

Nigeria's 2015 General Elections: Crumbling or Consolidating Democracy?

1.0 INTRODUCTION

In 2015 Nigerians will go to the polls to elect their next president, state governors and legislators. The elections will mark the fifth multiparty elections in Nigeria since the return of democracy in 1999 following about 16 years of military dictatorship. Even amidst skirmishes and complains of electoral fraud, the previous elections in 2011 were described by both international and local observers as the most successful the country has ever had and this has raised expectations of further progress and improvement in the electioneering process. However, the optimism for the consolidation of democracy through improved electoral process is seemingly being challenged, by a peevish political and security landscape in the lead-up to 2015.

The political and security crescendos in Nigeria at the moment is a major reason the 2015 general elections is a source of concern to both local and international analysts. Data from WANEP-Nigeria National Early Warning System (NEWS) shows an average of 400 deaths per month for the last six months. Topping the charts of the causes of deaths are issues of insurgencies especially the activities of radical ethno-religious groups that have been trying to

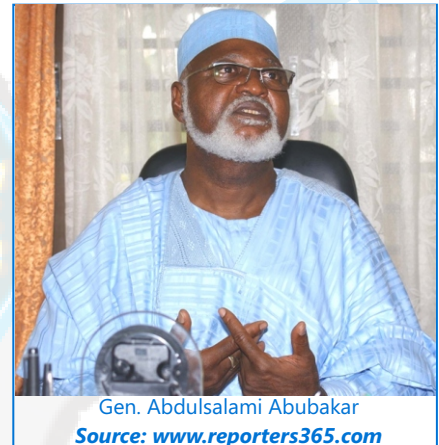
dismember the North East and North Central parts of the country recording over 2,800 deaths in March 2014 alone from either the attackers or the security operative's responses.

The conditions are even more complicated with Nigeria's history of political and election disputes/violence, lack of internal party democracy, ethno-religious intolerance (with political parties formed along ethnic and religious lines); youth bulge, economic hardships occasioned by volatile business environment, corruption and elite struggle among others.

This policy brief will analyse the factors and the actors that will shape the outcome of the general elections, proffer recommendations for various stakeholders towards a peaceful, free and fair election and the consolidation of democratic strides in the country.

2.0 THE STAKES AND STAKEHOLDERS

The 2015 general elections has been termed a critical turning point for the country. The two premises for this axiom are the determination of the North to reclaim power in 2015 and the desire of President Goodluck Jonathan to seek another term in office.



According to Gen. Abdulsalami Abubakar, a former Head of State, *'the arrangement around these positions portends danger and will determine the unity of the country'*¹.

In the ongoing National Conference and regional consultations before the conference, discussions and body languages of major political actors

¹ 2015'll determine Nigeria's unity, Punch Newspaper March 7, 2014

West Africa Early Warning & EARLY RESPONSE Network (WARN)

The West Africa Early Warning Network (WARN) is an integral part of the West Africa Preventive Peacebuilding Program co-ordinated by the West Africa Network for Peacebuilding (WANEP). Through its WARN Program, WANEP is setting the stage for a civil society-based early warning and response network in Africa with emphasis on human security.

WARN covers the entire Economic Community of West African States (ECOWAS) region.

Since 2002, WANEP entered into an agreement with ECOWAS through the signing of a Memorandum of Understanding (MOU) in the framework of capacity building in Conflict Prevention. One of the goals of

this agreement is to interface WARN with the ECOWAS Early Warning Systems to optimize early warning conflict prevention in West Africa. In view of this development, WANEP has been operating a liaison office located at the ECOWAS Secretariat in Abuja, Nigeria since April 2003.

In recognition of the role and achievements of the West Africa Network for Peacebuilding (WANEP) in Conflict Prevention and Peacebuilding in Africa, particularly in West Africa, the Economic and Social Council of the United Nations at its substantive session of 2006 granted WANEP Special Consultative Status to the UN. WANEP is therefore mandated to designate official representatives to the United Nations in New York, Geneva and Vienna to further its advocacy and outreach strategies for peace and human security.

resonates along ethnic lines in what many have described as strong positions over claims for power and power shift. This ethnocentric political atmosphere is complicated further by a volatile political and security atmosphere and seeming overwhelmed democratic institutions. The key stakes and the stakeholders include:

I. History of Electoral Violence:

Nigeria's election history has always been marred by various levels of violence at the pre, during and post election phases, with high consequences including deaths, displacement and destruction of livelihood as was witnessed in the 2011 general elections. While the election was adjudged to be free and fair, the post election crisis remains one of the most violent in the history of the country where 800 people were reportedly killed in the three days riot that followed the presidential elections in 12 states in northern Nigeria². The riot is a pointer to the strong linkage between politics, religion and ethnicity in Nigeria.

Although Nigeria is described as a resilient country, most of the conflicts it has been able to withstand could best be described as localized and confined to a region. The concern for 2015 is on the possibility of localized conflicts snowballing into a nationwide crisis especially amidst an already fickle security environment.

II. The Strength of the Democratic institutions:

Another factor that will influence the outcome of the electoral process is the strength of the democratic institutions especially the Election Management Body and the Security Agencies. While Nigeria's Independent National Electoral Commission (INEC) under the leadership of Professor Attahiru Jega has been adjudged credible and enjoys a lot of goodwill from the citizenry, the Commission is still challenged by issues relating to constituency demarcation, issuance of permanent voters card, allegations of registration of minors, logistics relating to late arrival of voting

materials and collation practices, sabotage of the electioneering process by corrupt officials among others. Presently the Commission seeks 12 amendments to the Nigerian 1999 Constitution (*as amended*) and three to the Electoral Act 2012, to enable it conduct "credible election". Similarly, the Nigerian security agencies continue to battle to regain its confidence from the public. In some instances, the security agents have been fingered as aiding and abetting electoral fraud. The

politics. This is further reinforced by the desire of the incumbent to contest in 2015 when the northerners claim they should be completing their own circle following President Obasanjo's (a southerner) eight years in office and late president Yaradua's aborted tenure. The ongoing cross carpeting and decamping by politicians from PDP to APC and back is another interesting development which is closely linked to the calculations of the political class toward 2015 and the desire of the north to seek a platform that would enable them realise their ambition.



current Inspector General of Police has initiated several reforms aimed at professionalising the Nigerian police (as the coordinating agency for security operatives during elections) and also regaining public confidence. While this was evident in the way and manner the force conducted itself in the recent governorship election in Anambra state, it can only be described as work in progress and with a lot of capacity building needed especially in the management of elections.

III Claim to Power and Power Shift:

The *North-South* power rotation "gentleman agreement" of the Peoples' Democratic Party (PDP) continues to generate sentiments amongst the various ethnic groups. The tension about this arrangement is the root cause of the fragmentation of the PDP structure as well as the formation/amalgamation of prominent opposition parties latching on the north-south dichotomy and ethno-religious sentiments in Nigeria's

3.0 ACCELERATING FACTORS – THE ACTORS AND THE FACTORS

I. The ethno-religious and regional nature of Nigerian politics:

The ethno-religious nature of Nigerian politics amplified by the "zoning arrangement" of the PDP became a national discourse in the 2011 presidential election despite the fact that it was not shared by sixty-two other political parties participating in the elections. This arrangement of rotating the presidency between the North and South after eight years or two terms was allegedly muted by the party in 1999 as a means of ensuring 'national interest' and political stability. The emergence of the incumbent, President Jonathan as the party's flag bearer and his subsequent winning of the election was perceived by the northern political class as 'robbery' and disrespect for an

² <http://www.hrw.org/news/2011/05/16/nigeria-post-election-violence-killed-800> accessed on 8 August 2013

agreement between 'gentlemen and the opportunity of being the 'rightful' president of the country in line with the party's zoning arrangement. Statements ascribed to northern leaders in this regard include that the 'North will make Nigeria ungovernable for Jonathan or any other southerner who finds his way to the seat of power on the platform of PDP against the principle of party zoning policy' (October, 2010)³.



VP. Atiku, 7 governors walk out of PDP convention
Source: www.ynaija.com

II. War of Words: The competition between the North and South for the 2015 presidential election continues to gather momentum on daily basis. Threats and counter threats have been issued by the North and South on what will happen if or not President Jonathan contests and wins the 2015 general elections. Lawal Keita in March 2012 stated that 'the only condition for Nigeria to be one is for the presidency to come from the North in 2015'⁴. The Arewa Consultative Forum and Northern Leaders Forum are calling for power shift to the North in line with the "agreement" reached between President Jonathan and their leaders in 2011. Similarly, Mujahid Asari Dokubo the leader of Niger Delta People's Volunteer Force (NDPVF) stated that there will be no peace, not only in the Niger Delta but the whole of Nigeria if Goodluck Jonathan is not president by 2015⁵. The President who is yet to officially declare his intention to run for the 2015 presidential elections has debunked the claim that he signed any agreement and dared the claimants to make public copies of such agreement. The President has consistently maintained that he never expects any Nigerian to spill a drop of his blood because of his ambitions and that Nigerians should always preach peace and unity in all their engagements⁶.

III. Internal Party Wrangling: The August 31, 2013 walkout staged by some

members of PDP during the party's national convention in Abuja brought to the fore the deep crack in the ruling party. The walk-out led by former vice President Atiku Abubakar, seven Governors, some members of National Assembly and other national leaders is believed to be the quest for the North to control the party's machinery ahead of the 2015 elections. The outcome of the walkout was the establishment of the New PDP (nPDP) by some prominent members of the party. The BamangaTurkur led PDP was accused by the nPDP of supporting President Jonathan's second term ambition, which they claim is a breach of sections 145, 142 and 146 of the Constitution that limits the tenure of the president and governors to a maximum of eight years whereas President Jonathan's running in 2015 means he would be sworn-in three consecutive times as president thereby spending a total of 10 years in office⁷. A Federal High court judgement in 2012 declared President Jonathan eligible to run for presidency in 2015 election while a Kaduna state High Court dismissed a suit challenging his right to contest in the elections. However, political pundits believe that power shift to the North would depend largely on the level of unity among the northern political elites and the degree of internal democracy in the PDP and APC which are seen as the two dominant political parties in the country.

IV. The emergence of APC as a power block and its crisis of lack of internal democracy: A major fallout of the fragmentation of the PDP is the emergence of the All Progressive Congress (APC) as the dominant opposition party in Nigeria. The APC is the alliance of four political parties: Action Congress of Nigeria, the All Nigeria Peoples Party, Congress for Progressive Change and All Progressive Grand Alliance. This formation was acclaimed as an alternative to the PDP and a serious effort by the opposition to win the presidential elections come 2015. Each of the amalgamating units made independent attempts at presidency in the past elections and has over the years gathered a sizeable number of supporters. The concern however remains if the alliance and merger will not collapse over contestation for the party's presidential ticket and other issues bordering on internal democracy in the party. Already, the merger between the nPDP and APC is causing tension between the Governors in four of the five states (Kano, Adamawa, Sokoto and Kwara states) who crossed carpeted from PDP to APC. The tension in the state is around who controls the party's machinery in the state. APC will most likely cash-in on the North-South sentiment to field a northern candidate as a means of winning the presidential election.

V. Money Politics' and its implication for credible elections in Nigeria: Money politics has been identified as a major obstacle to the conduct of free and fair elections in Nigeria. According to the Chairman of INEC, Prof Jega, the November 2013 gubernatorial election in Anambra state was sabotaged by desperate politicians who compromised electoral officials to derail the process. The desperation of politicians to win election at all cost and by all available means is already playing

³ www.vanguardngr.com accessed on August 8, 2012

⁴ www.vanguardngr.com accessed on August 8, 2012

⁵ www.premiumtimesng.com accessed on 8th August 2013

⁶ See more at: <http://www.vanguardngr.com/2014/01/ambition-worth-blood-nigerians->

⁷ <http://www.tribune.com.ng/news2013/index.php/en/component/k2/item/22405-jonathan-s-2015-ambition-may-break-nigeria-new-pdp-he-s-eligible-to-run-g13-ex-govs-no-intimidation-can-stop-g7-govs-lamido.html>

out in preparations for 2015. APC accused the Peoples Democratic Party of luring opposition legislators with huge amounts of money ranging from \$1m to \$10m, alleged to be public funds, to join the party⁸. Analysis from political pundits showed that the trend is not peculiar to PDP but all political parties have come to rely on vote buying and bribing of election officials to sabotage the electioneering process. The accusation of vote buying is also not new in Nigerian politics; the incumbent president and other contestants like Atiku Abubakar allegedly paid delegates to the PDP 2011 presidential primary election between \$7000 and \$20,000 for their votes. Analyses have also linked the unprecedented level of oil theft in Nigeria to preparations of the political class for 2015 election. The practice of money politics in Nigeria is also a major obstacle to internal democracy and adherence to rule of law by political parties.

VI. Proposed INEC Timetable:

The opposition political parties has accused and indicted INEC of yielding to pressure from the Presidency in scheduling the National Assembly and Presidential elections for February 14, 2015, while the governorship and state assembly elections are to take place on February 28, 2015 which is a clear departure from the 2009 and 2011 elections. While the PDP acclaimed the timetable, opposition parties have condemned holding the presidential elections before gubernatorial as a strategy by the ruling party to create "a bandwagon effect" on Nigerian voters as well as intimidate political opponents into voting PDP at other levels. The suggestion by the opposition that all elections should hold on a single day to give all stakeholders a level playing ground was not accepted by INEC citing the enormity of challenges associated with it and lack of preparedness by the commission to hold all the elections in one day⁹. INEC's efforts to amend sections 76, 116, 132, 77(2), 134, 117(2), 178, 179 of the 1999 Nigeria Constitution (as amended) and Sections

25, 31(1) and 87(9) of the Electoral Act 2011 has not been successful. Already the National Assembly has rejected the proposed amendment on biometric voting proscribed to make the elections credible. It is however unclear if the ongoing constitution amendment in the National Assembly will grant INEC's request. If granted, the amendment is believed to strengthen INEC's capacity to conduct credible and transparent elections. Specifically the amendment will enable INEC determine the order of the conduct of elections in such a way that no political party will have undue advantage over the others¹⁰. It will also give INEC the legal powers to determine what form of voting to adopt, including the use of electronic machines for efficient conduct of elections and timely declaration of results. Others include the power to sanction political parties that breach internal democracy, timeline for resolving pre-election matters, a law to disallow candidates who did not win primaries from contesting any strand of election, number of days for the determination of electoral matters and establishment of Election Offences Tribunal for investigating and prosecuting electoral offences.

VII Current security challenges and 2015 elections: The proliferation of ethno-religious groups that have been trying to dismember the country is another factor that has increased the risk of a possible violent electioneering process in 2015; *Boko Haram* sect's activities in the North east zone, killings by Fulani herdsmen in the middle belt, resurgence of militancy in the Niger delta, activities of organized armed groups especially the consistent attacks by a gang operating from Rugu Forest on communities in Niger, Zamfara, Kaduna and Katsina states to name a few.

Despite the imposition of emergency rule by the Federal government on Borno, Yobe and Adamawa states, aftermath of attacks by *Boko Haram*, remains devastating and is linked to the



Fulani Herdsmen and Farmers' Clash
Source: www.informationng.com

escalated attacks by Fulani herdsmen and other armed groups in northern Nigeria. The sect is believed to enjoy the support of some leaders allegedly displeased with President Jonathan for disregarding the PDP zoning arrangement. The porosity of Nigeria borders is another factor that has sustained the activities of the sect as small arms and mercenaries have free access into the country. The regrouping of the Niger delta militants and their rumored access to arms allegedly purchased with the proceeds from crude oil theft also poses another risk.

⁸ Punch Newspaper, FEBRUARY 12, 2014, PDP lures our member with dollars, says APC

⁹ Punch News paper, February 08, 2014, 2015: Uproar over INEC's time-table

¹⁰ <http://www.osundefender.org/?p=42094>

4.0 SCENARIOS

In view of the above analysis, we foresee the following scenarios playing out in pre, during and post-election period;

Best-case scenario

- The ongoing National Conference is able to address the underlying tension polarizing the North and South before the election; recommendations from the conference is subjected to a referendum and accepted by the North and the South; the country's level of patriotism is enhanced and everybody begins to put Nigeria ahead of sectional interest. The election is conducted in an atmosphere of peace and tranquillity; the democratic strides of Nigeria is consolidated and sustained. **(Unlikely)**
- The security situation in the country improves tremendously; the conditions for a peaceful election is set; all citizens have confidence in the democratic institutions and the ability of INEC and other agencies to provide the level playing field for the conduct of the elections. The political parties are satisfied with the conduct and outcomes of the elections to the extent that there are no post-election violence **(Unlikely)**

Realistic case scenario

- The INEC is strengthened and supported by various international communities to conduct a free and fair election; PDP zoning arrangement and internal squabbles is ironed out ahead of the election and the party leaders endorse a common candidate; APC also settles for a consensus candidate; election holds as scheduled and even amidst pockets of violence and counter violence in the north and south, parties accept the result and security agents step in to curtail full-blown unrest. **(Likely)**

Worst-case scenario

- PDP present President Jonathan as its candidate and he wins the election riding on the power of incumbency and state resources even amidst existing tension and threats from the northern political leaders and the Niger Delta militants. The northern

leaders reject the election results and make unguarded statements inciting the youths to violence; the activities of 'Boko Haram' and other insurgent groups heightens targeting government structures and agents as well as southerners; reprisal attacks, oil theft and vandalism by the southerners especially the Niger delta militants spirals out of control. The situation escalates to large-scale violent conflict between the North and South, millions of Nigerians are forced to move to neighbouring countries as the inability of ECOWAS and the International community to intervene promptly makes the country unsafe and ungovernable. Nigeria disintegrates as predicted by the US government report of 2004. **(Less Likely)**

- The North agrees on a candidate on the platform of APC, the incumbent emerges the candidate of PDP. Due to unresolved internal crisis in the PDP, APC candidate wins the election. The Niger Delta militants attack oil installations halting oil exploration in the country. Attacks and counter attacks between the Niger delta militants and Boko Haram insurgents continue unabated. A power sharing arrangement to curtail the violence is proposed by the International community; the military decides to take over and salvage the situation **(Less likely)**.

5.0 OPTIONS FOR RESPONSE

- The federal government should map potential violent spots in the country, develop deployment plans and coordination arrangements among different security agencies to ensure early detection of conflict indicators as well as early response.
- Federal and state governments should provide adequate and timely funding to security and law enforcement agencies to enable them deter, arrest, and prosecute electoral violence offenders.
- Federal and state governments should avoid any act that would be perceived, as impeding the workings and independence of INEC.
- Nigeria Judicial and law enforcement agencies, particularly the police should partner with civil society organizations to improve their intelligence/data collection processes, investigation and prosecution capacity.
- Security agencies should develop multilevel security prognostication and response strategy at local, zonal and national levels as a basis for dealing with any outbreak of violence in the pre, during and post-election period.
- The National Assembly should conclude the ongoing amendment of the 1999 constitution and the Electoral Act to enable INEC have the required legal backing to conduct a credible election.
- The Conference of Nigeria Political Parties (CNPP) should work with other stakeholders especially in the ongoing National Conference to review the issue of zoning/rotational presidency and take a stance on whether it should be applied in Nigeria's electoral process and or the constitution.
- Independent National Electoral Commission (INEC) should ensure that all actors especially political parties and their members play according to the rules of the game and in accordance with the provisions of the Nigerian Constitution, the Electoral Act, and the political parties' Code of Conduct, specifically those relating to campaigns, rallies and primaries compelling all parties to eschew violence.

- ECOWAS, International Community and Development partners should support appropriate local and national early warning, and response initiatives aimed at dealing with election violence.

- Civil society organizations and the media should initiate and encourage civic and voter education programs that would promote peaceful democratic culture and mitigate electoral violence. CSOs should also establish a situation room to ensure regular collation and analysis of data as well as coordinated early responses.

- The Northern and Southern Leaders/elders should embark on joint peacebuilding and social cohesion initiatives. Similarly the Inter Religious Council should intensify advocacy and peacebuilding mechanisms especially at the grassroots level.

6.0 CONCLUSION

Since the return of democracy in Nigeria in 1999, elections have become more regular and with steady improvement in terms of process. Unfortunately, most of these elections have been marred by various levels of violence at either the pre, during and post election stages. This violence undermines the giant strides the country is making to stabilize its democracy following over 30 years of military dictatorship.

It is not enough to conduct elections if the apparatus or mechanisms for managing electoral disputes are not sensitive and penetrative enough to ensure stability in power transition while guarding against the recourse to violent strategies by contending parties. If the Nigerian elections are managed properly, it will help steer the country through the shoals of a precarious moment in its history. On the other hand, were the elections to be rocked by serious disputes and major violence as is beginning to play out, the risk of

political instability would be significantly increased in a country already grappling with major issues of terrorism and insurgency.

Nigeria has conducted four consecutive general elections since the advent of democracy in 1999 which is a clear testimony to the extra-ordinary progress towards the consolidation of democracy in the country. With the support of international partners and adherence to the recommendations above, we believe that Nigeria will once again surmount all odds and continue to provide leadership in peace and security in the region.

Building Relationships for Peace

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ANNEX 1

TIME TABLE AND SCHEDULE OF ACTIVITIES FOR GENERAL ELECTIONS, 2015

S/N	ACTIVITY	DATE	REMARK
1	Notice of election	1 st October, 2014	Section 30 (1) of the Electoral Act, 2010 (as amended) provides not later than 90 days before the election.
2	Commencement of campaign by Political Parties	Presidential & National Assembly- 16 th November, 2014 Governorship & State House of Assembly- 30 th November, 2014	Section 99(1) of the Electoral Act, 2010 (as amended) provides 90 days before polling day.
3	Collection of Forms for all elections by Political Parties	4 th – 11 th November, 2014	For Political Parties to issue to their candidates.
	at INEC Headquarters.		
4	Conduct of Party Primaries including resolution of disputes arising from the Primaries.	Commencement date 2 nd October 2014 End 11 th December, 2014	To enable Political Parties democratically nominate candidates for the election as required by Section 87 of the Electoral Act, 2010 (as amended)
5	Last day for submission of Forms CF001 and CF002 at the INEC Headquarters (for all elections).	Presidential & National Assembly- 18 th December, 2014 Governorship & State House of Assembly -25 th December, 2014	Section 31(1) of the Electoral Act, 2010 (as amended) provides for not later than 60 days before the election.
6	Publication of Personal Particulars of candidates (CF001) (for all elections).	Presidential & National Assembly -25 th December, 2014 Governorship & State House of Assembly- 1 st January, 2015	Section 31(3) of the Electoral Act, 2010 (as amended) provides for publication within 7 days of the receipt of the form CF001
7	Last day for withdrawal by candidate(s)/replacement of withdrawn candidate(s) by Political Parties.	Presidential & National Assembly -30 th December, 2014 Governorship & State House of Assembly -13 th January, 2015	Section 35 of the Electoral Act, 2010 (as amended) provides for not later than 45 days before the election.
8	Last day for the submission of Nomination forms by Political Parties.	Presidential & National Assembly- 6 th January, 2015 Governorship & State House of Assembly -20 th January, 2015	Sections 32, 37, 38 and 39 of the Electoral Act 2010 (as amended). (Commission to appoint time for submission).
9	Publication of official Register of voters for the election.	13 th January, 2015	Section 20 of the Electoral Act, 2010 (as amended) provides not later than 30 days before the election.
10	Publication of list of nominated candidates.	Presidential & National Assembly -13 th January, 2015 Governorship & State House of Assembly- 27 th January, 2015	Section 34 of the Electoral Act, 2010 (as amended) provides at least 30 days before the day of election.
11	Publication of Notice of Poll (for all elections)	28 th January, 2015	Section 46 of the Electoral Act, 2010 (as amended) provides not later than 14 days before the election.
12	Submission of names of Party Agents for the Election to the Electoral Officer of the Local Government Areas or Area Councils.	Presidential & National Assembly -29 th January, 2015 Governorship & State House of Assembly -12 th February, 2015	Section 45 of the Electoral Act, 2010 (as amended). Provides not later than 7 days before the election.
13	Last day for campaigns	Presidential & National Assembly- 12 th February, 2015 Governorship & State House of Assembly- 26 th February, 2015	Section 99(1) of the Electoral Act, 2010 (as amended) prohibits Advertisements or broadcasts of campaigns 24 hours prior to the day of election.
14	Dates of Elections National Assembly/Presidential Governorship/State House of Assembly	Presidential & National Assembly- 14 th February, 2015 Governorship & State House of Assembly -28 th February, 2015	Section 25 of the Electoral Act, 2010 (as amended), provides that Commission to appoint date not earlier than 150 days but not later than 30 days before the expiration of the term of office of the last holder of that office.