

Electoral reforms: Reducing the influence of incumbent state governors in the conduct of general elections in Nigeria

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Abstract

Since the advent of the Fourth Republic in 29th May, 1999, achieving credible elections under incumbent state governors has been a challenge despite different strategies aimed at strengthening Nigeria's electoral system. In states where elections have been held and power handed over to successors, there have been disputes, violence, rejection of election results and litigations linked with the influence of incumbent state governors especially governorship and National Assembly elections, where incumbent governors were contestants. In consequence, this study utilized Content Analysis which relied on secondary data to examine areas incumbent state governors influenced the electoral process. The paper further discussed the impact of such influence and there forms that are needed to address the ugly trend. The paper concluded that there should be transition committee to take charge of state affairs ahead of elections, fix the tenure of governors to end before another election, outlaw the use of state resources for elections, foreclosing of second term, and making the term of governors single term of five years. The reforms offered in this direction are to reduce the enormous influence of serving governors as 'state's chief security officer and party leader' which undermine the various electoral processes.

Keywords: Electoral reforms, electoral processes, influence, state governors, general elections



Introduction

Effective election management is fundamental to democratic stability and survival. The task of having credible elections is the responsibility of election management body and the managerial skills developed by it. A lot of reforms are therefore made from time to time to ensure that the conduct of elections in Nigeria is in line with best global practices. For example, the Electoral Act 2010 (as amended) is a product of some reforms in Nigeria. Such regulations are designed by the electoral management body to proffer solutions to, and mitigate the pre-election, election and post-election related challenges. Affirming the potency of electoral reforms, Jega¹ acknowledges that if elections in Nigeria would be more open, transparent and their outcomes acceptable to good number of stakeholders, it is imperative to have reforms that will regularly tackle new electoral challenges. According to Momah², the reforms are either entirely new or repackaged to capture emerging electoral demands. Such reforms could also be initiated through the inputs from stakeholders such as political parties, civil society organisations, the media and the security agencies³.

In Nigeria, a number of reforms adopted in recent times include the overhaul of the electoral register, the use of modified open-secret ballot system, and improved logistics on the transportation of electoral materials and personnel to polling units, as well as the systematic collation and announcement of results from polling units up to collation centers. For example, from 2015 general elections, votes are being counted in the full glare of the electorate and copies of signed result sheets given to

¹ Jega, Attahiru. Electoral Reforms in Nigeria: Challenges and Prospects. A Paper Presented at the First University of Abuja Public Lecture Series, 2015.

² Momah, Paul O. Electoral Commissions and the Conduct of Elections in Nigeria: The Role of INEC. In Osita, A. (ed.) Elections and Governance in Nigeria's Fourth Republic. United Kingdom: CODESRIA Publishers, 2016.

³ Nwafor, Clifford. Technology Gaps, Communication and New Direction for Elections in Nigeria, A Paper presented at the Situation Room's Stakeholders' Forum Organised by the Independent National Electoral Commission, 7th November, 2016.

key actors. The reform also reflected in the recruitment of ad-hoc staff for the conduct of election⁴. Before the appointment of Professor Attahiru Jega in 2010, the practice was to recruit temporary staff for election duty from members of the public with no 'verifiable identity'. As observed by Sunday, at that time, such ad-hoc staffs are difficult to be held liable for irregularities they perpetuate during elections⁵. In addition, politicians and political parties often scrambled to have their preferred supporters recruited as ad-hoc staffs. This made politicians, political parties to influence some of the ad-hoc staff who invariably compromised the integrity of the electoral process. However, the old practice described above changed in 2011 when the commission shifted recruitment of its ad-hoc staff to National Youth Service Corps (NYSC) members and academic staffs from Nigerian public universities' as collation officers or returning officers respectively⁶.

In addition, on appointment as INEC Chairman on the 21st October 2015, Professor Mahmood Yakubu introduced simultaneous accreditation and voting system, which allowed voters to be accredited and cast their votes at the same time⁷. The new reform guided against large number of voters from not voting because of being delayed after accreditation. According to Omeleke⁸, he also outlawed the use of telephones and other electronics materials capable of taking pictures at polling points. This was in response to allegation of sales of votes during the staggered gubernatorial elections in Edo, Kogi, Bayelsa, Anambra, Ondo, Ekiti, and Osun states. Therefore, ahead of the 2019 general elections, the commission proscribed voters from being

⁴ Omotola, Hezekiah M. Social Media and Fake News in the 2016 Election. Published in Journal of Economic Perspectives, Vol. 31 (2), 2017.

⁵ The Punch. Rivers Bye-election Remains Suspended – INEC written by Sunday, Olusola, 2018.

⁶ Diamond, Lee; Lin, James. and Lipset, Mathew. Democracy in Developing Countries, 2th ed. Boulder: Lynne Rienner Publishers, 1989.

⁷ Vanguard. Rivers 2019: How Amaechi convinced me to run – APC Candidate written by Victor, Taiwo 11th November, 2018.

⁸ Omoleke, Moses. An Assessment of Determinants of Electoral Integrity: A case of Independent National Electoral Commission in Nigeria. Published in International Journal of Contemporary Research and Review, 9(8), 2018.

in possession of any electronic device capable of capturing the ballot paper, with a view to showing it to any political party or its agent so as to collect monetary or material thing in return⁹. While interrogating into circumstances that surrounded vote buying, the commission discovered that agents of politicians or political parties hide in secret places with money and many other valuable things, and after pictures of votes cast are shown them, they collect money or material thing in return¹⁰.

Also, changes have also been made to enhance the secrecy of votes through effective polling unit management. The chairman of INEC, Professor Mahmood Yakubu affirmed that the plan for the 2019 general elections had been ready since 2017 while the time table for the elections and other activities over a year ahead of the 2019 general elections. These forms have contributed to the country's election management¹¹. It is unfortunate that some of the new reforms could not achieve the desired goal due to party affiliation, lack of power by Independent National Electoral Commission (INEC) to directly prosecute electoral offenders, corruption, and compromise by security agencies. Beyond these general limitations, use of incumbency power by the state governors has undermined electoral integrity. Thus, in spite of several reforms undertaken by the electoral body in Nigeria, observations from past general elections revealed that incumbent state governors use their influence to manipulate the processes. Hence, this study examines areas incumbent state governors still influence the electoral process, discusses the impact of such influence and the reforms that are needed to address the ugly trend.

Objectives of the Study

The objectives of this study are to:

- i. examine areas incumbent state governors still influence the conduct of general elections in Nigeria;

⁹ Yusuf, Ayeni and Zengeni, Gabriel. The Police and Election Administration in Nigeria. Published by the Journal of Public Administration, Finance and Law, 14, 2018.

¹⁰ INEC Report. The 2019 Pre- Election Preparation and Tasks, Abuja: Federal Government Printers, 2018.

¹¹ Ibid

- ii. discuss the impact of the influence of incumbent state governors on the outcome of general elections in Nigeria;
- iii. identify reforms that are necessary to forestall influence of incumbent state governors in the conduct of general elections in Nigeria.

Research Questions

This study attempts to provide answers to the following questions:

- i. In what areas do incumbent state governors influence the conduct of general elections in Nigeria?
- ii. What are the impacts of the influence of incumbent state governors in the conduct of general elections in Nigeria?
- iii. What reforms should the electoral management body introduce to reduce the influence of incumbent state governors in the management of future general elections?

Methodology

The study is a descriptive one and employed secondary data. Relevant literature such as books, journals, newspapers, online and government publications, including the 1999 constitution of the federal republic of Nigeria, and the Electoral Act 2010 (as amended) were reviewed and content analyzed. Content analysis is adopted as a result of its systematic, objective and quantitative manner of measuring variables. The method involved extensive reading, prognosis, critique and drawing of conclusions from the discussion of relevant information gathered from secondary source.

Conceptualizing Election, Election Management and Electoral Reforms

This study is premised on the theory of decision making. Decision making theory is seen as the act of choosing among alternatives so as to have a free and fair election, which in this study, is expected to be devoid of the influence of incumbent state governors. Although, there is no specific accepted best way of

making administrative decisions, yet an effective administrator must understand the characteristics that make each situation unique, so that each situation may be adjusted accordingly. Hence, this study, as later argued, believes that other vital decisions need to be taken and legislated into Nigeria's electoral reforms to ensure that incumbent state governors do not use their power of incumbency to truncate electoral outcomes.

Election is the heart of democracy and the litmus for testing the level of democracy of a political system. Thus, election is the fulcrum of any democracy. Election has been a major tool by which modern representative democracy operates. According to Diamond, Lin and Lipset¹², election is central to democratization, in that, there can be election without democracy and whereas, there cannot be democracy without election. According to Yusuf & Zengeni¹³, elections in a democracy are very important because they are means through which political expressions of the people are shown.

An election is a formal group decision making process by which a population chooses individuals to hold public office. Free and fair elections are the cornerstones of any democracy. They are essential for the peaceful transfer of power. Thus, Leyenaan and Hazan¹⁴ states that, "every modern version of representative democracy entails the notion of elections as the primary means of selecting political decision makers. Underlining the centrality of elections to representative democracy, Animashaun¹⁵ opines that election represents the life blood of modern democracy.

Election is not restricted to the institution of government alone. It symbolizes an icon through which changes are made and the

¹² Diamond, Lee; Lin, James. and Lipset, Mathew. Democracy in Developing Countries, 2th ed. Boulder: Lynne Rienner Publishers, 1989.

¹³ Yusuf, Ayeni and Zengeni, Gabriel. The Police and Election Administration in Nigeria. Published by the Journal of Public Administration, Finance and Law, 14, 2018.

¹⁴ Leyenaan, Onyonou. and Hazan, Deayo. Causes of Instability in Nigeria, 1sted. Chicago: University of Chicago Press, 2011.

¹⁵ Animashaun, Mathew A. African Democracy and the Dilemma of Credible Election. Journal of Social Sciences, Vol. 3 (1), August: AIP Publishing, 2008.

level of democratic consolidation is either in positive or negative connotation. Hence, election must be free and fair. Thus, if election is free and fair, it suggests that democracy is consolidating, and if the election on the other hand is corrupt, it shows that democracy is stagnant. Flesken and Hartl¹⁶ identified two contrasting views of the functions of competitive elections. Election influences the formation of government if the electoral system tends to give a single party a clear parliamentary majority. The use of proportional representation may mean that governments are formed through election outcomes. Election serves as window of providing representation. It is on the principle of election that representatives in government are elected. Through competitive election, demands are channeled from the public to the government. When demands are channeled to the government, it then formed a basis for policy formulation. Government policies are also influenced through competitive election. Election can prevent government from pursuing radical and unpopular policies¹⁷. Voters can equally gain valuable education through the instrument of election. The process of campaigning provides the electorate with abundant information about parties', candidates, policies, manifestoes, the records of government and the political system.

Election management is the organization and conduct of elections to elective (political) public office by an electoral body. It is the management and organization of all stages of an electoral cycle (that is, the pre-election, election and post-election stages), by an electoral body. According to Oyekanmi¹⁸, election management is the systematic electoral process of using men and material things for the conduct of free, fair and acceptable election.

¹⁶ Flesken, A. &Hartl, J. (2017). Party Support, Values, and Perceptions of Electoral Integrity. *Political Psychology*, 3(2), 1-18.

¹⁷ Clark, Anderson. Identifying the determinants of electoral integrity and administration in advanced democracies: the case of Britain. *Kluwer Law and Business: European Political Science Review*, 9 (30), 2017.

¹⁸ Oyekanmi, Francis. Democracy, Election and Political Participation in Nigeria: 1999-2011. Published in *Journal of Policy and Development Studies*, 9(5), 2015.

It covers the process of setting up a body to conduct elections (which are the electoral body), putting up the rules to guide procedures and activities of the electoral body and appointment of their members, selection and training of electoral officials, constituent's delineation, voters education, registration of political parties and voters, nomination of candidate, balloting, counting and declaration of results. There are legal documents binding the conduct of election and are expected to be amended from time to time so as to accommodate emerging challenges. The effectiveness of election management could manifest in various dimensions. All the processes surrounding the conduct of election determine its effectiveness. When the management of election is insulated with credibility, the confidence of citizens and politicians in its outcome receives a boost and there is increased in electoral participation. Kurfi¹⁹ enumerates nine steps involved in election management process to ensure credibility, freeness and fairness. They include: the carving out of electoral districts; compilation of voters' register; establishment and equipment of polling stations and polling booths; recruitment, training and employment of electoral officials; procurement, distribution and retrieval of a host of electoral materials and equipment; canvassing for votes; registration of nominations and appointment of polling agents; casting the ballot; and counting of votes and declaration of election results.

Generally, reforms connote innovations introduced to improve an existing order. They are meant to correct noticed anomalies in the existing situation. Therefore, reforms here connote new electoral innovations expected to improve the conduct of elections in Nigeria. Thus, electoral reforms refer to acts and edits that are meant to improve the quality of the administration, conduct and management of electioneering processes prior to, during and after elections ²⁰. Electoral reform is perceived by

¹⁹ Kurfi, Solomon. Incumbency Power and Democratization in Sub-Saharan Africa. In the Journal of Contemporary African Studies, 24 (1), January, 2005.

²⁰ Agbu, Oke. Unbridled Election, Rigging and the Use of Technology: The Smart Card Reader as the 'Joker' in Nigeria's 2015 Presidential Election. Nigeria: Abuja, Nigerian Institute of International Affairs, 2016.

Leyenaan and Hazan²¹ as 'a change in the legislation that regulates the process of voting, which includes who can vote, what voters are allowed to do in the voting booth, who they vote for, and how these votes are afterwards translated into seats.'

In the views of Yusuf and Zengeni²², electoral reforms focus solely on the electoral body and the laws governing its operation.

A Look at Existing Electoral Reforms in Nigeria

Various committees have been set-up in the previous republics to improve the electoral process. They include the Constitution Drafting Committee of 1975; the Judicial Commission of Inquiry into the Affairs of the Federal Electoral Commission (FEDECO) in 1979–1983/1984; the Political Bureau of 1986; the Constitution Review Committee of 1987; and the Constitutional Conference of 1995²³. However, in the fourth republic, late President Musa Yar' Adua was so concerned for a better electoral conduct in Nigeria. While reacting to the irregularities that characterized the 2007 general elections that produced him during his swearing-in ceremony on the 27 May 2007, he declared that he was going to carry out a radical reform in the nation electoral system.

Consequently, on 28 August 2008, late President Musa Yar' Adua set up a 22-member Electoral Reform Committee, headed by retired Honourable Justice Mohammed Lawal Uwais, former Chief Justice of Nigeria to examine the entire electoral process with a view to ensuring that the quality and standard of general elections in Nigeria are raised. The committee was also saddled with the responsibility of examining the roles of institutions, structures, agencies and stakeholders in the re-shaping of the electoral process. The committee commenced its assignment in January 2008 and invited memoranda from Nigerians and other stakeholders to assist the panel realize its objectives. As reported

²¹ Leyenaan, Onyonou. and Hazan, Deayo. Causes of Instability in Nigeria, 1st ed. Chicago: University of Chicago Press, 2011.

²² Yusuf, Ayeni and Zengeni, Gabriel. The Police and Election Administration in Nigeria. Published by the Journal of Public Administration, Finance and Law, 14, 2018.

²³ Onapajo, Timothy. Monitoring Nigeria's Elections. The Carter Formula, USA: Buttosville, MD, 2015

by Yusuf and Zengeni²⁴, the committee invited former Heads of the States that conducted elections during their tenure, all electoral commission Chairmen and Secretaries and other key actors in past elections. The committee constituted six sub-committees saddled with various responsibilities ahead of the necessary session of the general body. The committee held a public hearing in each of the six geo-political zones to get input of Nigerian's at the grassroots levels. The panel, also reached out to 50 (fifty) political parties for inputs into what went wrong with the last general elections.

In its findings, the committee revealed the causative factors responsible for electoral irregularities, disruptions, malpractices and violence in previous elections to include the desire for political power, the perception that politics is a dirty game among politicians, the existence of weak democratic institutions and processes, corruption, negative political culture, weak legal/institutional framework, and lack of independence and capacity of electoral management bodies. In implementing the reforms, INEC introduced a new biometric register of voters, a re-modified open ballot system, security features on sensitive electoral materials and the use of academics and members of the National Youth Service Corps as ad hoc staff as against the selection at random persons from the public.

In order to hasten the process of implementation the committee recommended that the constitutional amendments involved in the proposed electoral reforms should not be submerged in the larger effort to review the 1999 Constitution but be considered separately. In order to further ascertain commitment to the goal of revamping the electoral system, Professor Attahiru Jega, former president of the Academic Staff Union of Universities, a member of the electoral reform committee, and a political scientist was appointed to chair the country's electoral commission on 8 June 2010.

Improvement in Nigerian electoral system is traceable to the efforts of Professor Attahiru Jega. This is not to say that elections since 2011 have been entirely perfect but there are visible

²⁴ Ibid. Pg. 46

improvements. Recounting his experience at the beginning of the Journey, Jega said:

...when I was appointed to chair INEC in July 2010, I joined an organisation that was perceived to be fraudulent and corrupt. It was also inefficient in executing its mandate. At the same time I was entering a moving vehicle, with no time to reflect effectively. I was able to bring in a team of experts from outside, paid for by the United Nations Development Programme. These were people I could trust and who were independent of INEC's bureaucracy. They helped to map a blueprint for institutional reform²⁵

According to African Research Institute²⁶, Jega began the process of purging the perceived dirty and corrupt commission. First and foremost, he made sure INEC addressed the issue of the voters' register which was the bedrock of electoral malpractice. He narrated thus:

One of the first issues that had to be addressed was the register of voters that lacked integrity. There was a lot of data missing for people who were registered and there was clear evidence of fictitious names. We had names of trees, rivers, and international figures like Mike Tyson and Queen Elizabeth II! There was a debate between those who thought the register could be cleaned up and those who thought it should be jettisoned and replaced. Internal discussions with key personnel in

²⁵ African Research Institute. Election Management and Democracy in Nigeria. Nigeria: Abuja, 2017.

<https://www.africaresearchinstitute.org/newsite/wp-content/uploads/2017/10/ARI-Conversations-Series-Jega-OCT17-DOWNLOAD.pdf>

²⁶ Ibid. Pg. 60

the technical departments revealed the scale of the problem: a complete overhaul was needed, but the general election was scheduled for January 2011, just seven months away²⁷.

Several notable accomplishments of the Jega's administration were the introduction of the Permanent Voters' Card (PVC), the Smart Card Readers (SCRs) and the biometric voters' register. Also, it was under his administration that NYSC corps members and academic professionals were incorporated as ad hoc staff during period of election. According to Jega;

Nigeria requires close to 750,000 temporary workers to support the conduct of general elections. Before my time at INEC, civil servants from the respective states were called on. It had become clear that state governments had a strong influence over these individuals and this was compromising the integrity of the electoral process. The 2011 voter registration was the first time NYSC members were used. Ahead of the election in April 2011 the relationship between INEC and NYSC was formalized by the signing a memorandum of understanding. This included a commitment to paying particular attention to the welfare and security of corps members. Around half of INEC's temporary staff came from NYSC in 2011 and 2015. They were complemented by students in the final year of tertiary education, and professors, vice-chancellors and other university staff. I chose to call on academic staff because of public perceptions about their impartiality

²⁷ Ibid. Pg. 72

and my own personal connections with academic union²⁸.

With the appointment of Professor Mahmood Yakubu as INEC chairman on the 21st October 2015 as successor to Amina Zakari, who had served as the acting chairperson of the commission, some other reform initiatives on the use of telephones and other electronics materials capable of taking pictures were outlawed. This was in response to allegation of sales of votes during the staggered gubernatorial elections in states like Edo, Kogi, Bayelsa, Anambra, Ondo, Ekiti, Osun and so on²⁹. Therefore, ahead of the 2019 general elections, the Commission guideline was that no voter should be in possession of any electronic device capable of capturing the ballot paper, with a view to showing it to any political party or its agent so as to collect monetary or material thing in return. This decision is in line with section 20 (a) of the regulations and guidelines for the conduct of elections in Nigeria. The above is in addition to changes made to enhance the secrecy of votes through polling unit management. Another action of the Mahmood led INEC was the introduction of simultaneous accreditation and voting system. This made voters to come to the polling units, get accredited and vote immediately. The new reforms prevented large number of voters from not voting because of the claim of been held down unduly.

Areas Incumbent Governors influence the Electoral Process

Incumbent governors have been found to be guilty of illegal use of public funds to bribe electoral officers and voters in order realize their second term ambition. According to Ondotimi³⁰, money helps to win elections in politics. In view of the belief, incumbent state governors are fond of committing vast state resources to realize their ambitions. From primary elections to general elections, incumbent governors commit huge state

²⁸ Ibid. pg. 87

²⁹ Momah, Paul O. Electoral Commissions and the Conduct of Elections in Nigeria: The Role of INEC. In Osita, A. (ed.) Elections and Governance in Nigeria's Fourth Republic. United Kingdom: CODESRIA Publishers, 2016.

³⁰ Ondotimi, Samson. Electoral Reform in Nigeria: Prospects and Challenges. Essay submitted to the National Orientation Agency, 2008.

resources to buy delegates/voters to their sides. According to Mahmoud³¹, incumbent governors have been reported to have used their power to manipulate primary elections in their favour. With huge state power and resources, party executive and leaders are manipulated by the incumbent governors to work for them as well³².

Also, to realize their second term ambition, serving governors engage the use of thugs, who intimidate, maim, and kill opponents or perceived opponents. Although, senator Kola Balogun won the Oyo South senatorial seat against the then incumbent governor of Oyo state, senator Isiaka Abiola Ajimobi, in the 23rd February, 2019 elections, the victory was marred with violence ostensibly orchestrated by the then incumbent governor³³. The victory of the then incumbent governor of Imo State, Senator Rochas Okorocha into the Senate was in controversy. It was alleged that the Senator rigged his way and that his declaration as the winner was under duress. The allegation of massive electoral malpractice was initially upheld by Independent Electoral Commission and delayed his issuance of certificate of return by the electoral management body and his swearing in.

Severally, serving governors hijack political party to realize their selfish ambition for second term. At every opportunity, incumbent governors seek to subvert the electoral process to further their personal interests. Most governors, towards the tail end of their first term often exhibit undemocratic dictatorial tendencies in their intra party affairs. The failure of most political parties to ensure intra-party democracy and live by the

³¹ Mahmoud, Yakubu. Current Challenges of Nigeria's Electoral System, Abuja: Eraga Concept Publishers, 2018.

³² Nkolika, Omosole and Emesibe, Victor. Independent National Electoral Commission and the Administration of 2015 Elections in Nigeria: The Strengths, the Weaknesses and the Challenges. A Paper Presented at the Conference on the 2015 General Election in Nigeria: The Real Issues, Organized by the Electoral Institute, Independent National Electoral Commission. Nigeria: Abuja, 12th June, 2015.

³³ Egwu, Sam. It's everywhere: Vote-buying gets more brazen in Nigeria ahead of 2019". Nigeria: African Insider Newsletter.
<https://africanarguments.org/2018/09/04/everywhere-vote-buying-more-brazen-nigeria-on-2019>

provisions of their constitution is caused, more than any other factor, by undue influence of serving state governors. It is very rare to see a serving governor that would not be interested in second term. As a result, serving governors wish to be automatically returned and therefore influence processes of primary election to favour them. Such desperate mindset often results in intra-party crisis, split in political camp and post-election litigations.

In addition, state governors are empowered by Section 198 of the 1999 constitution to appoint members of the State Independent Electoral Commission (SIEC) subject to confirmation by Houses of Assembly. Given the civil nature of political culture in Nigeria, the process of constituting SIECs is not insulated against impartiality. On several occasions, members of the electoral body tend to see themselves as appointees of the governor, who must deliver the electoral fortunes to his party.

As noted by Kerevei³⁴, experiences since 2003 have shown the sitting governor to have manipulated the electoral management body to boost the electoral strength of the governor's party at local government levels. Besides, Section 221 of the 1999 constitution of the federal republic of Nigeria provided for political parties as only associations that can field candidates for elections. Therefore, independent candidacy is not allowed under the current electoral arrangement. The incumbents often occupy the political space by this limitation. Just shortly after the 2019 general elections, the Independent National Electoral Commission deregistered some political parties as a result of their poor spread and political strength. This can further strengthened the incumbents to disallow any new contender.

Implications of State Governors' Influence

Street clashes that have characterized elections in Nigeria are connected with retention of incumbent seats. With state in turmoil, lives are wasted and the country's stability jeopardized. Too much influence of the incumbent governor makes elections to be incredible and unfair. Thus, elections that incumbent

³⁴ Kerevei, Ido. Electoral Reform in Nigeria: The Challenges Ahead. Published by Journal of Arts and Humanities, 3 (1), 2009.

governor is interested in turn out to be chaotic. Incumbent governor create crisis, if his anointed candidate or his party is defeated with a very narrow margin. According to Oguntoye³⁵, the idea of inconclusive election during the 2018 gubernatorial election in Osun state indirectly was a reflection of the desperation of incumbent governor to retain his party of the state control after his tenure. Also, it was reported that the Osun state former Governor, Ogbeni Rauf Aregbesola deployed the state apparatus to give more voting chance to the APC during the bye-election³⁶. It was alleged that those that were allowed entry into the seven polling centers, where the by-election was held either came in with “a specified hand band or handkerchief tied to their heads”, which were ostensibly given out by the ruling All Progressive Congress³⁷. It was alleged that political thugs chased away any voter who came in to any of the seven polling centers for the bye election against the ‘dress code’, in the full glare of the state security agents ostensibly on the instruction of the then governor. On the long run, the APC won the bye- election which was the deciding vote. In Rivers state, during the 2015 gubernatorial election, the state recorded significant fatalities related to retention of incumbent seat. According to the report of the Commission of Inquiry instituted by Governor Rotimi Amaechi, there was an average of 19 killings per month between November 2014 and April 2015, the six-month period before the election³⁸.

Too much desperation of the incumbent governor to win election for himself strains the state security. A serving governor might be reckless in spending the security votes against what it is originally meant for. Reckless use of security is possible since security votes of a governor are funds meant for discretionary spending on public safety measures at the state and local

³⁵ Oguntoye, Titus I. Kogi/Bayelsa: Early Warning Signals of Voter Inducement, 2019. <https://www.thisdaylive.com/index.php/2019/10/27/kogi-bayelsa-early-warning-signals-of-voter-inducement/>

³⁶ The Guardian. Rivers Government Bicker over Militia Training Camp written by Ojebiyi, Olusola, 2018.

³⁷ Ibid. Pg. 5

³⁸ International Centre for Investigative Reporting. With 46 Casualties, Akwalbom Most Violent State in Niger Delta. 32nd ed. 2018.

government. Since nobody audits the expenditures of security votes, most incumbent governors embezzle the money by diverting it to fund second term election. When this is done, security in the state suffers. In most cases as well, some state governors put up, fund and control security organizations of their own to foment trouble, realize second term ambition or continuity of political party in the state. For instance, Sorkaa³⁹ reported that the “state boys” were allegedly put in place by Ogbeni Rauf Aregbesola in Osun state to support his second term. Also, Nyesom Wike of Rivers state also inaugurated “Rivers State Neighbourhood Safety Corps Agency” in March 2018, which federal government described as illegal security outfit and clamped down upon. It was alleged that Wike used the security outfit in mention to realize his second term ambition⁴⁰. The Independent National Electoral Commission had to suspend Rivers state gubernatorial bye-election in the state capital, Port-Harcourt, indefinitely following widespread disruption by thugs⁴¹.

In addition, incumbent governor induces security forces in his favour. It also breeds impunity because troublemakers sponsored by incumbent governors are rarely punished. Incumbent governors sometimes feel threatened by the acceptance of their rivals⁴². This accounts for why serving governors deploy security forces or thugs against their rivals. During voting, the governor’s thugs invade polling centers to either snatch voting materials or intimidate voters. Desperation of incumbent governors to win election makes them to sabotage and disrupt security arrangements in opponent’s strongholds⁴³.

³⁹ Sorkaa, Andrew. Development as Ethics and Accountability in Governance: the Way Forward for Nigeria, Washington: Center for Democracy and Governance Technical Publication Series, 2014.

⁴⁰ Egwu, Sam. It’s everywhere: Vote-buying gets more brazen in Nigeria ahead of 2019”. Nigeria: African Insider Newsletter. <https://africanarguments.org/2018/09/04/everywhere-vote-buying-more-brazen-nigeria-on-2019>

⁴¹ *This Day*. Wike Gives Assent to Rivers State Neighbourhood Watch Safety Corps Law, written by Diamond, Taylor, 2018.

⁴² Stephen, Alani K. My generation has failed. Nigeria: Lagos. 2015. Also available at www.vanguardng.com

⁴³ Onapajo, Timothy. Monitoring Nigeria’s Elections. The Carter Formula, USA: Buttosville, MD, 2015.

The election of the second republic under former president Shehu Shagari was reported to be massively rigged in favour of the ruling National Party of Nigeria (NPN). In response to the results, there was mayhem in Oyo and Ondo states of the south west. The protest and violence were against manipulation of governorship polls in the two states in favour of the candidates of NPN, which controlled the centre. In the end, several lives were lost and the headquarters of Federal Electoral Commission was touched in the two states.

Some disturbing cases associated with 2019 gubernatorial elections across some states in Nigeria are briefly noted here. In Akwa Ibo, the 2011 gubernatorial election witnessed severe violence between main political rivals that left several people dead and many injured, the president's campaign office destroyed, and about 500 private and official vehicles burned⁴⁴. It was noted that the violence was aggravated by the split between PDP Governor, Udom Emmanuel and his predecessor, Godswill Akpabio, as well as the struggle for control of the state House of Assembly. Emmanuel, a key figure in Akpabio's state cabinet, was his anointed heir in 2015 and on 8 August 2018, Akpabio defected to the APC, switching his support to Nsima Ekere, who later emerged as the APC's gubernatorial candidate.

Nsima Udo Ekere was Akpabio's deputy governor for seventeen months from May 2011 to October 2012, but hurriedly resigned to avoid impeachment planned by the state's House of Assembly, after he fell out of favour with his principal because of political ambition. In Kaduna state, the governorship seat was largely contested in the 2019 general election by the incumbent APC governor, Nasir Ahmad El-Rufai, and the PDP candidate, Isa Ashiru. El-Rufai's feud with the state's three senators in the National Assembly was not unconnected with the governor's second term ambition which made two of them, Suleiman Hunkuyi and Shehu Sani to defect to People's Democratic Party (PDP) and the People's Redemption Party (PRP). According to Omeleke,⁴⁵ Hunkuyi had earlier accused El-Rufai of ordering the

⁴⁴ INEC Report. Report of the Registration and Election Committee (RERC). Nigeria: Abuja INEC Secretariat Press, 2012.

⁴⁵ Omoleke, Moses. An Assessment of Determinants of Electoral Integrity: A case of Independent National Electoral Commission in

demolition of a building belonging to his APC faction so as to weaken him politically.

In the run off to the 2019 gubernatorial elections, Kano state was under an APC government but Governor Abdullahi Umar Ganduje won his second term seat amidst controversies. Former Governor Ibrahim Shekarau from the state had returned to the APC from the PDP on 25th November, 2018. The feud escalated between the previous APC governor, now a PDP senator, Rabiu Musa Kwankwaso, and his former deputy and successor, who is now the current governor and sought a second term on the APC ticket. While in office from 1999 to 2003 and 2011 to 2015, Kwankwaso and his deputy then, Ganduje (who is now the governor) worked harmoniously together. After Ganduje took over, their relationship deteriorated over control of the state apparatus⁴⁶. It was alleged that Kwankwaso wanted to retain some authority while Ganduje brooked no interference. The squabble resulted in several clashes between their supporters, Kwankwasiyya and the Gandujiyya. As a result, Kwankwaso stayed in Abuja and could not hold meetings, rallies or other public events in the state. Yet, he backed a PDP candidate, Abba Kabiru Yusuf, for governor but was weakened when some Kwankwasiyya members switched to the APC on 25th November, 2018. His campaign was hurriedly called off in January 2018 when police said they could not guarantee order after one of Ganduje's men, Commissioner for Special Duties, Abdullahi Sunusi, was seen on video urging Gandujiyya to "stone" Kwankwaso if they ever saw him in Kano⁴⁷.

The 2019 gubernatorial elections in Plateau state witnessed severe deterioration of security in some parts of the state. The state witnessed a dangerous gubernatorial contest mainly between the APC incumbent Governors, Simon Lalong, against a PDP senator, Jeremiah Useni. On 12th November 2018, the

Nigeria. Published in International Journal of Contemporary Research and Review, 9(8), 2018.

⁴⁶ The News. Count down to 2019 Elections written by Akande, Biola Stephen. 2015

⁴⁷ Egwu, Sam. It's everywhere: Vote-buying gets more brazen in Nigeria ahead of 2019". Nigeria: African Insider Newsletter.
<https://africanarguments.org/2018/09/04/everywhere-vote-buying-more-brazen-nigeria-on-2019>

Committee on Resettlement of Internally Displaced Persons (IDPs), set up by the state government five months earlier, reported that the attacks have resulted in the killing of over 1,800 people and displaced more than 50,000 in Jos North, Jos South, Bassa, Riyom, BarkinLadi and Bokokos local government areas⁴⁸. Lalong's refusal to introduce laws that banned herders from grazing on farmland was a way to achieve his second term ambition. Jos North local government area, which recorded incidents of electoral violence in 2002, 2008 and 2011, also witnessed violence in 2019.

The indigenes alleged that many young men from Tilden Fulani, a neighbouring city in Bauchi state, came to register for the elections in Jos North, in order to secure victory for the incumbent governor that resulted in clashes and bloodshed. Some other casualties associated with gubernatorial elections are cited hereunder:

Table 1: Killings Associated with Second Term Crises

S/ N	Date	State	Victims and Circumstances
1	17th October, 2018	Lagos	2 thugs killed in Obanikoro
2	26th October, 2018	Ekiti	Gunmen shot a PDP Mmember of the Ekiti House of Assembly, Hon. Michael Adedeji who died on 29th October, 2018
3	27th October, 2018	Enugu	Gunmen /higher assassins stormed APC Chairman House in Enugu state, Ben Nwoye and shot his police orderly
4	14th November, 2018	Rivers	About 25 attacked a rally organized by PDP leaders in Ipo Community in Ikwe

⁴⁸ *This Day*. Wike Gives Assent to Rivers State Neighbourhood Watch Safety Corps Law, written by Diamond, Taylor, 2018.

			Local Government with the LG Chairman, Samuel Nwanosike narrowly escaped death
5	1st December, 2018	Jigawa	Some APC leaders were almost lynched by thugs during a meeting in Hasawa Village of Gwaram Local Government Authority

Source: compiled by the author from secondary sources

The Required Reforms

In addition to the existing reforms, there should be Transition Committee to take charge of state affairs ahead of elections. Since it is evident that state governors use their powers of incumbency in favour of their emergence for the second term, the author is of the view that provision should be made for the place of Transition Committee in states ahead of elections. The electoral reform should empower the electoral management body (INEC) to institute the Transition Committee that will be made up of INEC official, security agents, civil society groups, academics, and representatives of political parties. All appointed members should be free from partisan political record. The committee is to be in charge of transition and governance ahead of election. This will reduce the power of the incumbent governor in election related matters. The members of the Transition Committee should be people that have been tested overtime.

As an extension of the above, the new reform should fix the tenure of office of governors to end before another election in states. A waiting period of not more than three months should be provided for in the new reforms (which should be supported by an act of the National Assembly) within which another election would be conducted and finalized. Within these three months, the Transition Committee would be in charge of governance. The waiting period will also be a period within which all post-election litigations must be put to rest. This waiting period will afford the state to be free of undue influence from incumbent governor.

In addition, the new reform should outlaw the use of state resources for electoral campaign. In other words, the new reform should make it a punishable offence to use state resources for election matters other than by the INEC. For any reason, state resources such as money, cars, and other facilities should be proscribed from being used for election matters. A jail term of not less than seven (7) years should be suggested for anybody in the Transition Committee found guilty of this offence. Political parties should be made to pay commensurate levy for the use of state facilities such as stadium for campaigns or rallies. By this, reckless use of state resources would be put on check.

Enabling law should be made that will foreclose second term, and make the term of governors to be single (five years alone). If the state governors are disallowed from contesting for the second term, it is much likely to reduce the desperation of winning at all cost. Indirectly too, prevention from being able to contest for the second term will reduce the use of violence and arms in the conduct of elections. The kind of support a serving governor will give to anybody other than himself will be minimal if the governor is not himself contesting.

There is need to reform the current paper-based election. To reduce human influence, including from incumbent governors; electronic voting system should be adopted. Although, challenges of cost, illiteracy and low level of Information Communication Technology will still abound, yet, the challenge will gradually fade away as time passes by. It will be naïve to think that the reforms initiated in this study will not be dotted with challenges. However, the initiatives here are capable of ensuring credible electoral outcomes and gains made capable of maximally benefitting the generality of the public rather than just few individuals.

Conclusion

The reforms offered in this study are to reduce the enormous influence of serving governors as 'state's chief security officer and party leader' whose desperate ambition for second term or retention of political power for their parties have done enormous harm to Nigeria's polity. A lot of violence, clashes, breakdown of law and order, lawlessness traceable to governors' have been

cited in this study as evidence of the desperation of state governors to truncate electoral processes. It is needful that electoral reforms be carried out from time-to-time so as to rectify loopholes in the electoral system. If serving governors that are entrusted with enormous powers at the state level are guarded with enabling electoral reforms as canvassed here, the future of Nigeria's electoral conducts stands to be better. The impact of electoral reform cannot be overemphasized as revealed by the post-2010 elections, which culminated significant successes witnessed in the 2011, 2015 and 2019 elections in Nigeria.

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