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $4^{12} + 3^{38} + 2^{9} + 1^{2} + NR^{7}$ | 2.67 |
| **Political parties** | $3^{2} + 1^{10}$ | 1.33 |
| **CSO's** | $1^{5}$ | 1 |
| **Voters** | $2^{54} + 1^{60}$ | 1.47 |
| **Average total** | | 1.61 |
| **Total percentage** | | 32.2% |

**14. SECURITY OF POLLING STATION**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $3^{56} + 2^{8} + NR^{4}$ | 2.7 |
| **Political parties** | $3^{1} + 2^{1} + 1^{10}$ | 1.25 |
| **CSO's** | $1^{5}$ | 1 |
| **Voters** | $4^{3} + 3^{31} + 2^{54} + 1^{26}$ | 2.09 |
| **Average total** | | 1.76 |
| **Total percentage** | | 35.2% |

**15. FUNCTIONALITY OF OBSERVATION DURING POLLING**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $5^{6} + 4^{34} + 3^{28}$ | 3.67 |

| | | |
|---|---|---|
| **Political parties** | $3^{2} + 2^{3} + 1^{7}$ | 1.58 |
| **CSO's** | $2^{2} + 1^{3}$ | 1.4 |
| **Voters** | $2^{54} + 1^{46} + NR^{14}$ | 1.35 |
| **Average total** | | 2 |
| **Total percentage** | | 40% |
| **16. PROMPTNESS OF COUNTING** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{22} + 4^{29} + 3^{8} + NR^{9}$ | 3.67 |
| **Political parties** | $3^{2} + 2^{2} + 1^{8}$ | 1.5 |
| **CSO's** | $2^{2} + 1^{3}$ | 1.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.19 |
| **Total percentage** | | 43.8% |
| **17. FUNCTIONALITY OF OBSERVATION DURING COUNTING** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{12} + 4^{39} + 3^{6} + NR^{11}$ | 3.44 |
| **Political parties** | $3^{2} + 2^{5} + 1^{5}$ | 1.75 |
| **CSO's** | $3^{1} + 2^{1} + 1^{3}$ | 1.6 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.26 |
| **Total percentage** | | 45.2% |
| **18. PROMPTNESS IN HANDLING OF ELECTION RELATED DISPUTES** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{37} + 3^{31}$ | 3.54 |
| **Political parties** | $3^{3} + 2^{9}$ | 2.25 |
| **CSO's** | $3^{2} + 2^{3}$ | 2.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.73 |
| **Total percentage** | | 54.6% |
| **19. PROMPTNESS OF ASSUMPTION OF OFFICE** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{36} + 4^{32}$ | 4.52 |
| **Political parties** | $3^{4} + 4^{2} + 5^{6}$ | 4.16 |
| **CSO's** | $5^{2} + 4^{3}$ | 4.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 4.36 |
| **Total percentage** | | 87.2% |
| **20. AVAILABILTY OF ELECTIONRESULTS TO PARTIES** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |

| | | |
|---|---|---|
| **INEC** | $5^{47} + 4^{21}$ | 4.69 |
| **Political parties** | $4^{3} + 3^{9}$ | 3.25 |
| **CSO's** | $3^{3} + 2^{2}$ | 2 |
| **Voters** | *Not applicable | |
| **Average total** | | 3.31 |
| **Total percentage** | | 66.2% |

***Source: data from field work (2010/2011)***

## 6.4: AGGREGATE ASSESSMENT OF THE 2011 PRESIDENTIAL ELECTIONS

In the 2011 Presidential elections a total number of 17 elements scored ratings of above 50% while the remaining 3 elements were below 50%. In addition, the availability of election results to interested parties scored the highest ratings of 92.8% while the extent of multiple registrations was lowest with 29.2%. Table 6.4 is indicative.

**TABLE 6.4: DATA COLLECTION REPORT SHEET NO.4: STRUCTURE AND PROCESS OF THE 2011 PRESIDENTIAL ELECTIONS**

| **1: RESPONDENTS VIEW ON THE LEGITIMACY OF THE LEGAL FRAMEWORK OF INEC** | | |
|---|---|---|
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{28} + 4^{40}$ | 4.41 |
| **Political parties** | $5^{2} + 4^{2} + 3^{8}$ | 3.5 |
| **CSO's** | $4^{3} + 5^{1} + 3^{1}$ | 4 |
| **Voters** | $4^{56} + 3^{33} + 2^{15} + 1^{5} + NR^{5}$ | 3.14 |
| **Average total** | | 3.76 |
| **Total percentage** | | 75.2% |
| **2: NEUTRALITY OF THE ELECTION MANAGEMENT TEAM** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{31} + 4^{37}$ | 4.45 |
| **Political parties** | $5^{2} + 4^{2} + 3^{5} + 2^{3}$ | 3.25 |
| **CSO's** | $5^{3} + 4^{2}$ | 4.6 |
| **Voters** | $5^{48} + 4^{42} + 3^{13} + 1^{9} + NR^{2}$ | 4 |
| **Average total** | | 4.07 |
| **Total percentage** | | 81.4% |
| **3: SUFFICIENCY OF RESOURCES** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{14} + 4^{53} + NR^{1}$ | 4.14 |
| **Political parties** | $4^{2} + 3^{7} + NR^{3}$ | 2.41 |
| **CSO's** | $4^{2} + 3^{3}$ | 3.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 3.31 |
| **Total percentage** | | 66.2% |
| **4. TRANSPARENCY OF INEC** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{37} + 4^{31}$ | 4.54 |
| **Political parties** | $4^{3} + 3^{9}$ | 3.25 |
| **CSO's** | $4^{2} + 5^{3}$ | 4.6 |
| **Voters** | $5^{49} + 4^{42} + 3^{9} + 2^{11} + 1^{3}$ | 4.07 |
| **Average total** | | 4.115 |
| **Total percentage** | | 82.3% |
| **1. EXTENT OF VOTER EDUCATION** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{15} + 4^{51} + NR^{2}$ | 4.1 |
| **Political parties** | $4^{3} + 3^{9}$ | 3.25 |
| **CSO's** | $4^{4} + 3^{1}$ | 3.8 |
| **Voters** | $4^{29} + 3^{72} + 2^{7} + NR^{6}$ | 3.03 |
| **Average total** | | 3.54 |

| | | |
|---|---|---|
| **Total percentage** | | 70.8% |
| **6. COMPLIMENTARITY OF VOTER EDUCATION EFFORTS** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{31} + 4^{35} + NR^{2}$ | 4.33 |
| **Political parties** | $4^{3} + 3^{8} + NR^{1}$ | 3 |
| **CSO's** | $5^{2} + 4^{3}$ | 4.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 3.91 |
| **Total percentage** | | 78.2% |
| **7. EXTENT OF VOTER REGISTRATION** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{9} + 4^{24} + 3^{29} + 2^{6}$ | 3.52 |
| **Political parties** | $4^{3} + 3^{6} + 2^{3}$ | 3 |
| **CSO's** | $4^{3} + 3^{2}$ | 3.6 |
| **Voters** | $4^{53} + 5^{12} + 3^{43} + NR^{6}$ | 3.51 |
| **Average total** | | 3.40 |
| **Total percentage** | | 68% |
| **8. EXTENT OF MULTIPLE REGISTRATIONS** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $2^{46} + 1^{22}$ | 1.67 |
| **Political parties** | $3^{1} + 2^{2} + 1^{9}$ | 1.33 |
| **CSO's** | $2^{1} + 1^{4}$ | 1.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 1.46 |
| **Total percentage** | | 29.2% |
| **9. FUNCTIONALITY OF VOTER REGISTRATION COMPLAINTS** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{12} + 3^{56}$ | 3.17 |
| **Political parties** | $4^{1} + 3^{11}$ | 3.08 |
| **CSO's** | $3^{4} + 4^{1}$ | 3.2 |
| **Voters** | $3^{42} + 4^{45} + 2^{19} + 1^{2} + NR^{6}$ | 3.03 |
| **Average total** | | 3.12 |
| **Total percentage** | | 62.4% |
| **10. ACCEPTABILITY OF BALLOT PAPER DESIGN** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{37} + 4^{31}$ | 4.54 |
| **Political parties** | $5^{2} + 4^{3} + 3^{7}$ | 3.58 |
| **CSO's** | $5^{2} + 4^{3}$ | 4.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 4.17 |
| **Total percentage** | | 83.4% |
| **11. ACCEPTABILITY OF FUNDING FORMULAR TO PARTIES** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $4^{32} + 3^{31} + NR^{5}$ | 3.25 |
| **Political parties** | $3^{2} + 2^{3} + 1^{7}$ | 1.58 |

| | | |
|---|---|---|
| **CSO's** | $3^{2} + 2^{3}$ | 1.2 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.01 |
| **Total percentage** | | 40.2% |

**12. EQUALITY OF ACCESS TO PUBLIC MEDIA**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $3^{48} + 4^{12} + NR^{8}$ | 2.82 |
| **Political parties** | $3^{2} + 2^{2} + 1^{8}$ | 1.5 |
| **CSO's** | $4^{1} + 3^{3} + 2^{1}$ | 3 |
| **Voters** | *Not applicable | |
| **Average total** | | 2.44 |
| **Total percentage** | | 48.8% |

**13.FUNCTIONALITY OF POLLING STATION PERSONNEL**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $5^{24} + 4^{25} + 3^{19}$ | 4.07 |
| **Political parties** | $3^{3} + 2^{9}$ | 2.25 |
| **CSO's** | $3^{2} + 2^{3}$ | 2.4 |
| **Voters** | $4^{45} + 3^{34} + 2^{26} + 1^{8} + NR^{1}$ | 3 |
| **Average total** | | 2.93 |
| **Total percentage** | | 58.6% |

**14. SECURITY OF POLLING STATION**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $4^{37} + 3^{29} + NR^{2}$ | 3.45 |
| **Political parties** | $3^{5} + 2^{7}$ | 2.41 |
| **CSO's** | $3^{4} + 4^{1}$ | 3.2 |
| **Voters** | $4^{33} + 3^{77} + 2^{4}$ | 3.25 |
| **Average total** | | 3.07 |
| **Total percentage** | | 61.4% |

**15. FUNCTIONALITY OF OBSERVATION DURING POLLING**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $5^{27} + 4^{41}$ | 4.38 |
| **Political parties** | $4^{3} + 3^{9}$ | 3.25 |
| **CSO's** | $5^{2} + 4^{3}$ | 4.4 |
| **Voters** | $5^{29} + 4^{64} + 3^{15} + NR^{6}$ | 3.91 |
| **Average total** | | 3.98 |
| **Total percentage** | | 79.6% |

**16. PROMPTNESS OF COUNTING**

| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
|---|---|---|
| **INEC** | $5^{33} + 4^{35}$ | 4.48 |
| **Political parties** | $4^{4} + 3^{8}$ | 3 |
| **CSO's** | $5^{2} + 4^{3}$ | 4.4 |
| **Voters** | *Not applicable | |
| **Average total** | | 3.96 |

| | | |
|---|---|---|
| **Total percentage** | | 79.2% |
| **17. FUNCTIONALITY OF OBSERVATION DURING COUNTING** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{43} + 4^{25}$ | 4.63 |
| **Political parties** | $4^{2} + 3^{10}$ | 3.16 |
| **CSO's** | $5^{4} + 4^{1}$ | 4.8 |
| **Voters** | *Not applicable | |
| **Average total** | | 4.19 |
| **Total percentage** | | 83.8% |
| **18. PROMPTNESS IN HANDLING OF ELECTION RELATED DISPUTES** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{28} + 4^{24} + 3^{9} + NR^{7}$ | 3.86 |
| **Political parties** | $3^{3} + 2^{5} + 1^{4}$ | 1.91 |
| **CSO's** | $5^{1} + 4^{2} + 3^{2}$ | 3.8 |
| **Voters** | *Not applicable | |
| **Average total** | | 3.19 |
| **Total percentage** | | 63.8% |
| **19. PROMPTNESS OF ASSUMPTION OF OFFICE** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{28} + 4^{40}$ | 4.41 |
| **Political parties** | $3^{3} + 4^{4} + 5^{5}$ | 4.16 |
| **CSO's** | $5^{3} + 4^{2}$ | 4.6 |
| **Voters** | *Not applicable | |
| **Average total** | | 4.39 |
| **Total percentage** | | 87.8% |
| **20. AVAILABILTY OF ELECTION RESULTS TO PARTIES** | | |
| **Category of respondents** | **Frequency distribution of ratings on a scale of 1-5** | **Average ratings of categories of respondents** |
| **INEC** | $5^{54} + 4^{14}$ | 4.79 |
| **Political parties** | $5^{4} + 4^{8}$ | 4.33 |
| **CSO's** | $5^{4} + 4^{1}$ | 4.8 |
| **Voters** | *Not applicable | |
| **Average total** | | 4.64 |
| **Total percentage** | | 92.8% |

***Source: data from field work (2010/2011)***

Table 6.5 presents a summary of the foregoing data.

**TABLE 6.5: TOTAL PERCENTAGE RATINGS OF THE PRESIDENTIAL ELECTORAL ADMINISTRATION PROCESSES (1999-2011)**

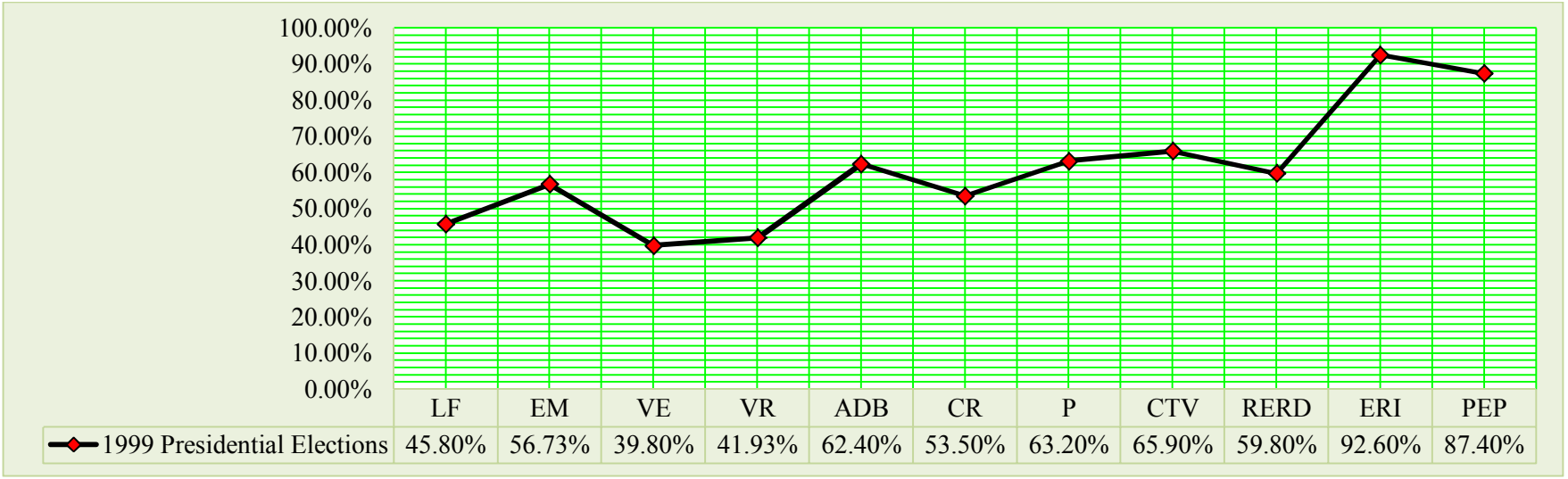
| STEPS IN ELECTORAL PROCESS | OBJECT/GOALS OF STEPS IN THE ELECTORAL PROCESS | ELEMENTS USED FOR GAUGING EFFECTIVENESS/ SUCCESS OF STEP | PERCENTAGE RATINGS OF STEPS IN THE ELECTORAL PROCESS | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | 1999 | | 2003 | | 2007 | | 2011 | |
| **1. Legal Framework** | 1. Written rules in the constitution and other legal documents should be adhered to and perceived as legitimate. | 1. To what extent was the legal framework of each of the Presidential elections conducted by INEC adhered to and perceived as legitimate? | | **45.8%** | | **52.8%** | | **58.5%** | | **75.2%** |
| **2. Elections Management** | 2. Election management team should be seen as legitimate. | 2. To what extent was the election management team (commissioners) of each of the Presidential elections perceived by parties and voters as legitimate? | 55.6% | | 48.2% | | 45.6% | | 81.4% | |
| | 3. Resources should be available for election administration. | 3. To what extent were the resources available to INEC for each of the Presidential elections administration adequate? | 53.8% | | 55.6% | | 60% | | 66.2% | |
| | 4. Commission should be accessible and seen as transparent | 4. To what extent was INEC transparent in the activities leading to each of the Presidential elections? | 60.8% | **56.7%** | 48.2% | **50.6%** | 38.4% | **48%** | 82.3% | **76.6%** |
| **3. Constituency and Polling district Demarcation** | 5. Identifiable constituencies should be in accordance with the electoral system and law. | To what extent were the boundaries accepted?<br><br>Are they temporarily sensitive? | **Not Applicable** | | | | | | | |
| **4.Voter education** | 6. Vote education | 5. What was the extent of | | | | | | | | |

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | should be extensive with at least 75% coverage of entire country.<br><br>7. Voter education efforts should be complementary to avoid waste of resources. | voter education across the entire country before each of the Presidential elections?<br><br>6. To what extent were voter education efforts by various groups before each of the Presidential elections complimentary? | 40.2%<br><br>39.4% | **39.8%** | 49%<br><br>62.2% | **55.6%** | 58.2%<br><br>73% | **65.6%** | 70.8%<br><br>78.2% | **74.5%** |
| **5. Voter registration** | 8. At least 50% of registerable voters should be registered.<br><br>9. Level of multiple registrations should be at barest minimum.<br><br>10. Functional procedures for attending to voter registration complaints across the entire country | 7. What was the level of voter registration before each of the Presidential elections?<br><br>8. What was the level of multiple registrations before each of the Presidential elections?<br><br>9. To what extent were voter registration complaints procedures functional across the country before each of the Presidential elections? | 51%<br><br>33.2%<br><br>41.6% | **41.9%** | 43.4%<br><br>56.8%<br><br>42.4% | **48.1%** | 36.8%<br><br>79.4%<br><br>34.6% | **50.2%** | 68%<br><br>29.2%<br><br>62.4% | **53.2%** |
| **6. Access to and design of the ballot, nomination and registration of parties and candidates** | 11. Ballot papers should reflect diversity of political opinions by being acceptable to parties and candidates.<br><br>12. All qualified parties and candidates should be captured in the ballot paper. | 10. To what extent was the ballot paper design acceptable to parties and candidates during each of the Presidential elections? | | **62.4%** | | **56%** | | **30.6%** | | **83.4%** |
| **7.** | 13. Formula for the | 11. To what extent was the | | | | | | | | |

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| **Campaign regulation** | distribution of funding to parties should be acceptable | formula for the distribution of public funding to parties acceptable before each of the Presidential elections? | 54% | | 53.8% | | 48.8% | | 40.2% | |
| | 14. Reasonably equal access to public media should be guaranteed. | 12. To what extent was there reasonably equal access to public media before each of the Presidential elections? | 53% | **53.5%** | 47.8% | **50.8%** | 35% | **41.9%** | 48.8% | **44.5%** |
| **8. Polling** | 15. At least 75% of polling stations should be functional across the country. | 13. To what extent were polling personnel functioning in accordance with their expected roles during each of the Presidential elections? | 59.2% | | 45.2% | | 32.2% | | 58.6% | |
| | 16. Polling personnel should not be seen as partisan and biased. | 14. To what extent were polling stations across the country secure during each of the Presidential elections? | 65.4% | | 49% | | 35.2% | | 61.4% | |
| | 17. Relative security of polling stations. | 15. To what extent were procedures for observation functioning during each of the Presidential elections? | | | | | | | | |
| | 18. Functional procedures for observation by party agents | | 65% | **63.2%** | 56.8% | **50.3%** | 40% | **35.8%** | 79.6% | **66.5%** |
| **9. Counting and tabulating the vote** | 19. Ballot papers should be counted in accordance with the law. | 16. To what extent was counting conducted without undue delay after each of the Presidential elections? | 67.6% | | 66.8% | | 43.8% | | 79.2% | |
| | 20. Counting should be done without undue delay. | | | | | | | | | |
| | 21. Functional procedures for observation of counting. | 17. To what extent was observation procedure functional during counting in each of the Presidential elections? | 64.2% | **65.9%** | 56% | **61.4%** | 45.2% | **44.5%** | 83.8% | **81.8%** |
| | 22. Interested parties | | | | | | | | | |

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | should be provided with copies of counting tallies | | | | | | | | | |
| **10. Resolving election related disputes and complaints, verification of final results. Certification** | 23. Functional procedures for the adjudication of election complaints.<br>24. Election disputes handled without undue delay. | 18. To what extent was election related disputes handled without undue delay after each of the Presidential elections? | **59.8%** | | **31%** | | **54.6%** | | **63.8%** | |
| **11. Election results implementation** | 25. Elected candidates to take office as and when due. | 19. To what extent did elected candidates take office as and when due after each of the Presidential elections? | **92.6%** | | **89.2%** | | **87.2%** | | **87.8%** | |
| **12. Post election procedures** | 26. Election results should be made available to all interested parties. | 20. To what extent was election results made available to all interested parties without undue delay after each of the Presidential elections? | **87.4%** | | **73%** | | **66.2%** | | **92.8%** | |
| **TOTAL AVERAGE PERCENTAGE RATINGS** | | | **57.6%** | | **54.25%** | | **50.16%** | | **69.65%** | |

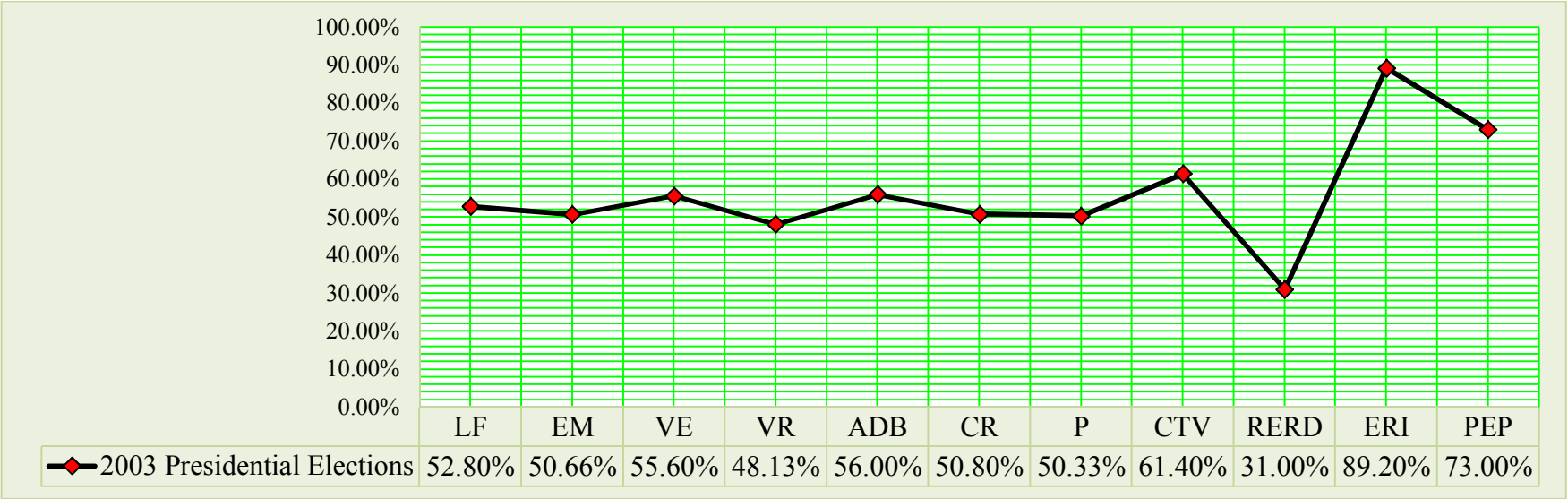
**FIGURE 6.1: AGGREGATE OF STAKEHOLDERS ASSESSMENT OF NIGERIA'S 1999 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




| | LF | EM | VE | VR | ADB | CR | P | CTV | RERD | ERI | PEP |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1999 Presidential Elections | 45.80% | 56.73% | 39.80% | 41.93% | 62.40% | 53.50% | 63.20% | 65.90% | 59.80% | 92.60% | 87.40% |

***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

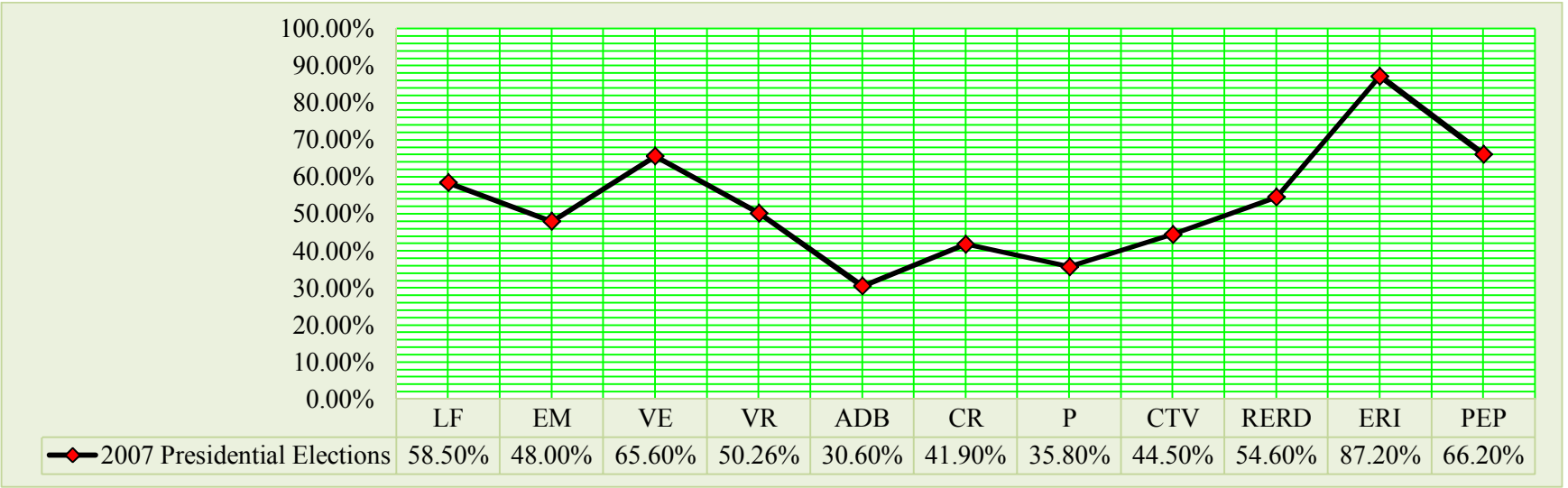
**FIGURE 6.2: AGGREGATE OF STAKEHOLDERS ASSESSMENT OF NIGERIA'S 2003 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




| | LF | EM | VE | VR | ADB | CR | P | CTV | RERD | ERI | PEP |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 2003 Presidential Elections | 52.80% | 50.66% | 55.60% | 48.13% | 56.00% | 50.80% | 50.33% | 61.40% | 31.00% | 89.20% | 73.00% |

***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

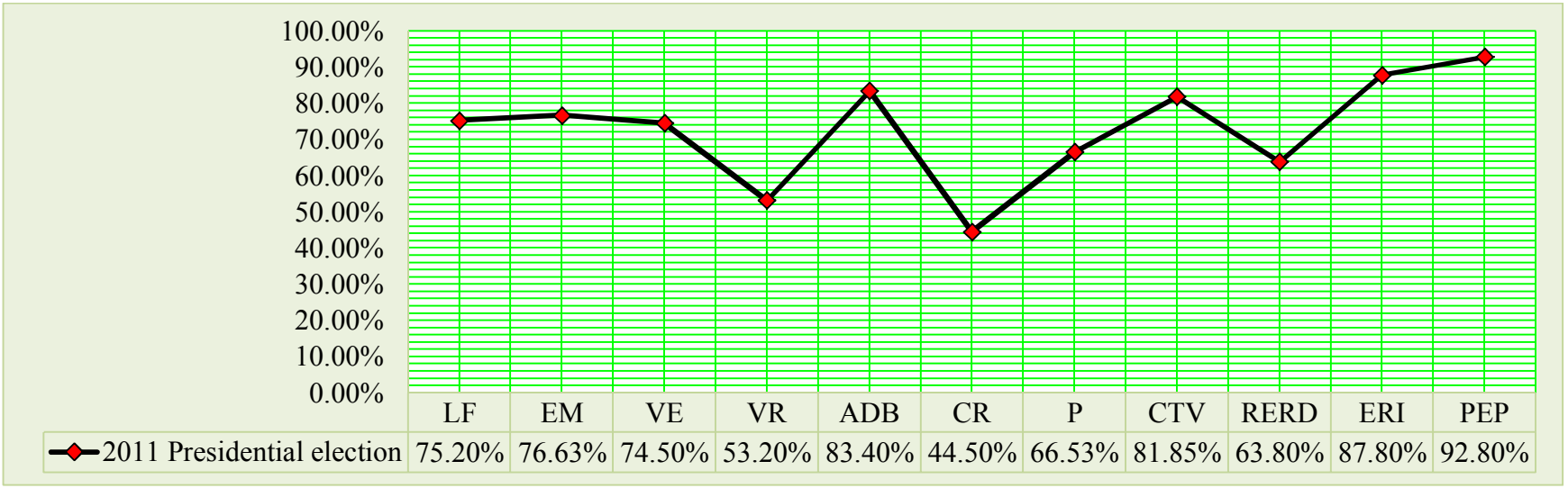
**FIGURE 6.3: AGGREGATE OF STAKEHOLDERS ASSESSMENT OF NIGERIA'S 2007 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




| | LF | EM | VE | VR | ADB | CR | P | CTV | RERD | ERI | PEP |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 2007 Presidential Elections | 58.50% | 48.00% | 65.60% | 50.26% | 30.60% | 41.90% | 35.80% | 44.50% | 54.60% | 87.20% | 66.20% |

***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

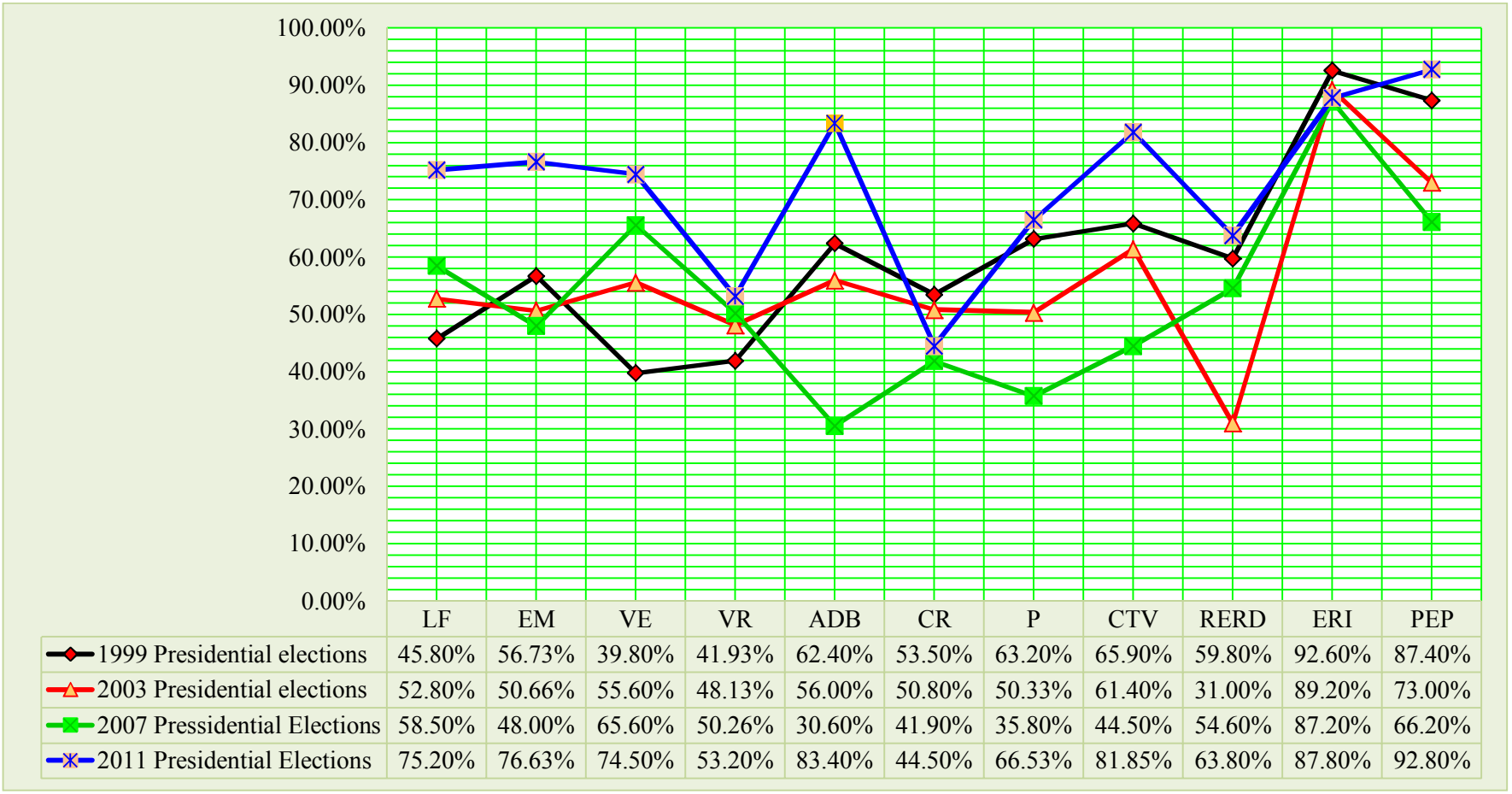
**FIGURE 6.4: AGGREGATE OF STAKEHOLDERS ASSESSMENT OF NIGERIA'S 2011 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




| | LF | EM | VE | VR | ADB | CR | P | CTV | RERD | ERI | PEP |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 2011 Presidential election | 75.20% | 76.63% | 74.50% | 53.20% | 83.40% | 44.50% | 66.53% | 81.85% | 63.80% | 87.80% | 92.80% |

***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

**FIGURE 6.5: TOTAL ASSESSMENT OF THE STEPS IN NIGERIA'S 1999- 2011 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS**




| | LF | EM | VE | VR | ADB | CR | P | CTV | RERD | ERI | PEP |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1999 Presidential elections | 45.80% | 56.73% | 39.80% | 41.93% | 62.40% | 53.50% | 63.20% | 65.90% | 59.80% | 92.60% | 87.40% |
| 2003 Presidential elections | 52.80% | 50.66% | 55.60% | 48.13% | 56.00% | 50.80% | 50.33% | 61.40% | 31.00% | 89.20% | 73.00% |
| 2007 Pressidential Elections | 58.50% | 48.00% | 65.60% | 50.26% | 30.60% | 41.90% | 35.80% | 44.50% | 54.60% | 87.20% | 66.20% |
| 2011 Presidential Elections | 75.20% | 76.63% | 74.50% | 53.20% | 83.40% | 44.50% | 66.53% | 81.85% | 63.80% | 87.80% | 92.80% |

***KEY:*** ***LF****- Legal Framework,* ***EM-****Election Management,* ***VE-*** *Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

## CHAPTER SEVEN

## COMPARATIVE ANALYSIS OF THE STEPS IN NIGERIAS 1999-2011 PRESIDENTIAL ELECTIONS

### 7.1 A COMPARATIVE ANALYSIS OF THE STRUCTURE (LEGAL FRAMEWORK AND ELECTIONS MANAGEMENT) OF INEC IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

In attempting a comparative assessment of the structure of INEC in the four Presidential elections understudy, four key issues as contained in the model for the evaluation of election administration adopted for this study shall be examined. These are the legal framework of INEC, the neutrality of the election management team, the sufficiency of resources and the transparency of INEC in the election administration process.

### 7.1 I: THE LEGAL FRAMEWORK OF THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

Evidence gathered in the course of this study suggests that the legal framework of Nigeria's Presidential elections from 1999-2011 has been evolutionary. Evolutionary in the sense that progressive changes; particularly in the electoral act have been introduced to address some of the structural challenges of the electoral administration process. As shall be seen in the following analysis; while a number of structural issues like the appointment of chairman and commissioners are yet to be addressed in the legal framework, each of the Presidential elections under consideration was conducted on the basis of an improvement in the electoral act.

Throughout the 1999 general election period, the military relied on Decrees and ad hoc regulations to guide the transition process. In August 1998, the then military Head of state General Abdulsalami Abubakar issued Decree no 17 and no. 33 (now an act of the national assembly) which established INEC to manage and oversee the election administration process. Under Decrees No. 17 and No. 33, INEC was empowered to issue guidelines governing the

conduct of the elections. While much of the decrees and regulations imposed by the military were done with almost no consultation with the populace, the "legitimacy" of the legal framework of the 1999 Presidential election was established by two realities. Firstly, is that the military had no overtly manifested vested interest in the outcome of the elections; particularly in comparison with the incumbent regimes during the subsequent Presidential elections of 2003, 2007 and 2011; and secondly, the fact that all the political parties had relatively the same advantages added to the legitimacy of the legal framework of the 1999 Presidential elections. Indeed, all the political party officials interviewed in the course of this study were of the opinion that only the legal framework of the 1999 Presidential elections was not the object of controversy. For example, according to the National Secretary of the All Nigerian Peoples Party (ANPP) - the major opposition party in all the Presidential elections under consideration:

> The legal framework of the 1999 Presidential election was made prior to the formation of political parties so each party was given a level playing ground; but subsequent amendments of course were influenced by the ruling party in its favour (Shettima; 2011).

In the case of the 2003 Presidential election, the 1999 constitution of the federal republic of Nigeria and the 2002 electoral act served as the legal framework of the elections. Problems inherent in the legal framework of the 2003 election particularly the 2002 electoral act climaxed in a petition filed by INEC in early October 2002. INEC petitioned the court asking that the 2002 electoral act be declared unconstitutional because the act required the state, federal and Presidential elections to be held on the same day. INEC argued that the constitution gives the commission and not the National Assembly the authority to set dates for the election; and also contended that it lacked the capacity to simultaneously run all the elections on the same

day. This controversy over the 2002 electoral act was to be a major setback for the legal framework of the 2003 elections. Indeed, as noted by the National Democratic Institute (NDI, 2003:23): “doubts over the legal framework of the 2003 election threatened to derail the process”. While the 1999 constitution of Nigeria; in the third schedule part I, sub section 15(a) makes the administration of elections in the country incumbent on INEC, the national assembly complicated the task of INEC by its undue influence in the 2002 electoral act.

In the 2007 Presidential elections, the 1999 constitution of the federal republic of Nigeria and a new electoral act adopted in 2006; as well as regulations and guidelines issued by INEC served as the legal framework of the elections. Part 2, Section 9(1) of the 2006 electoral act- an improvement over the 2002 electoral act for the first time allowed the appointment of the secretary of INEC by the commission. Another significant improvement in the electoral act is as contained in section 3(1) of the act which states that “there is established for the commission a fund to be known as the independent national electoral commission fund” to provide INEC with financial independence. However, the fund was not established for the 2007 elections. Furthermore, unlike in the 2002 electoral act, the 2006 electoral act in section 10(5) clearly outlines the procedures and timeline for the voter registration exercise. However, a number of problems were still not addressed in the legal framework of the 2007 Presidential elections, especially with regards to the independence of INEC. Most significantly, the President continued to have involvement in the appointment of INEC commissioners. At the federal level, all commissioners were still appointed by the President after consultation with the council of state and confirmation by the senate. At the state level, all 37 REC’s continued to be appointed by the President. Other significant issues not addressed by the 2006 electoral act include the absence of a requirement for results to be displayed at the polling station level and for the breakdown of polling station results to be displayed at all superior levels of the election administration, a lack

of adequate procedures for the handling of complaints and appeals before election day and a lack of time limits for the publication of results and for the determination of election petitions.

In 2011, the structure of the Presidential election was determined by the 1999 constitution as amended and the electoral act 2010- a revision of the 2006 electoral act. According to the EU EOM (2011:15):

> Overall the legal framework of the 2011 general elections provides an adequate basis for the conduct of democratic elections in accordance with international principles and with the international instruments ratified by the federal republic of Nigeria

A significant development in the legal framework of the 2011 Presidential elections was in the amendment of the 1999 constitution to accommodate some of the recommendations of the ERC; which was established after the 2007 Presidential election. The improvement in the legal framework of the 2011 election in comparison with the previous three Presidential elections is captured in the following submission by the EU EOM:

> Following the ERC's report, the National Assembly and the State Houses of Assembly approved in June 2010 the first amendments to the 1999 Constitution through the First Alteration Act, which came into force on 16 July 2010. The amendments brought about significant improvements, in particular concerning the election timeline, the financial autonomy of INEC, the National Assembly and the Judiciary, the administrative independence of INEC from the executive, reduced quorums for Election Petitions Tribunals and shortened deadlines for filing and adjudication of petitions and appeals after the declaration of results (EU EOM, 2011:36).

Even though the 2010 electoral act was an improvement on all previous electoral acts operational in Nigeria, a number of issues particularly as recommended by the ERC were still yet to be addressed by the 2010 electoral act. The EU EOM notes:

> Regrettably, the amendments failed to introduce some of the recommendations suggested by national and international stakeholders and by the Electoral Reform Committee, in particular regarding the appointment of INEC Chairperson and Commissioners who are still appointed by the President subject to confirmation by the Senate, and the non-establishment of an Electoral Offences Commission and a Political Parties Registration and Regulatory Commission. Moreover, the absence of provisions for independent candidates to run for office, despite the Committee's recommendation, is not in conformity with international principles, as it restricts the effective right of individuals to stand for elections and limits the voter's choice of candidates (EU EOM, 2011:37-38).

Indeed, while a number of issues were still not addressed by the legal framework of the 2011 elections, the 2010 electoral act was an improvement on the 2006 electoral act; just as the 2006 electoral act was also an improvement on the 2002 electoral act. This progressive improvement in the legal framework of the Presidential elections conducted by INEC from 1999-2011 was noted by the national coordinator of the TMG who noted:

> No doubt the legal framework of the 2011 Presidential election was better than that of the elections of 2007 and 2003 but whether the law was actually adhered to is a completely different issue (Okoye, 2011).

### 7.1.2: NEUTRALITY OF THE ELECTION MANAGEMENT TEAM OF THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

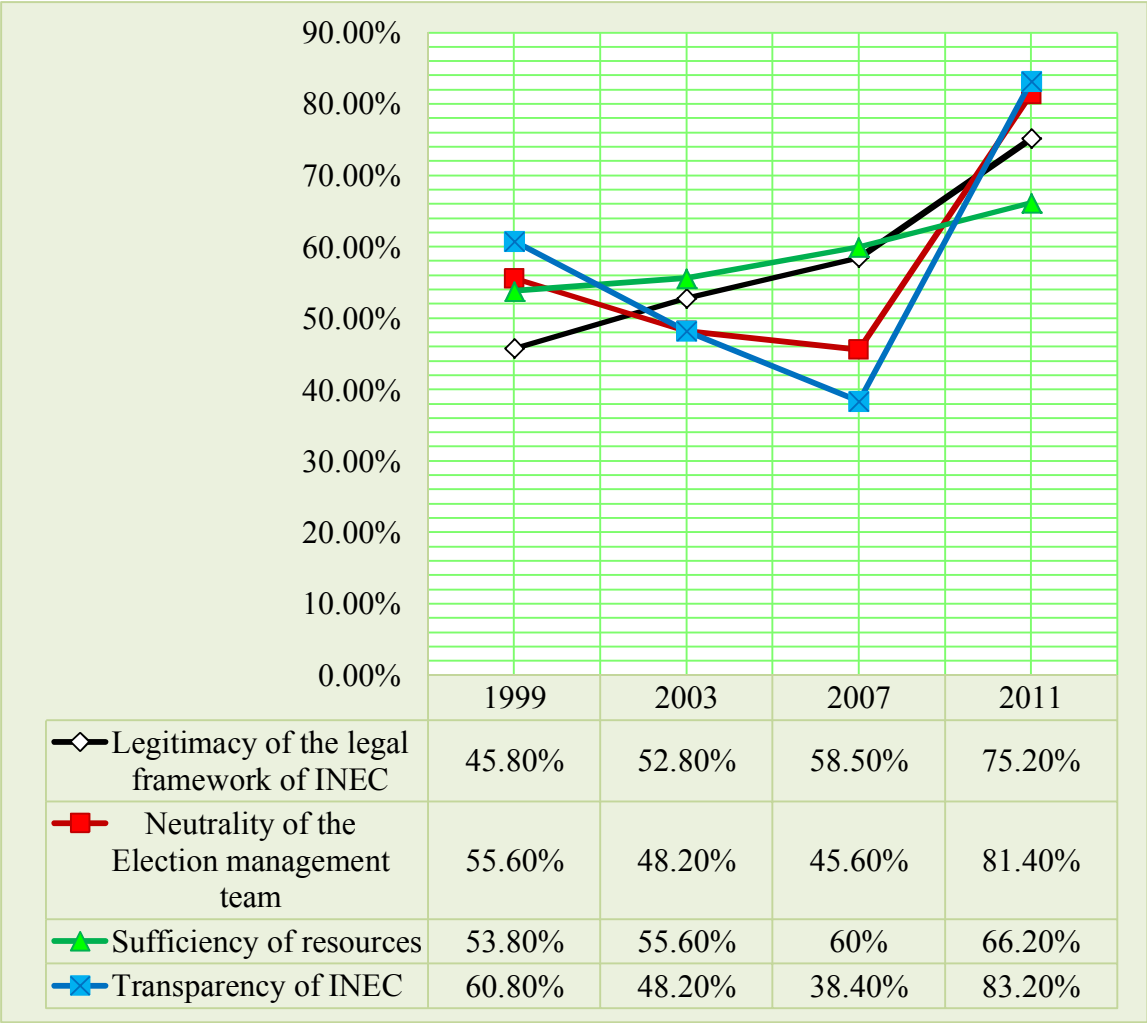
As noted in chapter four at the apex of the election management team of the 1999-2011 Presidential elections is the chairman, and 12 National commissioners. Overtime the reputation of the chairmen and commissioners; particularly with regards to their capacity for neutrality have been suspect. Indeed, the legitimacy of the chairmen and commissioners during the 2003, 2007 and 2011 Presidential elections as demonstrated in chapter four is severely constrained by the undue influence of the President in the appointment of INEC chairman and commissioners. Yet, evidence as shall be seen indicates that amongst the top management team (chairman and national commissioners) of the 1999, 2003, 2007 and the 2011 Presidential election, that of 2007 have been the most controversial.

In 1999, Retired justice Ephraim Akpata was selected to chair the INEC and according to the report of the carter centre:

> In the 1999 elections, INEC developed a reputation for neutrality and fairness during the transition despite its members being appointed without public input or scrutiny. However at the state level, some INEC officials were seen as partisan supporters of the military government or a given political party (Carter centre 1999:17).

While there were reports suggesting that some of the commissioners of INEC particularly at the state level were agents of the military regime, officials of the major political parties suggest that in comparism to the 2003 and 2007 Presidential elections, the election management team of the 1999 Presidential election was more neutral (interview with Shetima and Fashakin, 2011).

**FIGURE 7.1: ASSESSMENT OF THE STRUCTURE OF THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS**




| | 1999 | 2003 | 2007 | 2011 |
|---|---|---|---|---|
| Legitimacy of the legal framework of INEC | 45.80% | 52.80% | 58.50% | 75.20% |
| Neutrality of the Election management team | 55.60% | 48.20% | 45.60% | 81.40% |
| Sufficiency of resources | 53.80% | 55.60% | 60% | 66.20% |
| Transparency of INEC | 60.80% | 48.20% | 38.40% | 83.20% |

For the 2003 elections, INEC was under the chairmanship of Sir Abel Guobadia who was appointed in 2000 following the death of retired justice Ephraim Akpata. Unlike when INEC was under the chairmanship of Akpata, the neutrality of the election management team under Abel Guobadia; as in figure 7.1 had began to wane during the conduct of the 2003 Presidential elections. Guobadia became the first chairman to resign his post after completing his tenure in 2005. By 2007, the extent to which the election management team was perceived to be neutral as in figure 7.1 was at its lowest. Professor Maurice Iwu who was the chairman of INEC at the

time of the 2007 Presidential elections had come under severe criticism for conducting what was severally described as the worst election in Nigeria's history (EU 2007, NDI 2007, LEMT 2007). As depicted in figure 7.1 beginning from 2003-2007 the chairmen and commissioners of INEC came under severe criticism of being agents of the ruling party- the PDP. By the time preparations for the 2011 elections began President Jonathan had come under severe pressure from domestic and international CSO's to sack the chairman of INEC -Maurice Iwu; despite allegations that the latter had lobbied actively for the extension of his tenure (Thisday newspaper 12th June 2010). Figure 7.1 also reveals that the management team of the 2011 elections was perceived as the most neutral. This may not be unconnected to the appointment of Professor Attahiru Jega as the chairman of INEC in 2010. Jega's appointment had been celebrated across Nigeria as the beginning of restoring the credibility of INEC; given his reputation as a renowned political scientist with no history of an integrity crisis.

### 7.1.3: SUFFICIENCY OF RESOURCES FOR THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

It was demonstrated in chapter four that the controversy over electoral finance in Nigeria has been engendered not necessarily by the cost of elections but by the nature and method of finance. However, on whether the resources available to INEC for the 1999-2011 Presidential elections have been sufficient, all INEC officials interviewed maintained that their activities have always been determined by the amount of resources at their disposal. In 1999 INEC was allocated approximately 3.4 billion naira by the Federal Government for the conduct of the elections in the transition program. After the election INEC reported that 556.3 million Naira was spent on voter registration, 28.9 million Naira on the registration of political parties, 381.4 million Naira on the local government elections, 402.2 million Naira on the Governorship and State Houses of Assembly election, 394 million Naira on National Assembly elections and 313.2

million Naira on the Presidential election. 279.5 million Naira was earmarked for the Presidential run-off. In the 2007 and 2011 elections INEC was allocated the sum of 35 and 87.72 billion naira respectively. While it was acknowledged from focused group discussions that a substantial part of the resources was used for voter registration exercise no official breakdown of the cost of the election was provided. The opinion survey conducted in the course of this study; as indicated in figure 7.1 shows that the extent to which resources have been considered sufficient was highest in 2011 to the tune of 66.2%, this is followed by the 2007 Presidential elections with 60%, then the 2003 Presidential elections with 55.6% and lastly the 1999 Presidential elections with 53.8%.

### 7.1.4: TRANSPARENCY OF INEC IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

A crucial element of the structure of any election administration system is the extent to which the EMB is seen as being as transparent. Indeed, as noted by Pastor (2005:31): "EMBs are not just required to be transparent, but should also be seen as such". On the transparency of INEC in the entire election administration process, the Director of special duties of the ANPP noted:

> As far as we are concerned in 1999 there was no problem with the transparency of INEC; but from 2003-2011 it was horrible. We as political party managers know what we went through and we know how our relationship with INEC is up till now. Definitely, INEC is not as transparent as members of the public are meant to believe and even with the appointment of Jega the commission is still not transparent. Jega could be transparent but if you look at INEC it's not about the chairman but a team. So if the head is clean and the other team players are not it won't change anything. It was therefore business as usual (interview with the Abdullahi Yusuf Gashua- ANPP, 2011).

In spite of the foregoing assertion on the transparency of INEC, figure 7.1 indicates that the extent to which INEC was transparent was highest in the 2011 election to the tune of 83.2 %, this was followed by the 1999 Presidential election with a rating of 60.8%, then the 2003 election with 48.2% and lastly, the 2007 Presidential elections had the lowest transparency ratings of 38.4%.

## 7.2: A COMPARATIVE ANALYSIS OF VOTER EDUCATION PROCEDURES IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

Voter education as a key aspect of the election administration system in Nigeria officially started within INEC in 2006 with the creation of a department of voter education in the commission. As a result, in the 1999 and the 2003 elections INEC was not directly involved in any extensive form of voter education in Nigeria. The problems arising from a lack of any comprehensive voter education effort by INEC in the 1999 Presidential elections is captured in the following submission by the Association of African Electoral Authorities (AAEA) and the International Foundation for Electoral System (IFES) observation team:

> While the budget available to INEC for voter education was appreciable and significant, it was noted by many observers that additional civic and voter education would have enhanced the public's understanding of voting day procedures. A clear example of this was that of the confusion surrounding the requirement for voters to remain at the polling station after they had been accredited and prior to the commencement of voting. Further problems were observed about the importance of casting a vote in secret and the necessity of the use of indelible ink. Secrecy in particular was a significant concern and the importance of being able to mark the ballot paper in private was not sufficiently addressed in the public awareness campaigns. Also many voters were totally unaware that their ballot paper should be folded prior to placing it in the ballot box. A further unfortunate confusion was caused by the poster

> that was produced which incorrectly stated that all voting was to end at 2:30pm. This poster was cited by presiding officers and others as a reason for keeping the polling station open until 2:30 pm even if all accredited voters had voted before then. This presented an opportunity for ballot box stuffing because the additional safeguard of having voters present in numbers to witness the count at polling station was lost (AAEA/ IFES, 1999:29).

Indeed, much of the voter education efforts during the 1999 Presidential elections were largely conducted by CSO's and political parties (Okoye, 2005). In the 2003 Presidential elections the situation was not different. As noted by the National Democratic Institute (NDI) and the Carter center delegation:

> It is common practice that election authorities assume the primary responsibility to inform voters about all aspects of the election process. Civil society organizations commonly complement their efforts. In Nigeria, however, INEC claims that the National Orientation Agency (NOA) an organ within the ministry of information has full responsibility for voter education; the delegation is concerned that the NOA lacks the resources for its mission and does not appear to have a relationship with INEC (NDI and Carter centre, 2003:).

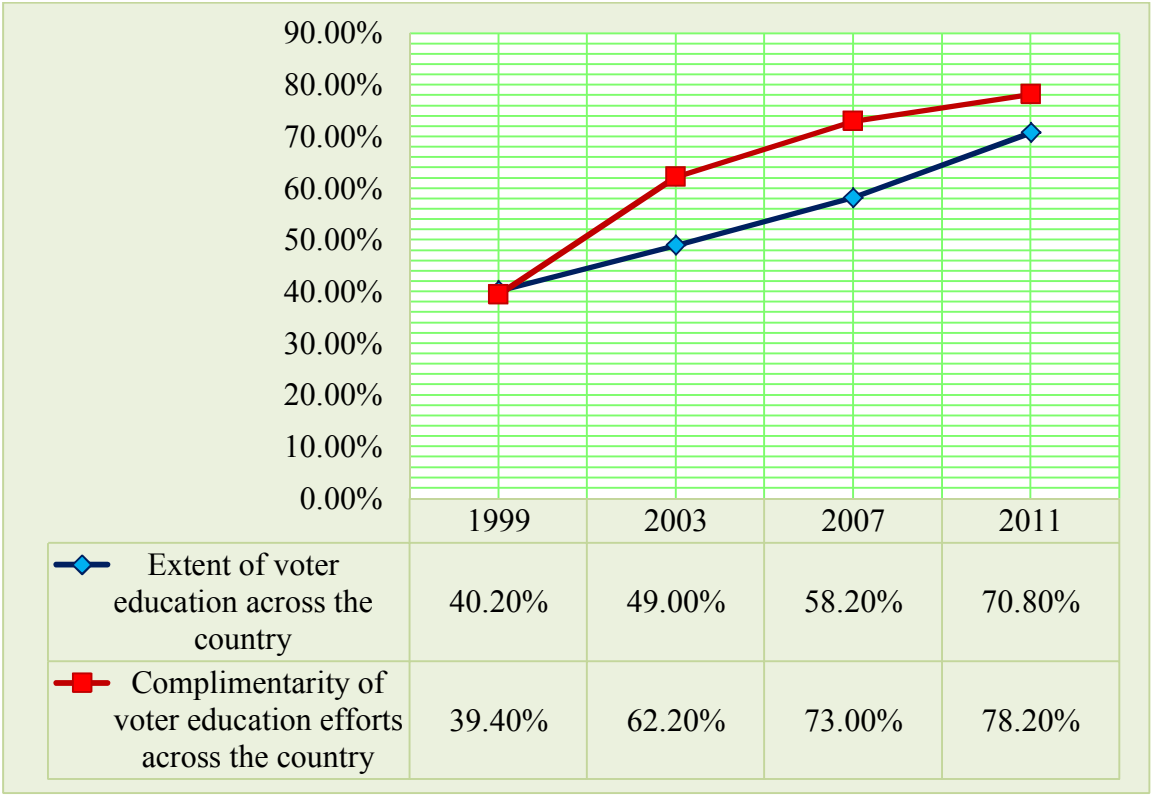
As a departure from the situation in the 1999 and 2003 elections, the 2007 Presidential elections witnessed considerable voter education efforts by INEC. Beginning in August 2006 the INEC in collaboration with the ministry of information and the NOA began to be extensively involved in voter education activities which aimed at increasing participation in the electoral process. Workshops were held for traditional rulers and their subjects across the country from August –September 2006 in order to enhance the understanding of the electorate in the electoral process. A significant development in this period was the establishment of the

stakeholders on election matters committee at the federal, state and local government levels by Maurice Iwu. The committee which was composed of representatives of political parties, Christian Association of Nigeria (CAN), JNI, Police, civil defense, the National Council of Women Society in Nigeria, NOA, traditional rulers and the National Union of Road Transport Workers (NURTW) was essentially charged with the responsibility of enlightening Nigerians on the electoral process. The forms of voter education adopted include the use of jingles on television and radio stations across the country, the production of voter education materials like tee shirts, caps banners etc which were used to sensitize the electorate about the electoral process. Indeed, the extensive nature of voter education in the 2007 elections especially in comparison to the 1999 and 2003 Presidential elections also saw the development of the concept of mandate protection by political parties and CSO's. Mandate protection as a key aspect of the voter education process was to be further established in the 2011 Presidential elections voter education exercise.

In the 2011 voter education exercise, INEC took the leading role in civic and voter education activities. The voter education activities by INEC were conducted in close cooperation with CSO's and with the NOA with a view to ensuring that updated voting procedures was communicated to all voters, particularly those in the rural areas. This was in pursuance of Section 154 of the Electoral Act 2010, as amended, which states that: "The Commission shall have the power to conduct Civic education and enlightenment in the print and electronic media to enhance its functions". However, while INEC's voter education activities sought to enlighten the electorate on the voting procedures, the activities of CSO's and parties was essentially in the advocacy of mandate protection. Mandate protection as championed by political parties and CSO's like the Centre for Democracy and Development (CDD) entails a broad range of tools that the electorate and groups could employ to ensure that the entire process of the election is done

in accordance with the laid down rules and in a manner that ensures that only the will of the electorate as represented by their ballots is allowed to stand (CDD, 2011:12). As noted by the national secretary of the ANPP, "while INEC was saying go and register and vote, political parties were saying cast and defend your vote" (interview with Shettima, 2011). Following the contestations and controversy that trailed the 2007 Presidential elections, Mandate protection was the combination of strategies of mobilizing and organizing citizens to insist that election stakeholders operate within the law. It involved monitoring, exposing and challenging election fraud and abuse at every step in the electoral administration process.

**FIGURE 7.2: ASSESSMENT OF VOTER EDUCATION PROCEDURES IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS**




| | 1999 | 2003 | 2007 | 2011 |
|---|---|---|---|---|
| Extent of voter education across the country | 40.20% | 49.00% | 58.20% | 70.80% |
| Complimentarity of voter education efforts across the country | 39.40% | 62.20% | 73.00% | 78.20% |

Figure 7.2 indicates that the 2011 voter education procedures were not only the most extensive to be conducted by INEC but also had the highest complimentarity with other CSO's involved in the process. Indeed, this reality is corroborated by the submission of the EU EOM for the 2011 general elections that:

> Voter education campaign in the mass media was primarily carried out by INEC, the NOA, the Ministry of Information and several local CSOs. A substantial proportion of public service announcements (PSA) were sponsored by the international community. Radio was the most frequently used communication channel. On the privately owned Freedom Radio, 12 percent of the entire political communication was allotted to voter education. In all a total of 347 PSA's were aired on the radio, 98 spots were broadcasted on TV and 17 PSA"s were printed in the press monitored by the EU EOM. INEC broadcasted its announcements in English and four local languages in line with electoral best practices (EU EOM, 2011:36).

## 7.3: A COMPARATIVE ANALYSIS OF VOTER REGISTRATION PROCEDURES IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

The register of voters is an indispensable document for the conduct of elections; which should consist of only the eligible voters in a constituency. A reliable voter's register is one that contains no names of under aged, deceased persons and fictitious or fake names. In addition, the voters register should also consist of names of eligible voters resident in the area where they intend to vote; and in an ideal situation provisions should be available for making claims and observations about the details of the electorate contained in the register. Indeed, the process of voter registration is a major test of the credibility of the election administration system; and the extent to which any election would be successful is determined largely by the

credibility of the voters register. However, in the case of INEC; the fact that each of the Presidential elections understudy was preceded by a new voter registration exercise is an indication of the controversies that have trailed the process of voter registration. Indeed, as is apparent in the previous section where the sufficiency of INECs resources was examined, the inability to develop a credible voter's register for the 1999 elections; which could have been easily updated for any subsequent elections has also significantly contributed to the increasing cost of election administration in Nigeria.

INEC's first major task prior to the 1999 Presidential elections was to conduct a national voter's registration exercise. As a result, manual registration held on the 5th- 19th October 1998. The registration process was however faced with logistics problems. For example according to the report of the Carter center on the voter registration exercise of 1999:

> Shortages of materials, delays in the opening of registration centers, poorly trained registration officials and attempts by political party agents to manipulate the process were among the problems of voter registration prior to the 1999 elections (carter center, 1999:21).

More specifically, the total number of 57,369,560 officially registered to vote by INEC was described as exceeding reliable estimates of the total number of eligible voters possible in Nigeria (Carter center, 1999:22). In Kaduna state for example more than 97% of the total 3.9 million population from the last national census conducted in 1991, supposedly registered to vote. Other states according to the carter center also registered highly questionable voter registration figures (Carter center, 1999:23). Indeed, as noted by the AAEA:

> No form of national identity documentation existed in Nigeria at the time of the voter registration exercise for the 1999 elections. Thus, verifying a person's identity, age, etc. was not

> an easy matter. This, in combination with the fact that the hand-written register of voters at each registration center was not cross-checked against any other list meant that the potential for multiple registrations was all too real. It is widely believed that the register of voters used for the transitional elections of 1999 contains an innumerable number of duplicate entries. While the INEC has worked to safeguard against the possibility of a voter personally casting more than one ballot, these procedures do not, however, guard against voter impersonation (AAEA, 1999:25).

In addition to the foregoing problems in the voter registration exercise of the 1999 elections, it was also noted that: "the period for making observations and corrections from the resulting list was too short and not functional in most parts of the country" (AAEA, 1999:25).

In the registration exercise for the 2003 elections, INEC decided to adopt a computerized registry to promote voter confidence in the list and to minimize multiple registrations. However, given that the whole process of registration which began from September 2002 took about five months, the process of creating a new computerized registry was described to have taken "too much time and complicating the timeline of the electoral process" (NDI, 2003:4). According to INEC 72 million registration sets for an estimated 60 million voters was distributed; yet, as the NDI noted:

> A reportedly significant number of people nationwide were not able to register despite repeated attempts to do so…partisan election officials and political aspirants hoarded voter registration materials, causing a shortage. In addition to withholding materials there was also the buying of voter cards, multiple registration, underage registration, registration by non-citizens, intimidation by party activists inadequately trained election officials and shortages of materials caused by logistical difficulties. To date there has been no public accounting of the distribution of voter registration forms. While the new

> computerized system was designed to detect cases of multiple registrations, concerns remain about the accuracy and number of voters on the resulting list (NDI, 2003:4).

As a validation of the foregoing problems observed by the NDI, INEC was later to admit in the run up to the 2007 elections that a total of 10 million double entries were deleted from the register in 2003 but no prosecution was made (Biu, 2010). Furthermore, the NDI noted; as in the registration exercise of the 1999 elections that:

> It did not appear that Nigerians had an opportunity to properly inspect the list. The few people who could find the lists reported that the display period was much shorter than required by law. In addition, display locations kept irregular hours, precluding many citizens from making complaints or corrections (NDI, 2003:5).

Following the release of the 2006 population census result in January 2007 about 50% of Nigeria's 140 million citizens were estimated to be eligible voters. Accordingly, INEC took the decision to create a completely new voter register for the 2007 elections; as it considered the 2003 voter roll to be unreliable and faulty. As the EU EOM noted:

> The 2003 voter registration exercise completely failed in its effort to provide a transparent form of identification for eligible voters, providing instead a fertile ground for massive underage voting and voter impersonation (EU EOM, 2003: 23).

Thus, to avoid the problems of the 2003 registration exercise, INEC decided to establish an electronic voter register using the Direct Data Capture (DDC) machines which for the first time was to capture the picture and two thumb prints of each voter. The DDC machine is a device that embeds the picture and biometric data of the voter in a bar code. This information is then

linked to a central database that cross-checks to eliminate duplicate registrations. INEC argued that these procedures would avoid impersonation, underage voting and multiple voting. While the 2002/2003 voter registration exercise was conducted using the optical mark registration (OMR) which recognized less features of the electorates, INEC's decision to use a new and more advanced system – the DDC machines for the registration exercise of the 2007 elections was to encounter a number of major problems. Firstly, the decision to use the DDC machines for the 2006 registration exercise meant that INEC had to purchase the new equipment and train its staff on how to use them. INEC had announced that 33,000 DDC machines would be required for the 2006 voter registration exercise across the country; but two weeks into the registration exercise only around 1000 machines were operational on ground (EU EOM, 2007:14). According to the Director of voter registration, "INEC had contracted 3 different companies to deliver the registration equipment but had failed to transfer advance payments to its contractors (Biu, 2010). Indeed, the INEC chairman noted that it was only in January, 2007 about a month after the legal date for the termination of voter registration exercise that the final batch of the 33,000 DDC machines were delivered. Secondly, the operation of the DDC machines was highly problematic. The problems that were associated with the DDC machines include lack of battery power and recharge facilities or a shortage of ink and printers. The situation was further compounded by staff who were insufficiently trained and by climatic conditions that interfered with the functioning of the equipment (EU EOM 2007:26). According to INEC, a special software would detect double entries in the electronic finger print identification system. However, CSOs observed that "INEC had insufficient trained staff and power for the equipment to implement these plans" (Okoye, 2011).

Meanwhile, several days prior to the launch of the voter registration exercise of the 2007 elections, INEC announced that registration would be conducted on a rolling basis,

beginning from October 7, 2006 in a select number of 'special areas'—remote areas in which registration had not been conducted in 2002. Registration was then to continue in other parts of the country from October 25th 2006. Yet, NDI observers who visited some of the 'special areas,' such as Jenuwa, Kwambai and Bika in Taraba State, as well as the New Cattle Market at Ummoneachi in Abia State noted that:

> While INEC said registration would start on October 7 and end on October 24 in the "special areas", the exercise had ended in these areas before October 18. Voters complained that even where registration officials were deployed, registration could not commence because the officials in some instances did not know how to operate the DDC machines. Some registered voters found that the wrong data had been entered for them, including several cases of pictures of male registrants appearing on female registrants' cards. In many cases, DDC machine batteries depleted quickly, while camera, keyboard and software problems further slowed the exercise. By the time that the nationwide exercise began on October 25th, many voters in the 'special areas' were still unregistered, even though INEC declared that the lists for the special areas had been completed (NDI, 2007:23).

The problems that had plagued the registration in the 'special areas,' including malfunctioning machines and software, flat batteries and untrained staff, were magnified when the nationwide exercise commenced. By November 24, INEC noted that only 3.5 million voters had been registered (IRI 2007: 32). The International Republican Institute (IRI), which sent a pre-election assessment mission to Nigeria in November 2006, issued the following statement:

> We express grave concern over the fact that with only two weeks remaining before the registration deadline, less than half of the direct data capture machines (DDC) have arrived, let alone been deployed to registration centers throughout the country. We are additionally concerned that only 3.5 million of the potential 60 million eligible voters are registered to vote as

> of the end of last week. The leadership of the INEC has set a noble and ambitious goal of implementing this cutting-edge system to deter past fraud in registration efforts and the ensuing acrimony; the ability however to meet the expectations of this goal on the timetable established is quite seriously in doubt. As a result, INEC is losing credibility with the public (IRI, 2007:32).

In the end, the voter registration exercise for the 2007 Presidential elections as indicated in figure 6.3 was adjudged to be worse and poorly conducted than that of 1999 and 2003 elections. INEC officially released the final voters register with 61.5million entries on the 28th March, 2007 and subsequently delivered electronic copies of the final voter register to political parties on the 29th of March 2007.

In the 2011 election, INEC once again considered as in the previous two elections that producing a credible voter register was crucial to deliver transparent and genuine elections; despite the very tight schedule and logistical challenges to cover an estimated 70 million voters. As in the 2006 registration exercise, INEC made use of the DDC machines as well as the 2007 registration areas as a base for the exercise. Voter registration for the 2011 elections started on the 15th January 2011 in all 36 states of the federation and the federal capital territory. Approximately 240,000 ad hoc staff was recruited for the voter registration exercise of the 2011 elections; and a key initiative in the exercise was that majority of the registration officers had been recruited from the National Youth Service Corps (NYSC). In 2003 and 2007 no particular category of individuals were given preference as registration officers; the result as gathered from focused group discussions was that many of the people that became registration officers turned out to be thugs and agents of certain political parties. According to the EU EOM (2011:27):

> In the first days of registration, INEC failed to deliver kits to registration units' country wide or delivered them late. Problems with software in collecting finger prints had to be adjusted and a number of citizens waited for hours to register. Over the first week INEC made progress, addressed the shortcomings and most data capture machines were made operational.

As in the case of the 2007 registration exercise, the national assembly amended the law allowing for an extended period of registration of another week and in some instances, of an extra 48 hours. A coalition of four civil society organizations under the name project swift count noted with regards to the 2011 voter registration exercise that:

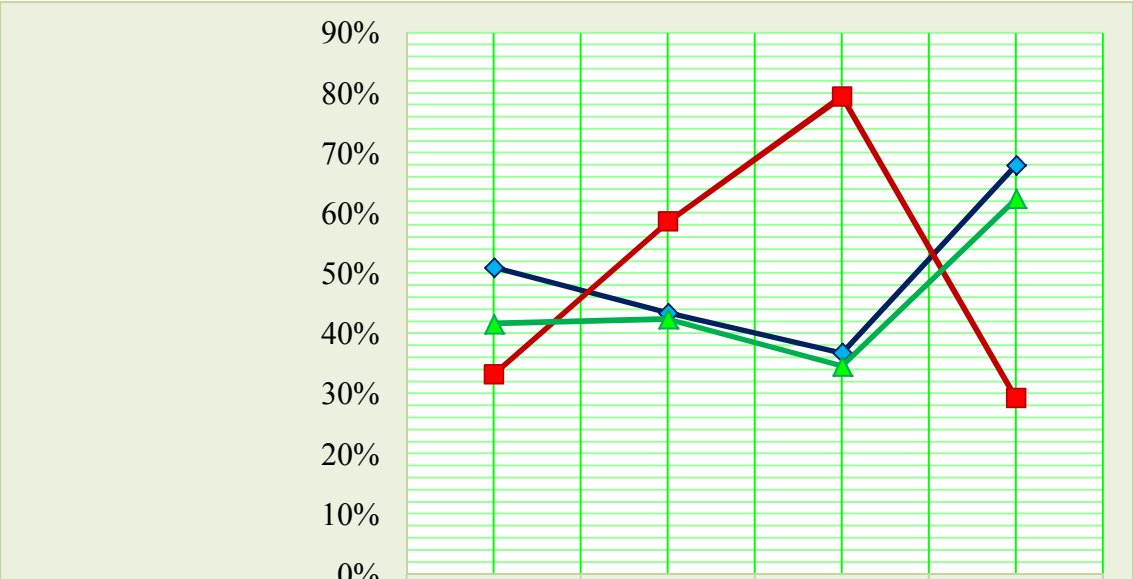
> Under aged registration appeared to be more pronounced in the north central; east and west, proxy registration was not observed, and the registration process was overall incident and violence free. Unresolved were the overall problems of reconciling the voter register held by INEC on federal and state levels The election administration admitted that there were inaccuracies regarding numbers of registered voters that were not corrected. Omissions of names on the list, a problem apparently widespread and that became patent during election days was more likely due to technical problems rather than a deliberate disenfranchisement effort (swift count project report of January 24th, 2011).
>
> .

By the end of the registration period INEC announced a provisional registration figure of 67,764,327 on the 7th February 2011 voters nationwide.

A common problem associated with all the voter registration exercises of the elections understudy was that the procedures for making observations and corrections of information in the voters register was not efficient. Indeed, as noted by IFES:

The window of time usually devoted for the display of the voter register for observations and corrections is usually too short to allow stake holders to conduct a comprehensive review of the roll, contrary to electoral best practices (IFES, 2011:12).

**FIGURE 7.3: ASSESSMENT OF VOTER REGISTRATION PROCEDURES IN THE 1999, 2003, 2007 AND 2011 GENERAL ELECTIONS**




| | 1999 | 2003 | 2007 | 2011 |
|---|---|---|---|---|
| Extent of voter registration | 51% | 43.40% | 36.80% | 68% |
| Extent of multiple registration | 33.20% | 58.60% | 79.40% | 29.20% |
| Extent of functionality of voter registration complaints procedures | 41.60% | 42.40% | 34.60% | 62.40% |

As can be seen in Figure 7.3, the 2011 Presidential elections had the highest ratings of 68% coverage in the voter registration conducted by INEC, while the 2007 elections had the lowest level of registration ratings of 36.8%. With regards to multiple registrations, the 2007 elections had the highest incidence of multiple registrations of 79.4%, while the 2011 elections had the lowest of 29.2. Furthermore, the functionality of voter registration complaints procedures was highest in the 2011 general elections and lowest in the 2007 elections with 34.6%.

## 7.4: A COMPARATIVE ANALYSIS OF THE ACCEPTABILITY OF BALLOT PAPER DESIGN IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

In the 1999 and 2003 Presidential elections, the controversy over ballot paper design was centered on reducing the incidence of invalid ballots. As a result the debate on ballot paper design focused on what information should be contained on the ballot paper, how such information should be organized and the size of the ballot paper. Following its observations of elections at the local government level in the general elections of 1999; which was conducted with a horizontally designed ballot paper, IFES recommended a vertically designed ballot paper for the Presidential elections to avoid confusion and reduce the number of invalid votes. According to IFES:

> The ballot for the local government election was organized horizontally, and with nine parties contesting that election, it could be difficult for the voter to mark his or her choice. The parties in the middle of the ballot, for example, had empty boxes next to the symbols of the parties listed to their right. A vertically designed ballot paper makes it easier for a voter to mark his or her choice and reduces smudging, which could lead to invalid ballots… Also of concern was the size of the ballot paper; as the ballot could be placed into the ballot box without being folded. The transparency of the ballot boxes meant that the voter's marked ballot could often be clearly viewed by the election officials, party agents, security officials and other voters at the polling station (IFES, 1999:23).

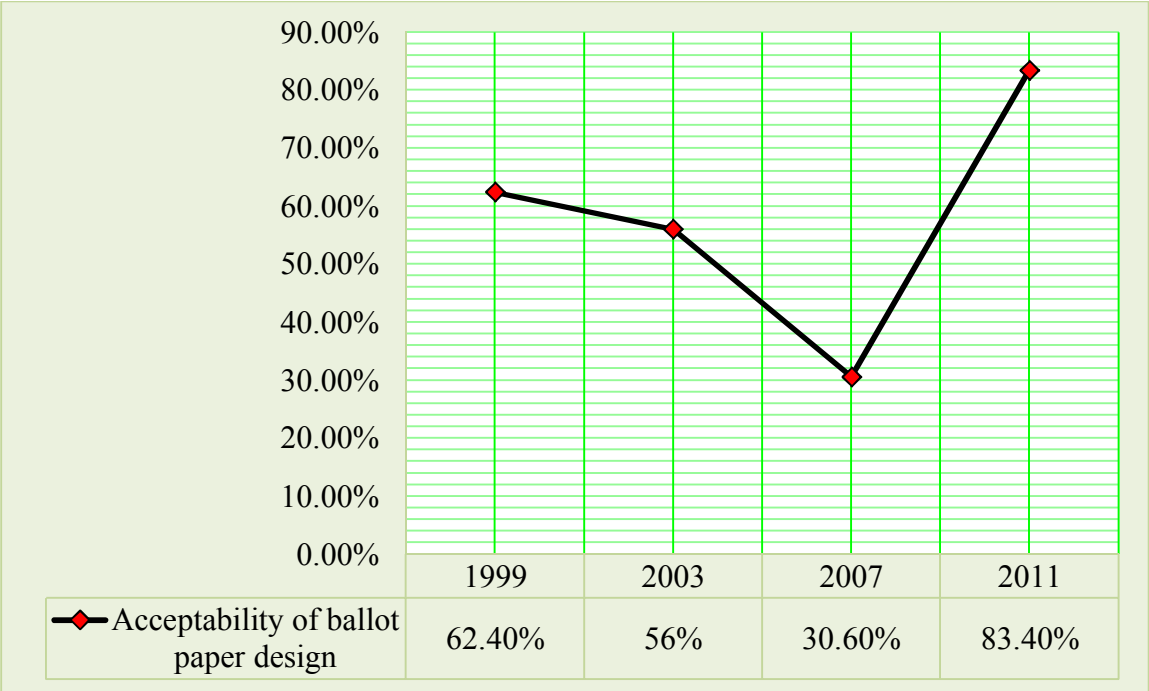
Despite the foregoing observations the 1999 Presidential elections ballot paper was designed horizontally. In the 2003 elections the situation was not significantly different. The problem associated with ballot design is captured in the following observation by the International Republican Institute (IRI).

> Two basic problems were consistently pointed out. First, the ballots for each election were indistinguishable except for the name of the election printed at the top. Each displayed symbols for all 30 registered political parties even in areas where only a fraction of those parties were in fact fielding candidates. Many of the new parties ran candidates in relatively few states, Senatorial Districts and Federal Constituencies. A ballot marked for a party not running a candidate would obviously be invalid. Second, voters would be asked to indicate their preference by placing a thumbprint in a space that appeared far too small for an average size thumbprint to fit. The voter would then fold the ballot in a manner that would make it very likely that the thumbprint would smudge other portions of the ballot, thereby casting doubt on the voter's true intention (IRI, 2003:32).

In a more controversial situation than the case of the 1999 and 2003 ballot paper design, the problems associated with the 2007 Presidential elections ballot paper culminated in the use of two different ballot papers for the election. The confusion over the ballot paper design in the 2007 Presidential election was not unconnected to the disqualification of a prominent contestant and former Vice President – Atiku Abubakar from contesting the elections by INEC. INEC had disqualified Atiku on the basis of a list released by an anti graft agency- the Economic and Financial Crimes Commission (EFCC) which claimed that Atiku and others on the list were not fit to hold public office. After the disqualification of Atiku Abubakar form contesting the Presidency, INEC proceeded with the printing of ballot paper without Atiku's name or party included in the ballot. However on April 16$^{th}$ 2007, - five days to the Presidential elections, the Supreme Court ruled that INEC had no power to disqualify a duly nominated candidate. As a result, Atiku Abubakar was cleared to contest in the April 21 Presidential elections. Following the Supreme Court's ruling in favour of Atiku Abubakar, INEC rushed to re-print millions of ballots, hoping to distribute them to over 120,000 polling stations prior to April

21. INEC abandoned the original plan to include photographs of the candidates on the ballot papers and; more importantly, did not adhere to section 45(2) of the Electoral Act 2006, which stipulates that: "The ballot papers shall be bound in booklets and numbered serially with differentiating colors for each office being contested." Instead, INEC distributed two different versions of the Presidential ballot paper on the election day: one that had no numbers printed on them, and another set with zeros printed on the ballot paper.

**FIGURE 7.4: ASSESSMENT OF THE ACCEPTABILITY OF BALLOT PAPER DESIGN IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS**




| | 1999 | 2003 | 2007 | 2011 |
|---|---|---|---|---|
| Acceptability of ballot paper design | 62.40% | 56% | 30.60% | 83.40% |

In the 2011 Presidential elections the ballot paper was horizontally designed and it was not the object of any controversy. Figure 7.4 shows that the acceptability of the ballot paper design was highest in the 2011 general elections to the tune of 83.4% and lowest in the 2007 general elections with 30.6% acceptability.

## 7.5: A COMPARATIVE ANALYSIS OF PARTY FUNDING AND CAMPAIGN REGULATIONS IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

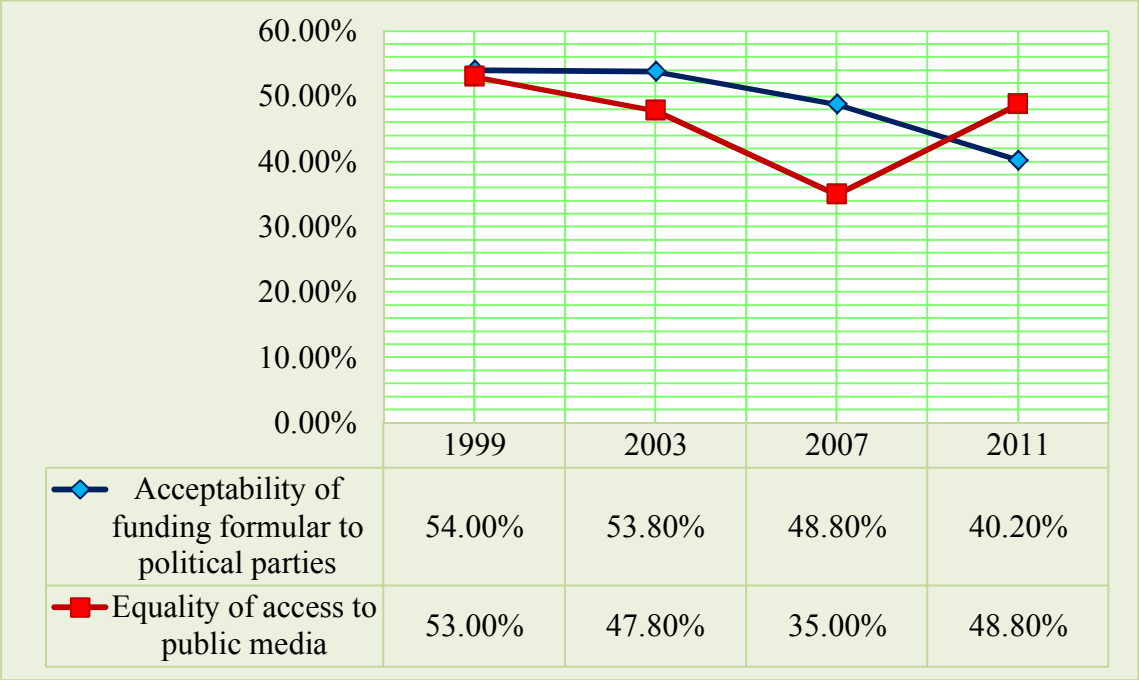
Political party funding is the process whereby parties generate monies and assets which are used in running their day-to-day activities and other expenditures. In addition to private funding, all registered political parties in Nigeria were entitled to receive public funding to support general operations and the costs of campaigning prior to the 2011 elections. Public funding of political parties actually began in Nigeria during the second republic. Prior to this period, there was no clearly defined regulatory framework on party finance and the funding of political parties was predominantly through private funding as parties and candidates were responsible for election expenses.

In the 1999 and 2003 elections the formula for the public funding of political parties did not generate any controversy. In 1999, the grants given to political parties were on the basis of equality; and by 2003, Section 80 (1)-(2) of the 2002 electoral act required 30 percent of an annual grant for operating expenses to be divided equally by each of Nigeria's 30 parties. The remaining 70 percent was distributed based on the percentage of seats held by the party in the National Assembly. For election campaigns, 30 percent of a grant was to be divided equally, and the remaining 70 percent allocated based upon how many House and Senate seats the party actually wins in the election. Reliable information on the overall size of the campaign grant is not available. By 2007 however, the formula for party funding was reviewed. According to the 2006 electoral act, section 91 (1), The National Assembly may make an annual grant to the Commission for distribution to the registered political parties to assist them in their operation. Sub-section (2) of section 91 goes on to state that 10% of the grant shall be shared equally among all the registered political parties and the remaining 90% of the grant shall be shared

among the registered political parties in proportion to the number of seats won by each party in the National Assembly. By 2011, public funding of political parties stopped completely. INEC argued that the termination of public funding to political parties became imperative as it became apparent that many political parties were springing up in the country not particularly to capture power but to access public funds. As a result, donations to political parties, as well as membership fees did not only become the source of funds for the day to day operation of political parties; but also financed the campaign of political parties in the 2011 elections. In an interview with the national secretary of the ANPP it was noted that:

> In 2003, the formula for funding was fair because it was based on your presence in the national assembly, but in 2007 INEC now said its going to be pro-rata which means you who won national assembly membership and the party which didn't even win councillorship will receive the same fund. Because PDP has alternative funding, they put all the opposition parties in a disadvantaged position. By 2011 the funding stopped not even one naira was given to any political party (Shettima, 2011).

**FIGURE 7.5: ASSESSMENT OF FUNDING AND CAMPAIGN REGULATION IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS**




| | 1999 | 2003 | 2007 | 2011 |
|---|---|---|---|---|
| Acceptability of funding formular to political parties | 54.00% | 53.80% | 48.80% | 40.20% |
| Equality of access to public media | 53.00% | 47.80% | 35.00% | 48.80% |

Figure 7.5 indicates that the party funding formula with the highest acceptability was that of the 1999 elections with a rating of 54%. This was closely followed by the funding formula of the 2003 elections with a rating of 53.8%. The 2007 and 2011 elections funding formula followed with 48.8 and 40.2 % respectively.

Another central issue concerning the finances of political parties is as contained in section 15(d) part 1, of the Third Schedule of the 1999 Constitution of the Federal Republic of Nigeria which requires INEC to: "arrange for the annual examination and auditing of the funds and accounts of Political Parties, and publish a report on such examination and audit for public information". In addition section 225(6) of the Constitution allows INEC to appoint "any person who is an auditor by profession and who is not a member of a Political Party" for the purpose of carrying out an audit on the accounts of Political Parties. Section 226(3) of the Constitution provides every member of the Commission or its duly authorized agent with unfettered right to

access at all times, the books and accounts and vouchers of all political parties and to request from the Officers of the Political Party such information and explanation as he deems necessary for the performance of his duties under the constitution. Thus, the external auditor who is nominated and paid by INEC, should have access, at all reasonable times, to all records, documents, books, accounts and vouchers held by the political party and to such information and explanation that, in the auditor's opinion, is necessary to conduct the audit. This includes copies of official receipts issued, bank statements and cancelled cheques, lists of outstanding cheques, copies of all bills, vouchers and pro-forma invoices, details of any loans, details of fund-raising functions, details of miscellaneous revenue, details of inventory remaining on hand. The law requires that the auditor's report directly to INEC. Auditors, appointed and paid by INEC, should not, under any circumstances, request payment for their services from political parties.

In spite of the foregoing legislations enabling INEC to regulate the finances of political parties, party finances particularly with regards to campaign expenses continues to be a major source of controversy in Nigeria. While no available records exist on the exact amount of money spent on campaign expenses by Political Parties from 1999-2011, it is widely suggested that the amount used for campaign finance by political parties has been on the increase since 1999. This is notwithstanding the fact that election expenses for political parties are usually capped. In 2003, no party was to spend more than 20 naira (about 15 cents) times the number of names on the voter registration lists where the party is fielding candidates. By 2007, the maximum expenses to be incurred by a Presidential candidate as in section 93 (2) of the 2006 electoral act was five hundred million naira (N500, 000,000); and by 2011 it was one billion naira (N1, 000,000,000) as stated in section 91 (2) of the 2010 electoral act. The implication of the huge amount spent on election campaign was captured by former President Olusegun Obasanjo when he noted that:

> I have said that we prepare for elections as if we are going to war, and one can state without hesitation, drawing from my previous experience, that the parties and candidates together spent during the 2003 elections, more than would have been needed to fight a successful war. The will of the people cannot find expression and flourish in the face of so much money directed solely at achieving victory. Elective offices become mere commodities to be purchased by the highest bidder, and those who literally invest merely see it as an avenue to recoup and make profits. Politics becomes business, and the business of politics becomes merely to divert public funds from the crying needs of our people for real development in their lives (Obasanjo, in an address at the INEC-Civil Society Forum Seminar on 27th November 2003).

On campaign regulation and the equality of access to public media in particular, Nigeria's electoral acts: section 103 (2) in the case of the 2006 electoral act and section 100 (2) in the case of the 2010 electoral act provides that: "State apparatus including the media shall not be employed to the advantage or disadvantage of any political party or candidate at any election". Yet, officials of the major opposition parties maintained that there has never been equal access to public media for campaign purposes. The Director of special duties of the ANPP for example observed:

> Just go and observe; anytime you are watching Nigerian Television Authority (NTA) and there is any news coverage or advertisement on any opposition political party, the next thing you will see is a coverage on the PDP to subdue that of the other parties (Gashua 2011).

The opinion survey conducted in the course of this study; as in figure 7.5 shows that the highest equality of access to public media was in the 1999 Presidential election with a total

percentage rating of 53%. This is followed by the 2011 elections with a rating of 48.8%; while the 1999 and the 2007 Presidential followed with 47.8 and 35 % respectively.

## 7.6: A COMPARATIVE ASSESSMENT OF POLLING PROCEDURES IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

### 7.6.1: FUNCTIONALITY OF POLLING PERSONNEL IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

Polling is a central aspect of the election administration process in which the electorate formally makes a choice amongst candidates competing for public office. Indeed, while all pre-election activities culminate in the polling process, the post election developments are to a large extent usually determined by the nature of the polling process. As a result, the functionality of polling personnel is crucial for the success of the election administration process. Yet, all the Presidential elections under consideration recorded problems with the functionality of the polling personnel; problems which to a large extent were engendered by inadequate preparations by the commission as well as the inadequate training of polling personnel. While all the Presidential elections under consideration recorded problems in the functionality of polling station personnel, evidence as shall be seen indicates that the declining trend in the functionality of polling station personnel from 1999- 2007 was reversed in the 2011 Presidential elections with a remarkable improvement in the functionality of polling station personnel.

In the 1999 Presidential election, the major challenge in the functionality of polling personnel in most parts of the country was evident in the lack of understanding displayed by polling officials over the manner in which accreditation of voters and actual voting was to proceed. INEC had instituted a separate process for accreditation and voting to minimize

opportunities for multiple accreditation and, hence, multiple voting. Furthermore, the separate process of accreditation and voting were to have been implemented in conjunction with a procedure known as "confinement"- whereby voters were required to remain at polling stations after being accredited in order to be able to cast their vote. However, as noted by the AAEA and IFES:

> It was clear to the AAEA/IFES joint international observer missions that the processes for accreditation and voting were not uniformly followed by the polling station staff as stipulated by the INEC… At no time did the AAEA/IFES missions to the December-February elections witness the implementation of confinement. Presiding Officers did not request the voters to stay at the polling station nor did any voters remain on their own volition…the polling officials were either not aware of the requirement of confinement or lacked any facilities at the polling station for its implementation…the end result was a depression of voter participation in the process (AAEA/IFES, 1999: 29-30)

In the 2003 elections, INEC assigned nearly half a million individuals to positions of electoral responsibility on Election Day. According to INEC, the commission had implemented a "step-down" training program that was supposed to reach down to the level of workers at local polling stations. However, as noted by the IRI:

> Conversations with many poll workers suggested significant disparities in the quality and intensity of the training. This became a serious problem as many of those administering Voting Stations and Collation Centers had little or no previous experience (IRI, 2003:15).

Another major problem in the functionality of polling personnel in the 2003 Presidential election was in the indiscriminate termination of polling in several polling stations across the country.

According to INEC voting was to commence at 8 A.M across the country and to close at 3 P.M. However, the IRI noted:

> Many polling stations did not close at the prescribed hour of 3:00 p.m. In most of these instances, polling stations closed late in order to fairly make up for a late opening. In a more problematic development several voting stations closed early even though they opened late or on time. IRI observers noted that several stations closed by noon while reporting 100 percent turnout for a single party. In the most problematic case, during the Presidential election in Nasarawa state, IRI observers reported that one polling station opened at 10:00 a.m. and closed at noon. The station recorded that 800 people had voted in less than two hours, a seemingly impossible feat. All 800 votes were for the ruling PDP party (IRI, 2003:19).

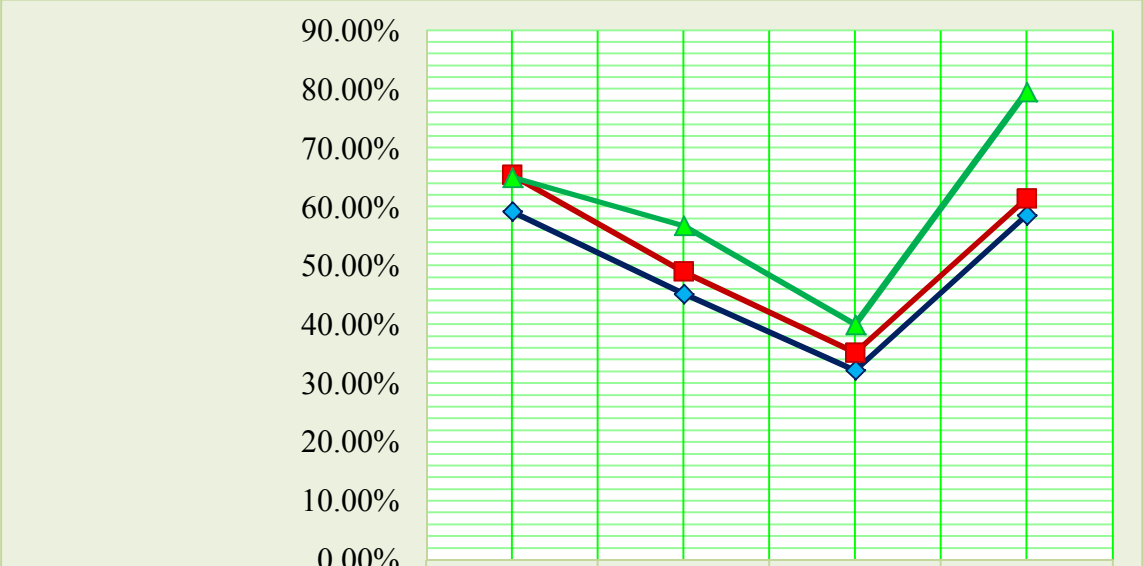
The problems associated with the functionality of polling station personnel in the 2007 Presidential election was compounded by the attempt to re-print ballot papers and distribute to the 120,000 polling stations across the country in just five days before the election; following the Supreme court's ruling of 16th April 2007 that INEC had no power to disqualify former vice President Atiku Abubakar from contesting the 2007 Presidential election. As it became evident that ballot papers would not be delivered in time to be distributed to the 120,000 polling stations for the scheduled 8:00 a.m. opening on the day of the Presidential election, INEC announced that polls would open nationwide two hours late, at 10:00 am. However, many of the election observation missions noted that polls either opened very late or did not open at all in several parts of the country. The NDI for example observed that:

> Polls opened after 10:00 a.m. in almost every part of the country, and in some places did not open at all. In some cases, voters waited until late in the afternoon for polling officials who did not show up. Voter frustration boiled over in some places, with as many as four people killed in Katsina State, home of PDP

Presidential candidate Umaru Yar'Adua and ANPP candidate Muhammadu Buhari (NDI, 2003: 16).

As shall be seen in figure 7.6 the functionality of polling personnel was highest in the 1999 Presidential elections with 59.2%. The 2011 Presidential elections followed closely with58.6%. While the 2007 presidential election had the lowest polling personnel functionality with 32.2%

**FIGURE 7.6: ASSESSMENT OF POLLING PROCEDURES IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS**




| | 1999 | 2003 | 2007 | 2011 |
|---|---|---|---|---|
| Functionality of polling personnel | 59.20% | 45.20% | 32.20% | 58.60% |
| Security of polling stations | 65.40% | 49% | 35.20% | 61.40% |
| Functionality of procedures for observation of polling | 65% | 56.80% | 40% | 79.60% |

### 7.6.2: SECURITY OF POLLING STATIONS IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

Related to the issue of the functionality of polling station personnel is the general security of polling stations. The security of polling stations is very crucial for the election administration system; especially as the election administration process in Nigeria has a history of provoking reactions that range from verbal attacks to outright violence against the EMB and amongst rival political parties and their supporters. While the polling process is a crucial aspect of the election administration system, the process cannot be guaranteed if there is a security deficit around polling stations.

Polling station security in Nigeria has always been the responsibility the Nigerian police; and in some cases the military. Given that these two institutions charged with the task of securing the polling stations are under the prerogative of the President, concerns have been expressed over their capacity for neutrality in securing the polling stations. Indeed, except for the 1999 Presidential elections, all the security agents responsible for polling station security in the 2003-2011 Presidential elections have been accused of protecting the interests of the ruling party- the PDP. Evidence gathered from the opinion survey of key stakeholders in the electoral process as in Figure 7.6 above shows that the polling stations of the 1999 Presidential election were considered to be the most secured with a percentage rating of 65.4%. This is followed by the 2011 Presidential elections which recorded a rating of 61.4%; while the 2007 Presidential elections had the lowest security ratings of 35.2%.

### 7.6.3: THE FUNCTIONALITY OF PROCEDURES FOR OBSERVATION OF POLLING IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

Most international principles governing democratic elections provide for the observation of the electoral process as a way of ensuring transparency and integrity in the electoral process. For example Chapter III, Article I, of the African Union Declaration on the Principles Governing Democratic Elections in Africa, to which Nigeria is signatory mandate member states to:

> Ensure the transparency and integrity of the entire electoral process by facilitating the deployment of representatives of political parties at polling and counting stations and by accrediting national and/other observers or monitors (Charter of the AU, 2000:23).

In line with the foregoing, election observation has become a key aspect of the entire election administration process itself. While the electoral act; in section 46 (1) in the case of the 2006 act, and section 45 (1) in the 2010 act; allows parties to appoint a polling agent to be present at all polling stations and counting centers where the party is fielding a candidate, no provisions exists in the legal framework of Nigeria's election administration system for the accreditation of local and international observers. Yet, in addition to observation by political party agents, the INEC supported the accreditation of local and international observers as well as local and international media in the 1999 Presidential elections. As documented in the report of the AAEA/IFES observation report of the 1999 general elections:

> The following accreditation figures were recorded as at the time of the February 27 Presidential election: 703 international observers; 14,008 local observers; 283 international press and 242 local press. Once accredited, international and local

> observers (including press) had full access to the electoral process; including the polling stations on election day, the counting and collation process, election tribunals, and the announcement of results. Through the accreditation of observers, the INEC demonstrated its interest in promoting the transparency of the process (AAEA/IFES, 1999:20).

In the 2003 elections, the procedure for the observation of the electoral process was further strengthened by the establishment of a forum for local and international observers which met on a weekly basis to examine developments in the entire election process (NDI, 2003:12). Polling agents appointed by parties were also present for the observation of the polling process. According to the Director of special duties of the ANPP:

> Our agents did not encounter any serious challenges in observing the 1999 and the 2003 Presidential elections. But you see in 2007 and 2011 they were seriously harassed by either INEC officials or the security forces for trying to raise objections against any irregularities (Gashua, 2011).

During the 2007 Presidential elections INEC's relations with election observers became increasingly contentious. INEC spurred debate over the difference between "election monitoring" (which INEC insisted it alone was entitled to do) and "election observation" (which according to INEC specifically excluded the right to direct or correct abuses). Nigerian civil society organizations however; insisted that as stakeholders in the electoral outcome, they did indeed have the right to monitor the process (NDI Final report, 2007: 20). Furthermore, the NDI final report on the 2007 general elections noted:

> INEC's attempts to limit the number of election observers at polling stations and to direct the deployment plans of observer groups raised tensions, as did allegations by INEC of

> partisanship on the part of some groups, including the Transition Monitoring Group (TMG) and ACE. The State Security Service (SSS) visited several of the 327 groups listed as members of the TMG coalition, ostensibly to confirm their existence, but at the same time demanded information about their sources of funding and details about their members and officers. Many Nigerian civic leaders saw this as a campaign of harassment (NDI 2007:21).

In the 2011 Presidential elections the functionality of the procedures for observation of polling was adjudged to be higher than the previous three Presidential elections. Figure 7.6 of the opinion survey conducted in the course of this study shows that the highest functionality of procedures for observation of polling was in the 2011 elections to the tune of 79.6%, this is followed by the 1999 presidential election with a polling observation functionality of 65%, followed by the 2003 and 2007 elections with 56.08% and 40% respectively.

## 7.7: A COMPARATIVE ANALYSIS OF COUNTING PROCEDURES IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS

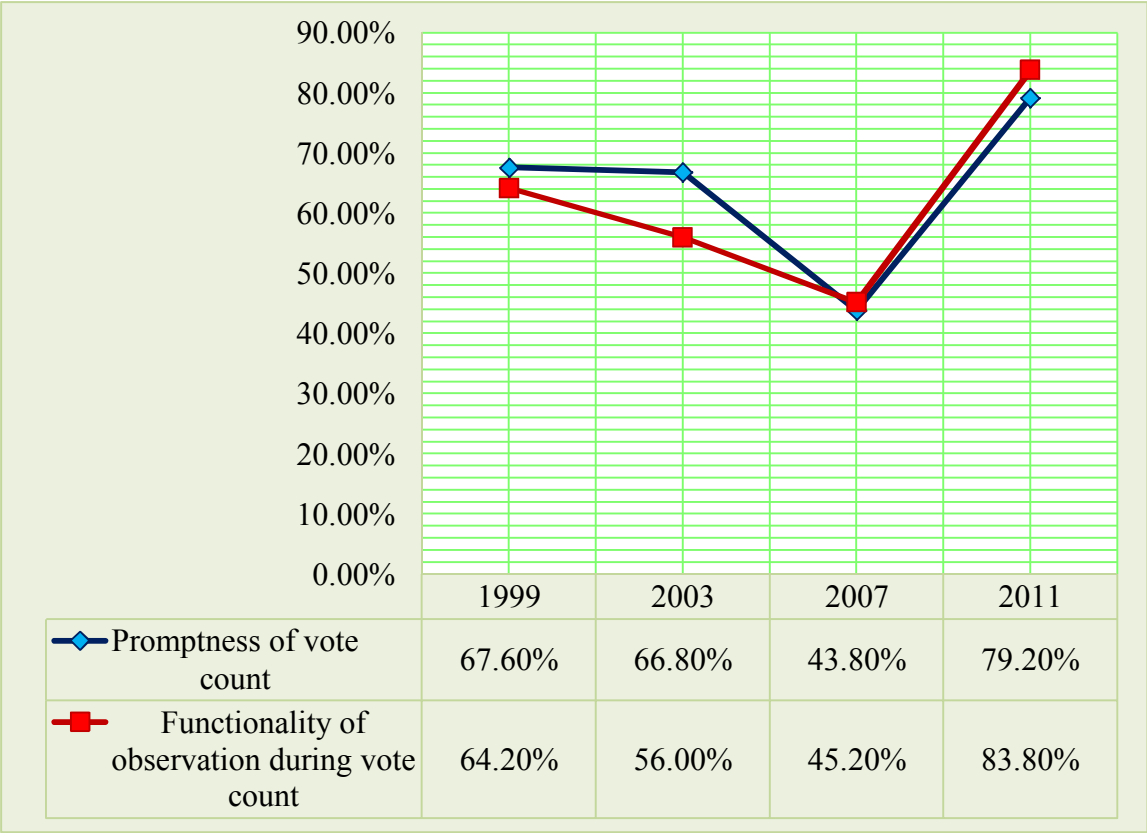
The promptness of vote count and the functionality of procedures for observation during the count are two key issues involved in the counting procedure of the election administration process. According to the electoral act; section 64 (1) in the case of the 2006 electoral act, and section 63 (1) in the case of the 2010 electoral act; vote count is expected to begin at the polling station after the close of polling. The presiding officer is required to count the votes at the polling units and the votes scored by each candidate entered in a form to be provided by INEC. Furthermore, section 64(2) and section 63 (2) of the 2006 and 2010 electoral acts respectively requires the form to be counter signed by party agents at the polling station; after which copies of the duly signed forms are to be given to the polling agents and police officer where available. Yet, in spite of the legal provisions enabling counting to begin at the

polling stations before being transmitted to higher levels of the electoral administration system, counting procedures have been very controversial in the Presidential elections of 1999-2011. Indeed, the controversies engendered by the counting procedures in each of the Presidential elections under consideration gave rise to petitions to courts and even outright violence; as in the case of the 2011 post presidential election violence in northern Nigeria. The major source of controversy in the counting procedure arise from the fact that while the electoral law provides for counting to actually begin at the polling station level, no provision exists for results of the lower levels to be displayed at the higher levels of the election administration system. The implication of this lacuna in the electoral law is that the results which eventually get announced are criticized of not being reflective of the polling station results or the choice of the electorate. This reality is captured in the report of an independent electoral assessment team arranged by the United Kingdom and the United States diplomatic mission in Nigeria:

> The transmission and tabulation of results have been controversial, leading to many petitions being submitted to the courts, most notably following the 2007 elections. INEC acknowledged the challenges of this critical stage of an election, referring to presiding officers failing to conduct counts at the polling unit and to give certified copies of results forms to party agents present. Complaints were made about election totals being announced without the composite polling unit breakdown, thereby preventing the possibility to check the veracity of the announced results and outcome. Lack of transparency in the results process fundamentally compromises confidence in an electoral process, thereby potentially undermining acceptance of the electoral outcome (Report of diplomatic mission of the United Kingdom and the United States, 2007:12).

It was gathered from focused group discussion that while for the 1999 and the 2011 Presidential elections' counting was actually conducted at several polling stations across the country, counting did not take place at many polling stations in the 2003 and 2007 Presidential elections. This scenario is captured in Figure 7.7 which indicates that the promptness of vote count was highest in the 2011 Presidential elections with a total rating of 79.2%; followed by the 1999 Presidential election with a percentage rating of 67.6%. The 2003 and 2007 Presidential election followed with a rating of 66.8 and 43.8% respectively in the promptness of vote count.

**FIGURE 7.7: ASSESSMENT OF COUNTING PROCEDURES IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS**




| | 1999 | 2003 | 2007 | 2011 |
|---|---|---|---|---|
| Promptness of vote count | 67.60% | 66.80% | 43.80% | 79.20% |
| Functionality of observation during vote count | 64.20% | 56.00% | 45.20% | 83.80% |

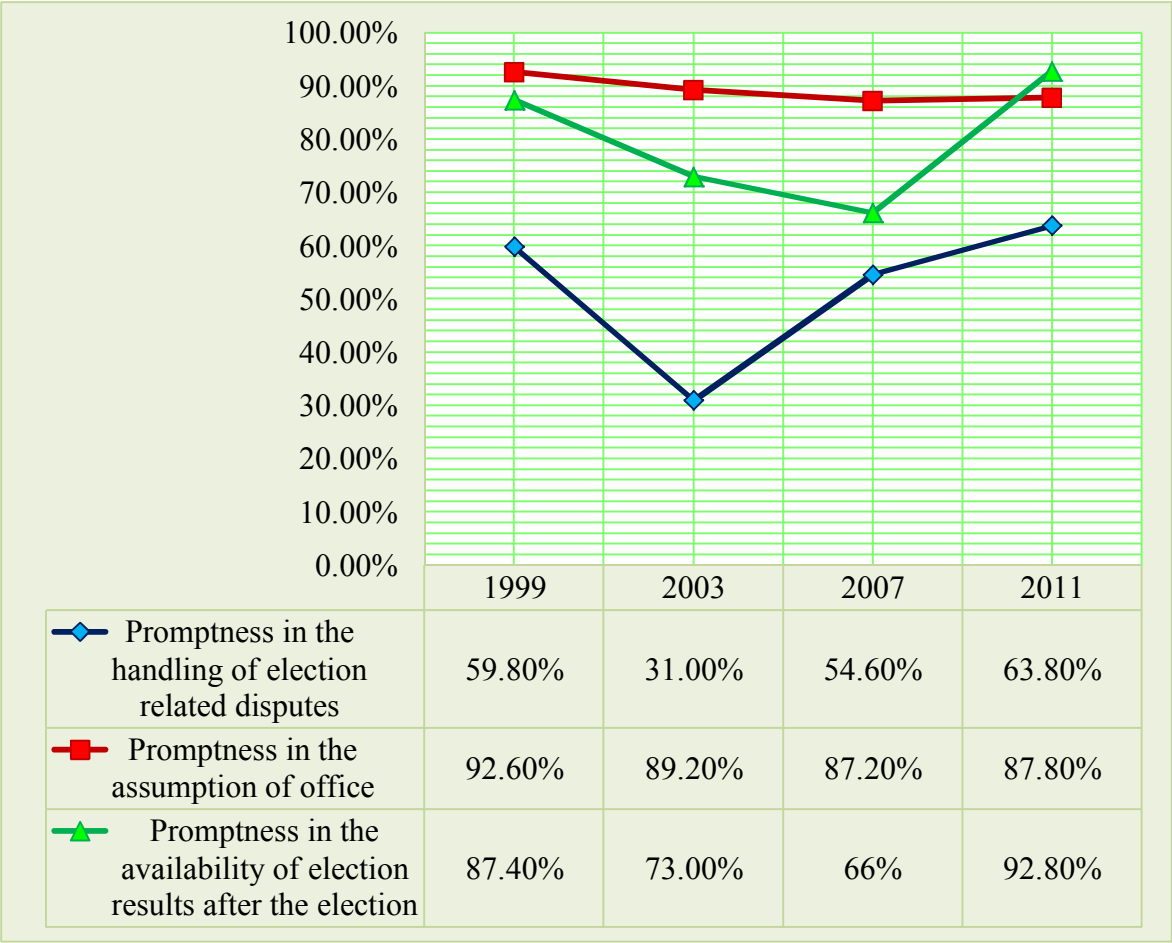
Similarly, the functionality of procedures of observation during vote count was highest in the 2011 Presidential elections with 83.8%, followed by the 1999 Presidential elections with 64.2%; while the 2003 and 2007 Presidential elections had the lowest ratings of 56 % and 45.2% respectively.

## 7.8: A COMPARATIVE ANALYSIS OF POST ELECTION PROCEDURES IN THE 1999, 2003, 2007AND 2011 PRESIDENTIAL ELECTIONS

The most controversial aspect of the post election procedures in Nigeria is the handling of post election disputes. Prior to the 2010 electoral act, the time frame for the hearing of election petitions in Nigeria was not clearly specified in the electoral law. As a result, there has been an

undue delay in the hearing of election petitions (this problem has been more pronounced at the gubernatorial level). It is instructive to note that the result of each of the Presidential elections under consideration was contested. In 1999 the APP challenged the election result which brought Olusegun Obasanjo to power. In 2003, the major opposition candidate General Muhammadu Buhari (retired) and his party also challenged the result of the Presidential elections in court; and it was not until 3rd July, 2005; twenty seven months after the election that the Supreme Court upheld the result of the election. In 2007 there was a consolidated petition against the PDP, and the outcome of the elections conducted by INEC by the candidates of the ANPP and the AC. Ruling on the Presidential election petition was delivered on the 25th of February, 2008; ten months after the election. By 2011, the judgment on Presidential election petition filed by the CPC was delivered on December 28th 2011; eight months after the elections. While the judgments of all the Presidential elections petitions from 1999-2011 upheld all the Presidential election results, there has been a progressive improvement in the timeframe of the hearing. Figure 7.8 shows that the Promptness in handling of election related disputes was highest in the 2011 Presidential elections with 63.8%. This was followed by the 1999 Presidential elections with 59.8%; while the 2003 Presidential elections had the lowest rating of 31%.

**FIGURE 7.8: ASSESSMENT OF POST ELECTION PROCEDURES IN THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTIONS**

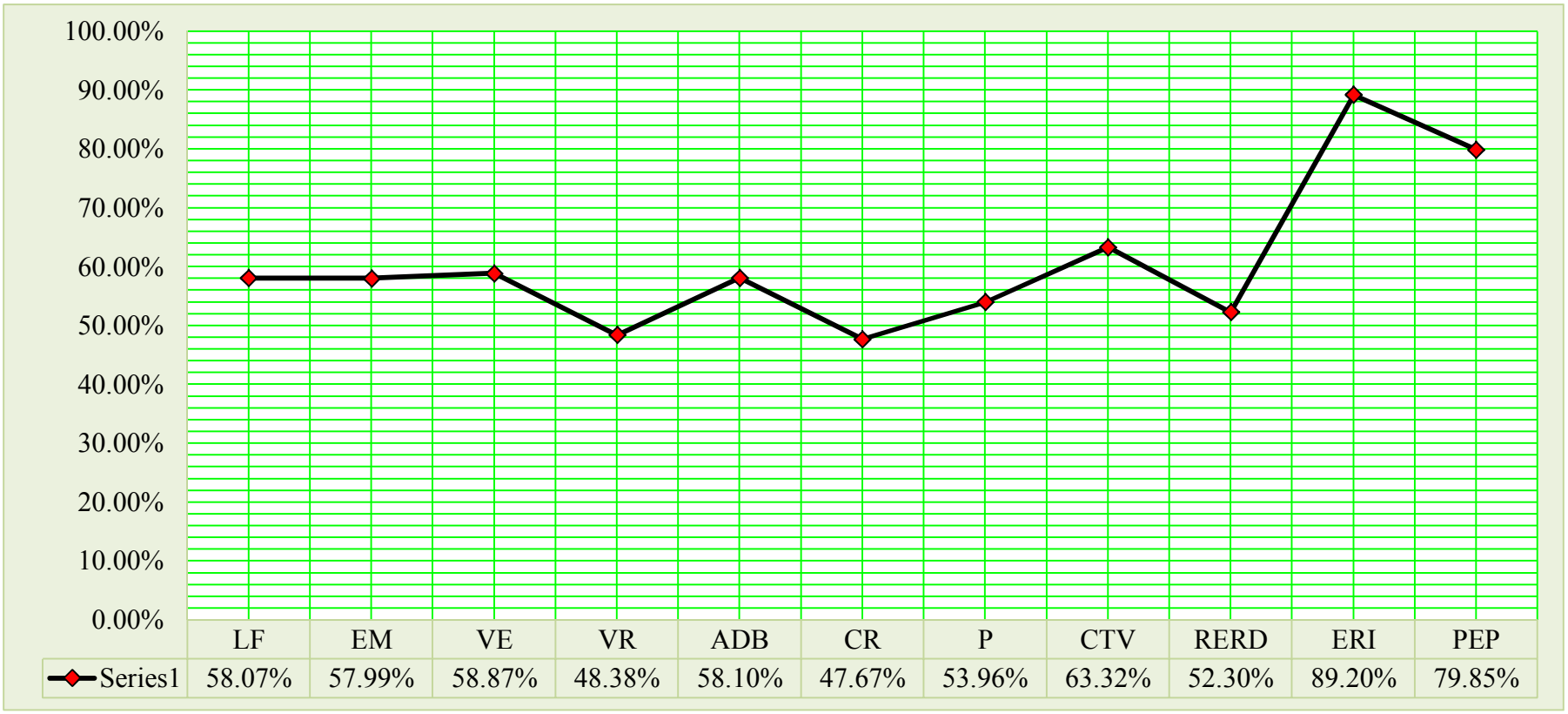



| | 1999 | 2003 | 2007 | 2011 |
|---|---|---|---|---|
| Promptness in the handling of election related disputes | 59.80% | 31.00% | 54.60% | 63.80% |
| Promptness in the assumption of office | 92.60% | 89.20% | 87.20% | 87.80% |
| Promptness in the availability of election results after the election | 87.40% | 73.00% | 66% | 92.80% |

With regards to promptness in the assumption of office all four Presidential elections had ratings of above 80%. However, in the promptness of the availability of election results to interested parties, the 2011 Presidential elections had the highest ratings of 92.80%; while the 2007 Presidential elections had the lowest rating of 66.2%.

By way of summary, the evidence presented in the course of this study indicates that the strength of Nigeria's electoral administration system lies in the post polling procedures with steps like election results implementation and other post polling procedures having the highest ratings. The weakest point in the electoral administration system on the other hand is in the pre -election stage with steps like voter registration and campaign regulation having the lowest ratings. This scenario is graphically presented in figure 7.9.

**FIGURE 7.9: CUMMULATIVE RATINGS OF STEPS IN NIGERIA'S PRESIDENTIAL ELECTION ADMINSTRATION PROCESS (1999-2011)**




| | LF | EM | VE | VR | ADB | CR | P | CTV | RERD | ERI | PEP |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Series1 | 58.07% | 57.99% | 58.87% | 48.38% | 58.10% | 47.67% | 53.96% | 63.32% | 52.30% | 89.20% | 79.85% |

***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****-Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

## CHAPTER EIGHT

## EMPIRICAL ANALYSIS OF INEC'S INSTITUTIONAL CONTEXT FOR DEMOCRATIC SUSTAINABILITY IN NIGERIA

### 8.1: VERIFICATION OF THE ASSUMPTIONS OF THE STUDY

As was earlier noted, four assumptions underlie this study viz:

a. A progressive increase in the quality of the 1999, 2003, 2007 and 2011 Presidential election administration by INEC implies that Nigeria's democracy has been sustained (Stabilized).

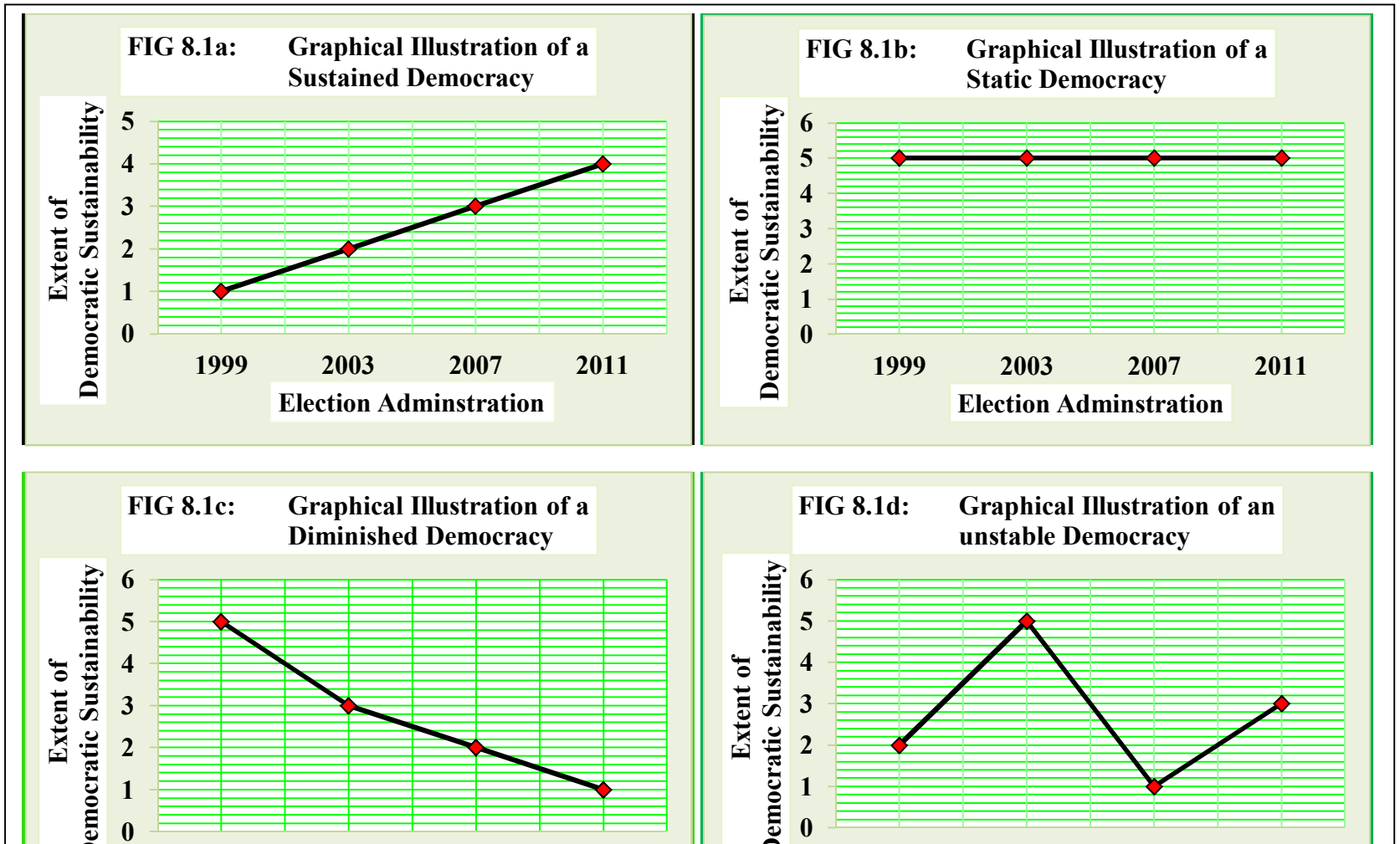
b. Constancy in the quality of the 1999, 2003, 2007 and 2011 Presidential election administration by INEC implies that Nigeria's democracy is static.

c. A continuous retrogression in the quality of the 1999, 2003, 2007 and 2011 Presidential election administration by INEC implies that Nigeria's democracy is diminishing.

d. A lack of any general pattern (as in assumption a- c) in the quality of the 1999, 2003, 2007 and 2011 Presidential election administration implies that Nigerian's democracy is unstable.

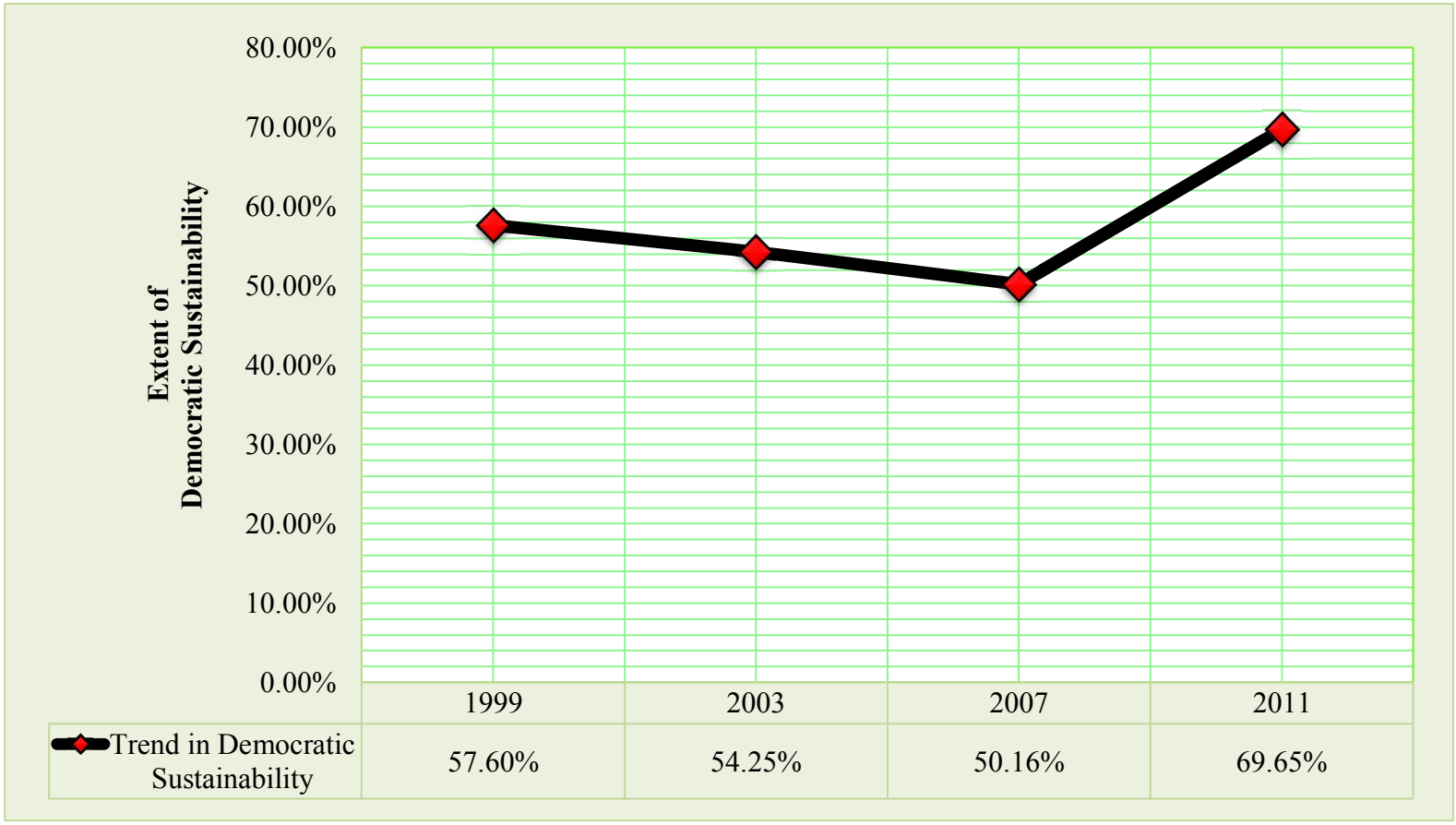
These assumptions may be graphically represented as in figure 8.1

**FIGURE 8.1: GRAPHICAL ILLUSTRATIONS OF THE ASSUMPTIONS OF THE STUDY**



As can be seen in the figure 8.1a democratic sustainability is represented by a progressive increase in the quality of the election administration process from 1999-2011. Figure 8.2 presents a graphical illustration of the total percentage ratings of the 1999, 2003, 2007 and 2011 Presidential elections.

**FIGURE 8.2: THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTION AND DEMOCRATIC SUSTAINABILITY IN NIGERIA**




| | 1999 | 2003 | 2007 | 2011 |
|---|---|---|---|---|
| Trend in Democratic Sustainability | 57.60% | 54.25% | 50.16% | 69.65% |

Figure 8.2 shows that the total rating of the 1999 Presidential election administration process is 57.6%, while for the 2003 Presidential election administration process a score of 54.25% was recorded. In 2007 the Presidential election administration process recorded a score of 50.16%; and by 2011, the Presidential election administration process recorded a score of 69.65%. Thus, from 1999-2007 there was a progressive decline in the quality of the Presidential election administration. However, by 2011; the highest point in the quality of the Presidential elections conducted by INEC was attained. This lack of a general trend in the quality of the Presidential elections conducted by INEC implies that only the fourth assumption of this research is valid: democracy in Nigeria has been unstable and not sustained.

## 8.2 VALIDITY OF THE FINDINGS OF THE STUDY

A subjection of the findings of this study to further verification would not be out of context. Accordingly, the official trend of key electoral indicators as released by INEC for the four elections under study is compared with the findings of the study to determine the extent of corroboration.

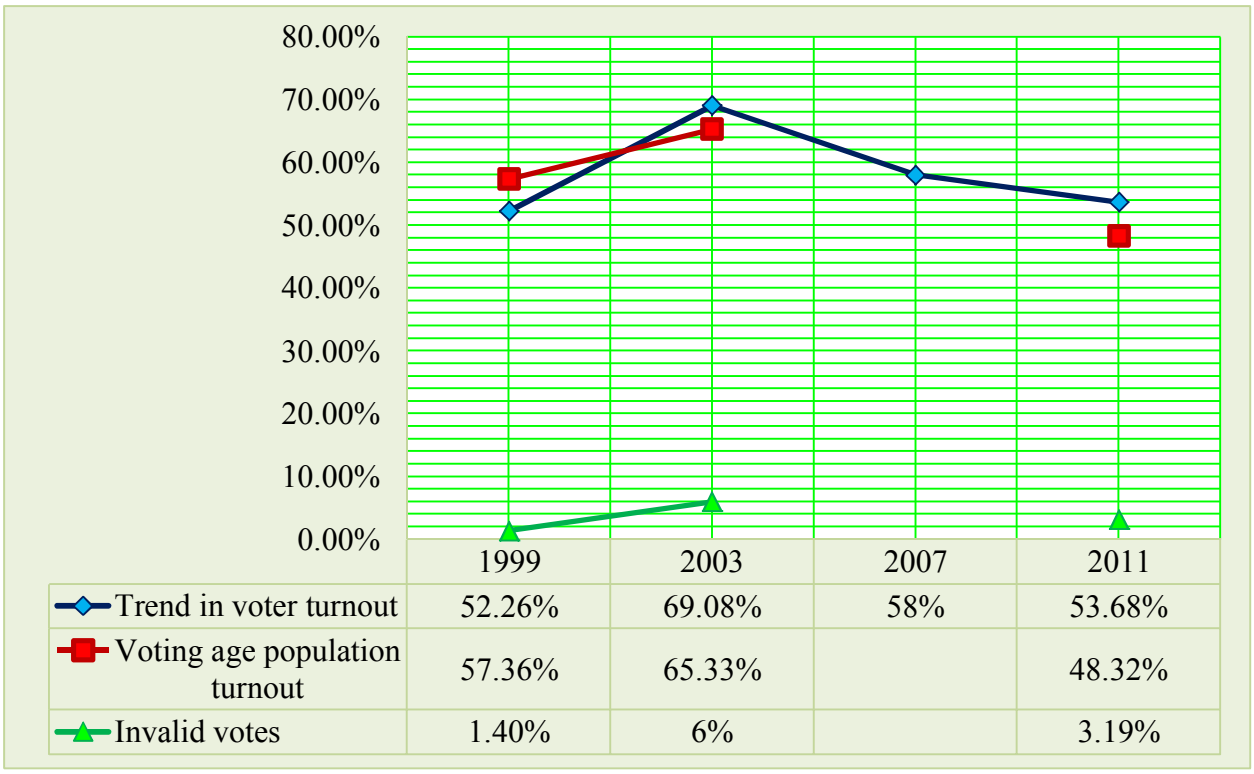
**TABLE 8.1: PRESIDENTIAL ELECTION INDICATORS IN NIGERIA (1999-2011)**

| Year | Voter Turn out | Total Vote | Registration | VAP Turnout | Voting Age Population(VAP) | Invalid Votes | Population |
|---|---|---|---|---|---|---|---|
| 2011 | 53.68% | 39,469,484 | 73,528,040 | 48.32% | 81,691, 751 | 3.19% | 155,215,57 |
| 2007 | 58% | * | 61,567,036 | * | 71,004,507 | * | 131,859,73 |
| 2003 | 69.08% | 42,018,735 | 60,823,022 | 65.33% | 64,319,246 | 6% | 129,934,91 |
| 1999 | 52.26% | 30,280,052 | 57,938,945 | 57.36% | 52,792,781 | 1.4% | 108,258,35 |

**No official figures for indicators marked * was released by INEC**

**Source: Collated from INEC headquarters (2011).**

**FIGURE 8.3: OFFICIAL VOTER TURNOUT FIGURES IN NIGERIA'S PRESIDENTIAL ELECTIONS (1999-2011)**




| | 1999 | 2003 | 2007 | 2011 |
|---|---|---|---|---|
| Trend in voter turnout | 52.26% | 69.08% | 58% | 53.68% |
| Voting age population turnout | 57.36% | 65.33% | | 48.32% |
| Invalid votes | 1.40% | 6% | | 3.19% |

Figure 8.3 show that in 1999, the official voter turnout figure was 52.26%; while in 2003 it was 69.08%. In 2007 the voter turnout figure released by INEC was 58% while the 2011 voter turnout was 53.68%. Indeed, as in the findings of this study, there has been no progressive change in the performance of key electoral indicators form 1999-2011.

## 8.3: REGRESSION ANALYSIS OF THE 1999, 2003, 2007 AND 2011 PRESIDENTIAL ELECTION ADMINSTRATION PROCESS

To evaluate the outcome of the elections based on available parameters to INEC, a regression model was calculated for each of the four elections under consideration to determine the functional relationship of the independent variable and the outcome of the election. The regression model was estimated as follows:

$$Y = a + bX1 + bX2 + bX3 + bX4 + bX5 + bX6 + bX7 + bX8 + bX9$$

Where Y= election outcome

a = Constant

X1= sufficiency of resources

X2= complimentarity of voter education efforts

X3= level of voter registration

X4= functionality of voter registration complaints procedures

X5= acceptability of ballot paper design to parties and candidates

X6= functionality of polling station personnel

X7= security of polling stations

X8= promptness of vote count

X9= promptness in the handling of election related disputes

**TABLE 8.2: REGRESSION ANALYSIS OF THE 1999 PRESIDENTIAL ELECTION**

**Model Summary(b)**

| Model | R | R Square | Adjusted R Square | Std. Error of the Estimate | Change Statistics | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | R Square Change | F Change | df1 | df2 | Sig. F Change |
| 1 | 0.969 | 0.938 | 0.935 | 0.579 | 0.938 | 315.285 | 9 | 187 | 0.000 |

**ANOVA(b,c)**

| Model | | Sum of Squares | df | Mean Square | F | Sig. |
|---|---|---|---|---|---|---|
| 1 | Regression | 950.765 | 9 | 105.641 | 315.285 | 0.000 |
| | Residual | 62.657 | 187 | 0.335 | | |
| | Total | 1,013.421 | 196 | | | |

**Coefficients(a,b)**

| Model | | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|---|---|---|---|---|---|---|
| | | B | Std. Error | Beta | | |
| 1 | (Constant) | -0.274 | 0.236 | | -1.161 | 0.247 |
| | Sufficiency of resources for the election | 0.355 | 0.085 | 0.237 | 4.171 | 0.000 |
| | Complimentarity of voter education efforts by various groups | 0.505 | 0.135 | 0.369 | 3.747 | 0.000 |
| | Level of voter registration | 0.052 | 0.098 | 0.026 | 0.534 | 0.594 |
| | Functionality of voter registration complaints procedures | 0.147 | 0.084 | 0.085 | 1.751 | 0.082 |
| | Acceptability of ballot paper design to parties and candidates | -0.277 | 0.085 | -0.269 | -3.256 | 0.001 |
| | Functionality of polling station personnel | 0.200 | 0.159 | 0.068 | 1.256 | 0.211 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | Security of polling stations | -0.167 | 0.119 | -0.085 | -1.397 | 0.164 |
| | Promptness of vote count | 0.436 | 0.146 | 0.398 | 2.984 | 0.003 |
| | Promptness In the handling of election related disputed | 0.208 | 0.104 | 0.156 | 2.005 | 0.046 |

a. Predictors: (constant), promptness in the handling of election related disputes, level of voters registration, extent of polling stations security, functionality of voter registration complaints procedures, functionality of polling station personnel, complimentarity of voter education efforts by various groups, acceptability of ballot paper design to parties and candidates, sufficiency of resources for the election, promptness of vote count.

b. Dependent Variable: promptness in the availability of election results to interested parties.

c. Year=1999

Table 8.2 indicates that the observed coefficient of determination ($r^2$) for the model is 0.938. The results show that a total of five (5) elements significantly influenced the outcome of the 1999 Presidential elections. These elements are: sufficiency of resources available to INEC, complimentarity of voter education efforts, acceptability of ballot paper design to parties and candidates, promptness of vote count and promptness in the handling of election related disputes (P<0.05).

**TABLE 8.3: REGRESSION ANALYSIS OF THE 2003 PRESIDENTIAL ELECTION**

**Model Summary(b)**

| Model | R | R Square | Adjusted R Square | Std. Error of the Estimate | Change Statistics | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | R Square Change | F Change | df1 | df2 | Sig. F Change |
| 1 | 0.994 | 0.988 | 0.987 | 0.250 | 0.988 | 1,725.608 | 9 | 189 | 0.000 |

**ANOVA(b,c)**

| Model | | Sum of Squares | df | Mean Square | F | Sig. |
|---|---|---|---|---|---|---|
| 1 | Regression | 970.054 | 9 | 107.784 | 1,725.608 | 0.000 |
| | Residual | 11.805 | 189 | 0.062 | | |
| | Total | 981.859 | 198 | | | |

**Coefficients(a,b)**

| Model | | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|---|---|---|---|---|---|---|
| | | B | Std. Error | Beta | | |
| 1 | (Constant) | 0.211 | 0.069 | | 3.039 | 0.003 |
| | Sufficiency of resources for the election | -0.320 | 0.050 | -0.230 | -6.436 | 0.000 |
| | Complimentarity of voter education efforts by various groups | 0.200 | 0.044 | 0.194 | 4.524 | 0.000 |
| | Level of voter registration | -0.124 | 0.048 | -0.061 | -2.570 | 0.011 |
| | Functionality of voter registration complaints procedures | 0.505 | 0.057 | 0.214 | 8.837 | 0.000 |
| | Acceptability of ballot paper design to parties and candidates | 0.974 | 0.039 | 0.718 | 24.665 | 0.000 |
| | Functionality of polling station personnel | 0.013 | 0.066 | 0.007 | 0.194 | 0.846 |
| | Security of polling stations | -0.248 | 0.038 | -0.102 | -6.545 | 0.000 |
| | Promptness of vote count | 0.005 | 0.037 | 0.005 | 0.133 | 0.894 |
| | Promptness In the handling of election related disputed | 0.359 | 0.058 | 0.205 | 6.162 | 0.000 |

a. Predictors: (constant), promptness in the handling of election related disputes, level of voters registration, extent of polling stations security, functionality of voter registration complaints procedures, functionality of polling station personnel, complimentarity of voter education efforts by various groups, acceptability of ballot paper design to parties and candidates, sufficiency of resources for the election, promptness of vote count.

b. Dependent Variable: promptness in the availability of election results to interested parties.

c. Year:2003

In the 2003 Presidential elections the observed co-efficient of determination ($r^2$) for the model is 0.988. The results show that a total of 7 elements significantly influenced the outcome of the elections. These are: sufficiency of resources, complimenarity of voter education efforts, level of voter registration, functionality of voter registration complaints procedures, acceptability of ballot paper

design, extent of polling station security and the promptness of handling of election elated disputes (P<0.05).

**TABLE 8.4: REGRESSION ANALYSIS OF THE 2007 PRESIDENTIAL ELECTION**

**Model Summary (b)**

| Model | R | R Square | Adjusted R Square | Std. Error of the Estimate | Change Statistics | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | R Square Change | F Change | df1 | df2 | Sig. F Change |
| 1 | 0.993 | 0.987 | 0.986 | 0.279 | 0.987 | 1,542.280 | 9 | 189 | 0.000 |

**ANOVA(b,c)**

| Model | | Sum of Squares | df | Mean Square | F | Sig. |
|---|---|---|---|---|---|---|
| 1 | Regression | 1,081.257 | 9 | 120.140 | 1,542.280 | 0.000 |
| | Residual | 14.723 | 189 | 0.078 | | |
| | Total | 1,095.980 | 198 | | | |

**Coefficients(a,b)**

| Model | | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|---|---|---|---|---|---|---|
| | | B | Std. Error | Beta | | |
| 1 | (Constant) | 0.948 | 0.149 | | 6.374 | 0.000 |
| | Sufficiency of resources for the election | -0.070 | 0.046 | -0.060 | -1.524 | 0.129 |
| | Complimentarity of voter education efforts by various groups | 0.173 | 0.065 | 0.159 | 2.652 | 0.009 |
| | Level of voter registration | -0.043 | 0.035 | -0.018 | -1.225 | 0.222 |
| | Functionality of voter registration complaints procedures | 0.019 | 0.034 | 0.007 | 0.547 | 0.585 |
| | Acceptability of ballot paper design to parties and candidates | 0.798 | 0.101 | 0.755 | 7.927 | 0.000 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | Functionality of polling station personnel | 0.034 | 0.036 | 0.016 | 0.946 | 0.345 |
| | Security of polling stations | -0.286 | 0.056 | -0.080 | -5.072 | 0.000 |
| | Promptness of vote count | 0.089 | 0.117 | 0.083 | 0.765 | 0.445 |
| | Promptness In the handling of election related disputed | 0.076 | 0.032 | 0.066 | 2.369 | 0.019 |

a. Predictors: (constant), promptness in the handling of election related disputes, level of voters registration, extent of polling stations security, functionality of voter registration complaints procedures, functionality of polling station personnel, complimentarity of voter education efforts by various groups, acceptability of ballot paper design to parties and candidates, sufficiency of resources for the election, promptness of vote count.

b. Dependent Variable: promptness in the availability of election results to interested parties.

c. Year:2007

In the 2007 Presidential elections the observed co-efficient of determination ($r^2$) for the model is 0.987. The results indicate that a total of four elements significantly influenced the outcome of the elections. These are: complimentarity of voter education efforts, acceptability of ballot paper design, security of polling stations and the promptness of handling of election related disputes.

**TABLE 8.5: REGRESSION ANALYSIS OF THE 2011PRESIDENTIAL ELECTION**

| **Model Summary(b)** | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | Change Statistics | | | | |
| Model | R | R Square | Adjusted R Square | Std. Error of the Estimate | R Square Change | F Change | df1 | df2 | Sig. F Change |
| 1 | 0.993 | 0.986 | 0.985 | 0.286 | 0.986 | 1,482.970 | 9 | 189 | 0.000 |

| **ANOVA(b,c)** | | | | | | |
|---|---|---|---|---|---|---|
| Model | | Sum of Squares | df | Mean Square | F | Sig. |
| 1 | Regression | 1,090.478 | 9 | 121.164 | 1,482.970 | 0.000 |
| | Residual | 15.442 | 189 | 0.082 | | |
| | Total | 1,105.920 | 198 | | | |

| Coefficients(a,b) | | | | | | |
|---|---|---|---|---|---|---|
| Model | | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
| | | B | Std. Error | Beta | | |
| 1 | (Constant) | 1.029 | 0.143 | | 7.183 | 0.000 |
| | Sufficiency of resources for the election | -0.046 | 0.047 | -0.039 | -0.977 | 0.330 |
| | Complimentarity of voter education efforts by various groups | 0.180 | 0.060 | 0.164 | 2.996 | 0.003 |
| | Level of voter registration | -0.044 | 0.037 | -0.018 | -1.173 | 0.242 |
| | Functionality of voter registration complaints procedures | 0.022 | 0.035 | 0.008 | 0.626 | 0.532 |
| | Acceptability of ballot paper design to parties and candidates | 0.697 | 0.172 | 0.655 | 4.048 | 0.000 |
| | Functionality of polling station personnel | 0.026 | 0.036 | 0.012 | 0.705 | 0.482 |
| | Security of polling stations | -0.305 | 0.052 | -0.085 | -5.824 | 0.000 |
| | Promptness of vote count | 0.163 | 0.179 | 0.152 | 0.910 | 0.364 |
| | Promptness In the handling of election related disputed | 0.086 | 0.033 | 0.074 | 2.575 | 0.011 |

a. Predictors: (constant), promptness in the handling of election related disputes, level of voters registration, extent of polling stations security, functionality of voter registration complaints procedures, functionality of polling station personnel, complimentarity of voter education efforts by various groups, acceptability of ballot paper design to parties and candidates, sufficiency of resources for the election, promptness of vote count.

b. Dependent Variable: promptness in the availability of election results to interested parties.

c. Year:2011

In the 2011 presidential elections the observed co-efficient of determination ($r^2$) for the model is 0.986. This indicates that a total of four elements significantly influenced the outcome of the election. These are: complimentarity of voter education efforts, acceptability of ballot paper design, polling station security and promptness of handling of election related disputes.

**TABLE 8.6: REGRESSION ANALYSIS OF THE 1999-2011 PRESIDENTIAL ELECTIONS**

**Model summary**

| Model | R | R Square | Adjusted R Square | Std. Error of the Estimate | Change Statistics | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | R Square Change | F Change | df1 | df2 | Sig. F Change |
| 1 | 0.975 | 0.950 | 0.949 | 0.519 | 0.950 | 1,644.776 | 9 | 784 | 0.000 |

**ANOVA(b)**

| Model | | Sum of Squares | df | Mean Square | F | Sig. |
|---|---|---|---|---|---|---|
| 1 | Regression | 3,991.776 | 9 | 443.531 | 1,644.776 | 0.000 |
| | Residual | 211.414 | 784 | 0.270 | | |
| | Total | 4,203.190 | 793 | | | |

**Coefficients(a)**

| Model | | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|---|---|---|---|---|---|---|
| | | B | Std. Error | Beta | | |
| 1 | (Constant) | 0.426 | 0.070 | | 6.058 | 0.000 |
| | Sufficiency of resources for the election | -0.122 | 0.039 | -0.097 | -3.158 | 0.002 |
| | Complimentarity of voter education efforts by various groups | 0.378 | 0.038 | 0.337 | 9.960 | 0.000 |
| | Level of voter registration | 0.015 | 0.034 | 0.008 | 0.452 | 0.652 |
| | Functionality of voter registration complaints procedures | 0.077 | 0.024 | 0.040 | 3.141 | 0.002 |
| | Acceptability of ballot paper design to parties and candidates | 0.552 | 0.035 | 0.502 | 15.750 | 0.000 |
| | Functionality of polling station personnel | 0.003 | 0.034 | 0.001 | 0.093 | 0.926 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | Security of polling stations | -0.191 | 0.032 | -0.075 | -5.871 | 0.000 |
| | Promptness of vote count | 0.342 | 0.040 | 0.320 | 8.524 | 0.000 |
| | Promptness In the handling of election related disputed | -0.096 | 0.030 | -0.076 | -3.157 | 0.002 |

a. Predictors: (constant), promptness in the handling of election related disputes, level of voters registration, extent of polling stations security, functionality of voter registration complaints procedures, functionality of polling station personnel, complimentarity of voter education efforts by various groups, acceptability of ballot paper design to parties and candidates, sufficiency of resources for the election, promptness of vote count.

b. Dependent Variable: promptness in the availability of election results to interested parties.

Table 8.6 indicates that the observed co-efficient of determination ($r^2$) for the model for the four presidential elections as a category is 0.950. This indicates that a total of seven variables significantly influenced the outcome of the entire elections. These are sufficiency of resources, complimentarity of voter education efforts by various groups, functionality of voter registration complaints procedures, acceptability of ballot paper design to parties and candidates, security of polling stations, promptness of vote count and promptness in the handling of election related disputes.

## CHAPTER NINE

## INTERNATIONAL CODES OF CONDUCT ON ELECTION ADMINISTRATION AND FINDINGS OF THE STUDY

Internationally accepted Codes of conduct and good practice guidelines on the electoral process stem from fears that elections may not be conducted properly; particularly in view of the uncertainty inherent in periods of regime change and democratic transitions. Concerns giving rise to international codes of conduct on elections include: that the electoral officials be linked to a community rather than imposed from outside; that electoral structures be permanent in nature and not transient entities that come and go according to changing circumstances; that electoral officials have the proper training and discipline; that there exist a speedy, efficient and impartial adjudication system for complaints; that costs be kept to a minimum and that waste and fraud be avoided (Harris, 1997). Codes of conduct on the electoral process and related conceptual constructs have therefore developed within the last two decades as mechanisms to address the foregoing issues.

In 1998, International IDEA published a Code of Conduct on Ethical and Professional Administration of Elections that has been formally endorsed by the electoral authorities of 40 countries (Pintor 2000:104). This code of conduct calls on electoral administrators to honor the following principles: They must (1) demonstrate respect for the law; (2) be non-partisan and neutral; (3) be transparent; (4) be accurate; and (5) be designed to serve the voters. Similarly, in 1997, a Draft Working Document on Good Commonwealth Electoral Practice was also discussed among chief electoral officers from 33 Commonwealth countries. This document also includes a number of guidelines for good electoral practice. First, the EMB should be legally established and protected; particularly by a constitutional provision to preserve its independence and impartiality. Secondly, members of the EMB should be appointed in a manner that ensures the confidence of public and political parties alike; they

should be served by a secretariat accountable entirely to them (Dundas, 1997, pp. 208, 209). Thirdly, the electoral body should also be adequately funded and should manage its affairs in a cost-effective manner, with due attention to staff development and the introduction of modern methods of resource management. In budgetary matters, the EMB should also not "become subservient, or under the control of the executive which is providing it with its funds and which could make pliability a prerequisite for adequate funding" (Dundas, 1997, p. 210). Another important code of conduct on the electoral process was adopted by the Association of African Electoral Authorities (AAEA) in Accra, Ghana in August 1998. The Charter of the AAEA states in its first chapter that the Association shall have the following purposes:

a) The promotion of free and fair elections in Africa.

b) The promotion of independent and impartial election organizations and administrators.

c) The promotion of public confidence in election processes through open and transparent electoral procedures.

d) The promotion of participation by citizens, political contestants and non-partisan NGOs in electoral processes.

e) The development of professional election officials with high integrity, a strong sense of public service and a commitment to democracy;

f) Commitment to the creation of a democratic culture and an environment in which elections can be held peacefully

g) Exchange of experiences, information, technology and literature pertaining to elections among election administrations and other organizations;

h) Cooperation in the improvement of electoral laws and practices;

i) The development of civic education program and systems designed to motivate citizen involvement and electoral participation;

j) The development of simple and functional registers and registration procedures;

k) The development of training programs and manuals for poll workers, political parties, journalists and observers;

l) The exchange of views on methods of investigations and electoral complaints and adjudication;

m) Exchange of information relative to the production and procurement of electoral equipment and material;

n) Establishment of a resource center for research and information;

o) cooperation in the identification of external financial sources, the evolution of systems for conducting efficient but low-cost elections and the achievement of self-reliance by African election management bodies.

p) The promotion of the welfare of its members in the pursuit of their professional duties (AAEA, 1998).

Indeed, there is an international consensus on a number of dimensions on the concept of free and fair elections. This consensus serves as a guideline for both election observation (Carothers, 1997; Elklit and Svensson, 1997; IDEA, 1997; Goodwin-Gill, 1998) and the management of elections by electoral officials (Dundas, 1993; IDEA, 1998; *Union Interamericana de Organismos Electorales,* 1996; Commonwealth Secretariat, 1997; Goodwin-Gill, 1998). Before polling day, the concept of "free" elections generally implies freedom of movement, speech, assembly and association; freedom from fear in connection with the election; unimpeded candidate registration; and equal as well as universal suffrage. The "fairness"

concept (in the pre-polling period) includes a transparent electoral process; the absence of discrimination against political parties; no obstacles to voter registration; an independent and impartial election administration; impartial treatment of candidates by the police, the army and the courts; equal opportunities for political parties and independent candidates; impartial voter-education programs; an orderly election campaign in which a code of conduct is observed; equal access to publicly controlled media; impartial allotment of public funds to political parties when this is relevant; and no misuse of government facilities for campaign purposes (Pintor 2000:103). On polling day itself, the "free" standard implies the opportunity to vote. The "fair" standard on the other hand implies access to all polling stations by representatives of the political parties, accredited local and international observers and the media; a secret ballot; no intimidation of voters; effective design of ballot papers; proper ballot boxes; impartial assistance to voters if necessary; proper counting procedures, treatment of void ballot papers and precautionary measures when transporting election materials; and impartial protection of polling stations. After polling day, the "free" standard requires legal recourse for complaints, and the "fair" standard calls for the official and expeditious announcement of election results; impartial treatment of any election complaints; impartial reports on the election results by the media; and acceptance of the election results by everyone involved (Elklit and Svensson, 1997, p. 35). The foregoing internationally accepted codes of conduct on the electoral process can be summarized as in table 9.1.

**TABLE 9.1: A SUMMARY OF INTERNATIONALLY ACCEPTED CODES OF CONDUCT AND NIGERIAS PRESIDENTIAL ELECTION ADMINSTRATION PROCESS (1999-2011)**

| Periods/ Steps in electoral process | PRE-POLLING PERIOD | | | | | | POLLING | POST POLLING PERIOD | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | LM | EM | VE | VR | ADB | CR | P | CTV | RERD | ERI | PEP |
| Percentage ratings of steps | 58.07 | 57.99 | 58.87 | 48.38 | 58.10 | 47.67 | 53.96 | 63.32 | 52.30 | 89.20 | 79.85 |
| Percentage ratings of periods | 54.84 | | | | | | 53.96 | 71.16 | | | |
| "Free" | ➢ Freedom of movement, speech, assembly and association. Freedom from fear in connection with election, unimpeded candidate registration and equal as well as universal suffrage. | | | | | | ➢ Opportunity to vote | ➢ Legal recourse for complaints | | | |
| "Fair" | ➢ Transparent electoral process, the absence of discrimination against parties, no obstacles to voter registration, an independent and impartial electoral administration, impartial treatment of candidates by police, army and the courts. Equal opportunities for political parties and independent candidates, impartial voter education programmes, an orderly election campaign in which a code of conduct is observed, equal access to publicly controlled media, impartial allotment of public funds to parties and no misuse of government facilities for campaign purposes. | | | | | | ➢ Access to all polling stations by representation of all political parties, accredited local and international observers and the media; a secret ballot, no intimidation of voters, effective design of ballot papers, proper ballot boxes, impartial assistance to voters if necessary, proper counting procedures, treatment of void ballot papers and precautionary measures when transporting election materials and impartial protection of polling stations | ➢ Official and expeditious announcement of election results, impartial treatment of any election complaints, impartial reports on the election results by the media; and acceptance of the election results by everyone involved | | | |

***KEY:*** ***LF****- Legal Framework,* ***EM****-Election Management,* ***VE****- Voter Education,* ***VR****- Voter Registration,* ***ADB****- Access to and Design of Ballot,* ***CR****- Campaign Regulation,* ***P****- Polling,* ***CTV****- Counting and Tabulating the Vote,* ***RERD****- Resolving Election Related Disputes,* ***ERI****- Election Results Implementation,* ***PEP****- Post Election Procedures.*

Table 9.1 indicates that the period in the presidential election administration process with the highest conformity with the internationally accepted codes of conduct is the post polling period followed by the pre-polling and polling period respectively.

## CHAPTER TEN

## SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

### 10.1 SUMMARY OF FINDINGS

An examination of the extent of democratic sustainability in Nigeria is considered appropriate; given that it is over ten years since the transition to civil rule was completed. Indeed, 1999 to 2011 represents the longest period of experimentation with democracy in Nigeria's post independence history; yet the institutional context of the country's democratic development is yet to be exhaustively explored. This study has therefore attempted to investigate the extent of democratic sustainability in Nigeria by evaluating the country's election administration system. The study particularly focused on the Independent National Electoral Commission of Nigeria and the Presidential elections it has conducted. While the sustainability of democracy is generally predicated on a variety of factors, the election administration process; as in liberal democratic theories easily emerges as a key variable for measuring democratic sustainability in Nigeria - more so; given the linear relationship between the quality of the election administration process and democratic sustainability in the country's post independence history. Indeed, previous attempts at democratic sustainability in Nigeria particularly, in 1964/65 and 1983 were terminated in the wake of controversies engendered by the election administration system.

Seen as the structure and process of conducting elections into public office, election administration is conceptualized in this study as consisting of twelve (12) basic steps covering the structure, pre-election, election and post election stages of an electoral cycle. Democratic sustainability on the other hand which is essentially the object of the study is conceptualized simply as regime stabilization. Thus, the extent to which the electoral administration process may have contributed to the stabilization of democracy in Nigeria is at the centre of this study.

Four Presidential elections were conducted by INEC within the time fame of this study; that is: the 1999, 2003, 2007 and the 2011 Presidential elections. Accordingly, the study identified four potential outcomes as

assumptions of the study. First, is that a progressive increase in the quality of the 1999, 2003, 2007 and 2011 Presidential elections would imply that INEC has sustained (stabilized) Nigeria's democracy. Secondly, a continuous retrogression in the quality of the 1999, 2003, 2007 and 2011 would imply that Nigeria's democracy is diminishing. Thirdly, constancy in the quality of the of the four Presidential elections will imply that Nigeria's democracy is static, and fourthly, a lack of any general trend as in assumption 1-3 will imply that Nigeria democracy is unstable. The conceptualizations of the divergent trajectories of democratic development implied in the foregoing assumptions may be contested. Yet, such conceptualizations are unavoidable for analytical purposes; indeed, they are at the heart of "consolidation studies".

Evidence presented in this study indicates that the total rating of the 1999 Presidential election administration process is 57.6%, while for the 2003 Presidential election administration process a score of 54.25% was recorded. In 2007, the Presidential election administration process recorded a score of 50.16%; and by 2011, the Presidential election administration process recorded a score of 69.65%. Thus, from 1999-2007 there was a progressive decline in the quality of the Presidential election administration. However, by 2011; the highest point in the quality of the Presidential elections conducted by INEC was attained. This lack of a general trend in the quality of the Presidential elections conducted by INEC implies that only the fourth assumption of this research is valid: democracy in Nigeria has been unstable and not sustained. Furthermore, evidence presented in this study also indicates that:

1. The most legitimate legal framework of the Presidential elections conducted by INEC from 1999 to 2011 is that of the 2011 Presidential elections.
2. The most neutral election management team of the Presidential elections conducted from 1999 to 2011 is that of the 2011 Presidential elections.
3. The most funded Presidential election in the 1999-2011 Presidential elections is the 2011 Presidential election followed by the 2007, 2003 and 1999 elections respectively.

4. The most extensive voter education efforts from 1999 to 2011 was that of the 2011 general elections, followed by that of 2007, 2003 and 1999 respectively.
5. The voter registration exercise with the widest coverage from 1999 to 2011 was that of the 2011 general elections followed by the 1999, 2003 and 2007 respectively.
6. The registration exercise of the Presidential elections conducted from 1999-2011 with the highest level of multiple registration is that of 2007, followed by that of 2003, 1999 and 2011 respectively.
7. The Presidential elections with the highest acceptability of ballot paper design from 1999-2011, is the 2011 Presidential elections, followed by the 1999, 2003 and 2007 elections respectively.
8. The party funding formula of the Presidential elections of 1999-2011 with the highest acceptability is that of the 1999 Presidential election followed by that of 2003, 2007 and 2011 respectively.
9. The Presidential election with the highest ratings in campaign regulation from 1999-2011 was the 2003 Presidential elections, followed by the 2011, 2003 and 2007 respectively.
10. The Presidential election with the highest functionality of polling personnel was the 1999 Presidential election followed by the 2011 Presidential elections, then the 2003 and the 2007 Presidential elections respectively.
11. The Presidential elections with the most secured polling stations across the country was the 1999 Presidential elections; followed by the 2011 Presidential elections and the 2003 and 2007 Presidential elections respectively.
12. The Presidential election with the most functional procedure for observation during polling was the 2011 Presidential elections; followed by the 1999 Presidential elections then the 2003 and 2007 Presidential elections respectively.
13. The Presidential election with the most functional procedures for observation during counting from 1999 to 2011 was the 2011 Presidential elections, followed by the 1999, then the 2003 and 2007 Presidential elections respectively,.

14. The Presidential election related disputes from 1999-2011 considered to be handled without undue delay is the 2011 presidential elections, followed by the 1999, then the 2007 and the 2003 presidential elections respectively.

In addition to the foregoing, a regression analysis of the four Presidential elections indicates that of all the functions performed by INEC, a total of seven functions significantly influenced the outcome of the elections. These are sufficiency of resources, complimentarity of voter education efforts by various groups, functionality of voter registration complaints procedures, acceptability of ballot paper design to parties and candidates, security of polling stations, promptness of vote count and promptness in the handling of election related disputes.

## 10.2 CONCLUSION

The sustainability of democracy is certainly not dependent on the nature of the electoral process alone. Indeed, other factors like: the social structure and socioeconomic development, political history and the political culture of the system in question contribute in determining the sustainability of democracy. There are also other key institutions like the nature of political parties, CSOs, and the bureaucracy; which play significant roles in democratic sustainability. However, in spite of the roles of these other factors in sustaining democracy; elections have become an indispensable indicator of the progress of democracy across the globe. This reality is the hallmark of contemporary liberal democratic theory. Contemporary conceptions of democracy imply a political system that meets three basic conditions. first is a meaningful and extensive competition among individuals and organized groups (especially political parties) for the major positions of government power; secondly, a highly inclusive level of political participation in the selection of leaders and policies such that no major (adult) social group is excluded; and thirdly, a level of civil and political liberties, sufficient to ensure the integrity of political competition and participation. Indeed, the failure of elections or their absence largely defined the predominance of political dictatorships and personalized rule in Africa as a whole.

EMBs play a central role in the democratization process. They are responsible for ensuring an orderly process of leadership succession and change; as well as the legitimation of political authority. Yet, this has not been the case in the Nigerian experience. This study has established that democracy in Nigeria has been unstable; particularly as there has been no general trend in the Presidential election administration quality since 1999. While from 1999 to 2007 there was a progressive decline in the quality of Presidential elections conducted by INEC, the 2011 Presidential election recorded remarkable improvements in election administration quality especially when compared to the 1999, 2003 and 2007 Presidential elections. No single factor can account for the relative improvement in the 2011 presidential election. However, a general factor accentuated by this study is that the electoral administrative process in Nigeria has essentially been evolutionary. Indeed, in spite of structural

challenges that still confronts the commission; particularly in the appointment of commissioners and funding; which is still tied to the Presidency, INEC' s capacity as demonstrated in this study was further established to conduct the 2011 Presidential elections than it was in the 1999 Presidential elections.

The structural dependence of INEC is also another important area that has had serious implications for the election administration process and democratic sustainability in Nigeria. INEC does not conveniently fit into any of the three main models of EMB's across the globe (that is the independent, governmental or mixed model). While INEC is being described and presented as an independent body, it has in reality been constituted as an appendage of the executive. Yet, the administration of elections in Nigeria is not incumbent on the executive. The evolutionary nature of the electoral administration system may however be an indication that it may be a matter of time for the independence of the commission to be established. Indeed, the fact that each of Nigeria's general elections since 1999 has been conducted based on improvement in the legal framework; particularly in the electoral act is an indication of progress.

## 10.3: RECOMMENDATIONS

The model adopted in the analysis of the election administration process in this study offers a specific advantage; which is that it is essentially reform oriented. Indeed, by conceiving of the election administration process as a category consisting of clearly defined steps in a logical and chronological order, the areas of strengths and weaknesses become easily identifiable.

The findings of this study indicates that the strengths in Nigeria's election administration process since 1999 lies in the post election procedures like election result implementations, while the weakest point in Nigeria's election administrative process lies in pre polling procedures; particularly, in campaign regulation and voter registration (see figure 7.9). It is in the light of this finding that the following recommendations are made.

1. The creation of a department of campaign regulation within INEC: In spite of the crucial importance of regulating the campaign of political parties in the electoral process, INEC does not have a department charged specifically for campaign regulation in Nigerian elections. In fact, INEC as demonstrated in this study is clearly not in control of the campaign procedures of the political parties in Nigeria.
2. The creation of a body charged specifically with the conduct of voter registration OR a reconstitution of the national population commission to take up the responsibility of voter registrations: Given the importance of voter registration and the controversies that have trailed the process in Nigeria, this particular recommendation has earlier been advanced in the form of an advocacy for the unbundling of INEC; particularly, by the electoral reform committee set up in 2007. Since the creation of another body responsible for voter registration might stretch the resource of the state, the national population commission which apparently has fewer responsibilities than INEC may be reconstituted to include voter registration as part of its mandate. The most sensitive and tedious aspects of the election administration process in Nigeria has been voter registration and polling. Thus, having different bodies responsible for each of these tasks will greatly reduce the pressure towards attaining the required standards.

3. Finally and most importantly, the independence of INEC particularly in the appointment of commissioners and funding has to be established. The presidency should not be involved in the appointment of INEC commissioners and the funding of INEC should be charged directly to the consolidated revenue reserves. The post for commissioners should be advertised and applicants should be endorsed by a majority of the political parties; after which successful candidates may be confirmed by the presidency. Establishing the independence of INEC may apparently be a long term goal of which the advocacy of civil society has to be paramount. Indeed, unless this third recommendation is realized the impact of the two earlier recommendations on the entire election administration process is likely to be quite minimal.

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